

After above judgment was delivered a question was asked which was not raised on the former motion. Should the executors first resort to the residual estate, as to which no disposition is made, for payment of debts, before touching the property given the widow?

W. E. Raney, K.C., for the executors.

I. F. Hellmuth, K.C., for David H. Piper.

HON. MR. JUSTICE MIDDLETON (12th June, 1912):—The asset to be first resorted to is undisposed of personalty, and the question can be so answered.

No costs, as the question might have been raised on the former motion and there does not seem to be any contest over this question.

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