- Precatory trust Will—Words of request—Construction,....576, 506 Ser Wild, 1, 5.

4. — Removal — Insolvency — Appointment of Receiver—Dismissal of Bill— Costs.] An insolvent executor and trustee disputed a creditor's claim, and the creditor filed a bill for the appointment of a receiver, and the payment of his debt. The appointment of a receiver was opposed by all other parties interested in the estate. Pending the suit the creditor brought an action at law upon his debt and recovered much less than the amount originally demanded of the

INDEX.

TRUSTEE—Continued.

- VENDOR'S LIEN Deed—Agreement to maintain vendor116, 167 See Lien, 1, 2.

WILL - Absolute Gift - Condition for Divesting — Repugnancy — Construction Precatory Trust-Motive for Gift-Life Insurance Policy-Policy Payable to Wife of Assured-Will Disposing of Policy-Act 58 Vict. c. 25, s. 7-Resulting Trust-Advancement - Purchase by Husband in Name of Wife-Rebuttal of Presumption.] A testator by his will gave a lot of land with house thereon and personal property to his wife absolutely, to enable her to maintain a home for herself and the testator's sons until they should attain the age of 21 years. The residue of his estate he gave to trustees in trust for his sons. The will then provided that the devise and bequest to the wife should be in lieu of dower, and that it she married again the property devised to her should vest in the testator's trustees for the benefit of his sons. Held, that the wife took an absolute interest free from any trust in favor of the sons, but subject to the gift being divested in the event of her marriage, and that such condition was not void as being repugnant to the gift. Section 7 of Act 58 Vict. c. 25, does not apply to a will made before the passing of the Act. varying a policy of life insurance. A purchase by a husband in the name of his wife is presumed to be an advancement to the wife, and the presumption

680