

## The Legal News.

Vol. XIV. APRIL 25, 1891. No. 17.

Mr. Justice Stephen's farewell address is given on another page. It bears no impress of the mental infirmity which has been charged against him, and he himself emphatically denies that he is sensible of any incapacity for the discharge of his duties. But he yields to outside pressure because he feels it to be important not only that the duties of the office should be well discharged, but that there should be no question as to their being so discharged. Perhaps this is a case where a *congé* for a moderate period would have preserved a strong judge for additional years of useful service, for Sir James Stephen is far from the natural decline of life. He was born in 1829, and is therefore only 62 years of age. It is to be hoped that his eminent abilities may still be available for the benefit of his country.

The salaries of United States District judges have been raised by Congress to \$5,000 per annum. Even with this increase district judges in a large city like New York find themselves poorly paid in comparison with the judges of the State Courts, who receive salaries ranging from \$12,000 to \$17,500 a year.

The Bar of Manitoba held their first annual dinner last month, and we have received a copy of the very tastefully arranged bill of fare, with appropriate selections from the poets.

### NEW PUBLICATION.

CONSTITUTIONAL DOCUMENTS OF CANADA,

With Notes and Appendixes, by Wm. Houston, M.A., Librarian to the Ontario Legislature.—Toronto, Carswell & Co., publishers.

The convenience of this work is obvious. The aim of the compiler has been to bring together the documents which contain the constitution of the Dominion of Canada and illustrate its historical development. The

text of the documents has been verified by reference to authentic sources of information, and explanatory notes are appended. Among the principal documents set forth may be mentioned the Treaty of Utrecht, 1713, the Capitulation of Quebec and of Montreal, the Treaty of Paris, 1763, the Quebec Act, 1774, the Constitutional Act, 1791, the Union Act, 1840, and amending Acts of 1848, 1854 and 1859, the Confederation Act of 1867, Treaties relating to Canada, Boundaries of Canada and of the Provinces, etc. The papers comprised in this volume are indispensable to any one who wishes to become familiar with the history of his country, and Mr. Houston has performed a meritorious task in making them so easy of access. (\$3 in cloth; \$4 in half calf.)

### COUR DE CIRCUIT.

MALBAIE, juin 1888.

Coram GLOBENSKY, J.

LAJOIE V. CORP. DE LA MALBAIE.

*Chemin—Corporation—Pénalités.*

JUGÉ :—*Que sous l'empire de l'art. 793, C. M., une corporation peut être condamnée à plusieurs pénalités de \$20 pour négligence dans l'entretien de différents chemins de la paroisse, sans preuve qu'ils soient régis par des procès-verbaux ou règlements différents, et bien qu'il ne soit pas établi, que la défenderesse ait été informée du mauvais état dont on se plaint, ni mise en demeure de faire réparer tels chemins.*

J. S. Perrault pour le demandeur.

Chs. Angers pour la défenderesse.

(c. a.)

### COUR SUPÉRIEURE.

SAGUENAY, 20 février 1891.

Coram GAGNÉ, J.

J. S. PERRAULT V. M. CARON et DIVERS CRÉANCIERS, colloqués, et DLLE MARIE GAGNÉ, contestante.

*Douaire préfix—Hypothèque légale.*

JUGÉ :—1o. *Que le douaire préfix consistant en deniers est, à toutes fins réputé mobilier, et que la femme n'a pas d'hypothèque légale pour assurer le paiement d'un douaire préfix.*