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THE MORAL RESPONSIBILITY OF CORPORATIONS.

In a recent issue of this journal (vol. 44, p. 781) a correspondent directed attention to a remark alleged to have fallen from a learned chief justice in an accident case against a railway company, to the effect that it was a dishonest act on the part of the company to set up as a defence the want of notice, required by statute. It may therefore be worth considering whether or not there is any moral liability on the part of corporations in such cases.

A corporation, it is needless to remind our readers, is a mere legal entity created by operation of law; it is not like an ordinary partnership, the shareholders who compose it are not the corporation, nor are the officers who direct its operation, the corporation, but it is a distinct entity of itself and, as has been truly said, "it has neither a body to be kicked nor a soul to be damned." A body such as this has no moral emotions of any kind. It is entirely destitute of any ethical principle. It is the product of a legal Frankenstein. People are apt to ascribe to corporations the feelings and emotions of sentient beings, but a corporation is a being created by law, having no powers, duties or obligations or attributes other than its creator sees fit and is able to endow it with. The law cannot endow a corporation with a moral sense nor with ethical attributes. A corporation may commit legal wrongs, but it cannot commit moral wrongs, because it is not a moral being, or capable either of morality or immorality any more than a log of wood can. When, therefore, it is said that a corporation is honest or dishonest it is like ascribing those qualities to a log of wood.

The law has brought into existence a legal entity without a soul, and beyond the rights, duties and obligations which the law imposes on it, it has none. From the very nature of its existence,