

## 1868 IN ENGLAND—CONFLICT OF LAWS.

age drafting or the verbiage of the statutes, but as a set-off to this we will rejoice in the hope that something will come of Mr. Shaw Lefevre's suggesting of omitting from the public statute volumes the "Public Local" and "Hybrid" Acts. Of measures dropped in Parliament, and which probably reappear, we may instance as important, Mr. Shaw Lefevre's Married Women's Property Bill, and that of the Earl of Lichfield to amend the Law of Friendly Societies. As to the labours of the Royal and Parliamentary Commissions, the Judicature Commission, the most important of all, has not yet reported. In addition to this we have had commissions appointed to inquire into the Scotch legal system, and the naturalization and neutrality laws, while the report of the digest of law commissioners and their schemes resulted in a species of competition among the junior Bar by the compilation of specimens of specimen digests, and the selection by the commissioners of the three gentlemen who are now engaged on Mortgage, Bills of Exchange and Easements.

Turning from the Legislature and the statute-book to the courts and the legal profession, the past year has brought with it very many judicial changes. The veteran Lord Brougham is gone, and with him we have lost Lord Cranworth, Lord Wensleydale, Justice Shee, also Lord Curriehill; Mr. Commissioner Goulburn has been succeeded in the Bankruptcy Court by Mr. Bacon, Q.C., and we have also Mr. Edward James, Q.C., and Mr. Bullen, the eminent pleader, and tutor of almost all the younger portion of the junior Common Law Bar. In France, too, the veteran Berryer died lately, and, by express invitation on behalf of the Paris Bar, his funeral was attended by representatives of the English Bar. Of judicial appointments we have those of Lord Cairns to the Lord Chancellor, of Lord Justices Selwyn and Giffard, of Vice-Chancellor James, Justice Hannen, the three judges appointed under the Bribery Act, viz., Sir A. Cleasby, Sir W. R. Brett, and Sir G. Hayes, —the appointment of Mr. Justice O'Hagan to the Lord Chancellorship of Ireland, and lastly, the elevation, in which the whole profession will rejoice, of Vice-Chancellor Wood, as Lord Hatherley, to the woolsack.

Of judicial decisions;—the House of Lords gave an important judgment in *Low v. Routledge* (16 W. R. 1081), on copyright as affecting aliens; while in *Grissell v. Bristowe* (17 W. R. 123) and *Coles v. Bristowe* (ib. 105) the Exchequer Chamber and the Court of Appeal in Chancery pronounced almost simultaneously upon the much-vexed liability of the stock-jobbers. The Exchequer Chamber have also reversed the ruling of the Exchequer as to infants' necessities, in *Ryder v. Wombwell* (17 W. R. 167). In *Langton v. Waite* (16 W. R. 508), Vice-Chancellor Malins gave an important decision on stock mortgages, and in *Lloyd v. Banks* (ib. 988), Lord Cairns finally settled the law of putative notice in cases of

incumbrances made by a *cestui que trust*. In *Re Overend Gurney & Co., Ex parte Swann* (ib. 570) Vice-Chancellor Malins decided a point singularly bare of authority on payment of a bill of exchange, "*supra protest*." Vice-Chancellor Giffard, in *Guest v. The Covebridge Railway Company* (17 W. R. 7), illustrated the inconvenient operation of the Registration of Judgments Acts, and in *Lyon v. Home* (ib. 824) applied the equity rules as to undue influence to the case of a spiritualist medium and an eccentric old lady. Finally, the Court of Common Pleas negatived the claims of certain ladies to the Parliamentary franchise; and the decision of the Privy Council in the *St. Alban's case* is fresh in the recollection of everyone. In several cases the Equity Courts have ordered the sale of railway land where the line was actually working, on account of unpaid purchase-money. And we must not forget the credit due to Lord Cairns for clearing off all arrears of Chancery appeals before the Long Vacation.

During the year a speech of Mr. Justice Hannen, at the dinner of the Solicitors' Benevolent Society, again revived an old discussion as to the propriety of amalgamating the two branches of the profession; from this topic the public attention has been diverted to the present system of Bar Education, a subject which ere long will very probably engross still more attention, and we hope to some purpose. The general election has given rise to some seventy or eighty petitions, on which the new tribunal will try its powers; and the disestablishment of the Irish Church remains over for the new year. Having thus run, though very briefly, through the principal legal incidents of 1868, we wish our readers and the profession a happy new year.—*Solicitors' Journal*.

## CONFLICT OF LAWS—LEX LOCI CONTRACTUS—BILL DRAWN AND INDORSED IN FRANCE AND ACCEPTED IN ENGLAND.

*Bradlaugh v. De Rin*, C.P., 16 W. R. 1128.

Not long ago we noticed (12 S. J. 400) the case of *Lebel v. Tucker* (16 W. R. 333), where it was held that an indorsee of a bill of exchange, drawn, accepted, and payable in England, might sue the acceptor here although the indorsement was made in France, and though good by English was invalid by French Law. A somewhat similar case has come before the Court of Common Pleas in *Bradlaugh v. De Rin*. There the bill was drawn in France, accepted in England, and then indorsed in France to the plaintiff. The indorsement was invalid by the French but good by the English law. The question was, could the plaintiff, claiming under this indorsement, sue the acceptor in England. The material distinction between the two cases is that in *Lebel v. Tucker* the bill was drawn in England, whereas in *Bradlaugh v. De Rin* it was drawn in France.

An older case, *Trinbey v. Vignier* (1 Bing. N. C. 151), decided long ago that where a bill