

MONTHLY REPERTORY—REVIEWS.

V. C. W. Feb. 24.

RE TARSEY'S TRUST ESTATE.

Bequest to an unmarried woman "for her own sole use and benefit absolutely"—Separate estate.

Notwithstanding the remarks of Lord Westbury in *Gilbert v. Lewis*, the court will hold a direct bequest to an unmarried woman "for her own sole use and benefit absolutely" to create a valid separate estate for her benefit, when it appears from the will that the testator contemplated the probability of the legatee's marrying, and when it does not so appear that he intended, by the use of the word "sole," to exclude some person other than the legatee's possible husband from the benefit of the bequest. (14 W. R. 454.)

V. C. W. KELLY v. MORRIS. Mar. 1.

Copyright—Infringement.

Copyright may exist in a compilation. The publisher of a work may not use the information published by another person to save himself trouble and expense, even when that information is accessible to all. (14 W. R. 496.)

L. J. CHADWICK v. TURNER. Mar. 8.

East Riding Registry Act—Concealed will—Notice—Priority—Practice.

The East Riding Registry Act, 6 Anne, c. 35, affords no protection to devisees where no memorial either of the will under which they claim, or of a contest or impediment affecting its registration, is registered within the times prescribed by the Act.

A registered title can be affected only by notice which is clear and distinct, and by that which amounts in fact to fraud.

Where one of several defendants appeals from the whole decree, the plaintiff is entitled to open the appeal. (14 W. R. 441.)

PROBATE.

Re BELLAMY. Feb 20.

Will written partly in ink and partly in pencil—Probate of—Intention—Appearance of document—Indorsement of envelope—Codicil.

Where a will seemed to have been first written in pencil and afterwards traced with ink, but not completely, words in some cases being written in ink above, and apparently in substitution for, the pencil writing, and in other parts the pencil writing standing alone.

The court declined to include the pencil writing in the grant of probate of the will.

The fact that a will is found with a codicil in an envelope indorsed as containing the codicil only will not raise any presumption that the will was not meant to take effect. (14 W. R. 501.)

Re DONSON. Feb. 6.

Probate—Will not contingent.

"In case of any fatal accident happening to me, being about to travel by railway."
Held, not to render a will contingent.

REVIEWS.

A JOURNAL FOR OIL MEN AND DEALERS IN LAND. By J. D. Edgar, of Osgoode Hall, Barrister-at-Law; with a new and correct map of the Oil Districts, by J. Ellis, jun.

We fancy we hear our professional readers asking what are "oil men?" Fat men, lean men, rich men, poor men, tall men and small men, have for a long time been topics of daily discourse. But "oil men" is an innovation of modern days. They are men interested in the buying and selling of "oil land," or of coal oil itself in the crude or refined state. For all such this interesting little brochure is intended. All such by the study of this book may become sufficiently learned to understand the ordinary requirements of law—as to agreements for the sale of land—mode of enforcing agreements, and grounds of refusal to fulfil agreements—about title to land in Upper Canada—leases, mortgages, and points relating to oil and mineral lands. The remarks of the writer are free from professional technicality.

He mentions in his preface that "any attempt to popularize the rules of law is deprecated by some professional men." We know of none such. A liberal education is not complete without some knowledge of the elements of law, and the more it is popularized the better will be the education of those who acquire even a popular knowledge of its principles. It is true that a little law is said to be a dangerous thing. With the use to be made of the learning when supplied we are not at present concerned. But this we can say, that the man who fancies he can make himself a lawyer by reading "handy books of law" is greatly mistaken. We, however, agree with Mr. Edgar that "a man cannot always have his solicitor at his elbow, and even when he has, he naturally desires to know something about the nature of the security in which he is investing his money." If his solicitor be not at hand and not at all communicative, the perusal of the little book before us will afford some instruction to him on such matters. If he discreetly use the knowledge thus acquired, he may profit by it. But if he imagine that he knows enough of law on the subjects treated of to dispense with his solicitor, the chances are that an appeal to his solicitor during the pendency of an expensive law suit will be the reward of his self-sufficiency.

This, however, is no reason why popular law books should not be freely purchased by the classes of the public for whom they are intended. The author means well, and is not responsible for the misguided use to which foolish or vain men may apply the knowledge he supplies them. He cannot with his books give to the purchaser either brains or discretion, and if through the want of the latter learning be misapplied, the fault does not rest with the author.