

RECENT ENGLISH DECISIONS.

once eloquently depicted the wrongs of brethren "below" in the matter of fees and emoluments, and their hard usage at the hands of invaders and plunderers of the profession. He now not only forgets his former wrongs (which are *still* the wrongs of those who are left behind), but assists in yet further curtailing their fees, or at least takes care that these are not increased—though the cost of living is doubled. When alterations in a tariff are proposed reasonable items are objected to, though very probably had the judge still been in the ranks he would have been foremost to urge their allowance; or when he could help the struggling practitioner in country places by taking a firm stand in the matter of appointing commissioners for taking affidavits, and in other ways, he practically plays into the hands of those he once looked upon as his worst enemies. We are glad to know that some of our most hard-working judges are exceptions; the profession know and appreciate their steadfastness, and wish that *their* salaries at least were twice as large. The moral is, let the judges do their duty by the profession and the latter will be more inclined to lend a hand towards obtaining proper salaries for the judiciary. One cannot be expected to feel very enthusiastic about another who stands by and sees one robbed. This view has probably not been brought prominently before their lordships, and it is therefore only fair to do so now, and to let them know that we have merely put in mild language that which is the common talk of numbers of thoughtful men in the profession who hold the judges responsible for much of the injustice which we are now suffering.

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The numbers of the "Law Reports," for December 1st, comprise 8 App. Cas., pp. 777-913; 11 Q. B. D., pp. 625-782; 8 P. D., pp. 205-229; 24 Ch. D., pp. 253-744.

WILL—"SPECIFIC LEGACY"—RESIDUARY BEQUEST.

In the first of these, the only case requiring special notice here, is *Robertson v. Broadbent*, p. 812. The House of Lords there decides that a bequest by a testator, after giving certain pecuniary legacies of "all my personal estate and effects of which I shall die possessed, and which shall not consist of money or securities for money" to R., followed by a bequest of the residue of his personal estate to trustees, amounted, in the words of Blackburn, J., to "one residuary bequest to two persons." In other words, they held that the bequest to R. was not a specific legacy, and was accordingly not exempt from the payment of the pecuniary legacies. The judgments afford the following carefully expressed definition of a specific legacy, given by Lord Selborne, L. C., and approved of by Lords Blackburn and Fitzgerald, that it is "something which a testator, identifying it by a sufficient description, and manifesting an intention that it should be enjoyed in the state and condition indicated by that description, separates in favour of a particular legatee, from the general mass of his personal estate."

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In the Queen's Bench cases, *Nottage v. Jackson*, at p. 627, raises the curious question of who is entitled to register as the "author of a photograph" within the meaning of the English Copyright Act. The conclusion come to by the full court, is that a firm of photographers who sent one of their employees to take a photograph, could not register themselves and claim a copyright as the authors. The