of the defendants, with whom the oral agreement upon which
the action was founded was alleged to have been made, and the
mass of correspondence and other documents necessary for con-
sideration in order to prepare a full and definite statement of the
grounds of defence, a reasonable time should be granted. Order
made extending the time for delivery of the statement of de-
fence until the 23rd November, 1912. Costs in the cause. Angus
MacMurchy, K.C., for the defendants. F. Arnoldi, K.C., for
the plaintiff.

Leakim v. Leakim—Divisional Court—April 29.

*Marriage—Action by Husband for Declaration of Invalidity
—Incapacity of Wife—Jurisdiction of High Court—Motion to
Strike out Statement of Claim and Dismiss Action—Con. Rules
261, 617—Judgment.*]—Appeal by the plaintiff from the judg-
ment of Riddell, J., 3 O.W.N. 994. The appeal was heard by
Latchford, Sutherland, and Middleton, JJ. The Court dis-
missed the appeal with costs. L. F. Heyd, K.C., for the plain-
tiff. H. C. Macdonald, for the defendant.

Wall v. Dominion Canners Co.—Master in Chambers—
Oct. 30.

*Pleading—Statement of Claim—Motion to Strike out Por-
tions—Irrelevancy—Embarrassment—Motion for Particulars be-
fore Pleading—Practice—Affidavit—"Arrangement" for Trans-
fer of Shares—Particulars of Time, Place, Persons, etc.*]—This
action was brought against the company and two individuals to
compel "the defendants to transfer to the plaintiff 100 shares of
common stock in the defendant company." The company
moved, before pleading, for particulars of the statement of claim
and to strike out paragraphs 5, 6, and 7 as embarrassing. The
motion was supported only by an affidavit of a clerk in the office
of the defendant company's solicitors, stating that he had
charge of this case; that he had read over the statement of claim;
and had been advised by counsel and verily believed that it
would be impossible for the defendants to proceed with the trial
or to have a fair trial until the particulars sought had been
delivered. He was also advised by counsel and verily believed
that paragraphs 5, 6, and 7 were embarrassing, and should be