

la poursuite, est insuffisant et ne satisfait pas aux exigences de la 27 et 28 Vict., ch. 43.—*O'Brien v. Caron*, en révision, Casault, Andrews, Larue, JJ., 30 nov. 1888.

Procédure—Compétence—Droit d'action—Art.

34 C. P. C.—*Enregistrement de déclaration de société—Succursale—Art. 1834 C. C.*

Jugé:—1o. La Cour Supérieure siégeant dans le district où une société commerciale a un établissement d'affaires ou succursale, est compétente à juger une action intentée contre cette société en recouvrement de l'amende imposée par le ch. 65, S. R. B. C.

2. Toute société commerciale est tenue de remettre au protonotaire du district et au registraire du comté où elle a une succursale, la déclaration mentionnée à l'art. 1834, C. C., à peine de l'amende imposée pour défaut en pareil cas.—*Larue v. Patterson et al.*, C. S., Larue, J., 5 déc. 1888.

Obligation nulle—Qui peut l'attaquer—Femme mariée—Considération illégale—Faits censés admis—Art. 144, C. P. C.

Jugé:—1o. Un créancier peut attaquer une collocation qui repose sur un titre antérieur au sien, lorsque la nullité dont il est entaché est absolue et d'ordre public;

2o. Le créancier d'une obligation souscrite par une femme mariée et qui est attaquée pour défaut de considération et comme ayant été consentie pour une dette du mari, doit établir que l'acte est fondé sur une considération propre à la femme, surtout s'il se présente, comme dans l'espèce, des circonstances de nature à faire douter de son existence;

3o. Tout fait qui n'est pas spécialement nié dans les plaidoiries des parties est censé admis. Art. 144, C. P. C.—*La Banque Union & Gagnon et al.* en appel, Tessier, Cross, Church, Bossé, Doherty, JJ., 6 déc. 1888.

*LAW FOR LADIES.**

If a man out West wishes to keep his wife, he must not play practical jokes upon her, nor treat her ailments, whether real or imaginary, with derision, deception, or contempt. If he does so she may get a divorce from him in Illinois and leave him. The

judges out in that State are (in some respects) the *crème de la crème* of politeness—veritable Admirable Crichtons. They hold that the perpetration of a practical joke shows one to be “a coarse man;” “no one of any refined sensibilities will ever practise a practical joke upon, or relate one concerning his friend.” The sentiment is that of one of the Illinois judges. The italics are ours, and lead us to remark,

“Alas for the rarity
Of refined sensibility
“Under the sun!”

But about the couple that forms the subject of our present discourse, Mr. and Mrs. Sharp. Mr. Sharp complained often of Mrs. Sharp's medical expenses; he said he didn't “believe in paying doctor's bills,” and that she “ought to die and go to heaven.” The Court didn't like these expressions of his. (Will the learned editress of the *Chicago Legal News* tell us why? Was the judge an unbeliever in the pleasures and delights of heaven? Did he think that no doctor presents his bill in heaven? However, to proceed.) The Court went on: “On one occasion when she had the neuralgia, she wanted the ‘extract of lettuce.’ He (Sharp) took an empty bottle and pretended to get it for her, and instead of doing so he filled the bottle with foul water taken from a tub outside the house. After she had used it, he said she expressed herself as much benefited by its use. He then told her it was not the ‘extract of lettuce’ at all, but that it was a vile liquid. The excuse given for the deceit does not relieve the defendant (Sharp) from the severest censure. The least that can be said of it is, it was a ‘practical joke,’ the perpetration of which shows he is a coarse man. No matter what his motive may have been, his wife had serious grounds for complaint on account of the deception practised upon her. It was very unkind, to say the least of it.” (We would add, “it was sharp practice, too.”) She got a divorce for this and sundry other ills of his. By the way, what would this learned judge say of medical men and their pills of bread and draughts of sugar and water? (*Sharp v. Sharp*, 116 Ill. 509.)

“Silence is golden,” say the Persians. “If a word be worth a shekel, silence is worth a

* Mr. R. V. Rogers in Canada Law Journal.