

## ROSSWORM V. ROSSWORM—MASTER IN CHAMBERS—APRIL 9.

*Husband and Wife—Interim Alimony and Disbursements—Motion for—Wife Possessed of Means—Delay in Prosecuting Action—Foreign Divorce.*—Motion by the plaintiff, in an action for alimony, for an order for the payment by the defendant of interim alimony and disbursements. The action was begun on the 11th February, 1913, but the statement of claim was not delivered until the 2nd March, 1914. The parties were married in 1879. In May, 1906, the plaintiff left the defendant's house, and has not since returned. She alleged cruelty and violence and apprehension that her life was unsafe. The Master said that interim alimony should be granted, if necessary, to enable a wife to procure justice by being provided with her costs and her maintenance until the trial or determination of the action: *Knapp v. Knapp*, 12 P.R. 105. In this case it was perfectly plain from the plaintiff's own affidavit in reply that she had at the present time in the bank a sum of about \$450, which was sufficient for her support until the trial and for the interim costs and disbursements. On this account and on account of her unexplained delay in proceeding to trial, the motion should be refused. It was not necessary to consider the effect of a divorce which the plaintiff had obtained in a foreign country, as to which *Swaizie v. Swaizie*, 31 O.R. 324, and *Rex v. Hamilton*, 2 O.W.N. 394, 22 O.L.R. 484, might be referred to. Motion dismissed with costs. E. F. Raney, for the plaintiff. H. H. Davis, for the defendant.