to the company without security, and had agreed with the company's bank for valuable consideration not to call up the moneys loaned until all the liabilities of the company to the bank were liquidated. His will, however, did not confer upon his executors any power to postpone the conversion of his residuary estate.

The Court decided that the circumstances justified the granting of authority to postpone the realization of the shares, also to postpone until further order the collection of the debt owing by the company, but did not justify the granting of leave to guarantee the company's indebtedness to the bank.

(3) *In re Le Ray* (1927 G.L.R. 107).—A testator devised and bequeathed the residue of his personal estate and the whole of his real estate to his trustees upon trust to divide the same equally between X, Y, and Z, and declared in the event of "all of them," the said X, Y, and Z, predeceasing him the residue was to be divided in equal shares among such of the children of X, Y, and Z as should be living at his death. Z died in the lifetime of the testator, prior to the execution of his will, leaving one child, who was of adult age.

The Court decided that there was a partial intestacy in respect of the share of Z, and that this share became distributable amongst the next-of-kin of the testator.

(4) *Caldwell* v. *Fleming* (1927 G.L.R. 146; 1927 N.Z.L.R. 145). In this case the Full Court held as follows:—

(*a*) That where a testator directs that all his debts, funeral and testamentary expenses, shall be paid, and, after making certain specific dispositions, devises and bequeaths his real and personal property not specifically disposed of, estate duty, being a testamentary expense, is payable out of the general estate and in reduction of the amount of the residuary estate, and therefore actually out of the residuary estate. If the residuary estate is insufficient, the liability for the deficiency will first attach to such parts of the estate as would have been liable had not the testator directed that it was to be paid out of residue, and annuities cannot be regarded in the same light as life interests and are liable to pay their proportion of the estate duty.

(*b*) That the doctrine that conditions which are repugnant to a gift are void has no application where the gift is for a charitable purpose, and that where the conditions are not illegal or impossible of performance, or contrary to public policy, and are therefore valid as conditions of a trust created, the aid of the Court may be invoked by the Attorney-General for the enforcement of the trust in the event of a breach.

(*c*) That a testator by directing in his home-made will, "also the usual 5 per cent. to my trustees for their services or as compensation for their trouble as managers," had in mind the provisions of section 20 of the Administration Act, and intended that the trustees should be allowed such usual remuneration for their services as the Court usually allows under the statutory provisions fixing the maximum percentage of 5 per cent.

(5) *Re Porter, deceased* (1927 G.L.R. 159).—The testatrix gave her freehold property to A absolutely upon her attaining twenty-one, and also certain effects, including a watch and chain, the watch and chain to be given to A on her attaining twenty-one. The testatrix declared that the freehold property given A should be held by B, and that B should receive the rents and profits thereof and apply them towards the maintenance of A until A should attain twenty-one. A survived the testatrix, but died at the age of eighteen.

It was held by the Supreme Court that the freehold property vested in A on the death of the testatrix, and was not divested upon failure to attain the age of twenty-one years; and, further, that the personal property vested in A absolutely on the death of the testatrix, with the exception of the watch and chain, which was divested upon failure to attain majority.

(6) *Re Smith* (1927 G.L.R. 274).—The wife of a mental patient had obtained a divorce from the patient on the ground of his mental condition; the decree *nisi* directed that the patient should pay the wife's costs of the suit, together with disbursements. Upon an application by the Public Trustee as statutory administrator for directions as to the payment of these costs the Court refused to give any direction for payment out of the patient's estate, and laid down the general