

**ADMINISTRATION SUIT—FUND ORDERED TO BE CARRIED TO SEPARATE ACCOUNT
—ASSIGNMENT OF FUND—ASSIGNEE.**

In *Edgar v. Plomley* (1900) A.C. 431, the Judicial Committee of the Privy Council (Lords Hobhouse, Morris and Davey, and Sir R. Couch), on appeal from the Supreme Court of New South Wales, decided that where in an administration suit a fund has been ordered to be carried over to a separate account, and after being so carried over, is specifically assigned for value to another without notice of any equitable claim by the other parties to the suit against the assignor, the assignee is entitled to hold the fund free from any such equitable claims; and mere notice that the assignor was trustee and defendant in a suit for an account, in which his fund might be made answerable, in case of default proved against the assignor, is not sufficient to affect the assignee.

**DEED OF SEPARATION — HUSBAND AND WIFE — MISREPRESENTATIONS NOT
CREDITED—SETTING ASIDE DEED—COSTS—PAUPER.**

Wasteneys v. Wasteneys (1900) A.C. 446, was an action by a husband to set aside a separation and annuity deed on the ground of fraudulent representations of the wife that she had not then committed adultery, and also on the ground of subsequent adultery by her. It appeared that at the time the deed was executed the husband disbelieved his wife's representations as to her chastity, and the deed contained no condition as to chastity. The Court of Appeal of New Zealand had affirmed a judgment in favour of the husband, but the Judicial Committee of the Privy Council (Lord Halsbury, L.C., and Lords Hobhouse, Macnaghten, Davey and Robertson) reversed the decision, holding that on neither ground could the plaintiff succeed. The wife having brought her appeal in forma pauperis, she was held entitled to such costs below as are payable in the colony in pauper appeals, and to such costs of appeal to the Privy Council as she would be entitled to under the rule of the House of Lords relating to pauper appeals which rule is adopted by the Privy Council.

**ARBITRATION—AWARD—LUMP SUM AWARDED—EVIDENCE TAKEN ON MATTERS
NOT REFERRED—ARBITRATORS, JURISDICTION OF—SCOPE OF REFERENCE.**

Falkingham v. Victorian Railway Commissioners (1900) A.C. 452, was an action on an award made by arbitrators appointed under a contract between the plaintiffs and defendants for the construction of a railway. A lump sum had been awarded in favour