

action slight preference will now be given to the place where the cause of action arose, except in such cases as *Chadwick v. Brown*, ubi sup. The question of convenience will be determined by a consideration of the expense, and the witnesses' facilities for travelling.

As was said by Osler, J.A., in the late and leading case of *Campbell v. Doherty*, 18 P.R. 243, "it is quite clear that the plaintiff has the right to name the place of trial, and his choice will not be interfered with except upon substantial grounds."

Toronto.

ALEXANDER MACGREGOR.

ENGLISH CASES.

EDITORIAL REVIEW OF CURRENT ENGLISH DECISIONS.

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WILL—LIMITATION OF ESTATE—"HEIRS" AND "ASSIGNS" OF SURVIVOR.

Milman v. Lane (1901) 2 K.B. 745, is a case which may well be cited by the advocates of the Torrens system of registration of title, as illustrating the hardship which purchasers under the common law system are subject to. In this case a testator, seized in fee of land, devised it to the use of his nephew for the term of 99 years, if he should so long live, and from and after the determination of such term and estate to the use (in succession) of the nephew's four sons, for a term of 99 years each, if they should so long live, with an ultimate devise on the death of the survivor of the sons upon trust to, and for the use of, the heirs and assigns of the survivor of the four sons. The surviving son, assuming that he had power to convey the fee, in his lifetime purported to convey it to a purchaser for value; on the death of the surviving son without issue, however, his heirs claimed to be entitled to the land under the will, and brought the present action to recover possession against the purchaser. Lawrance, J., who tried the action, gave judgment for the plaintiff, and the Court of Appeal affirmed his decision. Romer, L.J., delivered the judgment of the Court, but who the other members of the Court were, strange to