

the *London Gazette* of the 8th instant, in which the rank of these functionaries is defined as follows:—"Know ye, therefore, that in the exercise of Our Royal Prerogative, We do hereby declare Our Royal will and pleasure that in all times hereafter the Judges of County Courts in England and Wales shall be called, known, and addressed by the style and title of 'His Honour' prefixed to the word 'Judge' before their respective names, and shall have Rank and Precedence next after Knights Bachelors."

#### EXHIBITION OF PORTRAIT.

In the case of *Dumas v. Jacquet* the First Chamber of the Civil Tribunal of Paris, by a judgment delivered June 21, enjoined the public exhibition of a picture in which the artist had represented Alexandre Dumas, the novelist, as a "Marchand Juif." The following is the judgment as published in the *Law Journal* (London):—

"Seeing that it is not denied, and that it follows otherwise from the documents in the cause, that Jacquet yielded to a feeling of personal resentment when, in February, 1882, he sent to the exhibition of Water Colour Painters, and publicly exhibited in the galleries of Georges Petit, under the title 'Marchand Juif,' a picture which represented Alexandre Dumas habited in a caftan and keeping a bazaar; that Alexandre Dumas would have been entitled to bring an action even had the defendant reproduced his features without any malicious intention and simply because his authority had not been obtained; that still more his claim is well founded when the artist has manifestly given way to a feeling of disparagement with the object of attacking his reputation;

"Seeing that in these circumstances Jacquet ought to be forbidden to exhibit publicly the picture in question in any manner whatever;

"That this injunction is sufficient, so far, to preserve the rights of the plaintiff without ordering at the present moment, as Alexandre Dumas claims, the destruction of the picture, or granting the other prayers and conclusions of the claim;

"The tribunal forbids Jacquet and his agents to send for public exhibition the

'Marchand Juif' in any manner whatever, and to allow it to appear at a sale or public exhibition under any title whatever, reserving to Alexandre Dumas his rights and remedies in case the injunction is contravened. It declares, besides, that the plaintiff's not well sustained in the rest of his prayer requiring in particular the insertion of the judgment in twenty newspapers."

The same Court some time ago gave judgment in *Duwerdy v. Zola*, enjoining a novelist from giving to a character in a novel the name of a real person.

#### NOTES OF CASES.

##### COURT OF QUEEN'S BENCH.

MONTREAL, May 27, 1884.

*Before* DORION, C. J., MONK, RAMSAY, CROSS, BABY, JJ.

BOISSEAU et al. (defts. below), Appellants, and THIBAUDEAU et al. (plffs. below), Respondents.

*Payments made in fraud of creditors—C. C. 1036—Knowledge of insolvency.*

*A creditor who alleges that his debtor while insolvent has made payments to another creditor knowing his insolvency, has a right under C. C. 1036, to sue the latter in his own name, and to ask that such sums be paid into Court for the benefit of the creditors according to their respective rights. The relation of the parties and other facts established in the present case, proved the creditor's knowledge of the debtor's insolvency.*

The respondents who were creditors to an amount exceeding \$4,000 of an insolvent firm of Chaput & Massé, complained that Boisseau & Frère (the appellants) had received from Chaput & Massé a sum of \$3,824 while the latter were insolvent, and the object of the action was to have Boisseau & Frère ordered to pay this money into court for the benefit of Chaput & Massé's creditors generally.

The appellants demurred to the action, on the ground that the respondents were not entitled to come into court individually and (without alleging any transfer to themselves of the rights of the other creditors, or any authorization by the creditors) claim to have