

ADMINISTRATION—WITH WILL ANNEXED—LIMITED GRANT TO SPECIFIC LEGATEE—PROBATE ACT, 1857 (20 & 21 VICT., C. 77, S. 73—(R.S.O. C. 59, SS. 57, 59.)

In the Goods of Baldwin (1903) P. 61, was an application for administration with the will annexed. The applicant was the specific legatee of the only property bequeathed by the will and was an aunt of the testatrix. Application had been made by her to the next of kin to execute a power of attorney to the applicant to authorize her to apply for general administration, but they refused to give it; under the circumstances, Barnes, J., granted administration with the will annexed to the applicant limited to the property specifically bequeathed to her, without requiring the next of kin to be cited.

ADMINISTRATION—SURETIES DISPENSED WITH.

In the Goods of Cory, (1903) P. 62, was an application for administration made by the widow of a deceased person, and the applicant asked the authority of the Court to carry on the business of the deceased. The total net value of the estate was sworn at £870, 8 s., 1 d., and it was shewn that if the business were sold the estate would probably not realize more than £534. The deceased had left two girls, aged 20 and 15, and one boy, aged 13. The eldest child made affidavit concurring in the application and corroborating the statements of her mother. Jeune, P.P.D., thought that he had no power to authorize the carrying on of the business, but granted administration, taking only the widow's own bond and dispensing with sureties, in order that she might have a free hand in dealing with the estate.

WILL—CONSTRUCTION—DOUBLE PORTIONS—“ADVANCES OR MONEYS”—HOTCHPOT.

In re Jaques, Holgson v. Braisby, (1903) 1 Ch. 267. There was a direction in the will of a testator that his daughter should not take the benefit of a specific devise of real estate or bequest of a share of his residuary personal estate “without first bringing into hotchpot as part of my residuary estate the total amount of any advances or moneys lent by me to my said daughter and her husband or either of them.” After the making of the will the testator purchased real estate for the benefit of his daughter and her husband, and, by his direction, part was conveyed to the daughter and the rest to her husband; he also expended moneys