

was entitled to the information under the Partnership Act, 1890 (53 & 54 Vict. c. 24), s. 9, and, there being nothing in the partnership articles to the contrary, that he would be entitled to use this information as he intended. An appeal from his decision to the Court of Appeal (Lord Halsbury, Lindley and Smith, L.JJ.) was unsuccessful. We may add that the Partnership Act of 1890, which codifies the law of partnership, seems to be a piece of legislation which should be adopted in this Province.

TRUSTEE—CESTUI QUE TRUST—REVERSIONARY LEGATEE, RIGHT OF, TO INFORMATION AS TO INVESTMENT OF FUND—SOLICITOR AND CLIENT—COSTS, DISALLOWANCE OF.

*In re Dartnall, Sawyer v. Goddard*, (1895) 1 Ch. 474, the plaintiff, being beneficially entitled under a will to a one-ninth share of £900 expectant on the death of a tenant for life, applied to the trustees for particulars of the investments of the testator's estate. The estate was ample, but the trustees refused to give the required particulars, and, within three days of the receipt of their letter refusing, the plaintiff commenced the present proceedings. North, J., held that the application ought not to have been made, and that it was made with undue haste, and he dismissed the application with costs, and ordered the plaintiffs' solicitors to repay to the plaintiff the costs, she was ordered to pay the defendants. On appeal the Court of Appeal (Lord Halsbury, and Lindley and Smith, L.JJ.) took a different view of the matter. They thought that both parties were in the wrong, the defendants for having refused the information, and the plaintiff for acting precipitately in commencing the proceedings. The order of North, J., was, therefore, discharged, and the defendants were ordered to give the required information. But no order was made as to costs, except that the plaintiff's solicitors should be disallowed their costs as against their client, this latter direction being made under Ord. lxv., r. 11, of which there is no counterpart in Ontario, but see Ont. Rules 1195, 1215, under which a similar result might possibly be obtained.

CHARITY—ADMINISTRATION—CONTRACT—EXAMINATION—SCHOLARSHIP.

*Rooke v. Dawson*, (1895) 1 Ch. 480; 13 R. Mar. 73, was an action by a successful candidate at an examination against the trustees of a trust deed, which provided that a scholarship should be awarded to the pupil leaving a certain school who should pass