What must undoubtedly be the law on the subject was expounded by Henry S. Foster, one of the lawyers interested. Mr. Foster says :—'In the first place, the law in this State is never to dissolve a marriage agreement when to do such would be against the public policy. Surely no one will contend that it would be good policy for the State to permit limited marriages. "Once married, always married" is a good maxim. If the contracting parties have assumed marital relations, they are man and wife, though the contract read "for a day." The only question is, to my mind : Did the parties assume, willingly and honestly, the positions of husband and wife toward each other? The limitation clause is simply null.'— *Omaha World-Herald.*

ONTARIO DECISIONS.

Negligence—Injury to buyer in shop—Invitation—Child of tender years—Accident—Active interference—Contributory negligence.

A woman went with a child two and a half years old to defendants' shop to buy clothing for both. While there, a mirror fell on the child and injured him.

Held, in an action for negligence, that it was a question for the jury whether the mirror fell without any active interference on the child's part or not; if it fell without such interference, that in itself was evidence of negligence; but if it fell by reason of such interference, the question for the jury would be whether the defendants were guilty of negligence in having the mirror so insecurely placed that it could be overturned by a child; and if that question were answered in the affirmative, the child, having come upon the defendants' premises by their invitation and for their benefit, would not be debarred from recovering by reason of his having directly brought the injury on himself.

Hughes v. *Macfie*, 2 H. and C. 744; *Mangan* v. *Atherton*, 4 H. and C. 388; and *Bailey* v. *Neal*, 5 Times L. R. 20, commented on and distinguished.

Semble, that the doctrine of contributory negligence is not applicable to a child of tender years.

Gardner v. *Grace*, 1 F. and F. 359, followed.

Semble, also, that if the mother was not taking reasonably proper care of the child at the time of the accident, her negligence in this respect would not prevent the recovery by the child.—*Sangster* v. *Eaton*, Queen's Bench division, March 3, 1894.