

document was not intended to operate as a charge, and that it would have been a fraud on the bargain to have used it as such. Under these circumstances, Kekewich, J., decided that it did not have the effect of working a forfeiture. The learned judge arrived at the conclusion that the tenant for life had imprudently signed the document, acting on an incomplete and unsatisfactory explanation of its effect.

JURISDICTION—INJUNCTION IN AID OF LEGAL RIGHT.

In *Richardson v. Methely School Board*, (1893) 3 Ch. 510, Kekewich, J., following *Aslatt v. Southampton*, 16 Ch.D. 143, granted an injunction restraining a school board from proceeding to elect a new member in the place of the plaintiff, on the alleged ground that he had forfeited his seat by absence from the sittings of the board, notwithstanding that the plaintiff had a remedy by *quo warranto* proceedings. In considering the case, he discusses the question which has been so repeatedly raised before, as to whether the jurisdiction to grant injunctions has been extended by the Judicature Act, and adheres to the rule laid down by Cotton, L.J., in *The North London Ry. Co. v. Great Northern Ry. Co.*, 11 Q.B.D. 40, 41, that where, independently of the Judicature Act, a party had a legal or equitable right, under the Judicature Act an injunction may now be granted where it is necessary in order to do effectual justice. On the merits of the case, he held that the plaintiff's seat could not be declared vacant by the board on the ground of absence without first giving him an opportunity to explain or excuse his absence.

WILL—LEGACY—DISTRIBUTION—INTEREST—RESIDUARY LEGATEE.

In *re Inman*, *Inman v. Rolls*, (1893) 3 Ch. 518, a testator gave his residuary estate upon trust to pay the income to his wife for life, and, from and after her decease, to pay to each of his sons, John and Francis, who should be living at his decease and attain twenty-one, £5,000, and, subject to such payment, the residue was distributable among his four children equally. Francis attained twenty-one after the death of his mother, and the question was as to who was entitled to the interest which accrued on his £5,000 between his mother's death and his attaining twenty-one. Kekewich, J., decided that it belonged to the residuary legatees, and that Francis was only entitled to interest from the period of vesting.