spend it as she required. She would therefore be entitled to receive the instalments of the mortgage as paid. *Re Story*, 1 O. W. N. 141.—RIDDELL, J.

8. *Construction—Devise—Church Societies—Sale of Lands Devised, pursuant to Statute—Ademption or Extinguishment of Devise—Operation as to Proceeds of Sale — Interpretation of Statute—Lands Unsold at Death of Testator — Trusts — Power of Sale—Distribution of Proceeds.*]—Upon an appeal from the judgment of MEREDITH, C.J.C.P., 13 O. W. R. 741, determining certain questions arising upon the wills of J. B. S. and W. S., the devise made by W. S. of the Blenheim lands was not attacked as void under the Statutes of Mortmain; but the question upon the appeal was whether the terms of the private Act of the Ontario legislature enabling the trustees under the will of J. B. S. to sell the lands and hold the proceeds, and the sales made pursuant thereto, had the effect of cutting these dispositions out of the will of W. S.:—*Held*, that, upon the proper interpretation of the Act, the proceeds of the sales were not to be regarded otherwise than the lands would be if they still remained as realty in the hands of the trustees.—Judgment of MEREDITH, C.J., affirmed. *Re Spragge*, 1 O. W. N. 318.—C.A.

9. *Construction—Devise—Death of Devisee—Vested Estate — Contingency — Subsequent Divesting — Power of Appointment.*]—Testatrix gave the residue of her estate to trustees upon trust, after payment of debts, etc., to pay the income to her husband, during his life, and after his death to pay to her step-son or his issue such sum not exceeding $1,000 as her husband should by deed appoint (but he not to be bound to appoint), and, in default of appointment and so far as any appointment should not extend, in trust for J. G. when she should attain 21, providing that if J. G. should die in the lifetime of the testatrix or in the lifetime of her husband, leaving a child or children who should survive testatrix or her husband and attain 21 (or, in the case of a daughter, Mary), then such children should take the share of J. G., with power to the trustees to advance for maintenance. The will was dated in 1889: the testatrix died in January, 1890; J. G. died in 1900, without issue; and the testatrix's husband died in March, 1907:—*Held*, that, J. G. not being a child or issue of the testatrix, sec. 36 of the Wills Act did not apply.—*Held*, also, that there was no valid execution of the power in favour of the step-son.—*Held*, also, that the insertion of