

lows, "I bequeath to the worn out Preachers and Widows Fund in connection with the Wesleyan Conference here the sum of £1,250 to be paid out of the moneys due me by Robert Chestnut of Fredericton." No question was made as to the payment being made to the corporate body having and controlling that fund (see same case on appeal, 6 S. C. R. at page 322). It cannot be said in the present case that the testatrix intended to give this fund to the St. Stephen's Church. She has rather shewn an intention not to do so, because in disposing of the residuary estate she expressly gives one-half to that church by what I assume she supposed to be its corporate name, and no doubt will be accepted as such. The only object the testatrix had in using the words "in connection with St. Stephen's Church, &c.," was thereby to identify the particular Ministers' Fund which she wished to benefit. It is equally true that the testatrix did not in terms specify any individual or society or corporation as legatee and we are left therefore to ascertain what corporate body represents the fund and can take it so that it may reach its destination. I think the defendants, "The Board of Trustees of the Presbyterian Church in Canada, eastern section," sufficiently represent the fund and that payment may be made to them. That body was incorporated in 1907 by an Act of the Provincial Legislature, 7 Edward VII. c. 79. Section 2 provides as follows: "All gifts, devises, conveyances or transfers of any lands or tenements or interests therein and all assignments, gifts and bequests of personal estate in this province, which have been or shall hereafter be made to or intended for the Presbyterian Church in Canada, eastern section, or any of the trusts in connection with the said church, and any of the religious or charitable schemes of the said church by the name thereof, except any trusts, schemes or institutions connected with the said church which are now or may hereafter be incorporated, shall rest in the said board of trustees as fully and effectually as if the assignment, gift, devise, bequest, conveyance, or transfer had been made to it, and shall be held by the said board of trustees for the benefit of the said church of the particular scheme of the said church or of any of the said trusts in connection therewith to or for which the said real estate has been or may be bought, given, devised or bequeathed." The part of Canada comprising what the Presbyterian Church in Canada called the "Eastern section," included the three Maritime