Nothing could well be more anomalous or more illogical than this condition of things. While this was the state of the law as regards a deceased person's real estate, we all know that a very different system prevailed regarding his personalty; neither legatee nor next of kin had any right thereto, or to any part thereof, until the claims of creditors had been first satisfied. The residuum, after the satisfaction of all liabilities of the testator or intestate was all that was distributable among either legatees or next of kin, and in order that this distribution might not be made until the liabilities of the estate had been first liquidated, the assent of the personal representative to the distribution was necessary, and this assent would not be given until a reasonable time had elapsed, and proper precautions taken, by advertisement and otherwise, to ascertain what the debts and liabilities of the deceased were, and to give all claimants a proper opportunity to establish their claims.

So far as the personal property of the deceased was concerned, his next of kin or legatees could not lawfully take possession and divide it or sell it, without these preliminaries having been first taken.

Now, as we understand it, the object of the Act of 1886 was to place a deceased person's real property in precisely the same position as his personal estate—the devisees or heirs no longer take immediately from the testator, henceforth their title must, like that of legatees and next of kin, be derived through the personal representative. There is much to be said in favor of this change, not only for the security it affords to the creditors of a deceased person for the due application of his assets, both real and personal, but also for the difficulties which it will remove in making title. Formerly, one of the chief obstacles in making title where the land had passed under successive descents arose from the fact that the proof of the heirship of persons who claimed as heirs was so often attended with great difficulty and expense. This will now, to a great extent, if not altogether, be obviated by the deed from the personal representative, who, being directly concerned to convey the land only to the person rightfully entitled, will make it his business to see that the person claiming the conveyance is in fact the person lawfully entitled.

We are unable to agree with our correspondent that the objection he takes is any real defect in the Act. To permit the beneficiaries to convey, as he proposes, without the intervention of the personal representative, would be virtually to defeat the whole purpose and object of the Act. To be consistent, we think he should also contend that the next of kin of an intestate ought to be allowed to take the bonds and promissory notes of their deceased ancestor and indorse them over to third parties without the appointment of a personal representative. Such a proposition, we think, would be regarded as absurd, even by "Solicitor," and we confess our inability to see why, if it is necessary that a personal representative should be appointed before a valid title can be made to a promissory note or bond left by a deceased person—a different rule should prevail regarding his lands.

With regard to the question put by our correspondent as to whether a deed is necessary from the personal representative, we are inclined to think that there