

“personal representatives” of that other, then, in the absence of a clearly controlling context, these words are to be construed as meaning “executors or administrators,” and not “next of kin.” Re Crawford’s Trusts, 2 Drew. 230, Hinchcliffe v. Westwood, 2 DeG. & Sm. 216, and Re Thompson, 55 L. T. 86, referred to. And therefore the share of William Gough became vested in his executors as part of his estate to be administered.

William Gough by his will bequeathed to his widow certain specific articles. Such bequest can not be stretched to cover his share of the Daubeny estate, and, there being no residuary bequest, there was an intestacy as to that share, now represented by the moneys in Court.

William Gough having died before 1st July, 1895, and not wholly intestate, his widow is not entitled to the increased rights given by sec. 12 of R. S. O. ch. 127, but merely to her share under the Statute of Distributions.

There should be an advertisement for creditors and persons having claims on the estate of William Gough, in the Gazette and a Sarnia newspaper, unless it can be shewn that an advertisement has already appeared. Subject to any claims that may be filed, the moneys in Court, after payment of the costs of all parties of this application, should be paid out one-half to Alice Otter and the other half to the next of kin of William Gough.

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WINCHESTER, MASTER.

NOVEMBER 27TH, 1902.

CHAMBERS.

HOLNESS v. RUSSELL.

*Lunatic—Plaintiff, Becoming Insane after Judgment — Proposed Appeal—Appointment of Next Friend—Inspector of Prisons and Public Charities.*

Motion made on behalf of plaintiff, who had become insane since the trial of this action, for an order appointing her husband her next friend to enable an appeal to be taken to a Divisional Court.

E. Coatsworth, for plaintiff.

J. H. Denton, for defendant, objected that the Inspector of Prisons and Public Charities was the proper person to be appointed next friend.

THE MASTER held, following Mastin v. Mastin, 15 P. R. 177, that this objection could not be sustained. Order made as asked. Costs in the cause.