

I desire to spare the parties the expense of a reference to ascertain the amount to be paid for alimony. In her affidavit, the plaintiff places her husband's earnings at \$60 a month net, and he has about \$40 from realty. The plaintiff intends taking the youngest child with her. During all her married life, she has been used to working to some extent. She appears to be in good condition physically, and I do not think she is entitled to be maintained in a condition of idleness.

I have come to the conclusion that she should have \$35 a month for alimony, on the understanding that she has this child to maintain. I think there is foundation for the view expressed by the husband that his income in the absence of his wife's assistance will be seriously and prejudicially affected.

Of course, the husband will also have to pay the wife's costs.

I desire to express again the hope that this separation may be only temporary, and that such steps may be taken as will lead to the restoration of the husband to a better condition of mental health.

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HON. MR. JUSTICE MIDDLETON.

JUNE 2ND, 1914.

BONNELL v. SMITH.

6 O. W. N. 414.

*Evidence — Action against Executors — Evidence Act, R. S. O. (1914) ch. 76, sec. 12—Corroboration — Point on which Corroboration Necessary—Action for Money Lent.*

MIDDLETON, J. dismissed an action to recover from the personal representative of a deceased person certain alleged loans on the ground, *inter alia*, that there was no corroborative evidence, as required by the Evidence Act in such actions.

*Thompson v. Coulter*, 34 S. C. R. 261, followed.

Action tried at Toronto, 29th May, 1914, to recover from the personal representative of the late E. W. Smith, \$1,768.82, being the amount of some sixty cheques, most of them for small amounts, drawn by plaintiff upon an account in his own name in Bank of Montreal "in trust."

N. S. Macdonnell, for the plaintiff.

R. W. Treleaven, for the defendants.