

EVIDENCE—NON-PAROCHIAL REGISTERS—SOCIETY OF FRIENDS—
DIGEST OF REGISTER KEPT BY SOCIETY OF FRIENDS—CERTIFICATE OF RECORDING CLERK.

In re Woodward (1913) 1 Ch. 392. In an inquiry before a Master as to next of kin of a deceased person, in order to prove marriages, births, and burials, the certificate of the entries in a digest of the registers of the society which had been deposited at Somerset House under a statute, were tendered, and held by Eady, J., to be inadmissible as the original registers were in existence. The registers of the society kept before July 1, 1837, when 6-7 W. 4, c. 26, came into force, were not admissible at common law, but under that Act on being deposited at Somerset House they were made evidence.

BUILDING SOCIETY—WINDING UP—PENSIONS—VOLUNTARY ALLOWANCE—ULTRA VIRES.

In re Birkbeck Benefit Building Society (1913) 1 Ch. 400. This was a winding up proceeding. The Building Society, in addition to its authorized business as a building society, had also carried on the business of banking and other businesses, all of which were carried on in one building and managed by the same board. The society was ordered to be wound up in 1911, and the business of banking was declared to have been ultra vires of the society. In 1903 a correspondence clerk of the society retired at the request of the society and was promised a pension, and in 1906 a clerk in the banking business also retired at the request of the board and was promised a pension. Both pensions were duly paid up to the making of the winding up order. Both pensioners claimed to prove as creditors for the capital value of their respective pensions; but Neville, J., held that the correspondence clerk's pension was a purely voluntary allowance, not founded on any contract, and therefore he could not recover; and that the clerk in the banking business, having been employed in a business which was ultra vires of the society, could not prove against the assets of the society.

WILL—DEVISE—TRUST WHICH MIGHT, BUT DID NOT IN FACT, OFFEND AGAINST RULE AGAINST PERPETUITIES—RULE AGAINST PERPETUITIES.

In re Fane, Fane v. Fane (1913) 1 Ch. 404. The question in this case was whether a disposition by will offended against the rule against perpetuities. The testator devised that upon his