

GALVIN V. IMPERIAL GUARANTEE AND ACCIDENT INSURANCE CO. OF CANADA—SUTHERLAND, J., IN CHAMBERS—APRIL 27.

*Jury Notice—Motion to Strike out—Issues of Fact—Application to Judge in Chambers—Adjournment to be Heard by Trial Judge.*]—Motion by the defendants to strike out a jury notice. The action was to recover the sum of \$3,000 upon a policy of accident insurance issued by the defendants in favour of the plaintiff, insuring her husband, who died from injuries received in an accident. SUTHERLAND, J., said that he was inclined to think that the case upon the pleadings was one which he would be disposed to try without a jury; but he was not sure that there were not, upon the pleadings, issues of fact which a trial Judge might think should be disposed of by a jury before the determination of any questions of law under the contract. Motion adjourned to be heard by the trial Judge, who shall dispose of the costs thereof. J. S. Beatty, for the defendants. J. M. Forgie, for the plaintiff.

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BANK OF MONTREAL V. McALPINE—SUTHERLAND, J., IN CHAMBERS—APRIL 27.

*Attachment of Debts—Garnishee Disputing Liability—Order Directing Trial of Issue—Appeal.*]—Appeal by the plaintiffs, judgment creditors, from an order of the Master in Chambers refusing to make an attaching order absolute and directing an issue to determine the question whether the garnishee Carrique is liable to the judgment debtor. SUTHERLAND, J., was of opinion that the case was not so plain a one that it could be satisfactorily disposed of in Chambers, without the trial of an issue. Appeal dismissed, with costs to be paid by the appellants unless the trial Judge shall otherwise determine. W. D. Gwynne, for the appellants. J. S. Beatty, for the judgment debtor. W. Proudfoot, K.C., for the garnishee Carrique.

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HOMEWOOD SANITARIUM V. PARKER AND TORONTO GENERAL TRUSTS CORPORATION—FALCONBRIDGE, C.J.K.B.—APRIL 28.

*Contract—Liability for Hospital Expenses—Wife of Patient—Estate of Patient—Charge on Estate.*]—Action to recover money due for board, lodging, nursing, attendance, etc., on a patient. The action was tried without a jury at Guelph and