

ants for relief under the Mortgages and Purchasers Relief Act, 1915), appointing the Woods Company receivers to receive rents of mortgaged premises and apply them on account of taxes, etc. LENNOX, J., said that, assuming that in both instances the defendants required leave in order to have the right to appeal—a point which might not be entirely free from doubt—the defendants had not brought themselves within Rule 507; for there were no conflicting decisions; and, in the opinion of the learned Judge, there was no reason to doubt the correctness of either of the orders nor to believe that the matters involved were of such importance as to justify an appeal. Motion refused, but without costs, as the the questions raised involved the construction of the recent statute above referred to. G. T. Walsh, for the defendants. F. J. Dyke, for the plaintiff.

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RE WARD—LENNOX, J.—JUNE 17.

*Will—Construction—Division of Estate—Period for—Vested Shares.*]—Motion by the executors of the will of Robert Ward, deceased, under the Trustee Act and Rule 600, for an order determining a question arising upon the terms of the will as to the distribution of the estate and for the advice and direction of the Court. The will provided that at the death of the testator's wife if she should survive him, or at his own death if he should survive her, the executors should, within one year thereafter, convert his estate into cash, and (1) pay debts and funeral and testamentary expenses; (2) pay the testator's son William Oswald Ward \$1; (3) pay the balance to the testator's three daughters and one adopted daughter, share and share alike; (4) retain the share of his adopted daughter and invest it until she attains her majority; (5) in case any of the four should die leaving no issue, the share of that one should revert to the testator's estate and be divided "between my surviving heirs share and share alike;" (6) in case any of the four should die leaving issue "before the division of my estate," her share should be paid to her children, share and share alike; (7) in case none of the four "shall survive the division of my estate . . . my estate shall revert to my son William Oswald Ward absolutely." The testator's wife survived him and died on the 19th November, 1908. The beneficiaries named were, at the time of the application, all living and all of full age. LENNOX, J., was of opinion that the period of distribution arrived at the expiration of one