

for goods sold and delivered and work and labour performed.
See ante p. 175.

P. H. Bartlett, London, for plaintiff.

J. C. Judd, London, for defendants.

FALCONBRIDGE, C.J., directed judgment to be entered for plaintiff after 30 days for \$309.85, less \$150 paid into Court, with costs.

MACMAHON, J.

JULY 2ND, 1902.

CHAMBERS.

RE SCADDING.

Will—Legacy—Interest on—Legatee Attaining 21 Years—Mixed Fund.

Application by Mary Ann Scadding and Charlotte Millicent Scadding, under Rule 938, for an order determining the question whether interest is payable on the legacies bequeathed to Frederick M. Scadding (assigned to Mary Ann Scadding) and Charlotte Millicent Scadding, by the will of Charles Scadding, deceased, from the time of their respectively attaining the age of twenty-one. By the will the testator devised and bequeathed all his estate, real and personal, to the executors upon trust to sell and dispose of it and convert it into money (with certain exceptions), and to invest the moneys, and “out of the rents, dividends, and annual proceeds and interest of my said estate I direct that the trustees of this my will shall first deduct and pay unto A. C. . . . \$800 annually . . . and shall pay the balance of the said interest, dividends, and annual proceeds unto my wife during the term of her natural life. . . . Upon the decease of my said wife I direct the trustees . . . to divide all my estate amongst my children. . . . Subject to the aforesaid life interest payable to my wife, I give, devise, and bequeath to my grandchildren Frederick Mitchell Scadding and Charlotte Millicent Scadding the sum of one thousand dollars each, to be paid to each on their respectively attaining the age of twenty-one years, and in case my estate is divided before they reach that age, the principal is to be invested, and the interest thereon is to be paid to their mother for them annually, in the discretion of my executors. In case either of my said last mentioned grandchildren shall die before he or she attains the age of twenty-one years, the said sum so bequeathed to the one so dying is to revert to my estate.” The testator died on the 19th June, 1892, and his widow on the 10th January, 1902. 1891, and assigned the legacy payable to him under the will Frederick Mitchell Scadding came of age on the 22nd April,