

the same, or extracts therefrom. The Pennells set up by their defence that they were authorized by Mr. Whistler to write his biography, and for that purpose he gave them a large amount of information. They admitted the plaintiff's right to prevent the publication of private letters and documents written by Mr. Whistler. They admitted that they had procured copies of certain of his letters to various relations and friends, but, while they denied any intention of publishing them, they admitted that they intended to use for the biography information therein contained. Kekewich, J., who tried the action came to the conclusion that the Pennells though not entitled to publish the letters of the deceased or extracts or paraphrases therefrom without the plaintiff's consent, could not be restrained from using the information contained in such documents which had lawfully come into their possession for the purpose of compiling the biography, and the action was dismissed as against all of the defendants.

MARRIAGE UNDER FALSE NAME—WIDOW MARRIED IN MAIDEN NAME
—FALSE NOTICE.

In re Rutter, Donaldson v. Rutter (1907) 2 Ch. 592. A widow whose interest under her deceased husband's will ceased on her re-marrying, was married before a registrar in her maiden name, the previous statutory notice being false to the knowledge of both spouses in this and other respects. Eady, J., nevertheless, held that the marriage was valid, and that the interest of the lady in her deceased husband's estate had ceased.

TENANT FOR LIFE—REMAINDERMAN—PRIOR ANNUITY—CAPITAL
—INCOME.

In re Perkins, Brown v. Perkins (1907) 2 Ch. 596. In this case a testator, who had covenanted to pay an annuity, gave half his residue to trustees upon trust for his daughter for life, with remainders over. The residue was bearing interest at three per cent., and the question Eady, J., was called on to decide was, in what proportions the moiety of the annuity payable out of the daughter's share should be born by capital and income, and he held that it should be apportioned on the following basis, viz., ascertain what sum with simple interest at 3 per cent. would meet each instalment, and charge that sum to capital and the balance to income.