

making the agreements, by which the plaintiff Hamilton purported to assign to Gallow, in consideration of certain moneys advanced and debts assumed, all his (Hamilton's) interest in the estate of his father. The action was tried without a jury at Toronto. The learned Judge finds, upon the evidence, that all the agreements entered into between the plaintiff Hamilton and the defendant Gallow are fraudulent and void, and should be set aside and cancelled. The advances made by the defendant Gallow to the plaintiff Hamilton were ascertained at \$1,331, and this sum, without interest, is to be paid by the plaintiffs to the defendant Gallow. The costs of the plaintiffs and of the defendant Wade are to be paid by the defendant Gallow, or paid by the plaintiffs and deducted from the amount due to the defendant Gallow. E. E. A. DuVernet, K.C., and W. C. Davidson, for the plaintiffs. A. W. Burk, for the defendant Gallow. J. E. Jones, for the defendant Wade.

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RE O'MEARA—BRITTON, J.—MAY 14.

*Will—Construction—Provision for Son in Case of Need—Application for Payment of Allowance—Jurisdiction of Court—Rules 600-607—Order Directing Inquiry into Circumstances of Applicant.*—Application by Martin O'Meara, a legatee under the will of Michael O'Meara, deceased, for an order declaring the applicant entitled to payment of the money mentioned in para. 3 of the will, and directing the executor to pay to the applicant the said money or such part thereof as may be necessary for his support and maintenance. Paragraph 3: "It is my wish that my executor . . . keep . . . my money loaned out . . . and that he use the interest thereof and such part of the principal as may be necessary to help my son Martin O'Meara in case through illness or misfortune he should come to want. . . ." The application was heard at the London Weekly Court. BRITTON, J., was of opinion that the legatee had the right to apply, and that the Court had, under Rules 600 to 607, jurisdiction to entertain and deal with the application. Order directing a reference to the Local Master at London to inquire and report whether the legatee is in want by reason of sickness or misfortune; and, if so, what would be a reasonable sum to pay him monthly. Further directions and costs reserved. M. P. McDonagh, for the applicant. J. M. McEvoy, for other legatees. F. P. Betts, K.C., for the executor.