

opinion that the solicitor must be taken to have represented to his client that he would have a good title to the whole of the land purchased, and that the whole was effectually conveyed to him, and that therefore he and his representatives were estopped from setting up an adverse title to any part of the land thus purported to be conveyed. The Court of Appeal (Collins, M R., and Romer and Cozens-Hardy, L.JJ.) were able to take a broader view of the case, and came to the conclusion that as the plaintiff had not been induced to purchase by any misrepresentation made by the solicitor, and did not suppose he was buying any part of the greenhouse, his position was in no way altered after he entered into the contract by the representation (if any) arising from the solicitor's negligence, which was therefore not the proximate cause of loss to the plaintiff, and consequently there was no estoppel, and the action failed.

WILL—REMOTENESS—INVALID TRUST FOR SALE—NO GIFT OF INCOME—CONVERSION.

In re Appleby, Walker v. Lever (1903) 1 Ch. 565, was a question of construction. By the will of the deceased the testator directed his real estate to be sold and the proceeds divided among certain persons who were all ascertainable without infringing the rule against perpetuity. There was no express gift of the income until sale, and the trust for sale was void because not limited to take effect within the time prescribed by the rule against perpetuity. The question was therefore whether the persons entitled to share in the proceeds were entitled to the land, and whether as real or personal estate. The Court of Appeal (Collins, M.R., and Cozens-Hardy, L.JJ.) agreed with Byrne, J., that notwithstanding the trust for sale was bad, and there was no express gift of the income, the several persons who by the will were to share in the proceeds in the event of a sale were entitled to the land in specie as real estate.

COMPANY—PROSPECTUS—CONTRACT—OMISSION FROM PROSPECTUS OF MATERIAL CONTRACT—FRAUDULENT PROSPECTUS—SHAREHOLDER—DAMAGES—DIRECTORS, LIABILITY OF—COMPANIES ACT, 1867 (30 & 31 VICT., c. 131) s. 38 (2 ED. 7, c. 15, s. 34 D.)—DIRECTORS LIABILITY ACT (1890) (53 & 54 VICT., c. 64) (S. 3, SUB-S. 1)—(R.S.O., c. 216, s. 4).

Broome v. Speak (1903) 1 Ch. 586, was an action by a shareholder of a limited company to recover damages against directors for issuing a fraudulent prospectus. On September 21, 1898, the