ANNUITY — ARREARS — INTEREST — ADMINISTRATION ACTION — RULES 824, 825—(ONT. JUD. ACT, SS. 114, 116).

In re Salvin, Worseley v. *Marshall* (1912) 1 Ch. 332. This was an administration action. A debt was proved against the estate for arrears of annuity payable under a covenant made by the testator whose estate was being administered. By a certificate of the Master dated April 30th, 1908, the arrears were found to amount to £2,158 6s. 6d., and the whole arrears were not finally paid until August 24, 1910. It was claimed that no interest was payable on the arrears of the annuity. Eve, J., held that under Rules 824, 825 (see Ont. Jud. Act, ss. 114,116), interest at the legal rate was payable on the £2,158 6s. 6d., from 30th April, 1908, as upon a judgment, and that interest on the subsequent arrears was payable until the actual date of payment. The rule that interest is not payable on arrears of an annuity only applies in foreclosure or redemption actions and as against property charged therewith, but has no application in an action to administer the estate of the grantor of an annuity.

WILL—CONSTRUCTION—CHARITY—REAL ESTATE—ABSOLUTE GIFT WITH COMMON LAW SUBSEQUENT CONDITION—RULE AGAINST PERPETUITIES—GIFT OVER—VOID CONDITION—UNCERTAINTY.

In re Da Costa, Clarke v. *Church of England Collegiate School* (1912) 1 Ch. 337. In this case a testator had devised all his real estate in South Australia upon trust for successive tenants for life, and on the falling in of the last life tenancy, to convey the estate to the defendants. But this disposition was made subject to a condition that the defendants published annually a statement of payments and receipts, and, in case of default for six calendar months in the publication of such statements, the disposition in favour of the defendants was to cease and the property was to go over to such person or such public purposes as the Governor in chief of South Australia should direct. Eve, J., held that the gift over and the condition were both bad. The gift over not being good as a charitable gift; and the condition subsequent being obnoxious to the rule against perpetuities. *Re Hollis Hospital* v. *Hague* (1899) 2 Ch. 540, followed.

WILL — CONSTRUCTION — PERPETUITY — STRICT SETTLEMENT — POWER TO TRUSTEES TO ENTER DURING MINORITY OF TENANT IN TAIL.

In re Stamford and Warrington, Payne v. *Grey* (1912) 1 Ch. 343. This case deals with the construction of a will whereby the