

which has disappeared once for all into the pocket of the annuitant. The statement of the practice contained in "Seton on Judgments" is, "Where assets are deficient an annuity should be valued and abate proportionately, and the apportionment belongs to the annuitant absolutely." It would seem fairer to apply the amount of the valuation as long as it lasted in payment of the annuity in full, and to give the surplus, if any, to the other legatees; this would, at any rate, avoid the inconsistency of giving to the annuitant the capital value of the annuity, although he might die the next day. The same principle, however, applies in bankruptcy; though there is no doubt a distinction between the case of an annuitant who is in the position of a creditor and one who is a mere legatee. And it seems that the same course will be followed in the case of a determinable as in the case of an absolute annuity. Suppose, for instance, that the annuity is held subject to forfeiture on alienation, as happened in the case of *In re Sinclair*; the annuity fund will be payable to the annuitant, although on the valuation the contingency of forfeiture is disregarded, it being according to actuarial practice impossible to take it into calculation. There is an authority against this view as to annuities held subject to conditions in a case of *Carr v. Ingleby*, which is referred to in "Seton on Judgments," and which certainly seems more consistent with equity than the course adopted in *In re Sinclair*.—*Law Journal (London)*.

DIVORCE STATISTICS.

Nothing is so false as facts, except figures—thus the paradox; and judicial statistics are no exception—not less fallacious than other statistics. Take an instance. The latest volume of Judicial Statistics informs us that more divorce suits are commenced by husbands against their wives than by wives against their husbands. There were 353 suits in the year by husbands as against 220 by wives. "What!" says the unreflecting reader, "then it is the husbands who in most cases are the aggrieved parties; the wives who are the sinners." But the true inference is quite the other way. Wives do not seek divorce, not because they have not greater grievances than their husbands, but because they have more to lose, whether by a dissolution of the marriage or by a judicial separation, it matters not which. The break-up of the home is much more disastrous to the wife than