

the assent of the crown, he had title to the timber as against the defendant a wrong-doer.

Held, also that the plaintiff having acted on B.'s misrepresentations was not estopped from bringing the action. *Langmaid v. Mickle*, 111.

CUSTOM HOUSE.

Municipal corporations—Right to purchase land for Custom house—Municipal government.—See MUNICIPAL CORPORATIONS, 5.

DAMAGES.

Action for malicious arrest—Measure of damages.—See MALICIOUS ARREST, 1.

DEED OF LAND.

Husband and wife—Consideration—49 Vic. 20, sec. 10, (O.)—See HUSBAND AND WIFE, 5.

Conveyance subject to condition of maintenance—Money payment in lieu of maintenance.—See MAINTENANCE, 1.

DESCRIPTION OF LAND.

Insufficient description in contract of sale.—See SALE OF LAND, 1.

DEVOLUTION OF ESTATES ACT.

1. *Necessity of guardian's consent to sale of lands "devolving" on executors or administrators—R. S. O., 1837, ch. 108, sec. 8.*—Where a will

devised lands to the executors on trust to sell the same.

Held, that the case was not within sec. 8 of the Devolution of Estates Acts, and the approval of the official guardian or an order of the Court was not necessary to a sale.

The word "devolve" in this section, is not used in its strict and accepted meaning of falling upon by way of succession, but in the sense merely of "passing," and what is meant is, that where infants are concerned, no real estate which, but for the preceding sections, would not come to the executors or administrators by a devise, gift, or conveyance, can be validly sold without the written consent of the official guardian. *In the matter of Booth's Estate*, 429.

DISTRICT COURT.

Courts—Interpleader—Jurisdiction of District Court of Thunder Bay—Jurisdiction of High Court of Justice—R. S. O. ch. 91, sec. 56.—The District Court of the Provisional Judicial District of Thunder Bay has jurisdiction in interpleader under R. S. O. ch. 91, sec. 56; for it has "the jurisdiction possessed by County Courts," which is by R. S. O. (1877) ch. 44, sec. 19, sub-sec. 6, "in interpleader matters as provided by the Interpleader Act"; and such jurisdiction is determinable in a sheriff's interpleader by the fact whether the process under which the goods were seized has issued out of the District Court, and not by the amount for which the recovery was had or the process issued.

The High Court of Justice has no jurisdiction, by virtue of R. S. O. ch. 91, sec. 56, sub-sec. 2, or otherwise, to entertain a motion against a verdict or judgment obtained in