

CORRESPONDENCE—FLOTSAM AND JETSAM.

would, for the most part, cease to be material.

5. It keeps alive the law of entail. The only useful (?) result of which is to serve as a sort of pit-fall for unwary conveyancers.

6. It leads to great and unreasonable trouble and expense, where a man, having contracted to sell lands, or being a trustee thereof, dies intestate without having conveyed, and leaving numerous heirs, or when such heirs are unknown or infants, &c. If lands devolved in the same way as personalty all these difficulties would be obviated.

7. It tends to keep alive the anomalous estates of dower and curtesy—I call them anomalous because they place the right of husband and wife—without there being any express contract—paramount to the claims of creditors; a principle wholly at variance, I conceive, with the fundamental rule with which we set out.

8. Then it gives rise to infinite trouble and expense in proving the intestacy and heirship of persons through whom a title is derived, and this trouble and expense frequently falls upon some unfortunate vendor, long after the event has happened, which he is called on to prove.

9. By reason of the silent operation of the law of descent of realty, *i.e.*, without the intervention of any formal act of the law, such as is the grant of administration to personalty, heirs-at-law are enabled to sell the land of an ancestor in fraud of his creditors.

I do not pretend to have exhausted the topic. I think, however, I have said enough to show that the difference in the law of succession involves serious and practical evils, which would be to a great extent, if not altogether, removed by assimilation.

G. S. H.

*Con. Stat. U. C., cap. 88, Sec. 24. —
Judgments—Limitations.*

TO THE EDITOR OF THE CANADA LAW JOURNAL.

DEAR SIR,—Would you kindly give me a little information on the subject of judgments?

C. S. U. C., cap. 88, sec. 24, is as follows: No action, &c., shall be brought to recover any sum of money secured by mortgage, judgment or lien, or otherwise charged upon, or payable out of land, &c., but within twenty years, &c.

At the time of the passing of this Act judgments were not a charge on land unless registered. Would this Act then have applied to any judgment not registered, or would such a judgment not have remained good after twenty years?

The late Ontario stat., 38 Vict., cap. 16, sec. 11, uses the same words. As judgments are not a charge on land, would this Act affect any judgment whatever?—Yours truly,

A LAW STUDENT.

[Perhaps some of the many enterprising students in Ontario will give their brother the benefit of their research in this matter.—Eds. L. J.]

FLOTSAM AND JETSAM.

THE EMPRESS OF INDIA.—The following is the much discussed proclamation on this subject. It may be interesting to inquire whether writs and documents in this Dominion should not run under the new title:

“VICTORIA R.

Whereas an Act has been passed in the present session of Parliament, entitled “An Act to enable Her Most Gracious Majesty to make an Addition to the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies,” which Act recites that, by the Act for the Union of Great Britain and Ireland, it was provided that after such Union the royal style and titles appertaining to the Imperial Crown of the United Kingdom and its dependencies, should be such as His Majesty by his royal proclamation under the Great Seal of the United Kingdom should be pleased to appoint: and which Act also recites that, by virtue of the said Act, and of a royal proclamation under the Great Seal, dated January 1, 1801, our present style and titles are “Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith;” and which Act also recites that, by the Act for the better government of India, it was enacted that the Government of India, theretofore invested in the East