from the executors of H. C. Sheppard, and the action was brought to recover the deposit. Ferguson, J., before whom the action was tried, treated the objection as a mere "matter of conveyance," holding that the defendants had a right to call for a conveyance of the legal estate from the executors of H. C. Sheppard, and the Divisional Court seemed to have adopted the same view, Boyd, C., who delivered the judgment of the Court, saying, "The land by section 4 devolved upon and became vested in the executors of Sheppard as assets for the payment of his debts. These being paid, or there being no debts, the executors will hold the bare legal estate for the devisee of the land. In other words, subject to the payment of debts, the beneficial interest in the land passes to the devisee, and she can make title as the real owner." This view of the effect of the statute the Court of Appeal were not able to adopt, and the result of the judgment in appeal, as we understand it, is that a devisee under a will has a mere potential right to the land devised and has no saleable title to it until he has obtained a conveyance from the personal representative. How far this principle has been infringed upon by the recent amendment of the Devolution of Estates Act, we are not at present prepared to say.

The decision of the Court of Appeal in this case and of Falconbridge, J., *In re Wilson & The Toronto Incandescent Light Co.*, 20 Ont. 397, bid fair to settle the law on this subject, as we venture to think, in accordance with the principle on which the Act is based. Whether this desirable result has been in any way marred by the recent Act remains to be seen.

THERE is a doctrine prevalent, we believe, in the scientific world that there is a natural tendency in things to continually revert to their original type; the influence of climate, culture, want of culture, or over-culture, want of light or too much light, or a hundred other circumstances, may have the result of producing variations from the original type; but these peculiar circumstances being removed or ameliorated, the tendency is to return to the primal form. It is a curious thing that even in the laws of a people we find the same apparently instinctive tendency to revert to primitive forms of law. We are accustomed to look upon sundry amendments of recent date which have been made in the laws of people of the Anglo-Saxon race as being altogether novel and modern, whereas they are clearly reversions to a distinctively primitive condition of the law. To mention a few of such instances—there is, first of all, the abolition of the rule of primogeniture as conferring superior and exclusive rights of succession to the estate of a deceased parent, and in its place the admission of all the issue of a decedent to equal rights of succession to his estate. Here we have not really the introduction of a new method of succession, but a return to what was really the primitive method—and one which prevailed amongst the Anglo-Saxons until the necessities of feudal service rendered it necessary to depart from it in favor of one which, though less conformable to natural justice, had the merit of greater convenience in effectuating the requirements of the feudal system of tenure. The feudal incidents of the feudal tenure of land were practically abolished as long ago as