by the use of new type and more expensive paper.

This will of course involve a large additional outlay both in printing and paper, and in the necessary supply of matter. Partly from this cause and partly from the increased cost of production and management, we shall be compelled to do as the public press in the country has done, and increase our prices both for subscriptions and advertisements. From and after the 1st January next the annual subscription will be $5 00. The prices of advertising will be found stated in another place.

We have only space to notice briefly, with much regret, the fact that Mr. J. A. Boyd has resigned the office of Master in Chancery. Mr. Taylor, Referee in Chambers, succeeds him; and Mr. George S. Holmested has been appointed in the place of Mr. Taylor. The appointments are good ones, and satisfactory to practitioners. We are obliged to withhold further observations until next month.

We devote some space in this number to a reprint, from the Queen's Bench Reports, of the Brockville election case, decided under the Controverted Elections Act of 1871. We do this for the purpose of making our series complete, all the other cases deciding points of importance under this Act having already been reported by us, or being in course of preparation for publication in our columns. We also give a synopsis of the Monck election case, taken from the same Reports. All the decisions of our courts or judges on this important subject can, therefore, be ascertained by reference to our pages, and nowhere else.

Sir James Hannen, formerly one of the judges of the Queen's Bench, has been appointed Judge-Ordinary of the Probate and Divorce Courts, in the room of Lord Penzance. The English *Law Journal* highly commends the appointment. It says: "We know of no judicial office in which a moralist, an egotist, or a bigot could work so much mischief as in the office of judge of the Divorce Court, and we believe Sir James Hannen to be singularly free from the faults which characterise those three classes of men. He has to be weighed in the scale as against two such men as Sir Cresswell Cresswell and Lord Penzance, but we believe that he will not be found wanting, because he is endowed with the qualifications which rendered them successful."

The English correspondent of the *Albany Law Journal* waxes enthusiastic over the fact that he has discovered (apparently by evolution from the depths of his inner consciousness) the origin of the word "moot," after looking in vain for it "through the archives of the Inns of Court libraries." Any common English dictionary, say *The Imperial*, would have disclosed to him what he is at so much pains to elaborate. The word is a modification of the Anglo-Saxon "*mote*," probably by a simple euphonic change, such as we find in "Coke" and "Cook." It means originally "a meeting," and so by easy transition, "a contention." The expression "moot-court," which the correspondent says is a "blunder of the Frenchified Normans"(!) and should be only *moot* or *mote*, is just as correct as the phrase "moot-question" "moot-point," and others of like formation. "To hold a moot-court" is an expression which carries us back to the exercises in pleading mock causes, which were once practised in the Inns of Court.

The English *Law Journal* is in favour of the extension of the equitable doctrine of "undue influence" to cases of testamentary disposition of property, in the same way and to the same extent as it obtains in gifts *inter vivos*. It lays down—and we think with great good sense—that when the relation between the testator and the legatee is that of doctor and patient, or priest and penitent, then if the bequest is disputed, the burden of proof should be cast upon the recipient of the gift. As the law now stands, the *onus* is the other way—upon the person who calls the will in question. But, as the *Law Journal* puts it, there is no hardship in calling upon the legatee to explain the precise character of the influence which he brought to bear upon the testator. Then, when he had cleared himself of any imputation of undue influence, the burden of proof would be shifted to the person attacking the will.
