

the conditions on which that public service shall be performed by private enterprise are not yet entirely settled." The opinion of the Court, therefore, seemed to incline strongly to the rule that where there has been negligence on the part of the carrier, no stipulation will shield him.

FRAUDS IN BANKRUPTCY.

A recent issue of THE LEGAL NEWS contained among the notes of decisions no fewer than three cases of fraud under the Insolvent Act, disposed of by the Superior Court at Montreal in a single day. Marvellous are the variety and ingenuity of this class of frauds, and nothing but a very firm mode of dealing with them on the part of the Courts will check them. The law itself does not provide sufficient means of reaching and punishing offenders. We find a very similar state of things existing in the United States, and there, as in Canada, the result is an outcry against the law under which the frauds complained of are practised. The *Albany Law Journal* refers to a case before Judge Wallace, in which the Judge strongly animadverted upon a kind of transaction common enough in bankruptcy matters, and regretted the inability of the Court to interfere with it. A bankrupt firm, apprehending insolvency, began paying favored creditors and themselves out of the partnership assets. Then, being unable to compromise with their creditors, they made an assignment to a friend, and shortly after procured a petition in bankruptcy to be filed against them, and then took proceedings for a composition. The bankrupts all the time kept possession of the firm property under one pretext or another. The attorney who managed the proceedings for the bankrupts represented most of the creditors, and no step was taken to protect the latter. Judge Wallace remarked: "It shocks the moral sense to assist this dishonest scheme by judicial action," and he regretted "that the bankrupt law permits just such schemes as this." Our contemporary thereon observes: "We are glad to record this judicial protest against the bankrupt law, and hope it will encourage those striving in Congress to procure its repeal."

BREACH OF PROMISE SUITS.

Some years ago, in a somewhat celebrated case at Montreal, *Grange v. Benning*, in which damages were sought to be recovered for breach of promise of marriage, the counsel for the defence, Mr. Girouard, raised the point that such actions offended against public morality and should not be sanctioned by the law. We notice that in England it is proposed at the present time to abolish by legislation such actions, and the *Law Times* remarks that the movement "will recommend itself to the common sense of mankind." Although the intention of the law in allowing suits for breach of promise is good, one can hardly read the reports of the cases as they appear in the English papers, without perceiving that these actions frequently serve designing women as the means of extorting money, and that those who most readily resort to them are too often of the number who least deserve the protection which the law was intended to afford.

INJURIES RESULTING IN DEATH.

Since the remarks at page 110 were written, the Court of Appeals at Quebec has decided the case of *The Grand Trunk Railway Company & Ruel*, noted in the present issue, in which the same principle was applied.

THE PARLIAMENTS OF FRANCE.

[Continued from page 114.]

No uniform law prevailed throughout France. A man passed from one system of jurisprudence to another, as he journeyed from province to province—from Normandy to Brittany, from Provence to Dauphine. The territorial jurisdiction of the Parliament of Paris, though large, was by no means over the largest part of the kingdom. Courts, similar in constitution and power to that of Paris, were subsequently established in various parts of France, until there were thirteen separate parliaments, besides several superior courts possessing similar powers. Each parliament was supreme within its own territory. That of Paris was superior only in age, dignity, and influence; but no appeal lay to it from the co-ordinate bodies.