

while the plaintiff's mother was living, his father went through the form of marriage with another woman, on whom he purported to settle certain property in Madras. The object of the action was to impeach this settlement and establish the plaintiff's rights under the regime dotal, but Parker, J., held that the lands being in a foreign country, and the relief sought not being merely in personam, the court had no jurisdiction and dismissed the action.

INFANT'S ESTATE—CONVERSION OF REALTY OF INFANT—PROCEEDS OF REALTY OF INFANT DYING INTESTATE.

In *Burgess v. Booth* (1908) 1 Ch. 880, Eve, J., holds that where the real estate of an infant has been sold by order of the court for the purpose of satisfying costs of an action, and a surplus of the proceeds remains in court and the infant owner afterwards attains majority and dies intestate, the surplus is to be regarded as realty, and descends to the heir at law and not to the next of kin of the deceased. See R.S.O. c. 168, s. 8.

CRIMINAL LAW—CRUELTY TO CHILDREN—PARENT LIVING APART FROM WIFE—CUSTODY OF CHILD—WILFUL NEGLECT OF CHILD—PREVENTION OF CRUELTY TO CHILDREN ACT, 1904 (4 EDW. VII. c. 15) s. 1—(CR. CODE, ss. 241, 242).

*Rex v. Connor* (1908) 2 K.B. 26. This was a prosecution under the Act for Prevention of Cruelty to Children, 4 Edw. VII. c. 15, s. 1 (see Cr. Code, ss. 241, 242). The defendant was the father of five children in question, who were in the care of their mother, from whom the defendant was living apart. He had contributed nothing to the support of his wife or children, though earning 25s. a week, and they were in a state of destitution. The jury found the prisoner guilty, and on a case stated the Court for Crown Cases Reserved (Lord Alverstone, C.J., and Grantham, Lawrance, Ridley, and Pickford, JJ.) held that the defendant could not by living apart from his wife divest himself of the custody of his children so as to free himself from liability to conviction for neglecting to supply them with necessities of life, and the mere omission to pay any part of his earnings for their support may constitute "wilful neglect" within the meaning of the statute.