

expulsion from church; appointment of new trustees: *Smallwood v. Abbott*, 18 U. C. R. 564. Removal of trustees: see also *Lage v. Mackenson*, 40 U. C. R. 388.

20. Power to sell unnecessary land; special trusts: *Huegli v. Pauli*, 3 O. W. N. 915, 21 O. W. R. 776, 26 O. L. R. 94.

Former section, R. S. O. 307, sec. 24, is omitted from this revision: see Article 48 C. L. J. 406. That section, R. S. O. 1897, ch. 307, sec. 24, enabled trustees to take a devise for land for a minister's residence, if actually used as such, although the land could not be held for rental purposes merely. An intention not to use was not presumed from a short period of non-user. In any event the trustees could sell within seven years: *Sills v. Warner*, 27 O. R. 266. The seven years during which land might be held after its "acquisition" did not commence to run, in the case of a devise of a remainder dependent upon a life estate, until the expiry of the life estate: *Re Naylor*, 5 O. L. R. 153. Where a testator directed land to be sold and out of the proceeds and some personalty directed \$2,000 to be paid to A. for the use of a church to be applied in A.'s discretion and A. assigned the whole fund to the trustees of the church, this was held a valid exercise of the discretion given him by the will: *Re Johnson Chambers v. Johnson*, 5 O. L. R. 459. See similar power in missionary societies to receive gifts: 50 Vic. ch. 91, and see *Re Barrett*, 10 O. L. R. 337. The six months' limitation in former sec. 24 and in 50 Vic. ch. 91, must be regarded as having been repealed by the later Mortmain and Charitable Uses Act: R. S. O. 112 (14 Ap. 1892): *Re Barrett*, 10 O. L. R. 337. See also *Madill v. McConnell*, 16 O. L. R. 314, 17 O. L. R. 209, and the provisions of R. S. O. 1914, ch. 103 and notes.

CHAPTER 287.

THE ONTARIO REFORMATORY ACT.