

**PRESUMPTION OF DEATH—ABSENCE FOR THREE YEARS.**

*In the Goods of Matthews* (1898) P. 17, this was an application by a legatee and one of the next of kin for leave to depose that the death of the testator had occurred on or since Nov. 24th, 1894. On that day he, being then seventy-three years of age, had disappeared from his home, and had never since been heard of. Proof was given of enquiries having been made and of advertisements having been published in five newspapers, and the President being satisfied that there had been ample enquiry granted the application.

**COMPANY—DIRECTORS—CLAUSE VALIDATING ACTS OF DE FACTO DIRECTORS.**

In *Dawson v. African Consolidated L. & T. Co.* (1898) 1 Ch. 6, the plaintiff sought to restrain the defendant company and its directors from enforcing a call by declaring plaintiff's shares forfeited for non-payment, on the ground that the call had not been validly made. The invalidity relied on was that one of the directors had vacated his office by reason of having for six days parted with all his shares. It appeared that after the six days he acquired other shares and there was no evidence that his co-directors had reappointed him, or had been aware of his disqualification, but they all along treated him as a duly qualified director. One of the articles of the company provided that all acts done at any meeting of directors, or by any person acting as a director should, notwithstanding that it should afterwards be discovered that there was some defect in the appointment of such directors or persons acting as aforesaid, or that any of the directors were disqualified, be as valid as if every such person had been duly appointed and qualified to act as a director. The Court of Appeal (Lindley, M.R., and Chitty and Williams, L.JJ.) were of opinion that this clause cured the alleged irregularity and that the call was valid, and they overruled Ridley, J., who had granted an interlocutory injunction in favour of the plaintiff.

**APPOINTMENT—GIFT OF SUFFICIENT TO RAISE A "NET SUM"—SUCCESSION DUTY.**

*In re Saunders, Saunders v. Gore* (1898) 1 Ch. 17, a summary application was made to the Court by originating summons for the purpose of determining the question of the incidence