

will which was recited in the conveyance, and which showed that by the terms of the will the covenantor was a tenant for life, and that her children were entitled in remainder as tenants in common in fee of the land conveyed. She covenanted that, notwithstanding any act of the testator or herself, she had the right to convey. The purchase money was paid to her. The representatives of a deceased child of the covenantor subsequently established their right to an undivided one-third of the land; and the question was whether the covenant for title extended to this defect, and the court held that it did.

PRACTICE—COMMISSION TO TAKE EVIDENCE ABROAD—DISCRETION AS TO GRANTING COMMISSION.

In *Ross v. Woodford*, (1894) 1 Ch. 38, an application was made on behalf of the defendants for a commission to take the evidence of themselves and their witnesses, in South Africa, which was strenuously opposed by the plaintiff. Chitty, J., granted the application, being of opinion that the application of a defendant should be more favourably entertained than that of a plaintiff who chooses his own forum; and notwithstanding the importance of the judge seeing the demeanour of witnesses, yet such considerations would have to give way to the balance of convenience, which in this case was in favour of the defendants' application, as to have refused it would practically have precluded them from making their defence.

Reviews and Notices of Books.

Digest of Cases determined by the Supreme Court of Canada from the organization of the Court in 1875 to May 1st, 1893. By Robert Cassels, Esq., one of Her Majesty's Counsel and Registrar of the Court. Toronto: The Carswell Company (Ltd.), Law Publishers, 1893.

The profession are indebted to Mr. Cassels for this collection of cases determined in the Supreme Court, being those reported in Volumes 1 to 21, both inclusive, of the official reports of the Court, as well as the unreported cases decided during that period.

From the nature of things, there are many subjects in this Digest of no interest to the Ontario practitioner (referring, of