

EDITORIAL NOTES.

tion been made from the bench! How long will the patient judges abstain from meting out a punishment which would at once eradicate the evil—i.e., direct that for all such slovenly briefs, costs be disallowed.

In a case in the St. Louis Circuit Court a few days since, defendant's counsel assailed the amended petition of plaintiff as "without backbone or bowels," and the Court sustaining the objection, plaintiff took a non-suit before the case reached the jury. Plaintiff's attorney then prayed the Court to set aside the non-suit and grant a new trial thus pathetically: "The Court erred in permitting one of the counsel for the defence to grossly abuse and stigmatize plaintiff's pleadings in the presence of the jury, the Court having good reason to believe the motive which influenced counsel so to do was for the purpose of holding plaintiff's attorney up before the jury in a ridiculous light, thereby scandalizing the proceedings and arousing the resentment of the one attacked, and diverting his mind and attention from a proper consideration of the trial."

A decision of considerable importance has recently been given by Vice-Chancellor Proudfoot in *Re Ford*, which was a case stated under the Vendor and Purchaser Act. A testator devised certain land "with power to the executors herein mentioned to sell, and invest the proceeds," the devisee to receive the interest during his life, and after his death the proceeds to be divided among the family of the testator; and in the clause appointing the executors, the words "to see my will carried into effect" were added. The Vice-Chancellor held that the effect of the will was to

vest in the executors "not a bare power, but a power coupled with an interest, vested in them in the character of executors, and, therefore, attached in this will to the office of executors," and that one executor having died, the surviving executor could nevertheless make a good title to the land in the purchaser. A full report of the case will appear next month.

The publishers of the weekly *Legal News* announce that it has been found impossible to continue the publication of that journal, owing to the want of sufficient support to meet the necessary expenses. The publishers speak of a difficulty in reconciling the conflicting wishes of the different Provinces as to the manner in which the space should be occupied so as to be most useful to them. We appreciate the difficulties of their position. We have at various times been urged to do numerous things which it was thought could, should or ought to have been done in connection with this journal; but, whilst thankful for all suggestions and accepting those that were practicable, we have found that the experience of twenty years is of more value than many theories. It is impossible to please all, as our late contemporary has found to his cost. We regret the result, as the *Legal News* was managed with much ability and must have been useful to many. As we well know, the encouragement to enterprise of this kind is very limited in Canada, and the field is circumscribed. Many are willing to take advantage of the labour of others, but few care to pay for it.

The Law Society have advertised for two Reporters, one to be appointed for Common Law Chambers and one for Chancery Chambers. It is quite time that something were done in this matter. The