

LANDLORD AND TENANT—CHATTELS—TRADE FIXTURES—COVENANT TO YIELD UP "ERECTIONS AND BUILDINGS IN GOOD REPAIR."

*Pole-Carew v. Western Counties & General Manure Co.* (1920) 2 Ch. 97. This was an action for damages for breach of covenant contained in a lease, to yield up at the determination "erections and buildings" on the demised premises in good repair. The lessees were manufacturers of artificial manure, and for the purposes of their business had erected various tanks and towers on the demised premises; these erections rested on solid foundations, though not actually fastened thereto. The defendants claimed that they were removable either as chattels or trade fixtures, but Sargant, J., held and the Court of Appeal, (Lord Sterndale, M.R., and Warrington and Younger, L.JJ.) affirmed his decision, that they were buildings and erections within the meaning of the covenant.

COMPANY—UNRESTRICTED POWER TO EXPROPRIATE SHARES OF ANY SHAREHOLDER—"BONA FIDE FOR THE BENEFIT OF THE COMPANY AS A WHOLE"—PRICE TO BE FIXED BY DIRECTORS—INVALIDITY OF RESOLUTION.

*Dofen Tinplate Co. v. Donnelly Steel Co.* (1920) 2 Ch. 124. In this case the plaintiffs, who were shareholders of the defendant company, contested the validity of certain resolutions which had been passed authorizing the defendants to expropriate the shares of any shareholders, except a specified one, at a fair price to be fixed by the directors. The plaintiffs contended that this resolution was not for the *bonâ fide* benefit of the company as a whole, and was therefore *ultra vires*, and Peterson, J., who tried the action, so held, he being of the opinion that the resolution went much farther than was necessary to protect the company from action of shareholders detrimental to the company's interests, and was therefore not a power which could be validly assumed by the majority of the shareholders.

DEFENCE OF THE REALM—EXIGENCIES OF PUBLIC SERVICE—CROWN—ROYAL PREROGATIVE—RIGHT OF CROWN TO TAKE POSSESSION OF LAND AND BUILDINGS—COMPENSATION TO OWNER.

*Attorney-General v. DeKeyser's Royal Hotel* (1920) A.C. 508. This was an appeal from the Court of Appeal (1919), 2 Ch. 197 (noted *ante* vol. 56, p. 21). In this case it may be remembered it was held by the Court of Appeal that where under the Defence of the Realm Act the Crown takes possession of the lands of a subject for administrative purposes, the owner is entitled to compensation, and this judgment is now affirmed by the House of Lords (Lords Dunedin, Atkinson, Moulton, Sumner, and Parmoor).