

RE GLIDDEN—MASTEN, J.—JUNE 24.

*Trusts and Trustees—Death of Trustees Appointed by Will—Appointment of New Trustees—Security—Construction of Will.*—An application by the executors of Elizabeth Glidden, deceased, for the appointment of new trustees, both of the trustees appointed by the testator being now deceased, and for the advice and opinion of the Court upon a question as to the construction of the will. The motion was heard in the Weekly Court, Toronto. MASTEN, J., in a written judgment, said that the parties concerned concurred in the appointment, and asked that Charles Wilmot Livingston and Mary Alice Glidden should be appointed trustees. An order should be made accordingly. A question was reserved, viz., whether the new trustees so appointed should give security. After conferring with some of his brother Judges, the learned Judge finds that the better practice is to require such security as would be required if administrators were being appointed, and that this practice has received the approval of a Divisional Court. The order should therefore go accordingly. With respect to the question submitted upon the construction of the will, the learned Judge said that this application did not come before him in proper form, so that the question might be dealt with. He made no direction in that regard. Costs should be paid out of the estate in the usual manner. C. W. Livingston, for the applicants. F. W. Harcourt, K.C., Official Guardian, for the infants.