

CRUICKSHANK v DREW.

George Cruickshank claimed £243 4s 7d from W. H. Drew, executor of the estate of the late Mary Cruickshank, wife of plaintiff, for work and labour done by him on behalf of the estate.

Mr. Piddington, instructed by Mr. F. R. Brettnall, appeared for plaintiff; and Mr. A.

Thomson and Mr. Pitt, instructed by Mr. S. Gerber, for the defendant, who pleaded not indebted.

Plaintiff said he married Mary Cruickshank in 1902. She was then a widow with two children. She told him if he built on an allotment he had offered her at Auburn she would pay him when her money became available, it being on fixed deposit. This was agreed to, and plaintiff estimated the cost of building the cottage at £150, and the balance of the claim was for material. The house was finished in November, 1902, and his wife died in 1904.

The case stands part-heard.

Evening News (Sydney, NSW : 1869 - 1931), Thursday 6 December 1906,

A HUSBAND'S CLAIM.

AGAINST DECEASED WIFE'S ESTATE.

Before Mr. Justice Pring and a jury of four in No. 3 Jury Court this morning, the suit brought by George Cruickshank, retired railway inspector, against W. H. Drew, executor of the will of the late Mary Cruickshank (wife of the plaintiff) to recover £243 4s 7d for work and materials provided for Mary Cruickshank at her request, and for money lent by plaintiff to his late wife, was concluded. The defendant pleaded never indebted as alleged.

Mr. Piddington (instructed by Mr. F. R. Brettnall) appeared for the plaintiff; and Mr. Alec Thomson and Mr. Pitt (instructed by Mr. A. S. Gerber) for the defendant.

According to counsel's opening statement, the case for the plaintiff was that he married his late wife, who was a widow with a grown-up family, in May, 1902. He owned a piece of land at Auburn, which he gave to his wife. In 1903 she told him she wished to build a cottage upon it, but as her money was "tied up" in the bank, she asked him to give her the money to pay for its erection, and she would repay him when her own money was available. He allowed her to draw on his account to pay for the building material, and he also assisted in the erection of the cottage, being a carpenter by trade. Sub-

sequently differences arose, and by her will Mrs. Cruickshank, who died in June last, bequeathed the cottage to her own children. His wife left an estate worth over £1000, and he claimed from her executor the £300 which he had advanced to her, together with interest.

The jury found a verdict for the plaintiff for £178 4s 7d.