

The Legal News.

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THE INSURANCE DECISIONS.

As the decision of the Judicial Committee of the Privy Council in the cases of *The Queen Insurance Co. v. Parsons*, and the *Citizens' Insurance Co. v. Parsons*, (referred to at p. 1 of this volume), is of great interest, and will probably not appear in any Canadian series of reports, we reproduce the text. In the present issue we give the portion devoted to an examination of the subject generally. The particular reference to the cases decided will appear in our next issue. We may refer the reader to the fourth volume of *Supreme Court Reports*, p. 215, for the decisions of the Supreme Court of Canada from which the appeals were taken.

THE LATE VICE-CHANCELLOR MALINS.

The retirement of Vice-Chancellor Malins, about two months ago, has been speedily followed by the announcement of his decease. Richard Malins was born in 1805, educated at Cambridge, admitted to the bar at the Inner Temple in 1830, became a Q.C. and a Bencher of Lincoln's Inn in 1849, sat in Parliament for Wallingford from 1852 to 1865, and was appointed a Vice-Chancellor in 1866. He is represented as having made his way at the bar by immense perseverance and industry. Heavy cases with a profusion of detail were usually intrusted to him, and his practice was very large. As a Judge, his decisions, it is said, were directed to the substantial merits of the case before him, and were generally based upon considerations of equity rather upon a rigid adherence to precedent.

A *MANUAL OF THE LAW OF CORPORATIONS*; by Charles T. Boone, LL.B. San Francisco: Sumner Whitney & Co.

This little volume is a manual of the law applicable to corporations generally; "including also general rules of law peculiar to banks, railroads, religious societies, municipal bodies and voluntary associations, as determined by the leading Courts of England and the United States." Though the work is printed and

published in San Francisco, the author dates his preface from Johnstown, N.Y. It must be admitted that the effort to be brief has been very successful. The number of decisions cited and embodied in the text is extraordinary. Within 552 pages of an extremely convenient size the author has given us more matter than is usually contained in a portly octavo. To achieve this the type used for the text is small, and that used for the citations which follow each section is still smaller, but distinctness has not been at all sacrificed, the face of the type being beautifully clear. The chapter headings are Nature of Corporations; Creation of Corporations; Constitution and Organization of body corporate; Corporate powers; By-laws; Meetings and Elections; Corporate Liabilities; Eminent Domain; Ultra vires; Stock and Stockholders; Officers and Agents; Remedies by and against; Executions; Mortgages of corporate property; Consolidation; Visitation; Dissolution; Banks; Railroads; Religious Societies; Municipal Corporations; Associations. We think that this manual will save lawyers a great deal of time in their examination of the decisions on any given point, and be of great assistance in the determination of the questions occurring every day in the complex subject of which it treats.

PROVINCIAL LEGISLATION ON THE SUBJECT OF INSURANCE. JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

November 26, 1881.

Present:—SIR BARNES PEACOCK, SIR MONTAGUE SMITH, SIR ROBERT P. COLLIER, SIR RICHARD COUCH, SIR ARTHUR HOBHOUSE.

THE CITIZENS INS. CO. OF CANADA v. PARSONS. THE QUEEN INSURANCE CO. v. PARSONS.

The Act of the Province of Ontario, 38 Vict. c. 24, enacting that contracts of insurance made within the Province shall be subject to certain conditions, is valid.

PER CURIAM. The questions in these Appeals arise in two actions brought by the same Plaintiff (the Respondent) upon contracts of insurance against fire of buildings situate in the Province of Ontario, in the Dominion of Canada.

The most important question in both appeals is one of those, already numerous, which have