

manufacturers, the same principle applies here. A man has a right to take advantage of the character and reputation of a firm with which he has been connected, but if he uses the name he must do it in connexion with his own. The real question is whether the defendant has so used the names as to deceive the public. Persons knowing of the question would be affected by a foregone conclusion, and I, having several times passed the shop since the case was heard, was in that position. But the question was whether the heedless, incautious, unwary persons might not be deceived. I think that many persons might be misled, without saying that there was an intention to deceive, still what was done was calculated to mislead the public to suppose that the defendant's shop was the shop of the plaintiffs.' The point is by no means a new one, but we do not remember to have met with a case so readily to be understood and applied to the daily experience of both shopkeepers and their customers. — *Solicitors' Journal*.

### THE FRENCH LAW OF MARRIAGE.

A contract of marriage extraordinary was brought under the consideration of the Paris Court of First Instance, presided over by M. Benoît Champy a short time ago. A count and a countess, whose names are not given by the legal journals which report the case, refused their consent to the marriage of their daughter Helen with the man of her heart. She thereupon retired to a convent, from which she addressed to her parents those *actes respectueux*, which by the French code enable persons of full age to marry without the consent of father and mother, which is *prima facie* necessary. Thereupon the parents instituted a suit to stop the marriage on the ground that their daughter was insane, and the principal evidence produced in support of the allegation was that she had signed a contract of marriage in the following form:

#### "OUR MARRIAGE CONTRACT.

"Art. 1. Loving each other, and knowing each other well enough to be certain that one cannot be happy without the other, we join ourselves together to live for ever hereafter as good married people. She will be I and I shall be she, he will be I and I shall be he.

"Art. 2. *Charles*—I promise Helen to devote all my mind, all my strength, and my whole being to the purpose of maintaining her, and the children that she may give me, honestly and decently.

"Art. 3. *Helen*—I promise *Charles* to second him in keeping our household from want and difficulty; with that view I shall make economical habits a duty.

"Art. 4. *Charles*—I admit that I am sometimes hasty and violent. I hope to be excused from any sudden burst of anger.

"*Helen*—It will perhaps, be hard to endure, but the condition is acceded to.

"Art. 5. *Helen*—I must also be pardoned something. My temper is a little uneven, and I am greatly disposed to be jealous.

"—*Charles*—I will not mind caprices, if they are not too frequent. As to the other fault, I am disposed to rejoice at it rather than otherwise, for a jealous person is not likely to give cause for jealousy.

"Art. 6. *Charles and Helen*—We are persuaded that, between lovers, disputes and coolnesses almost always arise from petty causes. On this account we mutually promise never to follow our own desires in things of small importance, but always to give way to each other.

"*Helen*—In important matters it will be right that *Charles* should decide, for he has more knowledge and judgment than I.

"*Charles*—*Helen* is too modest. I shall never decide anything without consulting her, and either converting her to my views or adopting hers if I think them best.

"Art. 7. As a consequence of the last preceding article, each of us shall always be dressed according to the taste of the other.

"Art. 8. The words 'I will,' 'I expect,' 'I require,' and other similar expressions, are absolutely erased from our dictionary.

"Art. 9. *Charles* will honor his wife, that she may be honored by others. He will always exhibit towards her esteem and confidence, and will be especially careful never in her presence to allow any advantage over her to any other woman upon any point whatsoever.

"Art. 10. We shall ever bear in mind that want of cleanliness and attention to personal appearance must necessarily produce repugnance and disgust. Neatness is to the body what amiability is to the soul. It is that which pleases.

"Art. 11. *Helen*—The majority of women nurse their own children. I hope *Charles* will approve of my performing my duties as a mother.

"*Charles*—I approve—subject to the doctor's advice.

"Art. 12. *Charles*—*Helen* will take great care not to spoil our children's intellects in their early years. She must not talk or suffer others to talk to them, any of that nonsense which gives false ideas and dangerous impressions throughout life.

"*Helen*—I will pay great attention to this part.

"Art. 13. Although our mutual tenderness is a guarantee that we shall never fail in the engagements hereinbefore set forth, each of us will keep a copy of these presents, and in case of the breach of any article shall be entitled to lay it before the other party to remind him or her of the covenants entered into.

"Art. 14. Inasmuch as neither will have anything that does not belong to the other, there is no occasion to take any account of the contribution of each to the common stock. Affection and courage, our only fortune, cannot be counted, and each of us will endeavor to bring as much as possible.