

REVIEW OF CURRENT ENGLISH CASES.

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WILL—CONSTRUCTION—BEQUEST OF "MONEY" AT POST OFFICE SAVINGS BANK—CONSOLS PURCHASED WITH MONEY ON DEPOSIT.

In re Mann, Ford v. Ward (1912) 1 Ch. 388. In this case a testatrix whose will was in question, after directing pecuniary legacies to be paid out of "any money" standing to her credit in the Post Office Savings Bank, bequeathed the "residue of such moneys" to the plaintiff. The will contained a residuary bequest. Prior to the date of her will the testatrix had purchased a sum of consols through the post office with money withdrawn from her savings account, and at the time of her death she had a sum standing to her credit in the Post Office Savings Bank, and also the sum of consols so purchased. Neville, J., held that the consols did not pass under the bequest of "money," but fell into the residuary estate. The case was distinguished from *Re Adkins*, 98 L.T. 667, where Eve, J., had held that consols purchased with moneys deposited in the Post Office Savings Bank passed under a bequest of "money deposited in the Post Office Savings Bank." The difference in the language used, and the fact that in *Re Adkins* there was no residuary bequest, were the grounds of distinction.

WILL—CONSTRUCTION—SUBSTITUTIONARY GIFT—WILL FOLLOWING WORDS OF WILLS ACT, 1837, (1 VICT. c. 26,) s. 33—(10 EDW. VII. c. 57, s. 37. o.)

In re Greenwood, Greenwood v. Sutcliffe (1912) 1 Ch. 392. A testatrix by her will (made in 1897) gave her residuary estate to trustees upon trust to convert and pay the proceeds in specified proportions to her two brothers and a nephew and a niece. And the will provided that, if any of the beneficiaries predeceased the testatrix without leaving issue, his or her share should go to the other beneficiaries, and it also provided as follows: "I declare if any of these my said brothers, my niece, and my nephew shall die in my lifetime leaving issue, and any of such issue shall be living at my death, the benefits heretofore given to him or her so dying shall not lapse but shall take effect as if his or her death had happened immediately after mine." One of the brothers, and the