

JUDGMENT IN REM—PROCEEDINGS IN REM IN FOREIGN COURT—COMPANY—WINDING UP.

In *Minna Craig S.S. Co. v. Chartered Mercantile Bank*, (1897) 1 Q.B. 460, the decision of Collins, J., noted ante p 189, has been affirmed by the Court of Appeal (Lord Esher, M.R., and Lopes and Chitty, L.JJ.) upon the same grounds as were taken by the Court below.

TRUST—PRECATORY TRUST—HEIRLOOMS.

In *Hill v. Hill*, (1897) 1 Q.B. 483, an appeal was brought from the judgment of Collins, J., at the trial of the action. The object of the action was to recover possession of a diamond necklace and other jewels. The plaintiff claimed to be entitled thereto under the will of his grandmother, who had been married to the plaintiff's grandfather in 1831. Before her death she had written a letter to her solicitor, stating that on her marriage the jewels in question had been given to her by her mother-in-law "for my life, with a request that at my death they might be left as heirlooms." By her will she gave them to the plaintiff's father until he should die, and after his death to each and every of the persons who should in turn succeed to the title of Viscount Hill, her intention being that they should descend as heirlooms. The will was made in 1891, in which year the testatrix died. The plaintiff was born in 1860, and succeeded to the title of Viscount Hill in 1895, on the death of his father. The defendant was the plaintiff's stepmother, and claimed the jewels by virtue of a gift from her deceased husband. It was contended that the words of the memorandum above referred to, which showed the terms of the gift to the testatrix, imported a precatory trust, and that the trust was for the grandmother for life, with a special equitable power of appointment by will in favor of the plaintiff's father, and an implied trust that in default of appointment the jewels were to be his absolute property at her death, and that the testatrix, in exercise of the supposed power, could not carry the trust limitation further than the settlor herself could have done, without contravening the rule against perpetuities, and that therefore the plain-