

charge costs for services rendered for the trust estate. The applicant was his co-trustee, and it was held by Neville, J., that the applicant was "a party chargeable" within the meaning of s. 37 of the Solicitors Act (see R.S.O. c. 159, s. 40), and as such entitled to have the bill taxed.

ADMINISTRATION — SUPPOSED INTESTATE — CANCELLED WILL —
RECEIVER PENDING PROBATE—PRACTICE.

In re Oakes, Oakes v. Porcheron (1917) 1 Ch. 230. This was an application for the appointment of a receiver of a deceased person's estate. The deceased was supposed to have died intestate, but a will, which appeared to be cancelled, was found amongst his papers. The defendant claimed that this will had not been effectively cancelled, and was operative. After the institution of this action and service of the notice of motion for a receiver, the defendant instituted proceedings in the Probate Division for probate, and now resisted the motion for a receiver on the ground that an administrator *ad litem* might be appointed in the probate action; but Neville, J., held that the present action having been first properly instituted, the jurisdiction of the Court could not be ousted by applying for relief to another Division, and he granted the motion.

MARRIAGE SETTLEMENT—AGREEMENT BY HUSBAND TO SETTLE
AFTER ACQUIRED PROPERTY—BREACH OF AGREEMENT BY
HUSBAND—COVENANT TO SETTLE WIFE'S AFTER-ACQUIRED
PROPERTY—TRUSTEES NOT BOUND TO ENFORCE COVENANT FOR
BENEFIT OF VOLUNTEERS.

In re Pryce, Nevill v. Pryce (1917) 1 Ch. 234. This was an application by the trustees of a marriage settlement for advice as to whether or not they were bound to take proceedings to enforce (1) an agreement by the husband to settle after-acquired property, and (2) a covenant to settle the wife's after-acquired property. The husband had, in his lifetime, received a considerable sum which was bound by his agreement, but had spent it, and died intestate and leaving no estate beyond what was required to pay his funeral expenses and debts. The husband was also entitled to a reversionary interest in a sum of £4,700 which had fallen into possession since his death, and which was still outstanding in the hands of the trustees of the will of the husband's father. The wife was also, under a gift from her husband, entitled to a reversionary interest in a certain fund which, as the Judge found, was caught