

## ENGLISH CASES.

## EDITORIAL REVIEW OF CURRENT ENGLISH DECISIONS.

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**JUDICIAL SEPARATION** — CRUELTY COMMITTED OUT OF JURISDICTION—  
JURISDICTION OF COURT.

*Armytage v. Armytage* (1898) P. 178, was a matrimonial action, in which a wife claimed a judicial separation on the ground of cruelty. Both parties were living within the jurisdiction when the action was commenced, but the defendant's domicil was in Australia, and the cruelty had been committed abroad, and the plaintiff alleged that she feared a repetition of it if she resumed cohabitation with the defendant. The question was raised whether the Court had jurisdiction to entertain the action under these circumstances. Barnes, J. held that it had.

**COMPANY**—DEBENTURES—CHARGE ON ALL PRESENT OR FUTURE "PROPERTY"  
OF COMPANY—UNCALLED CAPITAL—WINDING UP.

*In re Russian Spratts* (1898) 2 Ch. 149. The point involved was a very simple one. A company by its debentures had expressly charged all its "present or future property," and the question was, whether capital uncalled at the time of a winding-up order being made was future property of the company within the meaning of the debentures, and charged thereby. The Court of Appeal (Lindley, Rigby and Collins, L.JJ.), agreed with Stirling, J., in answering that question in the negative.

**COMPANY**—SECRET PROFIT—PROMOTERS.

*Re Olympia* (1898) 2 Ch. 153, is a decision of the Court of Appeal (Lindley, Rigby and Collins, L.JJ.), overruling Wright, J., on a point of company law. The object of the proceedings was to compel certain promoters of a company to make good to the company, for the benefit of its creditors, a secret profit which the promoters had made under the following circumstances. A syndicate was formed for the purpose of buying up the property of a company in liquidation,