

And in a case where a wife had been living apart from her husband for over two years and had disentitled herself to alimony by releasing it for valuable consideration.

Held, that she had not been living apart from him under such circumstances as by law disentitled her to alimony, and an order dispensing with her concurrence to bar dower under s. 12 of R.S.O. 1897, c. 164, in a conveyance by the husband, was refused.

G. H. Cleaver, for the applicant. *C. A. Moss*, for the respondent.

Meredith, C.J.C.P., Teetzel, J., Anglin, J.]

[June 4.

IN RE MUD LAKE BRIDGE.

Municipal Act—Bridges—Bridge over 300 feet in length.

The words "a bridge over 300 feet in length" in s. 617(a) of the Consolidated Municipal Act, 1903, 3 Edw. VII. c. 19, must be construed to include necessary embankments.

Held, therefore, that a bridge of 643 feet, comprising an embankment of 140 feet on one side, and 260 feet on the other, and a wooden section of 243 feet, spanning the waters of the lake at low water, and connecting with the embankments, was a bridge "over 300 feet in length" within the meaning of the above section.

Seemle, s. 617(a) is not to be read as applying only to bridges crossing the rivers, streams, ponds or lakes, so as to exclude bridges crossing ravines.

Watson, K.C., and *F. D. Moore*, for County of Victoria. *M. Laughlin*, K.C., for Township of Carden.

Province of Manitoba.

KING'S BENCH.

Perdue, J.]

WILLIAMS v. HAMMOND.

[July 13.

Master and servant—Wrongful dismissal—Insolvency as ground for dismissal.

Action for wrongful dismissal. Defendant claimed that he was justified in dismissing plaintiff as incompetent to perform properly the duties that he had undertaken, viz., those of