

REVIEW OF CURRENT ENGLISH CASES.

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PROBATE—INCORPORATION IN WILL OF UNATTESTED DOCUMENT.

University College of North Wales v. Taylor (1907) P. 228. The only question in this case was whether an unattested memorandum had been properly admitted to probate as part of the testator's will. The will was dated the 27th June, 1905, and bequeathed certain legacies for the founding of scholarships and prizes "to be held upon such terms, conditions and subject to such rules and regulations as are contained and specified in any memorandum amongst any papers written or signed by me." Among the testator's papers was a memorandum signed by him and dated March 12, 1905, which was proved by oral testimony to have been in existence at the date of the execution of the will and Barnes, P.P.D., held, that in these circumstances, it was incorporated in the will and had been properly admitted to probate.

PRACTICE—MOTION TO ATTACH FOR NOT ATTENDING FOR EXAMINATION PURSUANT TO ORDER—CONDUCT MONEY.

In re Harvey (1907) P. 239. Barnes, P.P.D., refused to make an order for attachment against a person for not attending to be examined pursuant to an order, no conduct money having been paid or tendered.

CLUB—RULES OF CLUB—POWER TO ALTER RULES—FUNDAMENTAL OBJECTS OF CLUB—GENERAL MEETING—RESOLUTION.

In *Thellusson v. Valentia* (1907) 2 Ch. 1 the Court of Appeal (Cozens-Hardy, M.R., and Barnes, P.P.D. and Kennedy, L.J.) have affirmed the judgment of Joyce, J. (1906) 1 Ch. 480 (noted ante, vol. 42, p. 347). The action was brought by the member of a recreation club, in order to have a rule passed at a general meeting of the club, abolishing pigeon shooting, declared invalid and ultra vires. The plaintiff rested his case on the ground that pigeon shooting was one of the purposes for which the club had been originally established, and that the rule in question was in effect an alteration of one of the fundamental objects of the club—but the Court of Appeal agreed with Joyce,