

The material parts of the will were as follows: "I be-
 quathe all that my heavenly father has given me to that
 Presbyterian congregation where I belong to and had my
 first communion, Churchtown, or better known by the name
 of Tamlight O'Crilly, Co. Derry, Ireland. The presiding
 clergyman, committee, and elders to have full contrall of all
 after me. They shall have the power to sell or rent to the
 best advantage while grass grow or water runs. . . .
 The minister and committee and ruling elders shall give me a
 decent funeral monument not to exceed £100 sterling, and
 then the widow and the orphan and neglected children to be
 seen after by the minister, committee, and ruling elders, hav-
 ing suceding authority to remember the poor of the church
 at Chrismass every year. . . ."

The codicil was as follows: "I will appoint Fredrick Her-
 bert Thompson and Abrem Dent. . . the exeters and
 trustees of my last will above ritten and I hereby vest all my
 property in them as trustees for the purposes mentioned in
 said will."

Two questions were presented: (1) Whether the benefi-
 ciaries named in the will and codicil were sufficiently desig-
 nated or definite. (2) Whether the devises and bequests
 were invalid under the Mortmain and Charitable Uses Act,
 1902—the testator having died less than six months after the
 making of the said will and codicil.

H. W. Mickle, for the executors.

E. D. Armour, K.C., for the Presbyterian congregation of
 Tamlight O'Crilly.

A. W. Holmested, for the next of kin of the testator.

MACMAHON, J.—The general charitable intent of the tes-
 tator is manifest from the whole tenor of the will. The
 devises and bequests in the will are to the members of the
 Presbyterian congregation, those particularly designated as
 beneficiaries being "the widows and neglected children and
 the poor," and the minister, the committee and elders of the
 church being the almoners named in the will for the purpose
 of carrying the testator's charitable design into effect.

The Mortmain and Charitable Uses Act, 2 Edw. VII. ch.
 2, sec. 6, provides that "the following shall be deemed to be
 valid charitable uses within the meaning of this Act, viz.,
 the relief of aged, impotent, and poor people . . . the
 support, aid, and help of persons in poor circumstances
 . . . and any other purposes similar to those herein-
 before mentioned."