

POWER—GENERAL TESTAMENTARY POWER—EXECUTION OF POWER
—EXPRESS REFERENCE TO POWER REQUIRED—GENERAL REFER-
ENCE TO ALL TESTAMENTARY POWERS.

In re Lane, Belli v. Lane (1908) 2 Ch. 581. In this case the question was whether a power had been duly executed. A fund was settled in trust for such persons as the settlor should by will, "expressly referring to this power," appoint. The settlor made a will disposing of all property "over which I shall have any power of disposition by will." Eady, J., held on the authority of *In re Waterhouse* (1907) 96 L.T. 688, 98 L.T. 30, and *In re Roll* (1908) W.N. 76, that this was an "express reference" to the power, and therefore that it was well executed. *In re Teapes*, L.R. 16 Eq. 442, was distinguished on the ground that the power there in question was a special limited one.

HIGHWAY—DEDICATION—USER BY PUBLIC—LAND IN SETTLEMENT
—TENANCY FOR LIFE WITH REMAINDER IN FEE—PRESUMPTION
—ACQUIESCENCE.

Farquhar v. Newbury Rural District Council (1908) 2 Ch. 586. In this case the question was whether or not a roadway had been dedicated as a public highway. The land formed part of an estate which was settled to the use of one Dr. Penrose for life, with remainder in fee to one Eyre. In 1842 Eyre, Penrose being still alive, was in the actual occupation of the estate, and laid out the road in question. Penrose was no party to this, and survived till Feb., 1851. In 1849 Eyre resettled the estate whereby he became tenant for life with remainder over to other persons in fee. Eyre consented to the user of the road in question by the public, and in 1851, before the death of Penrose, had signed a minute in the vestry book whereby the road was declared to be a public road. Public money was from time to time expended in the maintenance of the road. In these circumstances Warrington, J., held that there had been an effectual dedication of the road as a highway.

TRADE UNION—RIGHT TO SUE—BRANCH UNION—SECESSION OF
BRANCH UNION—RESOLUTION FOR DISTRIBUTION OF FUNDS—
ULTRA VIRES—RELIEF GRANTABLE TO TRADE UNION—JURISDIC-
TION—TRADE UNION ACT, 1871 (34-35 VICT. c. 31) s. 4 (3A)
—(R.S.O. c. 125, s. 4(1)).

Cope v. Crossingham (1908) 2 Ch. 624 was an action brought by the officers of a trade union against a branch union. The