

endorsed; but the writ was served on the 20th April; and, for some reason, the statement of claim was delayed till the 29th June, thereby allowing the statement of defence to be delayed till the 9th September. Even then, notice of motion or interim alimony was not served for two weeks, i.e., the 21st September, and for the 27th September. The delay has not been accounted for; and I think the interim alimony should run only from the date of the order.

In this view, I do not direct the \$113 to be taken into account, as it otherwise should or might. Probably the possession of the money accounts for the delay in making application.

In view of the short time to elapse before the trial may be had, I do not at present, at least, weigh in apothecaries' scales the means of the defendant and the amount which the plaintiff should receive as interim alimony. If, for any reason, the case is not tried at the coming St. Thomas non-jury sittings, the matter may be brought before me again, either on the same or other material.

No costs.

RIDDELL, J.

OCTOBER 12TH, 1912.

### GOLD v. MALDAVER.

*Company—Religious Corporation—Property Rights—Powers of Directors—Sale of Pews—Lease of Part of Building—Resolution—Constitution and By-laws—Injunction.*

Motion by the plaintiffs to continue an injunction granted by MIDDLETON, J.

W. E. Raney, K.C., for the plaintiffs.

L. F. Heyd, K.C., for the defendant.

RIDDELL, J.:—"The Shaare Tzedek Congregation" is a corporation formed by letters patent under the Ontario Companies Act to take over the assets and liabilities and in every way to stand in the place of a previously existing Hebrew congregation in Toronto, to maintain a place of worship for Hebrews according to the Sephardic Ritual, a school, etc. In the letters patent it was (amongst other things) ordained that the congregation should determine the conditions upon which future members should be admitted; that the officers, who should together be known as directors, should be: (1) the Presi-