of weight, if the company chose to allow a passenger to carry more, they would be liable." And in *Marcrow* v. *Railway Co.*, *supra*, Cockburn, C.J., said: "If the carrier permits the passenger, either on payment or without payment of an extra charge, to take more than the regulated quantity of luggage, or knowingly permits him to take personal luggage articles that would not come under that denomination, he will be liable for their loss, though not arising from his negligence." In *Sloman* v. *Railway Co.*, 6 Hun. 546, Gilbert, J., after stating and citing authorities to sustain the proposition that railroad companies are not liable for the merchandise delivered to them under the guise of baggage for transportation along with a passenger, said: "They are liable if they knowingly undertake to transport merchandise in trunks or boxes, which have been received by them for transportation, in passenger trains, unless the agent who receives the packages for that purpose violates a regulation of the company by so doing, and the passenger or owner of the goods has notice of such regulations;" citing *Butler* v. *Railroad Co.*, 3 E. D. Smith, 571, and other cases. See, also, 2 Wait, Act. & Def. 82. "Doubtless," said Mitchell, J., "if the carrier had actual notice of the nature of the property, and still received it as baggage, he would be liable." *Haines* v. *Railway Co.*, 29 Minn. 161, 12 N. W. Rep. 447. So, in *Railway Co.* v. *Capps*, 16 Amer. & Eng. R. Cas. 118, it was held that where a railroad company, through its baggage or ticket agent, receives articles for transportation as baggage, knowing at the time that such articles are not properly baggage, the company will be responsible therefor as a common carrier, and will be estopped from denying that the same was baggage. *Railroad Co.* v. *Conklin* (Kan.), 3 Pac. Rep. 762; *Minter* v. *Railroad Co.*, 41 Mo. 503. *Hoeger* v. *Railway Co.*, 63 Wis. 100, 23 N.W. Rep. 435.—*Central Law Journal.*

Correspondence.

HUSBAND AND WIFE.

To the Editor of THE CANADA LAW JOURNAL:

SIR,—Is *Re Parsons, Jones* v. *Kelland*, 14 Ont. P.R. 144, an authority that the husband, by renouncing his right to administration of the personal estate of his deceased wife, takes no interest in such estate, or that the money in court to secure dower was realty at the death of the wife, so that there being no issue the husband took no interest or estate by the curtesy, and became personalty on the death of the doweress for the purposes of distribution among the next of kin of the wife?

LAW STUDENT.

London, July 23rd, 1891.

[We are always delighted to afford the junior members of the profession any assistance in our power; but when students seek to pose us with questions, they should be careful to remember that the first duty of a lawyer is to acquire the