

been carried so far, a disclosure of the name by the defendant's solicitor, to whom it was said to be known, would be accepted on behalf of the plaintiff.

Costs of the motion in the cause to the plaintiff in any event of the action.

---

KINGSLEY v. KINGSLEY—MIDDLETON, J.—APRIL 29.

*Husband and Wife—Alimony—Failure of Wife to Prove Allegations Made against Husband—Dismissal of Action—Effect of, on Matrimonial Obligation of Husband—Costs—Cash Disbursements.*]—Action for alimony, tried at Peterborough. MIDDLETON, J., in a written judgment, said that no case for alimony had been made out. There was no reason why the plaintiff should not return to her husband. The dismissal of the action on this ground is not an end of the matrimonial obligation of the husband. As there is no reason why the wife should live apart, she may change her mind and return at any time; and, if the husband fails to receive her, he will then become liable for alimony unless he can shew some reason for his refusal. The allegations upon which this action was based not having been proved, the action should be dismissed, and the defendant should pay the plaintiff's disbursements, less any interim disbursements paid under order therefor. Otherwise no costs. J. Wearing, for the plaintiff. L. V. O'Connor, for the defendant.

---

HUFF v. BURTON—BURTON v. CUNDLE—LENNOX, J., IN CHAMBERS  
—APRIL 30.

*Trial—Convenience of Trial of two Actions at same Sittings—Removal of County Court Action into Supreme Court of Ontario—County Courts Act, sec. 29—Terms—Security for Costs—Directions as to Trial.*]—Motion by Burton, the defendant in the first action and the plaintiff in the second action, for an order, under sec. 29 of the County Courts Act, R.S.O. 1914 ch. 59, transferring the first action from the County Court of the County of Simcoe to the Supreme Court of Ontario, and consolidating it with the second action, which was begun in the Supreme Court of Ontario, or directing that the two actions be tried together. LENNOX, J., in a written judgment, said that the plaintiff Huff would be embarrassed, if not prejudiced, by having his action linked with the other; but the rights of the parties seemed to be dependent upon the same