
 ENGLISH CASES.

 EDITORIAL REVIEW OF CURRENT ENGLISH
DECISIONS.

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CHARITABLE TRUST—FAILURE OF OBJECT OF CHARITABLE TRUST—CROWN
AS DEFENDANT CANNOT IMPEACH CROWN GRANT FOR CHARITABLE PURPOSES
—CY-FRÈS.

Wallis v. New Zealand, (1903) A.C. 173, is the case in which the observations of the Judicial Committee in giving judgment aroused the vie of the Chief Justice of New Zealand. The facts of the case have been already referred to very fully (see ante, p. 425) and it is only necessary here to say that the conclusion reached by the Privy Council (Lords Macnaghten and Lindley, and Sir Ford North and Sir A. Wilson) seems to have been the only one possible under the circumstances. A grant from the crown in 1850 was made to the plaintiff's predecessors for building a college for the benefit of certain natives of New Zealand. The natives moved away before the college could be built, and it became inadvisable to build it as was at first intended. The trustees then applied in this suit to the court to settle a new scheme for the application of the trust property. The Solicitor-General on behalf of the Crown intervened in the suit and claimed that the trust had failed and that the property reverted to the Crown. The Colonial Court of Appeal gave effect to this contention, and the Judicial Committee have reversed their decision and affirmed the judgment of the court below, settling a new scheme as prayed by the plaintiffs.

WINDING-UP ACT—(R.S.C. c. 129) ss. 15, 31—LIQUIDATORS—ACTION FOR
DEBTS DUE COMPANY IN LIQUIDATION — ACTION BY LIQUIDATORS —
AMENDMENT

Kent v. La Communauté des Sœurs de Charité, (1903) A.C. 220, though an appeal from Quebec may be briefly referred to as settling a point of practice under the Dominion Winding-up Act (R.S.C. c. 129), ss. 15, 31. The Judicial Committee of the Privy Council (Lords Macnaghten, Davey, Robertson and Lindley, and Sir A. Wilson) held that, under the Act, after a winding-up order