

to believe that whenever the want of notice is set up by a corporation, a dishonest act is being perpetrated on its behalf.

This, we think, is an unfortunate state of things, because it is an imputation of dishonesty against the agents of a corporation in setting up such a defence, as well as against the legislature of the province which enables such defences to be raised.

WIFE'S RIGHT TO INDEPENDENT ADVICE.

COX V. ADAMS—STUART V. BANK OF MONTREAL.

Four years ago legal and financial circles in this province were somewhat disturbed by the judgment of the Supreme Court in *Cox v. Adams*, 35 S.C.R. 393, in which the majority of that court, over-ruling a decision of the Chief Justice of the King's Bench which had been affirmed by the unanimous judgment of the full Bench of the Court of Appeal, relieved a wife from liability on a note signed by her as security for her husband on the ground, as stated in the head-note of the case, that she was "subject to influence" by her husband "and entitled to independent advice." There is no doubt that this decision, to quote an expression used by the trial judge, "added new terrors to the conduct of the banking business," but bankers were reminded by Mr. Justice Girouard in his learned and elaborate judgment that it was no part of the court's duty "to find out what would be the most beneficial to banks and money-lenders," and that "the same banks which deal in Ontario find it profitable to have offices in the Province of Quebec where the law is far more sweeping."

It is, of course, well known with what stringent and far-reaching safeguards the law of Quebec has protected the property of married women, but there can be no doubt that much surprise was felt by lawyers in this province at a decision which seemed to deprive a wife of no small portion of that freedom of contract which she is supposed to have acquired by legislative enactment. A careful perusal of the majority judgments, however, led some to doubt whether after all they went so far as to