

such continuing corporation without further act or deed," etc. (a).

It is true that the peculiar form of expression under comment has apparently been universally accepted by the judiciary and the profession as being sufficient to effectuate its professed object, and the matter has always been treated as though an actual vesting of the legal estate in the beneficiaries took place at the period prescribed from the "shifting."

Whether this acceptance is warranted or not seems to be a question not free from very serious doubt.

It would be interesting to have it brought fairly before our Court of Appeal for decision.

Should the decision in such case be that the words were insufficient to effectuate their intended object (and it seems, in the writer's opinion to be extremely likely that it would be so), it is needless to point out the confusion worse confounded that would be thereby introduced into our real estate law.

III. Of the registration of belated cautions and the re-shifting of the legal estate from the beneficiaries to the personal representative.

1. Defective language of the Act in that connection.

By the expression "belated" cautions we mean those registered after the expiry of the period (one year or three years as the case may be) intervening between the death and the period of shifting of the legal estate.

The provision relating to the registration of these belated cautions was not found in the original Act, but was introduced by 56 Vict. c. 20, s. 2, and the effect of such registration was expressed in the following words, viz.: "Such caution shall have the same effect as a caution registered within twelve months

(a) The same ambiguous form of expression is found in sec. 18 of the Devolution of Estates Act, where it is provided that the personal representatives "shall be deemed to have as full power to sell and convey such real estate for the purpose not only of paying debts but also of distributing," etc.