

G. S. HOLMESTED, K.C., IN CHRS.      NOVEMBER 15TH, 1912.

WOLTZ v. WOLTZ.

4 O. W. N. 354.

*Particulars—Alimony Action—Vagueness.*

G. S. HOLMESTED, K.C., IN CHAMBERS, ordered plaintiff to give further particulars of allegations in a statement of claim, costs in cause.

Motion by defendant for particulars of the statement of claim in an alimony action.

W. H. Kirkpatrick, for the defendant.

Gray, (Montgomery & Co.), for the plaintiff.

G. S. HOLMESTED, K.C.:—The particulars delivered in answer to the defendant's demand, do not, in my opinion, sufficiently answer the demand so far as it relates to paragraph 15, and to paragraphs 20 and 22.

I, therefore order the plaintiff within a fortnight to deliver better particulars as to the matters referred to in those paragraphs with times, places, and persons specified in reference to the allegations made in those paragraphs. The costs of the motion must be in the cause.

In default of delivery of such particulars those paragraphs will have to be struck out or the plaintiff precluded for giving any evidence thereof at the trial.

I may remark that the plaintiff's fifth answer does not give any specific date nor does it mention the nature of the alleged insults and annoyance, and assault, nor the person guilty thereof—paragraph 6, of her answer is equally vague.