

OUR ENGLISH LETTER.

woman could validly convey her real estate held under the Act without her husband being a party to the deed, has been set at rest by the repeal of that part of the R. S. O. ch. 127 sec. 3 which required the husband to be joined. That part of section 6 of R. S. O. ch. 126 which required the husband to join in a release of dower has also been repealed; but we observe section 7. of the same Act, which enabled a woman to give a power of attorney to release her dower, has been left unamended; this section concludes with the words "provided that the power of attorney is executed in conformity with said Act." The Act referred to bring the Married Woman's Real Estate Act, R. S. O. ch. 127, which requires the husband to be a party, unless an order dispensing therewith should be obtained. So that it may become a question, whether a husband is not still a necessary party to a power of attorney to release his wife's dower.

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(From our own Correspondent.)

Now that the Bradlaugh case has come to an end, there is reason for apprehension that, until after the long vacation, there may be nothing to divert us in the courts except the vagaries of Mrs. Weldon. This good lady occupies, and probably will continue to occupy until she dies, a very considerable proportion of the time of the courts. It will be indeed strange if some rash penny-a-liner does not ere long comment upon her in a manner which she deems to be libellous, and if any one does, an action is the certain consequence. Now your correspondent is, to a certain degree, an admirer of Mrs. Weldon's ability in argumentative and eloquent appeal. She undoubtedly marshals facts clearly, and, at times, speaks with great persuasive force. But she has one fatal

defect, which is that she never can appreciate the difference between circumstances immaterial, and circumstances material, to her case. The consequence is that in every one of her actions her relations with M. Charles Gounod, and the unfortunate article in the Paris *Figaro* are dragged into unnecessary prominence. Hence it comes that Mrs. Weldon, when asked if she has any idea when she is likely to bring her case to a close, is generally compelled to answer, "My Lord, I never can tell." On the other hand she uses material facts cogently and well as the basis of sound argument.

A remarkable case was to-day exposed in the columns of the *Times*, illustrating in a strong way the infinite capacities for appeal of a common law case. One Mr. Smitherman, in an action against the South Eastern Railway, appears to have been twice successful in court of first instance, and twice to have been driven not only to the Court of Appeal, but also to the House of Lords. His present position is that a new trial has been ordered, and one really fails to see why there should ever be any end to the process. The strange thing is that the circumstances have been exposed, not by the plaintiff, but by the defendant's solicitor, who appears to feel much aggrieved at the fact that the plaintiff did not accept an offer made by the defendant's solicitor by way of compromise. Under the circumstances it is impossible not to think that some observations made by the Lord Chief Justice in the House of Lords last evening were apposite and necessary. In reference to a Judicature Acts Amendment Bill, he said that he was of opinion that the facilities given for appeal on the common law side were far too numerous. Nor was he without figures in support of his opinion, for he was able to show that since the Judicature Acts common law appeals had increased at least six-fold, while in