

in the family circle. See section 12, here repeated verbatim.

"It shall nevertheless be lawful for any party who has effected an insurance or who has appropriated a policy of insurance for the benefit of a wife or of a wife and child or children, or of a child or children only as hereinabove provided, at any time and from time to time thereafter, to revoke the benefit conferred by such insurance or appropriation, either as to one or more or as to all of the persons intended to be benefited; and to declare in the revocation that the policy shall be for the benefit only of the persons not excluded by the revocation or for the benefit of such persons not excluded jointly with another or others or entirely for the benefit of another or others not originally named or benefited. Such other or others must be a person or persons for whose benefit an insurance may be effected or appropriated under the provisions of this Act."

When the policy is for the benefit of wife and children generally, without any apportionment having been made by the insured, the apportionment is provided for by section 9, which reads as follows:

"When no apportionment is made, the parties interested shall share the insurance money as follows: if for the benefit of a wife and the children issue of her marriage with the person whose life is insured, one half for her and the other half for their children, who will subdivide equally;—if for the benefit of a wife and her children, one half for the wife and the other half for her children (whether issue of the same or of different marriages), who will sub-divide equally;—if for the benefit of a wife and her husband's children, one half for the wife and the other half for the children of her husband (whether issue of the same or of different marriages), who will sub-divide equally; if for the benefit of a wife and her husband's and her own children, one half for the wife and the other half for his children and for her children, (whether issue of their or of other marriages), such children sub-dividing equally; if for the benefit of a wife and one or more children specified by name, one half for the wife and the other half for such child, or for such children, who will sub-divide equally;—if for the benefit of children only generally, equally between the children of the parent whose life was insured (whether issue of the same or different marriages); and if for the benefit of several children specified by name, equally between them."

In the event of all the beneficiaries predeceasing the insured, the policy reverts to himself absolutely, and may be dealt with as if the insurance had been effected, and had been always held for his own benefit. Section 28 provides that if it shall be proved that all or any of the premiums were paid at a time when the person whose life has been insured was insolvent, in fraud of the rights of creditors, such creditors shall be entitled to recover and receive out of the insurance money an amount equal to the premiums so paid. Section 29 provides that nothing contained in the present Act shall affect insurances made in favor of or transferred to any wife under her marriage contract.

We have further deemed it advisable to examine the laws at present in existence in Ontario relative to such insurances, and we find them to be so essentially the same that the foregoing remarks

may apply equally thereto; but there are a few points of divergency which it may be well to notice cursorily. The first is, that in the Ontario statutes there is no definite provision for endowment policies (payable during insured's life time) coming within the scope of this law. Secondly, under the Ontario laws the insurance may be paid for by a single premium, which, we are of opinion, gives too much latitude for fraud against creditors in the case of persons on the verge of bankruptcy. The Quebec Act, it will be remembered, requires the premiums to extend over a period of not less than ten years. Thirdly, in Ontario, when there is no apportionment made by the insured, all parties interested share equally. Lastly, the Ontario laws do not preclude attachment of the insurance money in the hands of the Company for the claims of creditors of the beneficiaries.

So far as we can learn there are no such Acts in operation in the Lower Provinces, and, if this is the case, we may be excused for throwing out the suggestion that it might be well for them to follow the good example of Ontario and Quebec.

THE QUEBEC SHIP BUILDERS.

The *Globe* has, we think, failed to appreciate the justice of the complaints of the Quebec ship builders with reference to the duty on ships in France. That duty is, we believe, differential against Canada, and as we impose no differential duties on French cottons, woollens and silks we may with justice remonstrate against the imposition of differential duties against our industries. The national policy question has no bearing on this case. If France deems it to be her interest to impose a duty on all ships with a view to encourage home industry, we admit that the *Globe's* argument would be sound, and that the supporters of the national policy would be precluded from remonstrating against such duties. What Canada has a right to claim is that she should be placed on the footing of the most favored nation, and unless she is so placed it may become a question whether it would not be advisable to place countervailing duties on French goods imported into the Dominion. In the meantime we can discover no inconsistency in our Finance Minister remonstrating against the duties of which the Quebec ship builders have justly complained.

THE FISHERY QUESTION.

The Newfoundland correspondent of the *Montreal Gazette* has discovered a most important circular letter addressed by Secretary Marcy to the collectors of

customs in the United States, which seems to have been either unknown to the English Foreign Office or to have been forgotten. It is a crushing answer to the recent despatch of Secretary Evarts. Secretary Marcy not only recognizes in the fullest manner the right of the Colonial Legislatures to make laws for the protection of the fisheries, to which the inhabitants of the colonies will be subject equally with foreigners enjoying fishery privileges under the treaty, but he points out the necessity that exists for legislation on the subject. We confess that we are curious to learn what our contemporaries in the United States who have been airing the Newfoundland grievance, and adducing it as a sufficient ground for withholding payment of an award of \$5,500,000, when the injury sustained was the destruction of an old rotten cod seine, will have to say to Secretary Marcy's circular.

THE QUESTION OF THE HOUR.

No. 2.

Until quite recently we had ventured to hope that the Quebec crisis of March, 1878, would be remembered chiefly as a warning to Ministers, both of the Dominion and of the various Provinces, that the Governors are not mere cyphers, but an important element in our Constitution. We very much regret the revival of the controversy on the subject, which has been caused by a demand, as well from the leading organs of the Conservative party as from influential politicians in the Province of Quebec, for the removal of the Lieutenant-Governor, a proceeding against which we have ventured to record our protest. We have never discussed the question in a party spirit, and, although motives have been attributed to the writer of having been influenced by personal friendship towards a member of the present Quebec Government, we must remind those who ascribe such motives that we have never written anything to justify *La Minerve's* expression,—"entourer de sa protection M.M. Letellier, Joly and Starnes." We have not professed to be supporters or opponents of the Quebec Administration, and shall have no hesitation in criticizing their acts, if we find cause to do so. *La Minerve* may be unable to comprehend the difference between maintaining the constitutionality of a specific act of the Lieutenant-Governor, and supporting the party which profited by that act. We have never diverged a hair's breadth from our original position, which was that the dismissal of the De Boucherville, Government, under the circumstances, was strictly constitutional. In ar-