

L. J. *RE JONES'S SETTLED ESTATES.* July 5.
Practice—Purchase money in court—Reinvestment in land—Costs of investigating title—Two counsel.

A person who was interested in a considerable sum of money which had been paid into court by a corporation, as the purchase money of a settled estate, taken by them under their act, being desirous to reinvest it in the purchase of certain lands of great value, laid the abstract of title to the land before his own counsel. Subsequently he presented a petition for the investment, and the same abstract was laid before one of the conveyancing counsel of the court. The corporation having refused to pay the costs of employing two counsel, the court held that the fees for consultations between the two counsel were a reasonable charge, and that some allowance ought to be made towards the employment of a private counsel; but refused to allow the costs of the private counsel advising on the whole of the title.

V. C. W. *NORTON V. NICHOLS.* July 12, 13.
Copyright of designs—Registration—Perpetual injunction—Trial at Law.

1. The inventor of a new and original design for a shawl, deposited one of the shawls containing the design in respect of which copyright was claimed, with the registrar of designs, unaccompanied by any drawing or specification.

Held, that the provision of the Copyright of Designs Acts, requiring a copy of the design to be deposited with the registrar had been sufficiently complied with.

2. Except under very special circumstances, the Court will not grant a perpetual injunction at the hearing without having recourse to a trial at law to establish the plaintiff's title, if claimed by the defendant.

V. C. K. *ORANGE V. PICKFORD.* July 6.
Power of appointment by settlement—Execution by will—Proof of execution and attestation.

Power of appointment is given by a marriage settlement to the use of such person, &c., as H. notwithstanding her coverture at any time or times during her life by any deed or instrument in writing, with or without power of revocation, to be sealed and delivered by her in the presence of two or more credible witnesses, shall direct, limit, or appoint. H. made her will with a very full attestation, and upon the question whether the power authorized execution by will.

Held, that it did.

REVIEW.

REPORT OF THE CHIEF SUPERINTENDENT OF EDUCATION FOR 1857.

We have just laid down the Report of the Chief Superintendent of Education for 1857, and although we had not time for a careful perusal of its contents, yet we could not avoid being struck with the magnitude and comprehensiveness of the work which is here as it were mapped out. And as Canadians we could not but feel proud of the position which this Province may justly claim among the very foremost in its efforts for the education of the people.

How much credit is due to Dr. Ryerson for the present condition of our educational system—it is needless to say—we can all contrast the present with the past—we remember the opposition and obloquy he had to encounter, and we know how resolutely and successfully they were met.

We would only hope that bigotry and party feeling may never be able to undo that which if let alone, will in a few years we confidently believe rid itself quietly and silently of the imperfections which now adhere to it. No system of education can be devised in the study which shall be complete in all its details, much must be left to the teachings of experi-

ence, and in a new country like this, alterations and improvements will frequently have to be made in any system to suit the altered position of those for whose benefit it is intended. We cannot but feel that the system for which this Province is indebted to Dr. Ryerson, possessing in itself all the elements of growth, and the facilities of adaptation which are required to aid and to keep pace with the prosperity of the country.

We have heard much lately of the National Education of Ireland, and attempts have been already made by exalting it to disparage our own system. Now apart from all examination into the merits of either plan, we must be allowed to remark that a system of education cannot be stereotyped—that which may be suited to one people, and one set of circumstances, may be quite unfit for another. The Prussian Compulsory System would not answer in England, and what might perhaps have a measure of success in Ireland, would probably fail in Canada West. The statistics however adduced in the Report, s. 38, 46, prove beyond question, that, whatever may be its supposed advantages, the Irish system has not succeeded in anything like the same proportion as our own, while yet its expense has been enormously greater and it has evoked a far more bitter spirit of hostility.

We know not indeed that any system could be devised more free from objection than that which is brought before us in the pages of this Report. The religious difficulty is we think fairly met. The schools (whatever bigotry may think or political cant may pretend) are neither sectarian nor godless; while the permission recorded to the Roman Catholics to hold separate schools takes away all ground of complaint from those who do not wish their children taught the scriptures.

There is doubtless much room for improvement in the actual working of the Common School System. The teachers are not in many instances properly qualified either as to knowledge, or training, and sufficient care is not taken to secure the regular attendance of the children. This evil, however, necessarily incident to a new country and a young system, is gradually becoming less, and as the municipalities have the remedy in their own power, the fault is theirs and not that of the system if it continue at all.

The present method of inspection of the common schools is we confess very unsatisfactory.

The inspectors, who are appointed by the petty patronage of the county councils, may be very good no doubt, quite competent to manage a farm, or to conduct a little retail business, but they are for the most part uneducated and utterly unacquainted with school management. If modest, they deal in indiscriminate praise, if capitious they are apt to find fault with the teacher for that which it is often out of his power to remedy, and although they may in some instances be gentlemen of acknowledged attainments and ability, yet engaged as they are in other pursuits they can seldom find sufficient leisure to pay even the few visits necessary to entitle them to their paltry salaries of from twenty to thirty pounds. The true remedy for this state of things would seem to be to appoint one well educated and trained inspector for each county, to pay him well, and to insist that the inspection of the schools should be his business, and not merely the work of his leisure hours.

With regard to the Grammar Schools, the whole state of the law requires amendment. The trustees have indeed power to engage and to dismiss the teacher, but they have no means of aiding him. Whenever it may be necessary to employ assistant teachers to provide or enlarge a school-house, recourse must be had to the county councils, and as unfortunately a prejudice has existed against the Grammar Schools as being institutions for the few, and connected exclusively with the municipalities in which they may happen to be situated, assistance is often sought in vain. It is not therefore to be wondered at, that trustees feeling themselves powerless, take very little interest in the schools with which they are connected, and that the