

Act," striking out the word "goods," the words "personal estate," and words of like import, and substituting the word "property," and directing that the Surrogate Courts Act should be taken as amended so as to conform to the intent and meaning of the Devolution of Estates Act; and in effect, as has been held, abolishing the distinction between real and personal estate for the purposes of administration. The Succession Duty Act. The Act respecting Ancillary Grants of Probate and Administration, etc., and have also made material changes in the law affecting Surrogate Courts.

A considerable part of this volume is occupied with Probate Law generally, as administered in England, and in Ontario and other Provinces which follow the English system; it describes also the practice of Courts of Probate, using that expression with reference to the general signification attached to it by the interpretation clause of the Colonial Probates Act, 1892. The leading cases in England, as well as in Canada, in which the validity of wills has been contested on the ground of the testator's incapacity, have been introduced and cited; all phases of such incapacity being dealt with. There are also references to authorities in certain States of the United States of America.

The English Judicature Acts and Rules having been in substance re-enacted in the Province of Ontario, and the Judicature Rules of Ontario having recently, in 1892, been made applicable to contentious business in the Surrogate Courts of Ontario (excepting the institution of actions by writ of summons), an assimilation of the practice to that of the High Court of Justice has taken place. The present treatise includes therefore a large number of cases decided upon the English Judicature Rules, in addition to those decided before those Rules, as well as cases decided in this and other Provinces of the Dominion. Special attention has, however, been given to the practice in the Surrogate Courts of Ontario in all matters within their jurisdiction.

The subject of auditing and passing accounts of trustees, executors, and administrators, to which the practice of the High Court has also been made applicable, and the question of compensation or Commission, is fully dealt with. The guardianship and custody of infants, and the powers and jurisdiction of the courts as to the same, and as to the rights of the parents, and the