

# REVIEW OF CURRENT ENGLISH CASES.

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## DECLARATORY JUDGMENT—RELIEF AGAINST CROWN.

*Dyson v. Attorney-General* (1912) 1 Ch. 158. In this case the plaintiff claimed that certain returns demanded to be made by him by the Commissioners of Inland Revenue were not warranted by law, and he claimed a declaratory judgment to that effect. Horridge, J., following *Dyson v. Attorney-General* (1911) 1 K.B. 410 (noted ante, vol. 47, p. 190) made the declaration and the Court of Appeal (Cozens-Hardy, M.R., Moulton and Farwell, L.JJ.) affirmed his decision and a like conclusion was come to in *Burghes v. Attorney-General* (1912) 1 Ch. 173.

## LANDLORD AND TENANT—COVENANT RUNNING WITH LAND— STATUTORY ASSIGNEE OF REVERSION—RIGHT TO SUE—32 HENRY 8. c. 34, s. 1.—(R.S.O. c. 330, s. 12).

*Sunderland Orphan Asylum v. River Weir Commissioners* (1912) 1 Ch. 191. In this case the defendants were lessees of certain premises for an unexpired term of ninety-nine years. The lands had subsequently to the lease, and subject thereto, been vested in the plaintiffs by a private Act of Parliament, and the plaintiffs as such assignees of the reversion brought the action to restrain threatened breaches of a covenant running with the land. The defendants contended that the plaintiffs were not entitled to sue because they had no assignment of the covenant, and were not grantees of the original lessor; but Warrington, J., held that the effect of the Act of Parliament was equivalent to a grant by the lessors and entitled the plaintiffs to enforce the covenants.

## ADMINISTRATION—TESTATOR OF UNSOUND MIND—BANK ADVANCES FOR MAINTENANCE OF LUNATIC'S HOUSEHOLD—BANK CHARGES FOR OVERDRAFT—NECESSARIES—REPAIRS—STATUTE BARRED DEBT—EXECUTORS—ACKNOWLEDGMENT—LIMITATION ACT (21 JAC. I., c. 16) s. 3—(10 EDW. VII. c. 34 s. 49 (g) ONT.).

*In re Beavan Davies v. Beavan* (1912) 1 Ch. 196. This was an action for the administration of a deceased person's estate. The deceased who was a customer of a bank became of unsound