

TRADING COMPANY.

See "Specific Performance," 4.

TREASURER, LIABILITY OF.

See "Liability of Treasurer," &c.

TRUST BY OPERATION OF LAW.

A suit for alimony having been instituted against the plaintiff, he, for the purpose of protecting his lands from process, conveyed the same to his solicitor for a money consideration, and the solicitor afterwards made a conveyance of the same lands back to him, but which the solicitor retained in his possession and subsequently by desire of the plaintiff struck out his name as the grantee, and inserted as such the name of the sister of the plaintiff, the consideration money being paid by the plaintiff.

*Seeable*, that if in the circumstances stated no consideration money had passed between the parties, there would have been a trust by operation of law in favour of the plaintiff.

Wilson v. Owens, 27.

TRUST DEED.

*T. C. K.*, by a deed of 7th April, 1870, conveyed lands to two trustees to and for the sole and absolute use of his wife, *C. E. K.*, for and during the term of her natural life, to and for her own separate use and benefit, or for the use of such person or persons, and for such estate and interests as she, notwithstanding her coverture, should by any deed or writing under her hand and seal, or by her last will, appoint. By a deed made two years afterwards, *T. C. K.* conveyed other lands to the same trustees, upon the same trusts as were set forth in the former deed. One of the trustees having died, and the other having removed from this Province, *C. E. K.*, professing to be acting in pursuance of the power contained in the first mentioned deed, by a deed made in 1877, appointed the plaintiffs trustees of the lands, to hold upon the trusts of the deed of 1870. By a deed poll made in July, 1878, *C. E. K.*, after reciting these several conveyances appointed the several premises upon trust to permit *C. E. K.* to use, &c., the said lands for life, or until she should require the trustees to sell, and after her death without such requisition to sell, to permit *T. C. K.* to use and enjoy the same premises for his life, and, on his request, to sell, &c., and upon the death of *T. C. K.* and *C. E. K.* upon trust for their children in such proportions as *C. E. K.* should appoint, &c. *T. C. K.* died.