

have affirmed the decision of Eve, J. (1917) 1 Ch. 527 (noted ante p. 267).

TRADE NAME—SIMILARITY—PROBABILITY OF CONFUSION—INJUNCTION.

*Ewing v. Buttercup Margarine Co.* (1917) 2 Ch. 1. The plaintiff carried on a large provision business, and had 150 shops where he sold butter, margarine, eggs, tea, cream, and condensed milk. This business was carried on under the name of the Buttercup Dairy Company. The business was well known to the buying public, and his business was popularly known as the Buttercup Company or the Buttercup. In 1916 the defendant company was incorporated as the Buttercup Margarine Co. The action was brought for an injunction restraining the defendants from using the name "Buttercup" or any other name colourably resembling the plaintiffs' trade name. Astbury, J., who tried the action, granted the injunction, and his judgment was affirmed by the Court of Appeal (Lord Cozens-Hardy, M.R., and Bankes, and Warrington, L.JJ.)

WILL—ANNUITY—CHARGE ON REALTY—PERPETUAL ANNUITY—GENERAL POWER OF APPOINTMENT OF ANNUITY.

*Townsend v. Acroft* (1917) 2 Ch. 14. In this case a will was in question whereby a testator gave his daughter an annuity of £30 for her life, with a general power of leaving it by her will. The annuity was charged on the testator's realty. The daughter exercised the power of appointment by giving the annuity to her daughter absolutely. The question was whether the daughter took a perpetual annuity or whether it was merely for her own life. Eve, J., held that the annuity was perpetual.

CO-OWNERSHIP—ASSOCIATION TO SECURE PARTICULAR BENEFITS TO MEMBERS—OBJECTS OF ASSOCIATION SATISFIED—SURPLUS FUNDS—RIGHT TO PARTICIPATE—RESULTING TRUST—BONA VACANTIA.

*Re Customs Officers' Guarantee Fund, Robson v. Attorney-General* (1917) 2 Ch. 18. The point discussed in this case is the ownership of certain surplus funds of an association. The association in question was formed of persons engaged as Excise Officers, to provide the necessary guarantee required to be given by them for the due performance of their official duties. The continuance of the association having become no longer necessary, the question