

of their "options" to take the new shares, and bought new shares with the proceeds. *Held*, that the shares so bought went to the remainderman.—*Moss's Appeal*, 83 Penn. St. 264.

4. A trustee may be entitled on the termination of the trust to receive compensation out of the principal fund, in addition to his commissions on the income.—*Biddle's Appeal*, 83 Penn. St. 340.

See *Charity; Husband and Wife*.

*Ultra Vires*.—See *Bank*, 1, 2; *Municipal Corporation*, 1.

*Usage*.—See *Evidence*, 2.

*Vendor and Purchaser*.—Buildings demised by lease, giving the lessee the option to purchase, and insured for the lessor's benefit, were burned during the term, the rent being in arrear and the lessor collected the insurance. *Held*, that the lessee could not afterwards, by exercising his option to purchase, require the insurance money to be applied to satisfy the rent in arrear and the purchase money.—*Gilbert v. Port*, 28 Ohio St. 276.

*Verdict*.—See *Trial*, 1.

*Waiver*.—See *Corporation*, 3.

*Warranty*.—See *Rescission; Sale*.

*Way*.—When one grants a private right of way over his land, he is not necessarily debarred from erecting gates across the way; but whether it is reasonable and proper to do so is a question for the jury.—*Baker v. Frick*, 45 Md. 337.

See *Eminent Domain; Mandamus*.

*Will*.—At common law, the marriage of a *feme sole* revokes her will; and her husband's consent to the probate of a will made by her before marriage does not make the will valid, but all her personal property not reduced to possession by her husband during her lifetime is to be distributed among her next of kin.—*In re Carey*, 49 Vt. 236.

*Witness*.—1. A physician may be compelled to testify as an expert, without payment of anything beyond the ordinary witness fees.—*Ex parte Dement*, 63 Ala. 389.

2. A resident of a foreign State, while attending court as a witness, cannot lawfully be served with a summons in a civil action, even though he is not arrested.—*Person v. Grier*, 66 N. Y. 124.

3. Where the law provides no means for compelling a witness to appear before a justice of the peace and give his disposition, and his

costs, if he does attend, are not taxable in the suit in which the deposition is taken, one who is cited so to appear, and does appear, cannot recover his expenses of the party who cites him, if the latter fails to appear and take the deposition.—*Felt v. Davis*, 49 Vt. 151.

See *Evidence*, 4, 7.

### GENERAL NOTES.

ADVERTISEMENTS sometimes write the history of a people or class as completely as do the inscription and characters found on Egyptian monuments, indicate to us the every-day life and customs of a people long departed. And we learn from an inspection of the advertising columns of the London *Law Times* how our professional brethren across the water manage many things. The purchase and sale of an established "Law Practice" seems to form quite an element of trade, judging from the numerous notices. In most instances the value of the practice, *i. e.* the yearly income is given. Again, the purchase, for a consideration, of an interest as partner in a law firm is of frequent occurrence in the column devoted to "wants." Others advertise themselves as professional *costs* draftsmen and accountants, while not a few "admitted" lawyers advertise for situations as "managing clerk." No professional cards of Attorneys and Solicitors, as are seen in American publications, are found, and no member of the profession advertises "special attention" given to any particular branch of the law, while "Touting" in the profession is regarded as it should be everywhere, as unworthy the dignity of a lawyer.—*Chicago Legal News*.

WOMEN IN THE COURTS.—The London *Law Times* says: "The Master of the Rolls does not appear to have approved of Mrs. Besant having determined to conduct her own case before his Lordship. The question is as to the custody of her infant child. Hence the following inquiry by the learned judge when Mrs. Besant did appear before him: His Lordship.—Does the lady really appear in person? Ince believed so. His Lordship.—This certainly is not a case to be argued by a lady in person. Ince said it was not for him to express any opinion upon it, whatever opinion he might entertain. His Lordship.—But it is for me; I consider it would be a shocking waste of the time of the court, and very likely it would be useless for the lady to attempt to argue the case, as it involves some very nice points of law. Has she a solicitor? Ince.—Yes my Lord. His Lordship.—Is he in court? Mrs. Besant.—No my Lord, he is not in court. Some solicitors are exercised in mind as to what was his Lordship's object in inquiring for the solicitor, and what course he would have taken, had the solicitor been present."