

CORRESPONDENCE—FLOTSAM AND JETSAM.

careful about following that decision until the decision of the V. C. was further dealt with by the Court of Appeal. This was proper enough, but one of the judges of the Queen's Bench, in a recent judgment of that court, was somewhat less cautious, I had almost said less courteous, in referring to the decision of our Court of Appeal. He refers to one of the resolutions laid down by the court, in that case, in these terms: "This resolution has, however, received a rude shock in the recent cases of *Pike v. Fitzgibbon*, L. R., 14 Ch. Div. 837, and *Flower v. Bullen*, 14 Ch. Div. 665, which have gone very far towards removing, if they have not altogether removed, the foundation upon which the *extraordinary construction* put upon the clause in question was built."

The decision in *Pike v. Fitzgibbon* has now been reversed by the unanimous decision of the Court of Appeal in England, consisting of James, Brett, and Cotton, L.JJ., holding that a married woman cannot, by her engagement, bind anything but separate estate to which she is entitled at the time when the engagement is entered into, thus affirming the decision in *Lawson v. Laidlaw*. Another portion of the same learned judge's judgment is open to criticism. It is to this effect. (45 U.C.R., p. 526). "This resolution still further proves how illusory the remedy at law would be, for the intelligent married woman would take care that the property with reference to which she might be supposed to have contracted would not wait to be charged with a judgment."

Did the learned judge never hear of an intelligent man, married or unmarried, disposing of his property without waiting for the execution, and a little inquiry might have satisfied him that the creditors might be equally powerless in equity. In *Robinson v. Pickering*, in which the same V. C. granted an injunction to prevent the trustees of a married woman from parting with the property till the action was heard. The Court of Appeal at once reversed the decision, holding that the general engagements of a married woman, contracted on the credit of her separate property, do not create any charge on that property, and that till the creditor has established his right by a judgment, he cannot prevent the married woman from dealing with her property.

ANOTHER BARRISTER.

FLOTSAM AND JETSAM.

THE LATE LORD BEACONSFIELD.

An overwhelming national calamity in the death of a great statesman dwarfs ordinary occurrences into insignificance. It is said that very early in his wonderful career the late Lord Beaconsfield was in the office of an attorney. We do not care to inquire into the accuracy of this statement, for it cannot be pretended that the law can claim any share in the formation of his character. Rather, if it be true, is it matter for congratulation that his exuberant genius so quickly escaped from the cramping operation of a lawyer's avocations, and the depressing influence of a lawyer's office upon the imagination. It is for us only to recognise in his death the loss of one whose oratory soared far above that of any judge or advocate of his generation, and who in the European Council, where the debate assumed the most difficult form of contentious proceedings, exercised in their highest perfection the art, the skill, and the tact which carry men to the highest pinnacle of forensic fame. To the deceased the Legal Profession owes a great deal as one of the most brilliant romance writers of the age, in whose works the tired pleader has found refreshment and relaxation, and the weary advocate reinvigorated his mind in the intervals of work in preparation for renewed efforts in the dusty arena of courts of justice. Sharing, as so many lawyers do, in the double contest of the Bar and the Senate, they appreciate most thoroughly the severe loss which the country and the world has sustained, and we feel sure that no body of men regrets more profoundly than the Legal Profession the disappearance of Lord Beaconsfield from the scene of his splendid triumphs.—*Law Times*.

In the general grief at the death of Lord Beaconsfield, lawyers will not forget that he entered upon the business of life as a lawyer. Like the rest of the early history of Mr. Disraeli, little is known, with certainty, of his career in the law, except that it was short. He is believed to have been articled to a solicitor in Old Jewry; but what was the name of his principal, and how he came to leave the law, is without even a tradition. His disciples in the legal profession may well have found internal evidence of an acquaintance with legal processes. Mr. Disraeli's statements of the law were always precise and singularly accurate: while he had a remarkable facility for taking in the effect of proposed legislation, however complicated. His appreciation of the legal bearings of political questions was sound; and his presence in the House of Commons at the time of the Bradlaugh incident would probably have saved the House from a ridiculous situation.—*Law Journal*.