

DIGEST OF ENGLISH LAW REPORTS—CORRESPONDENCE.

3. E., by will made in 1826, gave certain freehold lands to his mother, "to hold unto her, . . . her heirs and assigns for ever." The will was properly attested, the interlineation of two words being mentioned. When the will was produced, the words "her heirs and assigns for ever" were found erased by a line struck through them in ink. *Held*, a valid obliteration under the Statute of Frauds (29 Car. II. c. 3, § 6), and the mother took a life-estate only.—*Swinton v. Bailey*, 4 App. Cas. 70; s. c. 1 Ex. D. 110; 10 Am. Law Rev. 713.

4. "Executors' expenses" means the same as "testamentary expenses" in a will.—*Sharp v. Lush*, 10 Ch. D. 468.

5. H., by will dated in 1820, gave, in one clause, a leasehold and three freehold houses to his daughter S. for life, without impeachment of waste; remainder to the first and other sons of S. successively in tail male, and, in default of such issue, to the daughters of S. successively in tail, and, "in case of default of issue" of S., "to the right heirs of the said S. for ever." S. married, became a widow, and died without having had any children. *Held*, that she took an absolute title in the leaseholds.—*Herrick v. Franklin*, (L. R. 6 Eq. 593) considered.—*Comfort v. Brown*, 10 Ch. D. 146.

6. B., by will dated 1818 and not attested so as to carry real estate, gave the "rest of my property" in trust to his brother's children for life, "and on the decease of either of them, his or her share of the principal to go to his or her lawful heir or heirs." *Held*, that "heirs" must be taken literally. *Mounsey v. Blamire* (4 Russ. 384), disallowed.—*Smith v. Butcher*, 10 Ch. D. 113.

7. C., by will, gave one-fourth of her residue in trust for each of her three sons, and the remaining one-fourth to her grand-daughters, with a declaration of forfeiture in case of bankruptcy or insolvency of a beneficiary, and a disposition over. C. died in 1875, and the will was dated in 1874. W., a son, was adjudged a bankrupt in 1873. C. was a creditor, and proved. In 1875, after C.'s death, W.'s creditors accepted a proposal for composition, but it was not carried out. In 1876, a decree for the administration of the trusts under C.'s will was made. In 1878, a composition between W. and his creditors was made, and the bankruptcy was ordered to be annulled, *Held*, that there was no forfeiture.—*Ancona v. Wauldell*, 10 Ch. D. 157.

See CONVERSION; LEGACY.

WORDS.

"Children."—See WILL, 1.

"Clause."—See WILL, 3.

"Default of Issue."—See WILL, 5.

"Lawful Heirs."—See WILL, 6.

"Right Heirs."—See WILL, 5.

"Uncontrolled and Irresponsible Discretion,"—See TRUST, 2.

CORRESPONDENCE.

Unlicensed Conveyancers.

To the Editor of the LAW JOURNAL.

SIR,—Your warm advocacy of the rights of the County practitioners deserves and no doubt receives their warmest gratitude. It is to be hoped that next session a Bill will be passed to prevent the unseemly contest between licensed and unlicensed conveyancers.

The proportion the latter bear to the former in the country districts is as five to one—in other words in every village where you find a professional man, you will on the average find five "jackals" to rob him of his practice, a practice to which he is entitled by the certificates which he has obtained and by the responsibility he incurs.

In the country more than one half of the legal business is necessarily conveyancing, and the only answer so far to the cry of poor professional men for protection is something like this, "You are undoubtedly entitled to protection, but the profession is so unpopular now;" or, it is right but "inexpedient." We are in a bad way in this country if *Right* and *Justice* have to give way to expediency and to the cry of ignorance. I cannot help thinking that if the matter were properly laid before Mr. Mowat by the Benchers, that he would remedy this great and growing evil.

Yours &c.,

A SUFFERER.

[It is hard to say what the result would be of an appeal to Mr. Mowat on this subject. It is not perhaps worth discussing as it is not likely to be made. We had hoped that an Attorney-General having so large a majority might have thought proper to have brought in some equitable measure of relief, especially as he has personally, we believe, an earnest desire to advance the interests of his profession. We despair of the Benchers taking the initiative, as they ought to. Country practitioners will have to combine and agree on some concerted plan of action, before they die of inanition. The difficulty is that the Benchers are not