de l'article 322, qui ne distingue pas entre la filiation naturelle et la filiation légitime. V. notamment Toullier, II n° 899; Merlin, Répertoire, v° Légitimité, section II, n° 4; Proudhon II, p. 153; Loiseau, Enfants naturels, 41,528.

Mais aujourd'hui, l'unanimité des auteurs enseigne que l'art. 322 ne s'applique qu'à la filiation légitime. V. Laurent, IV, n° 18; Demolombe, V, n° 481; Zachariæ, III, p. 665, note 13; Duranton, V, n° 133; Aubry et Rau, VI, section 546, note 22.

Quant à la jurisprudence, elle est également unanime, ou à peu près, dans le sens de la négative. V. Bordeaux, 12 février 1838 (D.38.2.340); Cass. 13 février 1839 et 22 janvier 1840 (D.40.1.39 et 50); Cass. 22 février 1843 (D.43.1.127); Bordeaux, 10 avril 1843 (D. 43,2.152); Cass. 10 février 1847 (D.47.1.49); Bordeaux, 25 mai 1848 (D.48.2.170); Douai, 6 juin 1851 (D.52.2.221); Cass. 12 février 1868, et sur renvoi, Grenoble, 24 juin 1869 (D.68. 160 et 69.2.207); Cass. 9 juillet 1879 (J. du P. 80.577 et la note de M. Labbé).

Laurent (*loco citato*) indique, comme contraire à cette jurisprudence quasi-unanime, un arrêt de la Cour de Paris du 10 mai 1851; cette indication est sans doute une inadvertance de l'éminent jurisconsulte, car cet arrêt ne traite pas la question dont il s'agit D.53.2. 115). Il existe dans le même sens un arrêt d'Aix, du 30 mai 1866; mais il a été cassé par la Cour suprême le 12 février 1868 (V. cidessus). On cite, encore, à l'appui de la minorité des auteurs, deux arrêts d'appel, l'un de Rouen 19 décembre 1844 (D.45.2.97), et l'autre de Paris du 26 juillet 1849 (D.49.2. 220); mais ils n'ont pas trait à la question qui nous occupe. On peut donc considérer le principe proclamé par la Cour de Paris comme désormais indiscutable.

GENERAL NOTES.

Some difficulty was experienced at the Regina trials in making the Indian prisoners understand the legal terms in which their offences were set forth. The interpreter, according to the correspondent of a western paper, had a very imperfect knowledge of English, and some of his attempts to translate words in the indictment were ludicrous in the extreme. For instance, no term could be found to convey to the untutored mind the idea of the Queen's crown, which he was charged with conspiring against. This was explained to One Arrow as being "the Great Mother's big war bonnet with feathers in it."

General Booth's followers appear to have invented yet another mode of tormenting the long-suffering British householder. This consists in kneeling down upon the persecuted one's doorstep and vociferously praying for the salvation of his soul. Such a proceeding is surely aggravating enough to provoke the proverbial saint, but the subject of the prayers must not think he has a right to take the law into his own hands, however just his indignation may appear. In a Durham village last week a Salvationist knelt on an old woman's doorstep, and prayed loudly for her soul. The old woman retorted by pouring over him a bucket of water, but the Salvationist summoned her for assault, and the lady was fined half-a-crown. If praying on other people's doorsteps be legal, a new terror has most decidedly been added to existence.—*London Truth.*

Sensational Chancery Suit.—An interesting case will shortly engage the Court of Chancery. Sir C. S. G. Ward claims, by right of descent, the Bixley Hall estates, in Norfolk, said to be worth nearly half a million sterling. The Court of Chancery has long held possession of the estates and collected the rents, but the hall and park, which is of considerable extent, are practically in the possession of Sir Charles, though nominally held by the Court. The baronet has locked up the park gates, turned the tenants out of the hall, and cut down timber in the park, without meeting with any opposition. Messrs. Cox & Co., 41 Southampton Buildings, Holborn, London, are engaged in collecting information from the Chancery Records and elsewhere, and nothing is wanting to complete the case but one important document. This document is said to have been placed in a coffin by the late Lord Ward, and deposited in the family vault at Bixley. Application was made to the Home Secretary in the late Administration for permission to open the coffin; but owing to the immediate change of Government the matter dropped for the time. Sir C. S. G. Ward also claims the title of Lord Ward.—*Law Journal* (London).

We confess to a considerable amount of sympathy with the robust aversion, which Mr. Justice Day is in the habit of expressing, to the modern pleader's delicacy about alleging fraud. There can be no doubt that this reluctance to call a spade a spade has been the cause of a great deal of bad law, though it must also be admitted that the squeamishness of certain judges has contributed not a little to the result. Last week Mr. Justice Day had before him a case where a shareholder had taken shares in a company on the faith of a statement in the prospectus that the company had concluded various contracts for the sale of many thousands of the machines in which they dealt. The "contracts" were in fact mere undertakings to take a specified number of machines at such time and in such quantities as the purchasers might choose, and, as might have been expected, not a single machine had ever been sold under any one of them. 'Surely,' said the learned judge rather impartially at an early stage in the case, 'the issue here is, fraud or no fraud.' So we should have thought. A pleader in Lincoln's Inn, however, had not ventured to suggest anything stronger than 'misrepresentation,' while at the trial, until the judge's protest, nothing had even been heard of but 'unilateral mistake.' If the word fraud were used a little more boldly there might be a good deal less occasion for the use of it.—*Law Times*, London.