

WILLS.

Construction — Absolute bequest — Later restrictions on enjoyment—Discretion of executors—Invalidity of restrictions. *McGill, Re*, 713.

Construction — Absolute gift to widow—Later codicil—Cutting down gift—Reasonable use for life—Precatory trust—Dower—Election. *Stanton, Re*, 849.

Construction — Amount of bequest. *Re McKay, Cameron v. McKay*, 266.

Construction — “Balance” — Discretion of executor—Unused “balance” falling into residuary estate. *Re Collins Estate*, 225.

Construction — Codicil—Bequest of residue—Later bequest of “balance” of estate—Repugnancy—Desire to avoid intestacy—Clear gift followed in preference to vague—Costs. *Farrell Estate, Re*, 518.

Construction—Bequest of personality—Absolute bequest of life interest. *Re Johnson*, 132.

Construction—Devise to A. and his children equally as heirs—Estate tail. *Priester, Re*, 652.

Construction — Gift to legatee — Words imposing absolute gift — Whole clause to be given effect to—Reconciliation of varying directions—Assignment by legatee—Executor's duty. *Mitchell, Re*, 616.

Construction — Gift to legatee on death of annuitant—Legatee predeceasing annuitant—Vesting of legacy. *Wishart, Re*, 855.

Construction—Gift to trustees—Attempted postponement of enjoyment —

Rule against—Restraint during coverture — Validity of — Precatory trust — “I wish” — Trustee of settlement—Appointment of. *Hamilton, Re*, 549.

Construction — Inconsistency — Installments of legacy. *Re Quay*, 981.

Construction—Motion for—Trustees — Investments — Income—Trustees' discretion. *Re Steele Estate*, 52.

Construction—Tenants in common or joint tenants — Question as to which—Costs. *Campbell, Re*, 233.

Construction of—Stationer's form—“Real estate at”—“At” not synonymous with “in” — Punctuation—Presumption against intestacy—Identity of legatee—“Hatch, jr.”—Meaning of “recipients of will” — Reference as to next of kin. *Seaton, Re*, 331.

Devise — Arrears of taxes—Payable by devisee—Chattel mortgage—Account—Costs. *Mackay v. McKay*, 275.

Devise to widow durante viduitate—Must elect as to dower—Possible further election under devolution of Estates Act. *Re Allen*, 253.

Testamentary capacity — Claim by daughter to moneys deposited in bank—Trust—Evidence — Joint account—Survivorship—Conduct of bankers. *Everley v. Dunkley*, 415.

Testamentary capacity — Evidence — General parietic insanity — Lucid intervals — Onus not discharged — Costs. *Badenach v. Inglis*, 936.

Trust for benefit of son — Discretion of executor—Death of beneficiary—Funds not disposed of. *Re Rispin, Canada Trust Co. v. Davis*, 308.