

division of the insurance, the order will direct payment to the children without prejudice to any action she may be advised to bring either against the adults or the estate. No order as to costs, except those of the adult children and of the official guardian be paid out of the moneys in Court.

CARTWRIGHT, MASTER.

JUNE 25TH, 1906.

CHAMBERS.

TRAVISS v. HALES.

(TWO ACTIONS.)

Judgment Debtor—Examination of—Costs of—Examination of Transferee—Disposition of Costs.

Motion by plaintiff for an order disposing of the costs of the examination of one of the defendants in the first action as a judgment debtor and of the examination of a transferee who was made defendant in the second action.

J. W. McCullough, for motion.

James Hales, contra.

THE MASTER:—These examinations resulted in the bringing of the second action, in which the impeached transfer was set aside.

It seems reasonable that these costs should be recoverable against defendants in the first action and against the land.

If it was sought to have them made costs in the second action so as to render the transferee personally liable, I think the application should have been made to the trial Judge. See *Tucker v. The "Tecumseh,"* 7 O. W. R. 377.

As the costs of the second action were fixed by the trial Judge at \$40, and plaintiffs' appeal as to this has been dismissed by the Divisional Court, I do not see that I have any power to increase them.

The order will therefore be that the costs of the examination be recoverable against the defendants in the first action, which will bind the land in question.

There will be no costs of the motion, as it has been only in part successful.