

therefore is not unimportant to life insurance companies. But the proportion of such cases to the volume of business done is so small, that the adverse decision here referred to can hardly have an appreciable effect upon the prosperity of insurance corporations.

#### STAMPING NOTES.

The collection of revenue by requiring bills and notes to be stamped is attended by the inconvenience of sometimes involving innocent holders in heavy loss. There may be no intention to do wrong, yet the penalties of the law may be incurred by an oversight or by ignorance of the forms enjoined. A contemporary calls attention to a case which came before the Court of Common Pleas of Ontario, in which a bank suffered a considerable loss through an irregularity in stamping some customers' paper, whereby an endorser was held to be released. In the case referred to, the note endorsed, but not filled in, was handed by the customers to the bank's agent, who some time afterwards filled it in for the amount of the customers' indebtedness and affixed double stamps, which were then cancelled with the date at which the note was thus completed. The note, however, bore date the day it had first been deposited in the bank, and the Court of Common Pleas held that the bank could not recover against the endorser. It were much to be desired that the necessary revenue could be collected by some method not so perilous to those who innocently go astray; but under present circumstances it is well that persons who have to do with bills and notes should be well-informed and careful to observe the forms enjoined by law.

#### THE PARLIAMENTS OF FRANCE.

[American Law Review.]

The lawyer who seeks in his studies something besides authorities to be cited before the court *in banc*; who takes a wider interest in the history of jurisprudence than as it illustrates the growth of the doctrine of uses and trusts or the development of the law of bailments; who thinks that the influence of lawyers in the political history of Europe is as important as the law of mortmain or the rule in Shelley's case,—must have his interest ex-

cited by the very different political and social development of the courts of France and England. That the jurisprudence of France was based upon the Roman law, modified by a strange and confused compound of local customs, while English jurisprudence had its origin in the common law of some of the German tribes, is not the most marked distinction between the judicial systems of those great and neighboring nations.

The English courts have administered a uniform system of law throughout the kingdom; their judges have been taken from members of the profession, of whatever original social rank, who had acquired prominence in the practice of the law. No Englishman has been "swaddled and rocked and dandled" into a judge. English, like American, lawyers have been active in the political affairs of their country. The English courts have often done great work for the restraint of tyranny, for the development of good government. Some of their decisions are among the landmarks of triumphing liberty. But the courts have held no political power. Only incidentally have they been brought into contact with the political side of the government.

In all this the history of France was far different. There, separate courts administered different systems of law. The judges became a caste, transmitting or selling the succession to the ermine as a part of their estate. Their political power grew to overshadow their judicial duties in importance. The highest court at times endeavoured to seize the reins of government, and, if guided by more wisdom, might have become a check on the power of the king, which would have changed the nature of the French monarchy.

The origin of the French Parliaments is partly lost in the obscurity of antiquity. It can, however, be traced vaguely.

The extensive powers of the feudal nobility in France included judicial authority; and most disputed questions in the early feudal period came before the Lords' Courts for decision. The right of *basse, moyenne, et haute justice* over his serfs and villeins was as precious to the seigneur as his right to take part of their fruits and crops, his right to confiscate their property when they left his territory, his right to aid when his son was knighted or his