

30th. On 27th March, Carmichael, who had applied for 1,000 shares, stopped the cheque given for the deposit, and on the 30th wrote to Phillips and the secretary of the company repudiating the agreement. Phillips, however, on 2nd April, applied on behalf of Carmichael for 980 shares, which in the event was the number he was bound to take, and they were allotted to him, and his name placed on the register in respect of them. The Court of Appeal (Lindley, Lopes and Rigby, L.J.J.) agreed with Stirling, J., that he had been rightly placed on the register, that the authority given to Phillips being coupled with an interest and being given for a valuable consideration, was irrevocable.

PRACTICE—PARTIES—ADDING PLAINTIFF WITHOUT AUTHORITY—"CONSENT IN WRITING"—STAYING PROCEEDINGS—COSTS—SOLICITOR ACTING WITHOUT AUTHORITY, LIABILITY OF—ORD. XVI., R. 11.—(ONT. RULE 324 (b).)

In *Fricker v. Van Grutten*, (1896) 2 Ch. 649, a motion was made by a person whose name had been added as a plaintiff upon the written consent of his solicitors, signed in his presence, but without his "own written consent"—to strike out his name from the writ and all subsequent proceedings. Kekewich, J., had held that the consent of the solicitors was sufficient to bind the applicant, and refused the motion; but the Court of Appeal (Lindley, Lopes and Rigby, L.J.J.) unanimously reversed his decision, and not only ordered the name of the applicant to be struck out, and stayed all proceedings in his name, but ordered the solicitors who had taken the proceedings in his name to pay his costs, as between solicitor and client, and also the costs of the adverse party which the applicant had been ordered to pay, together with all the costs of the application. The Court of Appeal have thus determined that nothing but the written consent of the party to be added, signed by himself, will be a sufficient compliance with Ord. xvi., r. 11 (Ont. Rule 324 *b*).

FRIENDLY SOCIETY—DISSOLUTION OF SOCIETY BY DEATH OF ITS MEMBERS—FAILURE OF OBJECTS—SURPLUS FUNDS OF DEFUNCT SOCIETY—CY-PRES—BONA VACANTIA—RESULTING TRUST.

*Cunnack v. Edwards*, (1896) 2 Ch. 679, is a decision on appeal from *Chitty, J.*, (1895) 1 Ch. 489, noted ante, vol. 31,