

THE
ONTARIO WEEKLY REPORTER

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MAGEE, J.

FEBRUARY 6TH, 1906.

CHAMBERS.

RE SIBBETT.

*Will—Construction—Life Interest of Widow—Personalty—
Beneficial Enjoyment in Specie—Household Furniture—
Executors—Power of Sale—Payment of Debts—Legacy—
Assent of Executors—Trustees and Cestui que Trust—
Devolution of Estates Act—Real Estate—Specific Devises
—Equitable Tenant for Life—Lease—Sale—Discretion.*

Application by one of the executors and trustees under a will, upon an originating notice, for an order determining certain questions with regard to the disposition of the estate.

T. E. Godson, Bracebridge, for the applicant.

R. U. McPherson, for the other trustee and the widow of the testator.

F. W. Harcourt, for infant remaindermen.

F. E. Hodgins, K.C., for adult remaindermen.

MAGEE, J.:—In so far as this case involves the application of the rule as to conversion of wasting residuary personalty in which successive interests are bequeathed, the widow in respect of her interest for life or widowhood would, I consider, be entitled to the beneficial enjoyment in specie.