

elle et de bonne foi doit être préféré, même si son titre d'acquisition est postérieur à celui de l'autre acheteur, et lors même que ce dernier aurait eu tradition.—*Drouin v. Lefrançois*, Cour de Circuit, Routhier, J., Québec, 6 avril, 1892.

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*Mandamus—To compel mayor of municipality to sign contract—  
Resolution of council.*

*Held*, that a *mandamus* will not be granted, to compel the mayor of a municipality to sign a contract with the petitioner in pursuance of a resolution of the council, when it appears that before the proceedings were instituted the resolution authorizing the mayor to sign had been rescinded by the council, and the contract awarded to another company.

2. Even if such subsequent resolution be annulable, it cannot be annulled on a petition for *mandamus* against the mayor of the municipality to compel him to sign the original contract.—*Edison General Electric Co. v. Barsalou*, Montreal, Doherty, J., January 7, 1892.

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*Will—Form of—Legacy—Vagueness and uncertainty.*

*Held*: 1. The 14th Geo. III. cap. 73, sec. 10, in force in February, 1865, and which provides "that it shall be lawful for every person.....to devise .....by will.....executed either according to the laws of Canada or according to the forms prescribed by the laws of England," is not to be read as restricted to wills made in the province, but applies to wills generally wherever made. Therefore, a will made at that time in the State of New York by a person domiciled in this province, in the holograph form, is good and valid.

2. A bequest in the following words: "I hereby will and bequeath all my property, assets or means of any kind, to my brother Frank, who will use one half of them for public Protestant charities in Quebec and Carluke, say the Protestant Hospital Home, French Canadian Mission, and amongst poor relatives as he may judge best, is not void for vagueness or uncertainty.

Semble, there is power in the Court, where a trustee empowered to select beneficiaries under a legacy from a class, fails to do so, to order an equal distribution of the amount of the legacy among those who compose the class.—*Ross v. Ross et al.*, S. C., Andrews, J., Quebec, September 26, 1892.