

At any rate, the conclusion indicated by ordinary observation is that the Dominion Railway Commission has never been doing better work than recently."

As to the standing of the Board as at present constituted, we concur with the above observations. During the short period that Mr. Drayton has been Chairman, he has shewn ability to quickly master the details of an intricate subject. His opinions have been judicial, and have, in the main, commended themselves to all parties interested. It is, of course, not to be expected that a new member of the Board could, in a few months, attain the position of those who have preceded him who, moreover, had a previous judicial training, but there is every reason to believe that Mr. Drayton will be equal to the best traditions of the position he now occupies.

THE EFFECT OF AN EXECUTOR'S ASSENT.

The decision in the recent case of *Attenborough v. Solomon*, 107 L.T. Rep. 833; (1913) A.C. 76, and the dicta of Lord Haldane in the House of Lords will, no doubt, have the effect of calling attention to the inherent vulnerability of titles taken from executors, and the risks run by purchasers and mortgagees in dealing with an executor. These risks have always existed, whether the property sold or mortgaged be chattels personal (commonly spoken of as chattels), or chattels real, or real estate—for now real estate with certain exceptions may be said to stand on the same footing as chattels real, so far as regards the point under consideration. The recent decision, and perhaps particularly the dicta of the Lord Chancellor, may be a little disturbing, but they have not effected any alteration in the law.

The inherent vulnerability referred to above arises from the principle of law—and it is important to observe that it is a principle of law and not one of equity—that on the executor's assent the property vests in the legatee. It is not within the scope of this article to enter into a minute examination of the occasions, on the one hand, where an assent has been held to