

it assumed to transgress a rule of law by empowering some of several joint tenants to convey the joint estate.

The provisions of the *Registry Act*, R.S.O. c. 124, ss. 62, 68, and the *Interpretation Act*, R.S.O. c. 1, s. 28 (c), seem really to have no application to the circumstances in question in *Re Spellman and Litovitz*, as they are directed to the case of personal representatives of a mortgagee discharging mortgages made to their deceased testator or intestate, and not to the case of mortgages made directly to the personal representatives themselves.

In this view of the matter, although the decision of Blake, V.-C., *In re Johnson*, 6 P.R. 225, may possibly still be good law, having regard to the *Interpretation Act*, s. 28 (c), the case of *In re Spellman and Litovitz* may, on the other hand, be open to question, and we should be inclined to counsel the profession to be wary about putting their faith in it.

Possibly it may be said that if the power in question was not effectual in law to enable some of the executors to reconvey the mortgaged land, so as to revest the legal estate, it might nevertheless have some effect in equity as authorizing some of the executors to receive and give acquittance for debts due to them all; and though the property in question was never vested in the testator, it was security for part of his estate.

ONTARIO BAR ASSOCIATION.

ADDRESS OF MR. HENRY R. RATHBONE, OF CHICAGO, DELIVERED
AT THE LAST ANNUAL MEETING.

The United States has seen great changes in its attitude towards the law. We started out as a young people with a great deal of spread-eagleism, as you know. Everything American was surely the best. We could point the way towards justice and the proper administration thereof to other nations, we felt quite sure. Now, I think the pendulum has rather swung to the other side. There is, perhaps, I might say, a tendency on the part of many American lawyers and citizens to rather depreciate the