whether the will passed the estate, which vested in her absolutely on her husband's death? Kay, J., held the will to be inoperative as to this estate, and the Court of Appeal (Cotton, Bowen, and Fry, L.JJ.) affirmed his decision. It was admitted that, as the testatrix survived her husband, the will made in his lifetime was inoperative, unless under the Act she acquired the power of disposing of the property as separate property. This the Court held she did not, because the Act only makes property acquired after its passage separate property, whereas the right to the property in question was acquired in 1863.

PRACTICE—TIME FOR APPEALING—INTERLOCUTORY FINAL ORDER.

Blakey v. *Latham*, 43 Chy.D., 23, is useful for the expression of opinion of the Court of Appeal as to what is an "interlocutory" as distinguished from a final order. In this case the plaintiff's action having been dismissed with costs, he applied for leave to set off against these costs, costs payable to him by the defendant, partly in this action, and partly in another action between the same parties. One Green, the defendant's solicitor, claimed a lien on the costs, payable to the defendant, for his costs in this action. Kay, J., allowed the set off, but as regarded the costs of this action, subject to any lien Green could establish before the taxing officer. Green appealed, and the preliminary objection was taken that the appeal was out of time, the order being merely interlocutory, and the Court of Appeal (Cotton and Fry, L.JJ.) held that it was interlocutory. Fry, L.J., observes, "that where a final judgment has been pronounced in an action, and subsequently an order has been obtained for the purpose of working out the rights given by the final judgment, that order has always been deemed, and rightly deemed, to be interlocutory."

CHARITY—MORTMAIN—INTEREST IN LAND—BONDS OF HARBOUR TRUSTEES—9 GEO. 2, C. 36.

In re David, Buckley v. *Royal National Lifeboat Institution*, 43 Chy.D., 27, the Court of Appeal (Lord Coleridge, C.JJ., and Cotton and Fry, L.JJ.) affirmed the decision of North, J., that certain bonds issued by harbour trustees, and which constituted specific mortgages of a share of the bridge tolls and rates leviable under the act of incorporation of the harbour, were (as the bridge tolls were paid for passing over bridges on the land of the trustees) an interest in land, and, therefore, were impure personalty within the Mortmain Act (9 Geo. 2, c. 36); and therefore a bequest of them for charity was void, although it might, under *Turner* v. *London C. & D. Railway Co.*, 2 Chy.D., 201, have been otherwise, had the bonds amounted to a mortgage of the whole undertaking.

STATUTE OF LIMITATIONS—CHARGE OF DEBTS ON LAND—DEBT BARRED AS TO PERSONALTY, BUT NOT AS AGAINST REALTY—ADVERTISEMENTS FOR CREDITORS—CREDITOR SENDING IN CLAIM NOT EQUIVALENT TO BRINGING ACTION.

In re Stephens, Warburton v. *Stephens*, 43 Chy.D., 39, shows that in England where a testator has charged his debts upon his lands, that although a creditor's claim may be barred as against the personal estate, after the lapse of six years from the time the debt became due, it will not be barred as against the realty