

mentioned in sections 60 to 76 of the Larceny Act be tried there also? The same remark applies to sections 21, 22, & 23 of the Act respecting offences against the persons. The Act of 1890, c. 18, is a step in the right direction, but it does not go far enough. The offences under sections 28 to 31 of the Forgery Act now within the jurisdiction of the General Sessions, with one exception, may be punishable by life imprisonment. Section 34, relating to the forgery of records of the courts, a matter peculiarly within the care of the Provincial Legislature, imposes a penalty of only seven years. So with s. 35, pertaining to a similar matter. The forgery of orders, etc., of justices of the peace appointed under the Provincial system, merits at most three years' imprisonment. Notwithstanding these facts, the Sessions may try the more serious phases of the crime of forgery, but may not have the power to sentence an offender for three years in one case, although in another it may give him a life sentence!

We might go on multiplying examples of the incongruities of our law which would but show that practical application should be the sole guide, and that in considering amendments the government should look more to the wants of the public and less to the refined theories upon which, unfortunately, much of our legislation, both here and at Ottawa, is based.

CURRENT ENGLISH CASES.

POWER—EXERCISE OF POWER—VALIDITY OF—FRAUD ON POWER.

In re Perkins, Perkins v. Bagot, (1893) 1 Ch. 283, the validity of the exercise of a power of sale under the following circumstances came in question. Under the will of her father, a testatrix had power to appoint a fund among her children or remoter issue. In default of appointment, the fund was to go to her children, in equal shares, at twenty-one or marriage. By her will, which recited the power and that she had appointed the greater part of the fund in favour of her daughters, and that only a sum of £713 remained unappointed, she, in exercise of the power, appointed this sum of £713, and all other sums over which she had any power of appointment, in favour of her sons, in equal shares, on the condition that they gave up all claim to certain furniture, or the proceeds of the sale thereof; but in case of their making any claim against