

The
Ontario Weekly Notes

VOL. XIII. TORONTO, FEBRUARY 8, 1918. No. 21

APPELLATE DIVISION.

SECOND DIVISIONAL COURT. JANUARY 28TH, 1918.

*HARRISON v. HARRISON.

Husband and Wife—Alimony—Action for—Defence—Award of Alimony by Arbitrators—Acceptance of Money by Wife—Waiver—Bar to Action—Objections to Award—Right of Wife to Contract.

Appeal by the plaintiff from the judgment of MASTEN, J., ante 245, dismissing an action for alimony.

The appeal was heard by MULOCK, C.J. Ex., CLUTE, RIDDELL, SUTHERLAND, and KELLY, JJ.

Gideon Grant, for the appellant.

Daniel O'Connell, for the defendant, respondent.

THE COURT dismissed the appeal without costs.

SECOND DIVISIONAL COURT. JANUARY 29TH, 1918.

*SUPERIOR COPPER CO. LIMITED v. PERRY.

Writ of Summons—Foreign Defendants—Service of Notice of Writ out of Ontario—Action for Declaration of Right to Make Calls on Company-shares—Rule 25 (1) (h)—Construction and Meaning—Assets in Ontario—Good Cause of Action upon a Contract—Shares Partly Paid for—Conditional Appearance—Jurisdiction of Supreme Court of Ontario—Appeals—Costs.

Appeal by the defendant Sutton and cross-appeal by the plaintiffs from the order of CLUTE, J., ante 96, refusing to set

* This case and all others so marked to be reported in the Ontario Law Reports.