

56. Redemption Moneys Received by Executors—Loss on Realization of Security—Apportionment between Capital and Income—Effect of Agreements—Amounts Advanced by Executors—Interest—“Legal Charges and Expenses”—Account. *Leadlay v. Leadlay*, 3 O.W.N. 1218.—SUTHERLAND, J.
57. Testamentary Capacity—Absence of Undue Influence—Proof of Will in Solemn Form in Surrogate Court—Action in High Court to Set aside Will—Failure to Impeach—Costs. *Mosier v. Rigney*, 3 O.W.N. 1564.—BRITTON, J.
58. Testamentary Capacity—Claim by Daughter to Moneys Deposited in Bank—Trust—Evidence—Joint Account—Survivorship—Conduct of Bankers. *Everly v. Dunkley*, 3 O.W.N. 1607.—KELLY, J.
59. Testamentary Capacity—Insane Delusions—Findings of Surrogate Court Judge—Appeal. *Thamer v. Jundt*, 3 O.W.N. 1307.—D.C.
60. *Trust—Advancement of Adult—Beneficiary—Application of Capital of Estate—Powers of Trustee—Deed of Appointment—Meaning of “Advancement.”*—The testator devised and bequeathed all his estate to his son and his son’s wife upon trust for their support and maintenance during their joint lives and the life of the survivor, and for the support and education of their children in their discretion, and upon their death to be divided among their surviving children and the heirs of such as died. The testator’s son and his wife, or the survivor, were given power to make any other disposition of the estate among the children and their heirs, and to “convey and make over to any of them by way of advancement any portion of the same” (the estate) “to become theirs absolutely from thenceforth forever.” The surviving wife of the testator’s son appointed a sum of money in Court in favour of one of her sons, and he applied for payment out:—*Held*, that he must satisfy the Court that the money was to be paid to him “by way of advancement,” in the narrow and restricted sense of the words.—*Bailey v. Bailey*, 14 Atl. R. 917, and *Molyneux v. Fletcher*, [1898] 1 Q.B. 648, followed. *Brooke v. Brooke*, 3 O.W.N. 52.—MIDDLETON, J. (Chrs.)
61. Validity—Absence of Undue Influence—Testamentary Capacity—Proof of Due Execution—Evidence—Statements of Testatrix. *Toal v. Ryan*, 3 O.W.N. 1267.—RIDDELL, J.