

was only among children, grandchildren not being objects of the settlement :

*Held*, notwithstanding, that the appointment was not absolute in favor of the appointee ; that she took only the interest of the fund during her life ; and that the principal went to the residuary appointee.

*Deedes v. Graham*, 258.

8. A testator, amongst other things, devised certain lands to his daughter *M A P*, upon certain trusts as to the application of the rents and profits in favor of his daughters so long as they remained single, and on the marriage of any the whole benefit of the trust to such of them as remained single, and the survivor of them till her death : and the testator further declared, " that in case of my said trustee or her *successor*, with the concurrence of my said daughters in said trust mentioned, and then surviving, may deem it prudent and expedient, they may sell and dispose of all said lands," and he further declared that none of his " married daughters, or any that may get married, shall, from time of said marriage, be participant, or have a control or claim on said trust estate or in the disposal thereof. \* \* \* And I declare that in case of the death or marriage of my said daughter *M A P*, either before me or before the termination of the said trusts, then that my then unmarried daughters may and shall be, or those appointed under their hands and seals may and shall be, the trustees and executrixes or executors of this my will, and so on in like manner in case of the death of any such subsequently appointed trustees and executors, till the termination and completion of said trusts and final disposal of my said estate, it being my desire that no married daughter, on account of the influence that her husband might exercise over her, shall continue to act as my trustee or executrix." *M A P* married, and the plaintiff, who was the only surviving unmarried sister, had contracted with the defendant for the sale of a portion of the devised estate. On a bill filed by the vendor to enforce such contract :

*Held*, that the plaintiff had under the will power, as *successor* of *M A P*, to make a good title, and that it was not necessary for *M A P* to join in the conveyance.

*Pegley v. Atkinson*, 383.

9. A testator directed first that all his debts, funeral and testamentary expenses should be paid, and then that all his real and personal estate of every nature and description should be equally divided between his wife and mother, share and share alike :

*Held*, that the widow was not entitled to dower and to the