

MUIR v. CURRIE—MIDDLETON, J.—JUNE 7.

Will—Interest in Business—Partnership Account.]—Action by devisees of Alexander Muir, who owned a one-half interest in a shipbuilding business in the village of Port Dalhousie, against the executors of Alexander Muir, the owner of the other half interest, for \$745.32, claimed to have been received by them out of the estate as executors of Alexander Muir. Judgment: “What the testator disposed of was his interest in the business; he could only deal with what was his own, i.e., the net balance coming to him on an accounting in which he would necessarily be charged with the amount due by him to the firm, and his partner would in like manner be charged with the balance due by him. I understand that on this footing \$47.91 would be due the plaintiffs, and judgment may go for this sum, without costs. The defendants may have their costs out of the testator’s estate. J. H. Ingersoll, K.C., and A.C. Kingstone, for the plaintiffs. A. W. Marquis, for the defendants.

 RE PEPALL AND BROOM (OVERHOLDING TENANTS’ ACT)—RIDDELL, J., IN CHAMBERS—JUNE 7.

Landlord and Tenant—Overholding Tenant—Prohibition.]—Application by a tenant for prohibition to the Judge of the County Court of the county of York, on the alleged ground of want of jurisdiction. RIDDELL, J., said that on the evidence he could not find that it had been proved that the Overholding Tenants’ Act did not apply, and dismissed the application, the dismissal to be with costs unless the parties have otherwise agreed. The applicant, Broom, appeared in person. E. G. Long, for the landlord, Pepall.

 RE PEEL—RIDDELL, J., IN CHAMBERS—JUNE 7.

Lunacy—Petition for Declaration of—Issue Directed—9 Edw. VII. ch. 37, sec. 7(1).]—Petition by Charles Alfred Peel, that John James Peel be declared a lunatic, and supplementary petition to appoint a committee of the person and estate of the said John James Peel. RIDDELL, J., thought the case came within the statute 9 Edw. VII. ch. 37, sec. 7(1), and without commenting upon the evidence, thought an issue should be directed to try the alleged insanity, as it is not the policy of the Court to