

perhaps be gathered from the following passage from the judgment of Lord Davey: "In the ordinary form of a mortgage to secure a principal sum and interest it is wholly immaterial whether the covenant is gone or not, or whether any right of action subsists on the covenant or not; and indeed it is wholly immaterial in my judgment in any action of foreclosure or redemption whether there is any covenant for payment of subsequent interest or not. Once come to the conclusion that the mortgage is in such a form that the property mortgaged cannot be taken out of the hands of the mortgagee without payment of the principal and full interest, then the covenant has no more to do with it than if it related to another subject matter altogether." But where a mortgage is expressly made to secure what may be due under a note, bond, or covenant, and a judgment is secured on the note, bond, or covenant, the case would be different, and as the judgment would operate as a merger of the security for payment of which the mortgage was held, the mortgage would be redeemable on payment of the amount of the judgment and no more.

FIXTURES—TAPESTRIES AFFIXED TO WALLS—REMOVAL OF FIXTURES—TENANT FOR LIFE—REMAINDERMAN.

Leigh v. Taylor (1902) A.C. 157, is a case which was known in the previous stage of its existence as *In re De Falbe, Ward v. Taylor* (1901) 1 Ch. 523 (noted ante vol. 37, p. 343). The case was a contest between the representatives of a deceased tenant for life and the remainderman of a mansion as to the right to certain valuable tapestries affixed by the tenant for life to the walls of the mansion. The remainderman claimed that by their being affixed to the walls they had become part of the freehold and could not be removed, the Court of Appeal decided against him, and the House of Lords (Lord Halsbury, L.C., and Lords Macnaghten, Shand, Brampton, Robertson, and Lindley) has affirmed the decision on the ground that the tapestries could be removed without any structural injury to the house. It is virtually conceded that this particular branch of law has been undergoing of late years a process of judicial modification or development.

MUNICIPAL CORPORATION—STATUTORY POWERS OF CORPORATION—ULTRA VIRES—ATTORNEY GENERAL.

London County Council v. The Attorney General (1902) A.C. 165, is an interesting decision on a branch of municipal law. The