

WILL—CONSTRUCTION—PERIOD OF ASCERTAINING CLASS—GIFT TO CLASS—
RE MOTENESS—PERPETUITY.

In re Powell, Cressland v. Holliday (1898) 1 Ch. 227, the construction of a will was in question; the testator directed his trustees to pay the income of his personal estate to the children of his sister in equal shares during their lives, and after their deaths to divide the share equally between their children. The testator's sister survived him, and the question was whether the gift in favour of her children's children was void for remoteness; and Kekewich, J., held that the gift to the children of the testator's sister was confined to children born at the date of the testator's death, and that the gift over to their children was consequently valid.

TENANT FOR LIFE—LEASEHOLD—REPAIRS—COVENANTS—RENT—REMAIN-
DERMAN.

In re Tomlinson, Tomlinson v. Andrew (1898) 1 Ch. 232, deals with a question recently up for consideration in *Patterson v. Central Canada L. & S. Co.* before the Divisional Court (Boyd, C., and Robertson, J.), viz., the liability of a tenant for life for repairs. In this case the tenant for life was entitled to leaseholds under a bequest thereof contained in a will, which did not expressly fetter the bequest with any obligation on the part of the tenant for life to assume the covenants or obligations imposed by the lease under which the premises were held by the testator. The lease contained the usual covenants to repair, and pay rent, etc., and Kekewich, J., held that as between the tenant for life and the remainderman, the former was under no obligation by accepting the bequest, to perform any of the covenants in the lease, and that that obligation rested on the testator's estate.

TRADE UNION—MALICIOUSLY INDUCING EMPLOYER TO DISCHARGE SERVANT
AND NOT TO EMPLOY HIM AGAIN—MALICE—DAMNUM ABSQUE INJURIA.

Allen v. Flood (1898) A.C. 1, may confidently be regarded as a very important decision, and judging from the evident care and deliberation it has received, it was obviously regarded as such by the House of Lords. The case was known in the Court below as *Flood v. Jackson*, and the decision of the Court