

limiting the liability of the owners under the Merchant Shipping Act, s. 503, the space occupied by water ballast tanks which are not capable of being used for the carriage of stores, cargo or fuel, may properly be excluded.

LETTERS OF ADMINISTRATION—COLONIAL PROBATES ACT, 1892 (55 & 56 VICT., c. 6)—LIMITED GRANT—RESEALING GRANT.

In the goods of Smith (1904) P. 114, an application was made to reseal colonial letters of administration under the Colonial Probates Act, 1892 (55 and 56 Vict., c. 6). The deceased, William Smith, was at the time of his death administrator of one George Smith, and the letters of administration to the estate of William Smith were limited to the property of George Smith in the hands of William Smith. The next of kin of William Smith consented to the application. The officers of the Probate Division declined to reseal the grant, but on application to Bucknill, J., he ordered the grant to be resealed notwithstanding its being limited in its terms.

CONVEYANCING—ASSIGNMENT OF MORTGAGE OF LEASEHOLD—"BENEFIT OF SAID MORTGAGE"—OPERATIVE WORDS—LEGAL ESTATE—TECHNICAL WORDS—INTENTION.

In re Beachey, Heaton v. Beachey (1904), 1 Ch. 67. The Court of Appeal (Lord Alverstone, C.J., and Williams and Romer, L.JJ.) decided that there was still some importance left in technical words and that an assignment of a mortgage of leaseholds whereby the assignor purported "to convey and transfer all the benefit of the said mortgage" to the transferee, was not sufficient to convey the legal estate in the mortgaged property.

WILL—CONSTRUCTION—"CHATELS REAL"—RENT CHARGE ON LEASEHOLDS—UNPAID PURCHASE MONEY—INTESTACY NEXT OF KIN—REAL ESTATE CHARGES ACTS 1854 (17 & 18 VICT. C. 113), S. 1, AND 1877 (40 & 41 VICT. C. 34, S. 1)—(R.S.O. c. 128, s. 37.)

In re Fraser, Lowther v. Fraser (1904), 1 Ch. 111, two points were determined by Byrne, J. First, that a rent charge issuing out of leaseholds is a "chattel real"; and secondly, that where a testator dies intestate as to a chattel real which is subject to a lien for unpaid purchase money under the Real Estate Charges Act 1877 (40 & 41 Vict. c. 34), s. 1, (R.S.O. c. 128, s. 37) the next of