

RE NORTON—KELLY, J.—JAN. 4.

Husband and Wife—Wife Living apart from Husband—Alleged Adultery of Wife Disentitling her to Dower—Application for Order Authorising Husband to Convey Land Free from Dower—Dower Act, sec. 14—Contractictory Affidavits—Trial of Issue Directed.]—Motion by Nathan Norton for an order authorising him to convey land free from dower: Dower Act, R.S.O. 1914 ch. 70, sec. 14. The motion was heard in the Weekly Court, London. KELLY, J., in a written judgment, said that it was admitted that the applicant and his wife were and had been for many years living apart, he in the Province of Ontario and she in California. The applicant alleged adultery on his wife's part, disentitling her to dower, and backed up this allegation by an affidavit. This she denied in her affidavit. The circumstances were the subject of grave contradictions which made it impossible to arrive at any satisfactory conclusion in a summary way on a question of such importance. The questions raised should be tried upon an issue. Order directing the trial of an issue; costs of this motion reserved to be disposed of on the trial of the issue. J. Macpherson, for the applicant. R. G. Fisher, for the wife.

RE HYMAN—MIDDLETON, J.—JAN. 5.

Will—Distribution of Residuary Estate among Charities—Designation of Charities by Court—Conditions.]—Motion by the executors of the will of Sophia Hyman, deceased, for the opinion, advice, and direction of the Court upon matters arising in the administration of her estate. The motion was heard in the Weekly Court, Toronto. MIDDLETON, J., in a written judgment, said that the will directed that the residue of the estate was to be used for such charitable purposes as might be designated by the Court. There was now about \$10,000 ready for distribution. About half of this should go to the only local charity pointed out, and the remainder should be divided among institutions having a wider scope. The learned Judge nominated as beneficiaries: the Children's Aid Society of Brampton and Peel County (for use in the work at present carried on in conjunction with the Children's Aid Society of Halton), \$5,000; the Sick Children's Hospital, \$1,000; the Hospital for Incurable Children, \$1,000; the Boys' Home, \$1,000; the Muskoka Free Hospital for Consumptives, \$1,000; Pearson Hall for Blind Soldiers, \$1,000. The learned Judge reserved the nomination of further charities or the designation of further sums to the above