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## DIARY FOR FEBRUARY.

3. Sun.....4th Sunday after Epiphany.
4. Mon.....Hiliary sittings of Com. Law Divisions, H. C. J. begins.
6. Wed.....Hagarty, C. J., C. P., sworn in, 1856.
9. Sat.....Queen Victoria married, 1840.
10. Sun.....Septuagesima Sunday.
11. Mon.....Lord Sydenham Gov.-Gen. of Canada, 1840. R. E. Caron, Lieut.-Gov. Quebec, 1824.

TORONTO, FEB. 1, 1884.

In the case of *McLachlan v. Usborne*, in which Ferguson, J., gave judgment on January 28th, a point was decided of much practical importance to trustees, viz., that the provisions of 40 Vict. c. 8, s. 30, relating to the appointment of new trustees, though it probably would not make valid an otherwise invalid appointment of trustees made prior to its passing, yet it does apply to the appointment of new trustees made by a retiring trustee, who is such under an instrument of prior date to the Act. We believe many appointments of trustees have been made throughout the country, and property has been dealt with in the faith that such is the proper application of 40 Vict. c. 8, s. 30. And the plaintiff in the present case, who acted on a contrary supposition, and paid off a mortgage to one M. as trustee, after M. had assumed to appoint two new trustees in her place under 40 Vict. c. 8, s. 30, refusing to recognize these new trustees as validly appointed, because M. was a trustee under an instrument of prior date to the statute, finds his mistake to his cost, inasmuch as he cannot obtain from the new trustees a discharge of the mortgage, which is held not satisfied as against them.

## DRUGGISTS.

A DRUGGIST, the Supreme Court of Louisiana says, means "one who sells drugs without compounding or preparing them: and so is a more limited term than apothecary." (*State v. Holmes*, 28 La. Ann. 765.)

A commission merchant, dealing principally in alcohol, is not a druggist, within the meaning of the Massachusetts' act, regulating the sale of alcohol by druggists. (*Mills v. Perkins*, 120 Mass. 41); and although whiskey may be sold by druggists in comparatively small quantities as medicine, and doubtless a great many people so take it, still it was held that fifty barrels of whiskey remaining in a bonded warehouse at the time of his death would not pass under the will of a wholesale and retail druggist bequeathing his stock of medical drugs, etc. The court considered fifty barrels of whiskey wholly disproportionate to the ordinary stock of medicine and drugs kept on hand by the testator—too much sack for the bread. (*Klock v. Burger*, 56 Md. 575.) One may be an apothecary or druggist although he does not actually compound his medicines. (*Haniline v. Commonwealth*, 13 Bush. 350.)

In the early days in England the grocers, or poticaries, who formed one of the trade guilds of London, united with their ordinary business the sale of such ointments, simples and medicinal compounds as were then in use. In the days of Henry VIII. the medical department of the grocers' trade being greatly increased shops were established for the exclusive sale of drugs and medicinal, and all kinds of chemical preparations. We have a graphic description of one of these apothecaries about the