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THE DEVOLUTION OF ESTATES ACT.

At the last session of the Ontario Legislature an Act was passed (6 Edw. VII. c. 23) making sume further amendments to the Devolution of Estates Act, which Act, by c. 19, s. 18, of the same session, was not to come into force until proclamation by the Lieutenant-Governor-in-Council. On September 22 last a proclamation of His Honour, dated September 14, was published in the Ontario *Gazette*, bringing the amending Act into operation on September 15, 1906. The Act is therefore now in force.

We have on former occasions in these columns expressed regret at the way in which the Devolution of Estates Act has been amended, and have shewn that the original intention of the Act has been more or less frustrated or defeated by the various amendments.

The object of the principal Act may be briefly stated to be, to do away, as far as possible, with the distinction between the mode of devolution of real and personal estate, and to establish one method of devolution for both classes of assets. The method of the devolution of personal estate was apparently considered the proper method to adopt, because it appears more effectively to provide not only for the rights of mere voluntary beneficiaries, if one may so term heirs and next of kin and devisees and legatees, but also other beneficiaries for value, so to speak, viz.: the creditors of the deceased person. But ever since the Act originally passed there has been a constant struggle to evade this principle and to combine with that established by the principal Act the old principle of the devolution of real estate. Hence every successive amendment has had the effect of introducing a patch upon the old and worn-out garment, which was formally cast off when the original Act passed.