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## WIFE'S RIGHT TO INDEPENDENT ADVICE.

COX V. ADAMS—STUART V. BANK OF MONTREAL.

We have already called the attention of our readers more than once to the case of *Stuart v. Bank of Montreal* which, after some changes of fortune, has been finally decided in favour of the plaintiff by the court of last resort. It will be remembered that the majority of the judges of the Supreme Court reversed the finding of the trial judge in favour of the bank, on the ground that the case fell within the principle of the decision in *Cox v. Adams*, 35 S.C.R. 393, which they were bound to follow. The bank appealed to the Privy Council, and the appeal was argued in April last before the following members of the Judicial Committee: Lord Macnaghten, Lord Collins, Lord Shaw, and Sir Arthur Wilson. It was a battle of the giants, so far as the counsel appearing for the parties were concerned, the leader for the bank being Sir Robert Finlay, whose name will be long remembered by all loyal Canadians for his masterly presentation of their case in the Fisheries Arbitration, while the brunt of the contest on behalf of the respondent fell on the stalwart shoulders of Danckwerts, K.C., formerly of Cape Colony, but now one of the foremost gladiators in the wider arena of the English Bar.

The judgment was delivered by Lord Macnaghten, and when one has admired the crisp and clear-cut sentences in which that past-master, alike of the science of law and of the art of judicial exposition, has stated his reasons, what strikes one most forcibly is the cool, almost cavalier way in which their Lordships of the Privy Council brush aside the much canvassed decision of our Supreme Court in *Cox v. Adams*, the famous case which "added new terrors to the conduct of banking business." This case it