Britton, J. December 9th, 1913.

McARTHUR v. McLEAN.

Contract—Transfer of Money and Security to Relative—Promise of Relative to Leave by Will to Infant Children of Transferor—Death of Relative Intestate—Action by Children against Executor—Corroboration — Enforcement of Contract—Interest—Costs—Payment of Infants' Money into Court.

Action brought on behalf of infants by their next friend to recover the sum of $4,500, in the circumstances mentioned in the judgment.

The action was tried without a jury at Walkerton.

D. Robertson, K.C., for the plaintiffs.

C. J. Mickle, for the defendant McLean, administrator of the estate of Sarah McLean, deceased.

Arthur Collins, for the defendant Christina McArthur, the mother of the infant plaintiffs.

Britton, J.:—The plaintiffs are the infant children of John Alexander McArthur and Christina McArthur; and Christina McArthur was the daughter of the late Alexander McLean, who died on the 15th March, 1911. Christina was the only surviving child of Alexander McLean, and letters of administration to his estate were granted to her on the 26th April, 1911. Alexander McLean left him surviving (besides his daughter) one sister, viz., Sarah McLean, and two brothers, John and Neil. Sarah died suddenly, intestate, and the defendant John McLean took out letters of administration to her estate. She was about 60 years of age at the time of her death. The wife of Alexander McLean died in, 1876, or 1877, and at his request his sister Sarah went to his home and continued there as his housekeeper until his death. She was not well off financially. She was disappointed, and so expressed her feeling, that her brother had not provided for her by will. She stood in the place of mother to the then child Christina, and there was love by each for the other.

Christina McArthur says that, desiring to make her aunt Sarah feel at ease in regard to her maintenance and support during her life, on or about the 8th June, 1911, she made the arrangement with her aunt that she, Christina, would give to the