

interfere with the terms contained in it, it not being shewn that the children were badly treated or their health jeopardized.

E. F. Blair, Brussels, solicitor for the father.

Garrow & Garrow, Goderich, solicitors for the mother.

BRITTON, J.

JANUARY 21ST, 1902.

CHAMBERS.

RE CORNELL.

*Executors and Administrators — Maintenance — Infant — Custody — Advice—Rule 938.*

Originating notice under Rule 938.

E. R. Hanning, Preston, solicitor for executor.

W. J. Millican, Galt, solicitor for other parties except infants.

J. Hoskin, K.C., Toronto, official guardian.

JANUARY 21ST, 1902.

DIVISIONAL COURT.

TAWSE v. SEGUIN.

*Particulars—Further Particulars—Interpleader Issue.*

An appeal from order of MEREDITH, C.J., *ante*, p. 14, was argued before a Divisional Court (FALCONBRIDGE, C.J., STREET, J., BRITTON, J.), and it was held that the order on appeal was right in the main, but that there should be no further particulars as to advances or as to settled account, but only as to credits. Costs of appeal to be in the action.

JANUARY 21ST, 1902.

DIVISIONAL COURT.

RE MCINTYRE.

MCINTYRE v. LONDON AND WESTERN TRUSTS CO.

*Executors and Administrators — Directions as to Distribution of Estate—Setting apart securities to meet annuities—Redemption of annuity—Consent—Rule 938—Jurisdiction under.*

Appeal by the London and Western Trusts Company, the executors of the will of Hugh McIntyre, deceased, from an order of BOYD, C., in Chambers (21 C. L. T. Occ. N. 380), giving directions to the executors as to the distribution of the estate among the residuary legatees, and as to providing for the payment of annuities bequeathed by the will. BOYD, C., declared that the parties interested in the residue were entitled to have sums set apart to answer the annuities from time to time, as sufficient