and the question was whether this had the effect of reviving the codicil of 1874, but Jeune, J., held that it had not that effect.

WILL—FORFEITURE—BANKRUPTCY—ANNULMENT OF BANKRUPTCY, EFFECT OF.

Metcalfe v. *Metcalfe* (1891), 3 Ch. 1, is an appeal from a decision of Kekewich, J., 43 Ch.D. 633 (noted *ante* vol. xxvi., p. 29). The clause in the will in question provided that if by any act or by operation of law any interests given by the testator in trust for his children should be aliened, whereby the same should vest in any other person, then the trustees were to apply the income so aliened to and among the other persons entitled. The bankruptcy in question took place before the death of the testator, and remained unannulled for two years thereafter. Kekewich, J., held that it had the effect of forfeiting the life interest of the legatee, but not the interest of the appellant in remainder, which had not come into possession prior to the annulment of the bankruptcy. The appeal was as to the first point, and the decision of Kekewich, J., was affirmed, although Fry, L.J., expressed the opinion that but for the authorities which were the other way, he would have considered that the act which would create a forfeiture must take place after the testator's death.

COMPANY—WINDING UP—ORDER FOR PAYMENT OF CALLS—MERGER OF RIGHT OF ACTION BY COMPANY FOR CALLS (R.S.C., C. 129, S. 49).

In *Westmoreland Green and Blue Slate Co.* v. *Feilden* (1891), 3 Ch. 15, the short point involved was whether an order made in a winding-up proceeding for the payment of unpaid calls by contributories (see R.S.C., c. 129, s. 49) had the effect of merging the company's right of action for such calls, and the Court of Appeal (Lindley, Bowen, and Fry, L.JJ.), affirming Kekewich, J., held that it had not.

COMPANY—WINDING UP—DIRECTOR—QUALIFICATION SHARES—CONTRIBUTORY.

In re Portuguese Consolidated Copper Mines (1891), 3 Ch. 28, was an application by a former director of a company being wound up to be relieved of liability for calls on certain shares. The applicant was appointed an original director of the company on 22nd October, 1888. The articles of the company provided that each director should hold at least forty shares. At a meeting of some of the directors on 25th October, 1888, forty shares were allotted to the applicant, who never applied for them, nor ever actually accepted them, and never knew, until the company was being wound up, that they had been allotted to him. He, however, acted as a director on 28th November, 1888, and also on the 16th and 18th January, 1889. On the 19th January, 1889, he acquired by transfer forty fully paid-up shares, which were duly registered in his name; and on 28th January, 1889, he retired from the directorate. He had been settled on the list of contributories in respect of the forty shares allotted to him on 25th October, and North, J., held that he was liable, and, on appeal, the Court of Appeal (Lindley, Bowen, and Fry, L.JJ.) affirmed this decision, on the ground that the applicant must be taken to have known that it was his duty to qualify for the office of director by taking forty shares within a reasonable time; and that a