

therein, or is there an intestacy as to the land mentioned in clause 6?

G. H. Watson, K.C., for executors.

W. E. Middleton, for Ada Savage.

T. Mulvey, K.C., for devisees of widow.

P. K. Halpin, Prescott, for beneficiaries under will of John Savage.

BRITTON, J., held that the codicil executed on the 23rd April, 1869, to the will of John Savage of 22nd April, 1869, revoked the devise in clause 6. (2) That Mary Ann Savage took an estate in fee simple in all the real estate of John Savage not specifically devised.

*Quere*, whether a Judge in Chambers ought to assume jurisdiction to answer questions so important as to construction. R. S. O. 1897 ch. 129, sec. 39, *In re Williams*, 1 Ch. Ch. 372, *Re Hooper's Will*, 7 Jur. N. S. 595, *Re Lorenz*, 4 L. T. N. S. 501, and *Re Evans*, 30 Beav. 232, referred to.

Costs of all parties out of estate.

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MEREDITH, C.J.

JUNE 5TH, 1903.

CHAMBERS.

JOHNSTON v. LONDON AND PARIS EXCHANGE.

*Security for Costs—Action for Penalties—Statute—Provision as to Consent of Attorney-General—Effect of Obtaining Consent—Unsubstantial Plaintiff—Common Informer—Rule 1200.*

Appeal by plaintiff from order of Master in Chambers, ante 468, requiring appellant to give security for costs.

George Bell, for plaintiff.

R. B. Beaumont, for defendants Parker & Co.

MEREDITH, C.J., dismissed the appeal with costs to respondents in any event.

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MEREDITH, C.J.

JUNE 5TH, 1903.

CHAMBERS.

MCDONALD v. PARK.

*Parties—Joinder of Causes of Action—Action to Set aside Will and Establish Earlier Will—Different Beneficiaries—Inconvenience—Jurisdiction of High Court.*

Appeal by plaintiff from order of Master in Chambers striking out paragraph 4 of the statement of claim and making other necessary excisions, on the ground of improper joinder