

judicial decision on the questions to be tried, the Court of Appeal considered that the findings of Joyce, J., entitled the plaintiff to the enforcement of the undertaking, and they therefore allowed the appeals. Both Romer and Stirling, L. JJ., intimate that even if there had been no such undertaking the Court would not have been powerless in the matter—and Stirling, J., suggests that the effect of the nomination was to create a trust of a share of the partnership in favour of the son.

**WATER SUPPLY**—"DOMESTIC PURPOSES"—SWIMMING BATH FOR SCHOOL.

*Larnard Castle v. Wilson* (1902) 2 Ch. 746, may be briefly noticed here, as dealing with a matter of general interest, although the case, it is true, turns upon the construction of a particular statute, the point in dispute being whether under the statute in question which required plaintiffs to supply water on certain terms for "domestic purposes," they could be compelled to supply water for a swimming bath for a school on those terms. The bath was in a separate building from the school, but connected with it by a corridor. A swimming master was kept to teach the boys swimming, and a fee was charged for the use of the bath. The Court of Appeal (Williams, Romer, and Stirling, L.JJ., Williams, J., doubting) held that the water supplied to the bath was not for "domestic purposes," but for the purposes of the business of the school. As to what are strictly "domestic purposes" a variety of views are expressed.

**RAILWAY**—"ACCOMMODATION WORKS"—GRANT OF EASEMENT—LEVEL CROSSING  
—EXTENT OF USER OF EASEMENT.

*Great Western Railway Co. v. Talbot* (1902) 2 Ch. 759, deals with an important point of railway law. The plaintiff had provided for the accommodation of the defendants' predecessor in title, whose land had been severed by the construction of the plaintiff's railway, a level crossing for a tramway to enable him to get access from one part of his land to the other, which crossing the plaintiffs covenanted to maintain. The defendant transported over the crossing goods and traffic from her land to a neighboring port. She had also allowed coals to be conveyed along the tramway to the port from a colliery not situate on her land. The action was brought to restrain the latter user of the crossing, as being an illegitimate extension of the defendant's right to the easement, and