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BARGAINS WITH HEIRS AND EXPECTANTS.

Probably few lawyers will be disposed to controvert the statement that our Legislature in introducing changes in the law has displayed a disposition to adopt very generally, and commonly ipisissimis verbis, legislation which has been passed by Great Britain, and which has met with approval there. Examples of this are too numerous and too well-known to require enumeration.

No one will be inclined to cavil at this practice. On the contrary, all who realize the wisdom of the English legislation, and the vast amount of the best trained thought of which it is the outcome, will rejoice that our legislators have had the good judgment to pursue the course indicated, and thus make part of our own law the many admirable enactments that have had their birth in the older land.

That being the case, it is refreshing to find evidences that our legislators, while pursuing this general course, have not confined themselves simply to a slavish acceptance of the legislative changes that have been made in the common law by their English confreres, but have themselves applied intelligent and discriminating consideration to the English Acts before adopting them as the law of our Province. Possibly no better example of this is afforded than the legislation, English and Ontarian, upon the subject which forms the heading of this article.

All lawyers remember the doctrine and practice of the Court of Equity, prior to the special legislation upon the subject, with respect to dealings with reversioners, remaindermen, heirs and expectants, and persons entitled to future interests.

Such dealings were treated as falling under a distinct heading, as one of the well-recognized branches of the somewhat large subject constructive fraud, and the doctrine and practice of the Courts with regard thereto may be generally stated as follows:—