

## DIVISION OF ESTATE BY TRUSTEE

## Nova Scotia Supreme Court Orders New Apportionment—Trustee Himself a Beneficiary

ON January 13th, 1920, the Supreme Court of Nova Scotia, in the case of Ingraham vs. Hill, decided that it would set aside the sale of a portion of the residue of an estate by a trustee where it is clear from the will that the testator intended the beneficiary to have a vested interest in such residue on certain conditions, which had been fulfilled.

The facts of the case, as reported in the Dominion Law Reports, are that Charles W. Hill, of Sydney, died on February 10th, 1917, having made a will, dated June 9th, 1909, which contained a clause that, on the death of his wife, "all the rest and residue of my estate and property . . . upon the trust that he (his brother, Arthur E. Hill), do and divide and apportion the same between himself and the said Alfred Harrison and the said Emily Ingraham in such proportions as to my said brother shall seem equitable and prudent; but should either the said Alfred Harrison or the said Emily Ingraham die leaving no heirs of their bodies, then my said brother, Arthur E. Hill, and his heirs shall take the same absolutely."

## Trustee Apportioned Estate

By an instrument in writing, dated December 4th, 1917, Arthur E. Hill purported to apportion and divide the residue of the estate of the late C. W. Hill, pursuant to the power conferred by his will, and he thereby gave to Alfred Harrison the sum of \$60 yearly during his life and a like sum to Emily Ingraham (the plaintiff) during her life; and he declared that he held certain of the real estate belonging to the deceased "in trust for securing the payment out of the rents and profits or income arising therefrom of the said yearly payments." The balance of the property he allotted to himself.

A property valued at \$7,900 in the inventory of the estate, and said to be worth \$12,000, was claimed by Arthur E. Hill under a verbal agreement with his deceased brother. It was, however, considered as forming part of the estate. Hill did not include this property in making the division and apportionment of the residue of the estate, and the court decided that Hill had not divided and apportioned the whole of the estate in his hands, and that the attempted distribution was manifestly in bad faith.

The judge, in deciding the case, said in part: "For these reasons I think the appeal should be allowed, and there should be a decree setting aside the instrument dated December 4th, 1917, and an order for a reference to determine the particulars and the value of the residuary estate, and that Hill shall divide and apportion the whole of the estate between himself and the said Alfred Harrison and Emily Ingraham in such proportions as to him shall seem equitable and prudent in accordance with the terms of the will."

## MUTUAL FIRE INSURANCE CONFERENCE

The Western Mutual Fire Insurance Association held a conference in Calgary on May 27, going to Didsbury, Alta., on May 28 and to Banff on May 29. Among the companies represented were: Royal Victoria Mutual Fire Insurance Co., of Beulah, Man., A. Van R. Schermerhorn, F. L. Blair, T. H. Renshaw and C. W. Clifton; Miniota Farmers' Mutual Life Insurance Co., also of Beulah, Murray G. Doyle and J. R. Lynch; Milk River Mutual Fire Insurance, of Milk River, Alta., Paul Madge and Dr. G. W. Giles; Portage la Prairie Mutual Fire Insurance, Messrs. Stratton, Whittaker and A. H. Thorpe; Farmers' Mutual Fire Insurance of Regina; R. H. Cook; Saskatchewan Farmers' Mutual Fire Insurance, Saskatoon, H. R. Lumby and John Evans; Western Mutual Fire Insurance, of Didsbury, Alta., R. R. Reed, H. E. Pearson, H. B. Atkins, R. J. Rollis, A. C. Fisher and J. R. Brown.

Fire prevention and other subjects of general interest to the companies were discussed.

## OUR FOREIGN TRADE FIGURES GROWING

Relations with British Colonies Also Improving—Imports from United Kingdom and America Continue to Advance on a Large Scale

EXPORTS to the United Kingdom fell off during the twelve months ended May, 1920, by more than \$100,000,000, while imports have more than doubled. Imports from the United States continue to increase on a large scale, while exports to that country show comparatively small advances. Trade with the British colonies, on the whole, is improving, exports being considerably in excess of imports. Imports from New Zealand and Australia show a falling off, while, in the case of the latter country, exports also show a reduction. Foreign trade has made some big advances, particularly under exports, although there are some notable increases under imports. France is buying less from Canada, while, on the other hand, the Dominion is importing more from that country. Exports to Italy show a slight reduction, while appreciable increases are shown in Greece and Belgium.

The following table, prepared by the Dominion Bureau of Statistics, gives the trade of Canada by countries for the twelve months ended May, 1920, as compared with previous years:—

	Twelve Months ending May		
	1918	1919	1920
<b>IMPORTS FOR CONSUMPTION</b>			
Dutiable Goods.....	\$33,674,010	\$15,307,332	\$52,077,597
Free Goods.....	403,793,782	361,438,497	398,577,061
Total imports (mdse.).....	937,460,762	876,745,829	1,150,654,658
Duty collected.....	159,454,535	154,317,477	199,669,416
<b>EXPORTS</b>			
Canadian.....	1,475,988,794	1,223,027,961	1,213,443,216
Foreign.....	44,528,284	55,891,682	45,765,078
Total exports (mdse.).....	1,520,517,078	1,278,925,643	1,259,208,294
<b>IMPORTS BY COUNTRIES</b>			
United Kingdom.....	76,019,125	74,098,625	159,300,050
Australia.....	2,348,344	4,927,552	1,378,592
British East Indies.....	17,491,067	14,367,679	17,769,721
British Guiana.....	6,379,910	6,857,196	7,448,388
British South Africa.....	777,822	1,085,773	678,030
British West Indies.....	9,938,407	8,260,518	13,054,825
Hong Kong.....	2,220,384	1,892,962	4,143,479
Newfoundland.....	3,027,758	3,055,898	2,481,525
New Zealand.....	3,653,649	8,170,679	3,656,494
Other British Empire.....	1,927,558	446,105	1,521,190
Argentine Republic.....	978,734	1,108,631	4,608,230
Belgium.....	18,030	6,753	1,507,684
Brazil.....	858,935	1,173,897	2,357,786
China.....	1,881,450	1,415,450	1,482,273
Cuba.....	1,395,258	3,393,831	22,974,213
France.....	4,858,161	3,865,846	14,311,382
Greece.....	19,825	579	865,221
Italy.....	723,603	463,535	1,295,812
Japan.....	13,118,955	13,109,944	14,417,060
Netherlands.....	1,033,263	616,229	2,681,273
United States.....	771,955,929	705,861,976	833,916,259
Other Foreign Countries.....	16,843,635	22,476,467	39,405,171
<b>EXPORTS BY COUNTRIES (Canadian Produce only.)</b>			
United Kingdom.....	802,204,993	552,208,178	450,479,143
Australia.....	9,966,672	14,026,686	10,937,113
British East Indies.....	3,943,055	4,441,211	6,104,968
British Guiana.....	2,316,702	2,319,163	3,233,219
British South Africa.....	5,917,076	11,869,107	9,220,821
British West Indies.....	8,228,998	9,244,138	11,496,612
Hong Kong.....	948,773	1,063,704	1,801,300
Newfoundland.....	10,584,091	11,449,267	16,319,559
New Zealand.....	4,328,850	6,004,603	8,104,259
Other British Empire.....	1,902,656	3,639,858	7,163,206
Argentine Republic.....	1,230,466	4,912,631	6,343,626
Belgium.....	2,995,745	1,216,846	30,960,311
Brazil.....	1,101,423	4,243,484	2,839,163
China.....	2,167,930	2,955,461	6,781,255
Cuba.....	3,796,733	5,465,965	6,536,703
France.....	181,608,757	86,673,981	57,679,190
Greece.....	4,262	1,257,017	34,099,776
Italy.....	4,550,137	15,388,698	13,836,691
Japan.....	5,666,423	12,322,527	8,004,370
Netherlands.....	2,283,387	1,732,097	4,466,005
United States.....	412,390,184	450,434,066	472,449,294
Other Foreign Countries.....	7,851,481	20,159,273	44,586,632

With the object of stimulating interest in sheep raising, the rural service department of the Merchants Bank, of which J. L. Clarke is manager for the west, is circularizing all branches of the bank to aid in the encouraging of sheep clubs.