

*The Legal News.*

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In these degenerate days it would appear that even the barrister's fee is not held sacred, and that there are attorneys unscrupulous enough to appropriate to themselves the *honorarium* pertaining to counsel. The following significant paragraph appears in the report of the English Bar Committee:—"The committee have carefully considered whether it is desirable and feasible to establish an 'Information Book' as to solicitors who neglect to pay counsels' fees. They have come to the conclusion that, however desirable it may be, it is not feasible, having regard to the large number of barristers practising at the bar; the difficulty of insuring that the entries which might be made in such a book would be of a proper character is very considerable; while, if the right to make entries was limited to subscribers to the Bar Committee, a new principle would be involved of the Bar Committee acting for the benefit of subscribers only, and not of the whole bar, and this the committee do not consider desirable."

The *Green Bag*, having exhausted the law schools, now begins a raid upon appellate tribunals, and in the June number, giving the place of honour to Canada, presents a series of portraits of gentlemen who are introduced as the judges of the Supreme Court. If, as some distinguished novelist opines, every exertion of the intellect imprints an additional trait of ugliness upon the features, we might expect to find the portraits of men doomed to labours so severe as those imposed on judges, characterized by stern severity rather than comeliness. The artist, however, does not exhibit these gentlemen at a disadvantage in the latter respect, as they make upon the whole rather a handsome and dignified group of portraits. Mr. Justice Gwynne, in particular, appears as a gentleman of singularly refined and pleasing expression, notwithstanding twenty years of judicial life.

Novelists are fond of dipping into law, usually with disastrous results as far as accuracy is concerned; but the point raised in a recent production is extravagant enough to deserve mention. In the marriage ceremony of the Church of England the bridegroom declares, "With all my worldly goods I thee endow, in the name of the Father, and of the Son, and of the Holy Ghost, Amen." It is suggested that if this is not a lie, the husband has no power afterwards to dispose of the property without his spouse's consent. And if this covenant is a nullity, then the marriage ceremony is a delusion, the woman is not married, the children are illegitimate, and a great many estates in England are held by questionable titles!

## SUPERIOR COURT.

AYLMER, April 21, 1890.

Coram MALHIOT, J.

LAWLESS *es qual.* v. MAUD MARY CHAMBERLIN.  
*Emancipated Minor—Curator—Extent of powers—Parties to action.*

- HELD:—1. That a curator to an emancipated minor cannot in legal proceedings represent the minor, but that the latter must himself be impleaded in his own name, assisted by his curator.
2. That in an action by a father to annul the marriage of his minor son for want of the paternal consent, the father cannot appear as curator to his son, who must be impleaded personally, assisted by a curator *ad hoc*.

The present action is brought by John P. Lawless, personally, and in his capacity of curator to his minor son, Sidney Cusack Lawless, to annul the marriage of the latter to the defendant, on the ground that the marriage took place without his, the father's, consent. He alleges that at the time of the marriage the said Sidney Cusack Lawless resided with him in the city of Hull, in the Province of Quebec, and that immediately thereafter he returned to the plaintiff's domicile, where he has ever since lived, and that the parties to the said marriage left the Province of Quebec for the sole purpose of being married in the Province of Ontario,