

on both grounds the plaintiff's action failed, there being no evidence of negligence on the defendants' part.

EXPROPRIATION OF LAND—STATUTORY POWER—DIVERSION OF EXPROPRIATED LAND TO OTHER THAN AUTHORIZED PURPOSES.

In *Attorney-General v. Pontypridd* (1906) 2 Ch. 257 the Court of Appeal (Collins, M.R., and Romer and Cozens-Hardy, L.JJ.) have affirmed the judgment of Farewell, J. (1905) 2 Ch. 441, noted ante, p. 102.

ADMINISTRATION — PERSONAL ESTATE — INTESTACY—ADVANCES OUT OF LUNATIC'S ESTATE ON CONDITION OF THEIR BEING BROUGHT INTO HOTCHPOT—STATUTE OF DISTRIBUTIONS (22 & 23 CAR. II. c. 10) ss. 6, 7—(R.S.O. c. 335, s. 2).

In *Re Gist, Gist v. Timbrill* (1906) 2 Ch. 280 the Court of Appeal (Williams, Romer and Moulton, L.JJ.) have affirmed the decision of Eady, J. (1906) 1 Ch. 58 (noted ante, p. 226).

BUILDING SCHEME — PLAN — IMPLIED REPRESENTATION—POWER TO PERMIT VARIATION—BLOCKING UP ROAD—CUL-DE-SAC—DEDICATION—USER.

In *Whitehouse v. Hugh* (1906) 2 Ch. 283 the Court of Appeal (Williams, Romer and Moulton, L.JJ.) have affirmed the decision of Kekewich, J. (1906) 1 Ch. 253 (noted ante, p. 337).

SETTLEMENT — POWER — APPOINTMENT — PERPETUITY—ELECTION.

In *re Wright, Whitworth v. Wright* (1906) 1 Ch. 288. The rule against perpetuities was here successfully invoked. By a settlement made in 1871, and another made in 1882, Mary Whitworth was given power of testamentary appointment over certain property amongst her children, her children taking in default of appointment. She had also unsettled separate property of her own. By her will she gave both the settled and unsettled properties to trustees upon trust for her son and three daughters; the son's share to be payable on his attaining 25, and the share of each daughter being given in trust for her life, with remainder to her children. All the children were born after 1871 and before 1882. Buckley, J., held that so far as the property included in the settlement of 1871 was concerned, the ap-