We ventured to express an opinion in a former article, 8 C. L. J., N. S., 207, that, upon the construction of the 44th section of the Common Law Procedure Act, the courts of this Province would probably follow the decisions in the English Queen's Bench, particularly that of *Cherry* v. *Thompson*, in preference to those of the other courts. We notice that this has been done in *McGiverin* v. *James*: 33 U. C. Q. B. 203, where the Chief Justice observes: "I think we should follow the decision of *Cherry* v. *Thompson*, L. R. 7 Q. B., 573, as the most reasonable view to take of the intention of the Legislature in passing the Act, and as being in accordance with decided cases in our own Courts under similar provisions (*i. e.*, as touching the import of the words "cause of action")."

We happen to have by us a scrap cut from the *Law Times* which, though rather old in point of date, is not inappropriate to some few of the county judges on this side of the Atlantic. The superior courts here have occasionally had to remark upon the inconveniences and evils resulting from the practice which is objected to in the following:

"The Judge of the City of London Court is setting a very mischievous example to County Court Judges in refusing to state his reasons when his decision is to be appealed against. If it were likely to be followed we should take some pains to show the unfortunate effect which such a course is calculated to have upon the proceedings in the Court of Appeal. But apart from all questions of expediency, an inferior court declining to state the grounds of its decisions, seems to be a confession of timidity and incapacity. We trust that the observations of the Judge to the Admiralty Court will cause the learned Judge of the latter court to adopt the more convenient plan of delivering judgments."

Vice-Chancellor Bacon has given expression to the long-suffering endurance of judges condemned to ascertain the meaning of the language of testators who had no clear idea themselves of what they meant. In *Re Stevens' Trusts*, L. R. 15 Eq., 110, the judge observes, "this is one of those cases which certainly call, for the enactment of a code, or of some rule for the interpretation of expressions to be found in wills." Some of the older judges had a more summary way of solving the difficulties of testamentary cases. On one occasion counsel said to Sir Richard Arden, Lord Alvanley, when Master of the Rolls, that it was the duty of the court to find out the meaning of the testator. "My duty, sir, to find out his meaning!" exclaimed his Lordship. "Suppose the will had contained only these words, *Fustum fumidos tantaraboo.* Am I to find out the meaning of his gibberish?" But seriously it is much to be desired that some plan were hit upon by the legislature to compel people under penalty of being declared to die intestate, to display some evidence of rationality and intelligibility in the final disposition of their property, and also to lessen the chaos of conflicting decisions upon the interpretation of wills.

LAW SOCIETY—MICHAELMAS TERM, 1873.

The examination of students this Term has scarcely reached the average standard of proficiency—though many of them did very well. Of the eleven candidates who presented themselves for call, six were passed, none, however, receiving the number of marks (three-fourths) required for pass without oral, though the first on the list were very near it; that compliment, however, was paid to them in consideration of their having previously been admitted to practice as attorneys and solicitors. The following is the order in which they passed: R. C. Clute, M. D. Fraser, J. B. McArthur, N. F. Hagle, R. E. Kingsford, C. O. Ermatinger.

Of the attorneys, four passed without