

mortgagee should have no right of action against the person by whom his property was thus disposed of.

But if, on the other hand, that meeting of the creditors was called which the act expressly enjoins, (and nothing was alleged to the contrary either in the pleadings or upon the argument,) but the mortgagee, who, for all that appears, was unquestionably a creditor of the insolvent, refused to come in and prove his claim with the rest, it is a very great and unreasonable hardship for the assignee to be subjected to the inconvenience and expense of a suit at law, for acts within the scope of his legal authority, and even in the discharge of a duty imposed upon him by Statute, and executed according to his best skill and judgment.

ROYAL MARRIAGE ACTS.

We follow the example of a legal cotemporary in England in referring to the legislation which affects the approaching marriage of the Princess Louise to the Marquis of Lorne. It may be that it is not a matter which touches us very closely, but we are glad to feel that the time has not yet come when we can look with indifference upon a ceremony which, though it is to take place so many thousand miles away, is still of much significance in itself and of interest to the subjects of a hereditary limited monarchy.

Much has been said and written about the evils of the law, which, as is generally supposed, has prevented a member of the royal family from marrying a subject, but there is much misapprehension as to the effect of the statutes on the point; nor can it be denied that the practice which has prevailed for so many years has some points to recommend it, although productive of some evil; and it may truly be said that in nothing except in the sound of the title is the English nobleman inferior to the petty German princes who have been taken as husbands for the princesses of England.

But we must not wander from the point. The English *Law Journal* gives the following sketch of the legislation affecting Royal Marriages:—

“It was not till the reign of Henry VI. that any legislation took place with the view of controlling marriages contracted by members of the royal family; but the occasion of the marriage of Katherine, mother of Henry VI., with Owen Tudor, a private gentleman, the statute 6 Henry

VI. was passed. That statute prohibited the marriage of a Queen Dowager without the consent of the King for the time being, the reason quaintly assigned being ‘because the disparagement of the Queen shall give greater comfort and example to other ladies of estate who are of the blood royal more lightly to disparage themselves.’ In the reign of Henry VIII., when kings’ wives ‘began to multiply on the face of the earth,’ Parliament took upon itself to control, to some extent, the marriages of some members of the royal family. The statute 28 Hen. VIII., c. 18, made it high treason for any man to contract marriage with the King’s children, his sisters or aunts *ex parte paterna*, or the children of his brethren or sisters. This statute went but a small way to effect the purpose contemplated by the legislature; for by the letter of the Act the King’s sons, or brothers, or uncles would be excluded from the provisions of the Act. These statutes are now matter of history; indeed the 28 Hen. VIII. c. 18, was repealed by the 1 Edw. VI. c. 12. The Act now in force, commonly known as the Royal Marriage Act, is the 12 Geo. III. c. 11. That statute provides, by section 1, that no descendant of the body of his late Majesty King George II., male or female (other than the issue of princesses who have married, or may hereafter marry, into foreign families), shall be capable of contracting matrimony without the previous consent of His Majesty, his heirs or successors, signified under the Great Seal and declared in Council (which consent to preserve the memory thereof is hereby directed to be set out in the licence and register of marriage, and to be entered in the books of the Privy Council); and that every marriage or matrimonial contract of any such descendant, without such consent first had or obtained, shall be null and void to all intents and purposes whatsoever. Section 2 provides that, in case of any such descendant of the body of his late Majesty King George II., being above the age of twenty-five years, shall persist in his or her resolution to contract a marriage disapproved of or dissented from by the King, his heirs or successors, then such descendant, upon giving notice to the King’s Privy Council (which notice is hereby directed to be entered in the books thereof), may, at any time after the expiration of twelve calendar months after such notice given to the Privy Council as aforesaid, contract such marriage, and his other marriage with the person before proposed and rejected may be duly solemnised without the previous consent of His Majesty, his heirs or successors; and such marriage shall be good as if this Act had never been made, unless both Houses of Parliament shall, before the expiration of the said twelve months, expressly declare their disappro-