

property which she may thereafter while discoverer possess or be entitled to."

It is just as if the sheriff, under an execution in the words of this judgment, had seized a quantity of valuable jewelry recently left by will to defendant.

Could defendant prevent this being done?

The motion should therefore be granted with costs—those of garnishees to be paid by plaintiffs, and added to their claim against defendant.

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IDINGTON, J.

FEBRUARY 7TH, 1905.

CHAMBERS.

SLEMIN v. TORONTO POLICE BENEFIT FUND.

*Pleading—Statement of Claim—Motion to Strike out Portions—Allegations of Material Facts.*

Appeal by defendants the Toronto Police Commissioners from order of Master in Chambers, ante 178, so far as it refused to strike out paragraphs 18, 20, and 25 of the statement of claim.

J. S. Fullerton, K. C., for appellants.

R. C. Clute, K.C., for plaintiff.

IDINGTON, J., affirmed the Master's order except as to paragraph 5, which he ordered to be amended. Costs of appeal to be costs in the cause.

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FALCONBRIDGE, C.J.

FEBRUARY 7TH, 1905.

WEEKLY COURT.

RE CORBIT.

*Will—Construction—Devise—Incomplete Form—Sufficiency—Substituted Devise over—Restraint on Alienation—Void Condition—Annuity in Perpetuity—Vagueness—Charge on Land—Sale Subject to.*

Motion by the Toronto General Trusts Corporation, the administrators de bonis non, with the will annexed, of the estate of Martin Corbit, who died on 20th January, 1861, for an order declaring the true construction of his will and determining certain questions as to the distribution of his estate.