

of the plaintiffs, the present action was brought. Joyce, J., came to the conclusion that there was nothing in the bargain between the plaintiffs and defendant to warrant the inference that the defendant was to be the owner of the copyright, and with this conclusion the majority of the Court of Appeal agreed, but Williams, L.J., dissented.

WILL—EXECUTOR—CHARGE OF DEBTS—POWER TO SELL REAL ESTATE—LAW OF PROPERTY AMENDMENT ACT, 1859 (22 & 23 VICT., C. 35) SS. 16, 18—(R.S.O. C. 129, SS. 18, 20.)—DEVISE TO PERSON IN FEE—POWER OF EXECUTOR TO GRANT EASEMENT.

In re Barrow-in-Furness Corporation and Rawlinson, (1903) 1 Ch. 339, was an application under the Vendors' and Purchasers' Act to determine whether the vendor had power to sell the land in question. The vendor was executrix of an estate under a will whereby the testator charged his real estate with the payment of his debts and legacies, and whereby the debtor devised his real estate in fee to his son who should first attain 25. Thirteen years had elapsed since the testator's death, and his eldest son was now upwards of 25. The question turned on the construction of ss. 16 and 18 of the Real Property Amendment Act, 1859, (see R.S.O. c. 129, ss. 18, 20.) Kekewich, J., held that the devise to the son who should first attain 25 was not a devise to a person in fee charged with debts or legacies within s. 18, (s. 20 of the Ont. Act). In his view, that section only applied to devises taking effect when the will took effect, and therefore that the executrix had power to sell under s. 16, (s. 18 of the Ontario Act), but that she, having no estate or interest in the land, had no power to grant an easement.

WILL—CONSTRUCTION—TRUST FOR INVESTMENT—RAILWAY OR OTHER PUBLIC COMPANY—FOREIGN COMPANY.

In re Castlehow, Lamonby v. Carter, (1903) 1 Ch. 352, a testatrix after empowering the trustees of her will to postpone the sale or conversion of any part of her estate, declared that any money by her will directed to be invested should be invested inter alia "upon the stocks, shares or securities of any railway or other public company." At the time of her death she owned two shares in an English company, the White Star Steamship Co. After her death these two shares were exchanged for preference and ordinary shares in an American steamship company which had