

annuitant's representative, on the ground that the only reason why the money was directed to be laid out in the purchase of an annuity instead of being paid to the deceased annuitant in her lifetime, was because of the restraint on anticipation; and that if her husband had predeceased her she would have been entitled to have the money at once paid to her, he therefore thought that she had acquired such an absolute interest in the fund, that on her death it was part of her estate, and passed to her personal representative.

TRUSTEE—BREACH OF TRUST—SALE BY LIQUIDATOR TO HIMSELF—FIDUCIARY RELATION—CONCEALMENT—SETTING ASIDE SALE—ACCOUNT OF PROFITS—INTEREST ON PROFITS.

Silkstone & H. M. Coal Co. v. Edey (1900) 1 Ch. 167, was an action brought by the plaintiff company which was being wound up under the supervision of the court, against Edey, one of the liquidators, and a company to which he had purported to sell the assets and undertaking of the plaintiff company, on the ground that Edey himself was really the purchaser, and that the defendant company was a mere trustee for him. Judgment was given for the plaintiffs setting aside the sale, and directing an account of the profits received by the defendants since the sale. A question arose in settling the minutes of the judgment as to whether the defendants were also chargeable with interest on such profits from the date of the withdrawal thereof from the business of the defendant company. Stirling, J. was of opinion that the claim to interest on the profits should not be allowed, on the ground that the settled practice of the court appeared to be that where a sale is set aside under such circumstances, the trustee or purchaser is chargeable with the profits received, but not with interest thereon.

MARRIED WOMAN—ADMINISTRATRIX—DEFAULT BY MARRIED WOMAN IN PAYMENT OF TRUST FUND—ATTACHMENT—ORDER FOR PAYMENT AGAINST MARRIED WOMAN, FORM OF—MARRIED WOMAN'S PROPERTY ACT, 1892 (45 & 46 VICT. c. 73), s. 1, sub-s. 2; ss. 18, 24—(R.S.O. c. 163, s. 2, s. 3, sub-s. 2; s. 20).

In re Turnbull, Turnbull v. Nicholas (1900) 1 Ch. 180, the defendant, a married woman, was the legal representative of a deceased person for whose estate she was, by orders made in the action, required to account. As the result of the account a sum of money was found to be in her hands, and she was ordered to pay the amount into court, and having failed to comply with the order, a motion was made for an attachment against her. On the hearing of the motion it was agreed that the defendant should be at liberty