

respectable and responsible person" within the meaning of a covenant by a lessee not to assign without leave, the lessors agreeing not to withhold consent to an assignment to "a respectable and responsible person." The Court of Appeal (Cozens-Hardy, M.R., and Moulton and Farwell, L.JJ.) have now held that he was wrong, and that a limited company is a legal "person" and may be both "respectable and responsible."

WILL—CONSTRUCTION—DEVISE IN STRICT SETTLEMENT—TRUST FOR ACCUMULATION FOR PERSON WHO SHOULD BECOME ENTITLED TO REAL ESTATE—DISENTAILING DEED EXECUTED BEFORE EXPIRATION OF PERIOD FIXED FOR ACCUMULATION—RIGHT TO ACCUMULATION.

*In re Trevanion, Trevanion v. Lennox* (1910) 2 Ch. 538. In this case Joyce, J., was called on to construe the will of a testator who had devised his real estate to a trustee for his wife for life and after her death for his sons successively in tail male with remainders over, and he also directed that for a certain period the trustees should accumulate the rents and profits and hold the accumulations for the person who at the expiration of the said period should under the will be entitled to the possession and enjoyment of the real estate. The widow died, and before the period for accumulation had expired, the first tenant in tail executed a disentailing deed whereby he became absolutely entitled in fee simple, and the question was whether he was entitled to the accumulations or whether he must wait till the end of the period fixed for accumulation, and the learned judge held that the effect of the disentailing deed being to give him an absolute title to the land there could consequently be no other person who could become entitled under the will except himself, his heirs, or assigns, and, therefore, that he was entitled to the immediate payment of the accumulations, and that the trust for accumulation could no longer be enforced and he was entitled to be let into possession.

PRACTICE—ORIGINATING SUMMONS—PERSON CLAIMING UNDER RESULTING TRUST, WHERE DECLARED TRUST VOID FOR ILLEGALITY—RULE 765(A)—(ONT. RULE 938(A)).

*Re Amalgamated Society of Railway Servants* (1910) 2 Ch. 547. This was an application by originating summons by settlers to enforce a resulting trust on the ground that the trust they had declared by an instrument in writing was void for illegality.