WE are requested to announce that a large and representative Committee of Benchers has been appointed to consider and report upon the subject of uncertificated conveyancers; this committee met a short time since, and Messrs. H. H. Strathy, Q.C., Barrie, and G. H. Watson, Q.C., Toronto, were appointed Chairman and Vice-Chairman respectively.

It is the intention of the committee to report to Convocation this month, and any suggestions that may be made in the meantime by members of the profession will be gladly received and considered. It will be necessary that such suggestions be sent to the chairman or vice-chairman not later than the tenth day of November, so that the same may be brought before the committee when its report upon this subject is being prepared. A perusal of the pages of this journal for many years past will, we think, give almost all that can be said on the subject, but it will be of material assistance to the committee to have the considered views of many members of the profession on the subject, and such communications are particularly requested.

IN the recent case of *Re Davis, Evans* v. *Moore*, 65 L.T. N.S. 128, we find that the English Court of Appeal (Lindley, Fry, and Lopes, L.JJ.) have come to a different conclusion to that arrived at by the Ontario Court of Appeal in *Cameron* v. *Campbell*, 7 Ont. App. 361. In the latter case, which was a suit against executors to recover a legacy, it may be remembered that the executors pleaded the Statute of Limitations, but the Court of Appeal agreed with Blake, V.C., in holding that as the money had been set apart to answer the trusts of the will, it thereby became impressed with a trust in the hands of the executors, and therefore the statute afforded no defence. The English Court of Appeal, on the other hand, though also admitting in a similar state of facts that a trust arises in respect of a legacy, yet holds that it is not an express trust, and therefore the statute may be set up as a defence to its recovery. The reasoning of the court is summed up in these words, which we extract from the judgment of Lindley, L.J.: "The Statute of Limitations excepts one class of trusts and one only, viz., express trusts, and this order [*i.e.*, an order made in an administration action which declared the executor entitled to a certain fund as representative of the testatrix's estate] no more declares an express trust than does the will. An implied trust will not do, for a legacy does not cease to be a legacy because it is coupled with some implied trust. In one sense an executor is always a trustee. But the Statute of Limitations cannot be got rid of by calling the executor a trustee, or by proving him to be a trustee. The only way of getting out of the Statute of Limitations is by proving an express trust." The English Court of Appeal holds that neither the assent of the executor to a legacy, nor the fact that an implied trust has arisen in regard to it, will prevent an executor setting up the statute.
