REVIEW OF CURRENT ENGLISH CASES.

WILL—BEQUEST TO MAINTAIN RESIDENCE—INDEFINITE PERIOD—REMOTENESS—PERPETUITY.

Kennedy v. *Kennedy* (1914) A.C. 215, is a much litigated case, concerning the will of the late David Kennedy of Toronto. By the will the testator appointed his son and two granddaughters as executors and trustees, and devised his dwelling house and its contents to his son, subject to each of his granddaughters being entitled to live therein as a home until she married. The will, after other devises and bequests, bequeathed the residue to the trustees to be used by them in maintaining the house and premises. The present action was instituted by the plaintiff as heir at law of the testator, alleging that the residuary bequest was void for remoteness. Prior to this action, a former action had been commenced by another son of the testator for an interpretation of the will, in which it was claimed that the residuary bequest was void not for remoteness but for vagueness. That action had been dismissed on the ground that the plaintiff had not at that time any right to maintain it. Teetzel, J., who tried the present action, held that the residuary bequest was void for remoteness; the Appellate Division affirmed his decision; and the Judicial Committee of the Privy Council (Lords Atkinson, Shaw, Moulton and Parker) have also affirmed it, and hold that the judgment in the prior case formed no bar as *res judicata*.

RIPARIAN OWNERS—CONSTRUCTION OF LAND—GRANT TO RIVER BANK ONLY—RIGHT OF GRANTEE AD MEDIUM FILUM.

McLaren v. *The Attorney-General of Quebec* (1914) A.C. 258 may be briefly noted, although it is an appeal in a Quebec case. The appellants were grantees from the Crown of certain lands on opposite sides of the Gatineau river; the descriptions in their patents started at a stone monument on the river bank and after carrying the boundary around to the river again, proceeded "thence along the bank of the river, following its sinuosities as it winds and turns to the place of beginning." The Gatineau is not, as the judge at the trial was held to have correctly found, a navigable or floatable river, but was one down which loose logs only could be floated and not cribs or rafts. In Quebec law, "Roads and public ways maintainable by the State, navigable and floatable rivers and streams and their banks, . . . and gen-