

HIGHWAY—DEDICATION—LESSEE.

Corsellis v. London County Council (1908) 1 Ch. 13. The Court of Appeal (Cozens-Hardy, M.R., and Moulton and Farwell, L.JJ.) have affirmed that part of the decision of Neville, J., (1907) 1 Ch. 704 (noted ante, vol. 43, p. 523) to the effect that a sub-lessee of premises cannot make an effectual dedication of part of the demised premises as a highway, so as to bind his lessor. One point is brought out on appeal which was not mentioned in the former note of the case, viz., that after the alleged dedication by the sub-lessee, his lessor assigned to him the head-lease under which the lessor held, with a proviso against merger of the under-lease. This head-lease was subsequently reassigned by the under-lessee to his lessor for value without notice of the alleged dedication, and the Court of Appeal held the lessor was a purchaser for value without notice of any claim for dedication.

ESTATE TAIL—PROTECTOR OF SETTLEMENT—SURVIVORSHIP—
PROVISION FOR FILLING VACANCY IN CASE OF DEATH OF ONE
OF SEVERAL PROTECTOR—FINES AND RECOVERIES ACT 1833
(2-3 WM. IV. C. 74) SS. 22, 23—(R.S.O. c. 122, s. 20.)

In re Bailey—Worthington & Cohen (1908) 1 Ch. 26. The Court of Appeal (Cozens-Hardy, M.R., and Moulton and Farwell, L.JJ.) affirming Neville, J., hold that where by a settlement three persons are appointed protectors of the settlement, accompanied by a provision for appointing persons to fill the vacancy in case any of them die, that unless and until such power is exercised, in the case of death of any one or more of the protectors, the protectorship survives in the survivors or survivor, whose consent alone would be sufficient to give effect to a disentailing deed.

STATUTE OF LIMITATIONS—MORTGAGE OF PROCEEDS OF LAND—
PAYMENT INTO COURT BY TRUSTEE OF MORTGAGED ESTATE—
PAYMENT OUT—RES JUDICATA—MORTGAGEE—REAL PROP-
ERTY LIMITATION ACT 1833 (3-4 WM. IV. C. 27) s. 34—REAL
PROPERTY LIMITATION ACT 1874 (37-38 VICT. C. 57) s. 8—
(R.S.O. 133, s. 22; IB. C. 72, s. 1(1) b. h.).

In re Hazeldine (1908) 1 Ch. 34. Here the Court of Appeal (Cozens-Hardy, M.R., and Moulton and Farwell, L.JJ.)