

action, and, for the reasons given in *Armstrong v. Armstrong*, 9 O. L. R. 14, without costs. Had the defendant at once notified the plaintiff of his mistake, the plaintiff, as he had not searched the registry office, would have had to pay costs. C. E. Macdonald, for the plaintiff. F. J. Dunbar, for the defendant and wife.

McCULLY v. McCULLY—FALCONBRIDGE, C.J.K.B., IN CHAMBERS—
Nov. 17.

Interim Alimony.]—An appeal by the defendant from the order of the Master in Chambers, ante 95, was dismissed, with costs to the plaintiff in the cause. The marriage being admitted, and the need of support, to some extent at least, being proved, the wife was prima facie entitled to interim alimony; and the amount was in the Master's discretion. J. A. Macintosh, for the defendant. W. Laidlaw, K.C., for the plaintiff.

REX v. SPINELLI—RIDDELL, J.—Nov. 17.

Criminal Law—Murder—Reserved Case.]—The defendant, an Italian, was on the 12th October, 1909, tried before RIDDELL, J., and a jury at North Bay, for the murder of a Chinaman, and convicted. At the trial no objection was taken to the charge, nor did counsel ask to have a case reserved. The prisoner was sentenced to be hanged on the 26th November. On the 17th November counsel for the prisoner applied for a reserved case, upon various grounds arising upon the evidence and the Judge's charge. The application was refused by RIDDELL, J., who made in writing a detailed examination and analysis of the evidence and charge in relation to the several grounds, concluding that none of them warranted the stating of a case for the Court of Appeal. A. R. Hassard, for the prisoner. J. R. Cartwright, K.C., for the Crown.

CANADIAN PACIFIC R. W. CO. v. CITY OF PORT ARTHUR—MASTER
IN CHAMBERS—Nov. 18.

Counterclaim—Exclusion.]—The plaintiffs moved to strike out the counterclaim as improper. The action was to recover \$50,000