

The proof as to the means he had, his witnesses do not appear to be very definite about. He says he has only left a revenue of some \$12 a month from his fortune, so that evidently the great bulk of his capital has been squandered. But he is a painter and it is well known that painters can earn about 40 cents an hour or four dollars a day. The alimentary allowance of \$35 dollars a month for the wife and two children seems reasonable.

It might be worth noticing that the defendant met his wife's action by a simple denial of the allegations. He has devoted some proof to establish his attempt to get back and to effect a reconciliation. Very properly his wife did not agree to it. After her experience with this man, it was not to be supposed that she would care to subject herself to a repetition of his treatment.

The judgment, granting the separation, granting her the care of the children and according the alimony specified and maintaining the saisie-conservatoire is well founded and should not be disturbed.

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**McCALL et autres v. PATENAUDE.**

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**Requête civile—Moyens—Absence du défendeur—C. proc., art. 1177.**

Un défendeur condamné par un jugement de la Cour supérieure, portant sur le fond du litige, ne peut obtenir

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MM. les juges Archibald, juge en chef suppléant, Martineau et Lane.—Cour de revision.—No 919.—Montréal, 21 juin 1918.—St-Jacques, Filion, Houlé et Lamothe, avocats du défendeur-requérant.—J. Wilfrid Pilon, avocat des demandeurs-intimés.