

F. attained twenty-one and died unmarried and without issue:—

Held, a conditional fee, with an executory devise over.

Decision of FERGUSON, J., reversed.

Little v. Billings, 27 Gr. 353, distinguished. *Crawford et al. v. Broddy et al.*, 635.

7. Devise—"My Lawful Heirs"—*Time when Heirs Ascertained.*—

A testator by his will after a gift to his daughter and her mother for their joint lives, and to the survivor of them, directed that, "at the decease of both, the residue of my real and personal property shall be enjoyed by, and go to the benefit of my lawful heirs." Both survived the testator and died, the daughter surviving the mother. At the death of the testator, his daughter was his only heir:—

Held, that the testator had himself excluded his daughter from being treated as one of his heirs, and by the expression "my lawful heirs" meant the persons who at the time of the death of the last survivor of his wife and daughter should then be his heirs-at-law.

Jones v. Colbeck, 8 Ves. 38, approved and specially referred to. *Thompson et al. v. Smith*, 652.

Testamentary Guardian—Religious Faith.]—See INFANT, 3.

See EXECUTION—EXECUTORS AND ADMINISTRATORS.

WINDING-UP.

See COMPANY, 1, 3, 4, 6.

WORDS AND PHRASES.

"Absconded."—See MALICIOUS ARREST AND PROSECUTION, 1.

"A Home."—See EXECUTION.

"Books and Literary Compositions."—See COPYRIGHT.

"Doing Business in Canada."—See COMPANY, 4.

"Equally."—See WILL, 5.

"Giving of Sheep to Double."—See STATUTE OF FRAUDS.

"My Lawful Heirs."—See WILL, 7.

"Owner."—See WAY.

"Per Stirpes."—See WILL, 5.

"Plant."—See CONTRACT, 2.

"Procuring."—See CRIMINAL LAW, 4.

"Pro rata."—See WILL, 2.

"Public Place."—See PUBLIC MORALS AND CONVENIENCE.

"Right Heirs."—See WILL, 5.

"Servant in Husbandry."—See MASTER AND SERVANT, 2.

"To be Benefited."—See MUNICIPAL CORPORATIONS, 9.

"Unlawful."—See CRIMINAL LAW, 1.

WORKMEN'S COMPENSATION FOR INJURIES ACT.

See MASTER AND SERVANT.