

CONTEMPT OF COURT—COMMITTAL.—PROCEEDINGS *IN CAMERA*—PUBLICATION OF PROCEEDINGS *IN CAMERA*—FRIVOLOUS APPLICATION TO COMMIT.—COSTS.

*In re Martindale*, (1894) 3 Ch. 193, two or three points on the law of contempt of court are decided. In the first place, North, J., decided that it is a contempt of court to publish in a newspaper an account of proceedings had before the court *in camera*, as thereby the very object of the court in so conducting proceedings is defeated; and that a newspaper is guilty of contempt where, in its report of such proceedings, it states that they were had *in camera*, or the publisher had reason to know that they were so had, and that both the person who supplied the information and also the publisher of it were equally liable. In this case, however, the circumstances were such as, in the opinion of the court, to be sufficiently punished by making the offending parties, who had not intentionally been contemptuous, and had apologized, pay the costs of the motion. But the learned judge also held that the publishers of other newspapers who published the proceedings, but without any information or knowledge that they had been conducted *in camera*, were not guilty of any contempt, and the motion as against such parties was dismissed with costs. This case is also reported 8 R. Dec. 207.

WILL.—CONSTRUCTION.—TRUST FOR BENEFIT AND ADVANCEMENT OF LEGATEE.—DISCRETION OF TRUSTEE.—LEGATEE.

*In re Johnston, Mills v. Johnston*, (1894) 3 Ch. 204; 8 R. Oct. 131, was a suit for the construction of a will. The point was a very simple one. The testator gave all his property to trustees, and directed that certain specified sums of money should be invested for the benefit of each of his sons as they, respectively, attained twenty-one, to be applied for their benefit and advancement, as the trustees should think fit: and the will stated that these several sums "should be judiciously invested, as they are intended for the advancement and promotion in life of the respective recipients." Some of the sons, having attained twenty-one, claimed to be absolutely entitled to their legacies. There was no gift-over, and no discretion was given to the trustees to apply the whole or a part of the sums in question for the benefit of the legatees, and the sole persons interested in the legacies were the respective legatees. Under the circumstances, Stirling, J., was of opinion that the legatees, as they attained twenty-one, were entitled to their legacies, freed from any discretion on the part of the trustees.