sion, enjoyment and disposition, and in matters referring to its title by inheritance or purchase. His views were, that the law should be so changed as to give greater freedom to the alienation of land, so that owners willing to sell, and persons of means willing to buy, should be able to deal together with safety and expedition, and also without undue expenditure in searching and clearing up the title. To this end, he favoured the adoption of the law of primogeniture, and was prepared to advocate the incorporation into English law of certain portions of the French legal code. Since his time, there has been a movement in the same direction going on in England to a greater or less extent. The last manifestation of its progress is to be seen in the proceedings at the Social Science Congress for this year.

Mr. Jacob Waley, one of the conveyancing counsel of the Court of Chancery, read a very comprehensive and able paper concerning the best means for facilitating the transfer and disposition of land,—having special reference, of course, to property in England. He does not deal with the subject of registration of title, which gives Canada an immense advantage in the ease and simplicity, to say nothing of the smallness of expense, with which land can be transferred from owner to owner. But he suggests certain changes in the mechanism of the English system, which are of value here in so far as we have adopted the English law of real property. These details he has grouped under six divisions, as follow:

"I. It will hardly be questioned that the length of time allowed by law for the assertion of dormant claims largely contributes to the expense and difficulty of the preliminary investigation to which the title to land is subjected upon transfer. Now, the length of time which ought to operate as a bar to an unasserted title must, of course, differ according to circumstances. When the law is not easily accessible or put in motion, when communications are imperfect and intelligence travels slowly, so that opportunities are given to the powerful and the crafty to wrest the devolution and ownership of land out of its lawful course, a longer time must obviously be allowed for the assertion and restoration of displaced titles. No one, probably, has ever perused our older law books, from Littleton downwards, without noticing the great space and importance given to the subject of disseisin or forcible dispossession of the rightful owner of land, and inferring the comparative lawlessness of the times when disseisin was regarded as among the ordinary contingencies of landed property. At present a possession, adverse to the true legal title, has very rarely any other foundation than accident; and when a misconception of this kind has once occurred, it is rarely brought to light otherwise than by accident. Such windfalls of fortune it seems consistent with a sound jurisprudence rather to discourage than to promote. Even under the old law, a fine followed by non-claim for five years operated in most cases as a conclusive bar; and it appears to me that in the circumstances of modern society, a period of five years, instead of the twenty now given by the Statute of Limitations of the 3 & 4 Will. IV., would be quite sufficient to allow for the assertion of dormant or displaced rights, with the addition, say, of ten years more in cases of infancy and absence.

II. Under the present Statute of Limitations of 3 & 4 Will. IV., an adverse possession gained by time against a tenant for life is inoperative against his successors in interest, each of whom gets a new period of twenty years from the time at which his own interest would commence. It has been suggested, and in that suggestion I concur, that adverse possession should operate against the estate—that is to say, not merely against the limited owner, during the currency of whose interest the adverse possession takes place, but against the whole series of owners having successive interests, who for this purpose should be considered as represented by the owner entitled to the possession and barred by the non-assertion of his rights.

A proposal to the above effect was, I believe, contained in a bill unsuccessfully promoted some years since by Lord St. Leonards. It may appear unjust that the *laches* of the tenant for life should bar the remainderman, but I think that the injustice is apparent only, the impression being due to our technical conceptions as to the ownership of land. If the limited owner, instead of being called tenant for life, were regarded as owner of the estate, but with a limited power of alienation, there would be nothing repugnant in the estate being bound by his *laches*. Besides, the case of land being recovered by the remainderman after the tenant for life has been barred by adverse possession, is so rare as to render it inexpedient that it should be the subject of special legislative provision. *In ea quæ frequentius accidunt subveniunt jura.* It must be admitted that both the changes here contended for, namely, a shortening of the period of limitation and the operation upon the estate of adverse possession as against a limited owner, would require the broad and free exercise of the jurisdiction to deal with cases