

whether or not in the absence of that article the present appellant, under the laws of the Province of Quebec relating to marital power, could exercise in this country the right she had in her own country to sue as a *femme sole*. But admitting, for the sake of argument, that in such a case she would not be entitled to sue as a *femme sole*, it seems to me that by the enactment of article 14 recognizing (as it does as to the right to sue) the personal status of a foreigner to be the same in this country as in his own, the Legislature has at least declared that the laws of the Province concerning marital power as interpreted by the Court below, shall not apply to persons situated as the present appellant is. Therefore she can sue for the revindication of her property.

It seems to me that article 14 settles the point in favour of the appellant so clearly that I need scarcely refer to any other authorities. I shall, however, cite one in order to show that jurisprudence in France is in accord with the law as laid down in our code of procedure. See *Sirey* (Codes-Annotés, Art. 215, 1875.) "A foreign married woman in order to sue in France need not previously obtain her husband's authorisation, if in her own country such authorisation is not necessary." 16 Fév. 1844.

It is the result of the principle recognized by all authors that the necessity of an authorisation depends upon the personal status, 1 *Fœlix*, Dr. Int., p. 117, No. 65, et *Massé*, Dr. Com., t. 2, No. 63.

For these reasons I am of opinion that the judgment of the Court of Queen's Bench should be reversed, and the judgment of the Superior Court ordering an account to be rendered should be restored with costs.

RECENT DECISIONS AT QUEBEC.

Ship—Necessaries.—A ship having brought out a cargo of coal, the master, in order to enable her to take a cargo of wheat on her return voyage, employed the promoter as a ship-liner to fit her for that purpose.—*Held*, that such lining comes under the term "necessaries" in the Imperial Act, 26 Vict., c. 24, s. 10, § 10.—*The Glendevon* (Vice-Admiralty Court; McCord, Deputy Judge), 10 Q. L. R. 295.

Ship—Collision—Look-out—Fog-horn—Sailing Regulations.—A steamer proceeding at "easy" speed, on a thick and foggy night, ran down a schooner lying at anchor on a fishing ground. The latter had a bright light burning and a fog-horn blowing, and at sound of the steamer's whistle, some minutes before the collision, a flash-light or "flare-up" was exhibited, and muskets fired, which were heard on the steamer. *Held*, that the steamer must be condemned for not keeping a sufficient look-out, notwithstanding the schooner's infraction of the law in sounding a fog-horn instead of ringing a bell, it appearing that this had not contributed to the accident.—*Lohnes et al. v. SS. Barcelona* (Vice-Admiralty Court, Irvine, J.), 10 Q. L. R. 305.

RECENT ENGLISH DECISIONS.

False pretences.—On an indictment for obtaining goods by false pretences, the false pretence charged and proved being that the prisoner was daughter of a lady of the same name residing at a certain place, there being no evidence that the goods were not delivered to the prisoner before her name and address were asked for, *held*, that there was no sufficient evidence to sustain the indictment, it being essential on a prosecution for obtaining goods by false pretences to prove that the goods were delivered on the faith of the false pretence charged.—*Reg. v. Catherine Jones*; 50 L. T. Rep. [N.S.] 726.

GENERAL NOTES.

The *Central Law Journal* (St. Louis, Mo.) notes a peculiar specimen of indexing in the Ontario Statutes; but in the same issue of our esteemed contemporary is to be found the following index line: "*Valenti non fit injuria*." This rather startling doctrine is perhaps specially applicable in Missouri. Freely translated it may read that "a man well equipped with six shooters can walk about in safety."

A curious form of contempt of Parliament is before the Senate at Ottawa. One of the honourable senators (Mr. Alexander) has given notice, "that he will call the attention of the House to the fact of a Speaker's portrait having been placed in the corridors, calculated, from the enormity of its dimensions, and from its want of uniformity with those of all the former Speakers, to bring this branch of the Legislature into public derision."

We have received Vol. I No. 1 of the 'Montreal Law Reports,' published by the Gazette Printing Company, and edited by the editor of the *Montreal Legal News*, assisted by two learned advocates, one for the Superior Court series and the other for the Queen's Bench series. Nineteen cases in all are reported, some half of which are given in French and the rest in English. The reporting appears to be well and concisely done.—*Law Journal*, (London).