

objects of the club was to hold exhibitions of pictures sent in by members, mostly for sale on commission, the plaintiff receiving ten per cent. commission on all sales as his profit. The club was managed by a committee of which the plaintiff was a member, and the exhibitions were managed by a picture committee. The exhibitions were not open to the public but only to members or persons introduced by members. The defendants as superior landlords put in a distress for rent under which certain pictures so sent for exhibition and sale were seized. The action was brought to restrain proceedings on the distress. Neville, J., held the pictures were liable to distress and the Court of Appeal (Cozens-Hardy, M.R., and Moulton and Farwell, L.JJ.) affirmed his decision, on the ground that the pictures were not sent to the plaintiff, but to the picture committee and even if delivered to plaintiff they were not delivered to him "to be managed in the way of his trade" which was that of a club proprietor and not that of a picture dealer, and the case was not, therefore, within *Simpson v. Hartopp* (1744), Willes 512, 1 Sm. L.C. 437 (11th ed.).

COMPANY—DIRECTOR—QUALIFICATION SHARES OF DIRECTOR HELD IN TRUST—RIGHT OF CESTUI QUE TRUST OF SHARES TO CLAIM REMUNERATION RECEIVED BY THEIR TRUSTEE AS DIRECTOR.

*In re Dover Coalfield Extension* (1908) 1 Ch. 65. The Court of Appeal (Cozens-Hardy, M.R., and Moulton and Farwell, L.JJ.) have affirmed the judgment of Warrington, J., (1907) 2 Ch. 76 (noted ante, vol. 43, p. 617), to the effect that the cestuis que trust of shares in a limited company has no right to call on his trustee to account for remuneration received by him as a director of the company, although the shares held by him in trust constitute his qualification as a director.

WILL—EXPRESS TRUST OF RESIDUE—PARTIAL FAILURE OF BENEFICIAL INTEREST—NEXT OF KIN—ADVANCES BY TESTATOR TO CHILDREN—HOTCHPOT—STATUTE OF DISTRIBUTION (22-23 CHAS. II. C. 10) s. 5—(R.S.O. C. 335, s. 2) EXECUTORS' ACT 1930 (11 GEO. IV. & 1 WM. IV. C. 40) s. 1.

*In re Roby, Howlett v. Newington* (1908) 1 Ch. 71. In this case a testator had bequeathed his residue to his executors in trust as to £1,500 to invest and pay the income to his daughter for life, and after her death to divide the capital amongst her