

Provinces except Quebec. Where the law is the same the smaller Provinces will have the benefit of its interpretation by the learned judiciary of Ontario. We presume we may be allowed to say this without disparagement to other judges. Referring to the Wills Act, the writer appositely remarks "that Mr. Meredith did good work for the profession when he prepared the Wills Act—one of the best pieces of Legislature we have on our Statute. We care not where he got the materials which served as the foundation of the enactment. It deals concisely and well with the subject. Why should we so nearly assimilate the devolution of realty and personalty as we do in this Province, and at the same time retain senseless and puzzling differences." No greater credit can be given to the framer of a law than that he has known to consolidate the different statutes of his country and to insert such parts of the laws of other countries as are admitted to be improvements upon his own. The Legislator ought to be acquainted with foreign laws and the circumstances under which those laws were enacted. We should not servilely copy any law, even if it be found in the English Statute Book, however strong a recommendation that may be. The writer in the Journal thus concludes his remarks:

"We adopted the Statute of Distributions as our rule as to the descent of personalty (22 & 23 C. II), and in 1851 we passed our Real Property Statute. By this means the descent of realty and that of personalty are brought very near the one to the other, but there remain distinctions difficult to bear in mind and not easy of explanation. The seventh section of the Statute of Distributions provides that there shall be no representation admitted among collaterals after brothers' and sisters' children. If the next of kin of the intestate should be nephews and neices, a child of a deceased nephew or niece will not be admitted to share in the distribution. If the deceased left realty the child of the deceased nephew would take his share. Then, again, in dealing with the law of contracts, why should we have one rule as to what is needed to bind in the case of personalty and another in the case of realty? No satisfactory reason can be assigned for that distinction, whilst much may be said against it."

These observations are partly applicable to the law of Quebec