

shall be binding upon any person who was notified of the proceedings taken before the surrogate judge, or who was present or represented thereat, and upon everyone claiming under any such person. (2) A guardian appointed by the Surrogate Court may pass the accounts of his dealings with the estate before the judge of the court by which letters of guardianship were issued."

The jurisdiction of Surrogate Court judges to make allowances to trustees, executors, etc. for their services was greatly extended by s. 18 of 63 Vict. c. 17, subs. (1) thereof adding to the Trustee Act of 1897 a new section, 28a, which, as amended by 3 Edw. VII. c. 7, s. 26, read: "A trustee appointed by any deed, will or other instrument in writing, or by an order of any court desiring to pass the account of his dealings with the estate to which he is a trustee may file his accounts in the office of the Surrogate Court . . . and thereupon the proceedings and practice upon the passing of the said accounts shall be the same and have the like effect as the passing of executors' or administrators' accounts in the Surrogate Court . . . , and subs. (2) thereof amending the above s. 40 of the Trustee Act (1897), by inserting after the word "judge" therein, the words "or Surrogate Court judge"—thus extending to Surrogate judges, in the cases of all the trustees named in subs. (1) who chose to file and pass their accounts in the Surrogate Court, the same jurisdiction to make such allowances as the High Court or any judge thereof possessed.

The whole statutory law on the subject is now comprised in s. 66 of the Trustee Act of 1911 (1 Geo. V. c. 26), as follows:

"66—(1) A trustee shall be entitled to such fair and reasonable allowance for his care, pains and trouble, and his time expended in and about the estate, as may be allowed by a judge of the High Court, or by any master or referee, to whom the matter may be referred. (2) The amount of such compensation may be settled although the estate is not before the court in an action. (3) The judge of a Surrogate Court in passing the accounts of a trustee under a will or of a personal representative