

48. Devise—Complete Restraint upon Alienation—Invalidity, in Spite of Time-limit—Conditions—Absence of Demand of Fulfilment—Absence of Gift over. *Cheff v. Martin*, 3 O.W.N. 475.—FALCONBRIDGE, C.J.K.B.
49. Devise—Vested Estate in Interest—Restraint on Alienation—Repugnancy—Invalidity. *Hutt v. Hutt*, 3 O.W.N. 131, 24 O.L.R. 574.—C.A.
50. Devise—Precatory Trust—Injunction to “Take Care of” Brother of Devisee—Death of Devisee—Claim of Brother on Land Devised. *Re Pringle*, 3 O.W.N. 231.—MIDDLETON, J.
51. Devise of Land and Houses for Home for Friendless Women—Charitable Gift—Sale of Land in Lifetime of Testatrix—Part of Proceeds Undisposed of Retaining Character of Realty—Application in Furtherance of Wishes of Testatrix—Cy-près Doctrine. *Re Trenhaile*, 3 O.W.N. 355.—BOYD, C.
52. Devise of Land not Owned by Testator—Misdescription—Intention—Evidence—Vendor and Purchaser. *Re Coutts and Lebœuf*, 3 O.W.N. 1352.—KELLY, J.
53. *Legacies Payable out of Income of Estate—Investment in Shares of Trading Company—Profits of Business of Company—Apportionment between Income and Capital—Dividends Paid not Representing Income.*—The action of the directors of a company binds those claiming under the shareholders. The dividends declared upon the stock are income and the only income from the stock: *Bouch v. Sproule*, 12 App. Cas. 385. But, when the executors of a shareholder delay realising so as to nurse a doubtful asset, and this operates to deprive the life-tenant of his income in the meantime, the whole loss cannot be thrown another upon capital or income, but must be distributed between capital and income: *In re Atkinson*, [1904] 2 Ch. 160; *Hibbert v. Cooke*, 1 Sim. & Stu. 552; *In re Bird*, [1901] 1 Ch. 916.—This rule was applied upon a petition for a direction with respect to the division of an estate under a will. *Re Leys*, 3 O.W.N. 330.—MIDDLETON, J.
54. Legacy—Misnomer of Legatee—Proof of Identity—Interest—Costs. *Re Gordon*, 3 O.W.N. 316.—MIDDLETON, J. (Chrs.)
55. Power of Appointment—Exercise by Will—Lack of Power in Court to Authorise Appointment in Lifetime of Donee of Power. *Re Newton*, 3 O.W.N. 948.—MIDDLETON, J.