

said, at this solicitor's request—he being desirous of not incurring unnecessary costs. KELLY, J., said that, commendable as was this desire, he did not think a motion of such importance to the parties concerned should, in the circumstances, proceed on such service as was effected. He accordingly enlarged the motion until the 14th February, to enable proper service to be made. J. J. O'Meara, for the applicants. K. W. Wright, for the Inspector of Prisons and Public Charities.

---

McMILLAN V. McMILLAN—LENNOX, J.—FEB. 1.

*Injunction—Payment of Insurance Moneys—Injunction Dissolved upon Terms—Undertaking.*]—Motion by the plaintiff to continue till the trial an injunction granted by a Local Judge restraining the defendants from paying over and receiving insurance moneys. The learned Judge said that, since he had heard the motion on the 12th January, counsel for the defendants had sent particulars of a proposed compromise, which was a fair one in the circumstances. The order of the Court is that, upon counsel for the defendants filing an undertaking to account for \$100 of the insurance moneys to the plaintiff's solicitor, the injunction will be dissolved without costs. L. R. Knight, for the plaintiff. G. H. Hopkins, K.C., for the defendants.

---

McGUIRE V. MURTHA—BRITTON, J.—FEB. 3.

*Gift—Validity—Mental Capacity of Aged Person—Completed Gift of Money—Incomplete Gift of Promissory Note—Sale of Live Stock—Action by Executors—Evidence—Corroboration.*]—Action by the executors of Peter Murtha, deceased, to recover from the defendant, Henry Murtha, a nephew of the deceased, the sum of \$3,800, a promissory note for \$200, and a horse and two cows, which were part of the property of Peter, deceased, but came into the possession of the defendant shortly before the death of Peter. The defendant asserted that \$3,600 of the money and the promissory note were handed by Peter to him, the defendant, as a gift to him, for his own use absolutely to the extent of \$3,000 of the money, and as to the remaining \$600 as a gift to the defendant's brother James (to whom it had