

C. P. *May, 11, 26.*
MARSHALL V. THE BISHOP OF EXETER AND ANOTHER.
Common Law Procedure Act 1852, secs. 80, and 81.

Sections 80 and 81 of the Common Law Procedure Act 1852, apply to pleadings in *Quare impedit*.

L. C. *June 1.*
CROUCH V. WALLER.
Separation deed—Public policy.

A deed of separation and a deed of settlement were executed in pursuance of an award. The former contained some provisions as to the custody of the children, contrary to public policy, and the master of the rolls being of opinion that both deeds constituted one transaction, held both void.

On appeal, *Held*, that though both sprung out of the same circumstances, and were executed in pursuance of the same award, the deed of settlement was independent and that an annuity under it was absolutely payable.

CHANCERY.

V. C. S. *June 4.*
IN RE GROVE'S TRUSTS.
Will—Construction—Gift of annuity for separate use.

A testator by his will requested his executors to invest in Government securities sufficient money in their names to produce £40 a year and pay the same quarterly, to A for her separate use, without power of anticipation.

Held, that A. was not entitled to have the corpus of the fund producing the annuity transferred to her.

V. C. *June 4.*
IN RE MARSDEN'S TRUSTS.
Power—Fraudulent execution—Married women.

Where a discretionary power given to a married woman to appoint among her children, is executed by appointing the whole to one, and there is evidence to prove that such appointment was made upon the arrangement that such child should hand over half the sum appointed to her father, and give him a life-interest in the remainder; such appointment is void as a fraud on the power, although the arrangement is never communicated to the appointee.

Where an appointment is valid on the face of it, if it can be proved that the exercise of the power is not an honest one, but tending to defeat the object, the Court will declare it to be void as a fraud upon the power.

Where an appointment is in fraud of a power, there is an important distinction between the case of defeating the objects of the power and those to take in failure of those objects.

REVIEW.

THE LOWER CANADA LAW ALMANAC FOR 1860. Compiled by George Fytroye, Advocate. Printed and published by authority, by John Lovell, Montreal. Price, 2s. 6d.

This appears to us to be a very useful compilation, and furnished at a moderate price. It is something similar to the Sheet Almanac which we issue yearly for Upper Canada.

The Law Almanac for Lower Canada is printed and published "by authority." What does this mean? It cannot mean that either Mr. Fytroye or Mr. Lovell require the permission of Government, the one to compile or the other to publish the Sheet Almanac. We are sufficiently rebellious to publish a Law Sheet Almanac for Upper Canada without any such permission.

We fancy the expression, "by authority," must have a different meaning. Is it that the Government aids with money the Lower Canada publication? If so, why the charge of 2s. 6d. per copy? We presume the Government has no desire to make a profit on such a purgatory enterprise.

We have heard that the Government aid the Lower Canada Law Reports, and it is not improbable that the Lower Canada Sheet Almanac receives some substantial crumbs of comfort. If this surmise be correct, we find no fault with the Government for its connexion with these legal publications. We think it the duty of Government to succor publications of the kind, but think also that kindred publications in Upper Canada should not be neglected.

It is admitted everywhere that the *U. C. Law Journal* has done more to extend the usefulness of local courts, than any other influence at work in Upper Canada, and yet we have never yet received one sixpence of Government aid.

THE ATLANTIC MONTHLY. Boston: Ticknor & Fields.

The number for February, just received, contains the following:—Counting and Measuring; My Last Love, A Shetland Shawl; Riba de Roma; The Amber Gods; The Poets' Friends; The Memorial of A. B.; Some Account of a Visionary; The Trace of Piscatagua; The Maroons of Jamaica; The Professor's Story; Mexico.

The article, "Counting and Measuring," is deservedly placed first in the number. It is both learned and interesting. Both counting and measuring are arts, and the gradual improvement of the arts, as the mind of man expanded, is beautifully described. This paper is evidently the production of a scholar. Of the light articles, we have perused "My Last Love" and "Some Account of a Visionary." Both are well written, and well worth reading. Other papers in the same number we have no doubt are as much so, but we have not had leisure to read them.

GODEY'S LADY'S BOOK. Philadelphia: Louis A. Godey.

In this, as in each number, our fair friends will find much to instruct—much to delight. Lessons are given both as to "the ornamental" and "useful."

APPOINTMENTS TO OFFICE, &C.

JUDGE.

JOHN BOYD, of the City of Toronto, Esquire, Barrister at Law, to be Junior Judge of the County Court, in and for the United Counties of York and Peel.—(Gazetted 17th December, 1859.)

REGISTRARS.

The Honorable GEORGE STRANGE BOLLTON, to be Registrar for the West Riding of Northumberland.—(Gazetted 10th December, 1859.)

JOHN M. GROVER, Esquire, to be Registrar for the East Riding of Northumberland.—(Gazetted 10th December, 1859.)

GEORGE C. WARD, Esquire, to be Registrar for the East Riding of Durham.

ROBERT ARMOUR, Esquire, to be Registrar for the West Riding of Durham.

JAMES BELL, Esquire, to be Registrar for the South Riding of Lanark.

ORMOND JONES, Esquire, to be Registrar for the North Riding of Lanark.—(Gazetted 10th December, 1859.)

CORONERS.

WILLIAM CREELMAN, Esquire, Associate Coroner for the City of Toronto.—(Gazetted 10th December, 1859.)

DANIEL YOUNG, Esquire, M. D., Associate Coroner, County of Hastings.—(Gazetted, 10th December, 1859.)

NOTARIES PUBLIC.

HUSON WILLIAM MUNRO MURRAY, of Toronto, Esquire, Barrister at Law, to be a Notary Public in Upper Canada.—(Gazetted 10th December, 1859.)

WILLIAM HENRY WILKINSON, of Napanee, Esquire, Attorney at Law, to be a Notary Public in Upper Canada.—(Gazetted 10th December, 1859.)

JOHN WILLIAM DUNKLEE, of Clifton, Esquire, to be a Notary Public in Upper Canada.—(Gazetted 17th December, 1859.)

JAMES R. COTTER, of Dunville, Esquire, to be a Public Notary in Upper Canada.—(Gazetted 31st December, 1859.)

TO CORRESPONDENTS.

PULL DUNS, H. PULTZ.—Under "Division Courts."

SECRETENS.—Under "General Correspondence."

STUDIOUS.—Required your name. No notice taken of anonymous communications.