

## DIGEST OF ENGLISH LAW REPORTS.—APPOINTMENTS TO OFFICE.

niece by name, and then "to all and every the children of my late nephew M. I. and my niece E. W., share and share alike." In a codicil he referred to, "the legacy left to my niece E. W." The testator's brother M. I. had died, leaving children, one of whom, M. I. having had a son born in England, had gone to America; and the testator knew these facts, but believed that his nephew M. I. was, or might be, dead. *Held*, that the bequest was to the living nephew, and not the dead brother, and evidence of intention otherwise was not admissible. Further, that the gift was to E. W., and not to her children.—*In re Ingle's Trusts*, L. R. 11 Eq. 578.

2. An estate was settled to the use of A. for life, with remainders in tail. A subsequently bequeathed his personal estate in trust for the persons who should for the time being be in possession of the above settled estate, to go with said estate "so far as the rules of law or equity will permit, but so, nevertheless, as that the same chattels personal shall not, as to the effect or purpose of transmission, vest absolutely in any person who" should be entitled to said estate, "unless such person shall attain the age of twenty-one years, or, dying under the age, shall leave issue inheritable." The representatives of B., a remainder-man, who had died under twenty-one, without issue male, claimed the personal estate against C., a remainder-man, holding the said *real* estate, who was also A's residuary legatee. *Held*, that C. was entitled to the personal estate, either under A's will or as his residuary legatee, and it was unnecessary to decide which. *It seems*, the words "so far," &c., do not make an executory bequest to be executed according to the general intent of the testator.—*Harrington v. Harrington*, L. R. 5 H. L. 87; s. c. L. R. 3 Ch. 564.

3. A bequest to A. of £50 a year, "out of the interest, dividends, and produce, arising from all my personal property," and after A's death "said £50" to others, is a gift to the latter of a principal which will produce £50 per annum.—*Bent v. Cullen*, L. R. 6 Ch. 235.

4. A testator reciting that he should be entitled to a certain sum in stock, "or the securities or property now representing the same," on the death of his sister, bequeathed "the sum of £2000 consols, part thereof, or a sum equal thereto, to be paid to my son when the same shall be received or got in by my executors." The sister died in 1865, and in 1868 the testator made a codicil reducing the legacy of £2000 consols bequeathed to his

son, but in other respects confirming his will. Before the date of the codicil the testator had sold the principal part of said consols, and sold the remainder before his death. *Held*, that the legacy was specific, and failed, as the fund charged therewith was no longer in existence.—*Oliver v. Oliver*, L. R. 11 Eq. 506.

*See DEVISE; ILLEGITIMATE CHILDREN; WILL.*

LEGITIMACY.—*See ILLEGITIMATE CHILDREN.*

LETTER.—*See CONTRACT, 3.*

LEX FORI.—*See JUDGMENT.*

## LIBEL.

Affidavits that in a newspaper containing a libel, J. S. was stated to be printer and publisher, and that deponent believed him to be such, furnish no evidence of publication by J. S. *It seems* that defects in prosecutor's affidavits on a criminal information for a libel may be supplied by statements in defendant's affidavits.—*Reg. v. Stanger*, L. R. 6 Q. B. 352; 7 L. C. G. N. S. 126.

*See MARITIME LIEN.*

LIEN.—*See MARITIME LIEN.*

LIMITATIONS, STATUTE OF.—*See BAILMENT; EVIDENCE.—American Law Review.*

## APPOINTMENTS TO OFFICE.

## JUDGE OF THE SUPERIOR COURT—QUEBEC.

THE HON. CHRISTOPHER DUNKIN, of Knowlton, in the Province of Quebec, a Member of the Queen's Privy Council for Canada, and one of H. M. Counsel learned in the Law, to be a Puisné Judge of the Superior Court of Lower Canada, now Quebec, *vice* the Hon. Edward Short, deceased. (Gazetted Oct. 28th, 1871.)

## MINISTER OF AGRICULTURE.

JOHN HENRY POPE, of Cookshire, in the Electoral District of Compton, in the Province of Quebec, Esquire, to be a Member of the Queen's Privy Council for Canada, and Minister of Agriculture, *vice* the Hon. Christopher Dunkin.

## NOTARIES PUBLIC.

JOHN DONALD McDONALD, of the village of Renfrew, Esquire, Barrister-at-Law. (Gazetted Oct. 28th, 1871.)

JAMES CLELAND HAMILTON, of the City of Toronto, Esquire, Barrister-at-Law. (Gazetted Nov. 11th, 1871.)

CHARLES E. PEGLEY, of the Town of Chatham, Esquire, Barrister-at-Law. (Gazetted Nov. 11th, 1871.)

JOHN TAYLOR, of the City of London, Esquire, Barrister-at-Law. (Gazetted Nov. 11th, 1871.)

HAMNETT PINHEY HILL, of the City of Ottawa, Gentleman, Attorney-at-Law. (Gazetted Nov. 11th, 1871.)

RICHARD THOMAS WALKEM, of the City of Kingston, Esquire, Barrister-at-Law. (Gazetted Nov. 18th, 1871.)

FREDERICK FENTON, of the City of Toronto, Esquire, Barrister-at-Law. (Gazetted Nov. 18th, 1871.)

## ASSOCIATE CORONERS.

MYERS DAVIDSON, of the Village of Florence, and ANSON S. FRASER, of the Village of Sombra, Esquire, M.D., within and for the County of Lambton. (Gazetted Oct. 28th, 1871.)

THOMAS WHITE, junior of the City of Hamilton, Esquire, M.D., within and for the County of Wentworth. (Gazetted Nov. 18th, 1871.)