

settled that the same principle is applicable to gifts of personality." The point was not necessary to the decision of that case, which dealt with a forfeiture clause, and reference is only made to *Holmes v. Godson*, 114 R.R. 73, which does not appear to deal with this specific question. But it is certainly hard to reconcile the decision with such cases as *In re Rocher*. If these cases are to be interpreted according to the intention of the testator, it would seem that the limitations might be read as conferring determinable fees by analogy with *Rockford v. Hackman* and similar cases, and according to *In re Leach* they would then be valid. It is quite possible that this decision will virtually overrule the older cases, and probably the result so attained would be more logical than the present rules.

The law goes further than Chitty, J., thought, and allows a man to settle his own property on himself. In *In re Detmold*, 40 Ch. D. 585, 587, North, J., says: "A settlement by a man of his own property upon himself for life, with a clause forfeiting his interest in event of alienation or attempted alienation, has never, so far as I know, been defeated in favour of a particular alienee; it has only been defeated in favour of a settlor's creditors generally on the ground that it would be a fraud on the bankruptcy law." And he, therefore, held that a trust made by A. in his own favour until he became bankrupt, etc., and then in favour of his wife could not be defeated at the instance of a single creditor, who attempted to enforce alienation.

Another point to be noticed is the distinction between a condition, which is repugnant to the gift or devise and an illegal condition. The distinction is rather fine, but is interesting, and it will now be possible to compare the effect of illegal and repugnant conditions. In the case of a defeasance there is no distinction; the illegal condition is void just as the repugnant condition, and the donee takes his interest without being bound. It is only when we come to conditional limitations, that the question is of importance. Take, for example, a devise to A. for life or until he attempts to alien, then to B. for life or until he attempts to alien, then to C. B.'s interest begins and ends with