

ACTS OF LAST SESSION.

of the statute is not confined to the mere act of getting over the border, the edge, of the property in question peaceably, but that, if an entry be made peaceably, and if, after entry made, and before actual and complete possession has been obtained, violence be used, towards the person who is in possession, that is criminal within the Statute of Rich. II.

SPECIAL COVENANT BY TENANT.

It is also held in this case, that (1) a covenant by the tenant of a public-house to purchase of his landlord all beer to be sold or consumed in or upon the premises is not broken by the tenant buying through an agent, without the knowledge of the landlord, beer made by the landlord; and (2) an *obiter dictum* is expressed, p. 207, that in the case of such a covenant, and in the absence of express stipulation, there is an implied obligation on the part of the landlord to supply the tenant with such kinds of beer as he requires, and if this obligation is not fulfilled the tenant is at liberty to buy the beer which he requires elsewhere.

There still remain several noticeable cases in the number of the L. R. 18 Chy. Div. which we have been reviewing, but space compels us to postpone any remarks upon them until our next number, as also upon the recent issues of our own reports,—46 Q. B., Nos. 4 & 5; 5 S. C. No. 2; and 6 App. R. Nos. 5, 6 & 7—now before us.

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IMPERIAL 44-45 VICT.

It is obviously unnecessary to review the recent English enactments with the same particularity as we reviewed those of this Province and of the Dominion in our numbers for September 1 and October 15, respectively. Still it can scarcely fail to be of interest, and it may be of considerable importance, to review the more important

measures of law reform passed by the Imperial parliament, the more especially as the wisdom of our legislature prompts it so often to avail itself of the ripe learning and wide experience of the lawyers and statesmen of the mother-country. As we observed on Oc 15, chaps. 1-22 of the volume of Imperial statutes now before us contain nothing in the nature of law reform, nor is it until chap. 41 is reached that special attention is called for.

Chap. 41 is entitled—"An Act for simplifying and improving the practice of Conveyancing; and for vesting in Trustees, Mortgagees, and others, various powers commonly conferred by provisions inserted in Settlements, Mortgages, Wills, and other instruments; and for amending in various particulars the Law of Property; and for other purposes:"—but as our contemporary, the *Law Journal* (Eng.) observes, brevity, alliteration and respect for its author claim it as "Cairns' Conveyancing Act." It is of considerable length, but the numerous articles, already published in our English contemporaries, greatly facilitate us in making such observations upon it as seem in place here. The *Law Times*, (Eng.) regards the Act very unfavourably, declaring that it is open to the criticism passed by Mr. Toots upon his distinguished friend, the Chicken, viz., that its expressions are coarse and its meaning obscure; and observes with amusing sarcasm—"If we were asked to take upon us the invidious task of pointing out the worst-drawn section in the Act, we should, humbly and with a deep sense of the difficulty of selection, yet with a modest confidence, lay our finger upon section 9;" while it also hazards the conjecture that sect. 14 "alone would suffice to provide the Chancery Division with work for years to come."

We shall notice here such of the provisions as seem of special interest in the light of our own conveyancing law, which are not indeed very numerous. The character of conveyancing in England where pro-