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DIARY FOR JANUARY.

15. Thur..... Graduates seeking admission to Law Society to present papers.
17. Sat Last day for producing papers before admission as Solicitors.
18. Sun..... *2nd Sunday after Epiphany.*
20. Tues..... First Intermediate Examination.
22. Thur..... Second Intermediate Examination.
23. Fri..... Sir F. B. Head Lieut. Governor U. C., 1836.
25. Sun..... *3rd Sunday after Epiphany.*
27. Tues..... Solicitors' Examination.
28. Wed Barristers' Examination.
31. Sat Lord Elgin Governor-General, 1847.

TORONTO, JANUARY 15, 1885.

It would certainly be a very great convenience at Osgoode Hall if there were a telephone office upstairs. The constant necessity of going down to the entrance hall whenever one is "Wanted at the telephone," to use the familiar phrase of the despotic small boy whose summons one is so frequently called upon to obey, or whenever one wants to play the same trick on some one at the other end of the wires, is a great waste of time, strength and patience. Surely the funds of the Law Society could stand the expense of an office upstairs as well as one downstairs, and we certainly think any bencher who took the matter up would be a benefactor, not only of his own species, but also of the humble frequenters of the building, who have so long borne what otherwise one would be apt to call a most intolerable nuisance.

Those of our readers who are suffering from a plethora of brain matter may gain relief by trying to follow Lord Cairns in the windings of his "circular" arguments in the recent case of *Bowen v. Lewis*, 9

App. Cas., at p. 906. A testator devised his real estate to T. during the term of his natural life, and after his decease to his children, and if T. died without issue, then the question was, what estate did T. take under the will? Lord Cairns, after indicating his own view, observes that those who had arrived at a different conclusion to himself seemed to him to have done so by a process "very like the process of a circular argument." He then states the argument as follows:—

"The word 'estate' carries the fee simple, and therefore when you have the gift of an 'estate' to 'children' in this will, it must mean a gift to the children in fee simple; because it is a gift to the children in fee simple, *ergo*, the word 'children' cannot be a *nomen collectivum*, because the gift to the children is not a gift to them as a *nomen collectivum*; *ergo*, the gift over upon dying without issue must mean not generally dying without issue, but dying without the children mentioned before. Now, I might illustrate the fallacy of this by a circular argument in the opposite direction. If I begin at the other end you will have quite as good a circular argument backwards. Here is a gift over on death without issue. That means on the failure of issue generally. Therefore, when you go back and find that preceded by a gift to 'children,' in order to make the two consistent the word 'children' there must be a *nomen collectivum*, and must mean issue; and because you have a gift to children as a *nomen collectivum*, that is to issue, *ergo*, they cannot take as purchasers in fee simple, but must take an estate tail. It seems to me that the circular argument is just as good in the one direction as in the other, if you proceed upon the principle of putting a construction upon one clause without looking at the will as a whole."