The Canada Law Journal.

Vol. XXV.

NOVEMBER 1, 1889.

No. 17

A LUDICROUS result seems to have been reached in Anderson v. Morden, a case lately before the Court of Appeal. The action was for the administration of an estate and the construction of a will. This will was a peculiar one, the testator not contemplating the possibility of his widow outliving his grandchildren. The Court of Appeal was evenly divided, two of the Judges holding that the estate had vested in the grandchildren, and two of them holding that there was an intestacy. The judgment of the court below was that the estate did not vest, but the question of intestacy was not argued or considered in that court. All the Judges of the Court of Appeal agreed that the judgment in the court below was wrong, but as they themselves could not agree upon the judgment to be given, the appeal was dismissed, and the judgment which every Judge of the Court of Appeal believed to be erroneous, stands as the decision in the case.

FEDERAL GOVERNMENT IN CANADA.

The publication of Mr. Bourinot's lectures upon "Federal Government in Canada," at the Johns Hopkins University, gives to the public a clear, concise and very readable summary of the constitutional history of Canada, and of the form of government now established throughout the Dominion. These lectures, which were intended for the information of persons knowing but little of our history or constitution, contain a good deal that is, or should be, familiar to every Canadian; they are valuable, nevertheless, as a means of instruction for those who are ignorant of the past and present condition of our affairs, and for reference by those who have been better instructed. The lectures are four in number. The first gives an historical outline of our political development; the second treats of the general features of the Federal system under which we are governed; the third enters in detail into the special relations which exist, under the British Parliamentary system, between the administration and the Parliament; and the fourth deals with the government and legislatures of the Provinces composing the Confederation.

The first lecture begins by describing the condition of the early settlements in New France prior to the conquest; he then refere to the second period in our history, lasting from the conquest to the passage of the Constitutional Act of