from the defendant. He had pleaded over, so particulars were needed only for the trial.

Reference to Spedding v. Fitzpatrick (1888), 38 Ch.D. 410, 411, 412.

When our ample means for discovery are kept in mind, and it is not forgotten that the functions of particulars and discovery are widely different (Milbank v. Milbank, [1900] 1 Ch. 376), it seems plain that no order should be here made going beyond what is above indicated.

The learned Judge did not agree with the course adopted below. Particulars may be delayed in certain cases until the party seeking particulars has been examined for discovery (Waynes Merthyr Co. v. D. Radford & Co., [1896] 1 Ch. 29); but there is no reason why the party seeking particulars should first examine for discovery. After he has examined and failed to get due information, an order for particulars may be proper in order to define the issues for trial; but no such case was here suggested.

Save as indicated above there was no need for particulars here.

Costs here and below should be costs in the cause.

MIDDLETON, J., IN CHAMBERS. JANUARY 28TH, 1920.

WILSON v. WILSON.

Husband and Wife—Pleading—Alimony—Statement of Defence and Counterclaim—Motion to Strike out—Allegations as to Quantum of Alimony—Practice as to Directing Reference.

An appeal by the defendant from an order of a Local Judge striking out certain paragraphs of the statement of defence in an action for alimony.

G. N. Shaver, for the defendant.

B. H. L. Symmes, for the plaintiff.

MIDDLETON, J., in a written judgment, said that the appeal was out of time, but he extended the time because the order was one which, if it stood, would tend to produce much confusion and needless expense.

The claim was for alimony. The defendant said that in his endeavours to please the plaintiff he bought a farm and put it in her name, and that she was in possession of this farm, the stock, and all the furniture, including a piano and sewing machine, and