

conveyed to the daughter, the purchase money in each case being paid by the cheques of the plaintiff. The wife died and devised the properties thus conveyed to her to her daughter, and the plaintiff now claimed to be a creditor of his daughter, and of his deceased wife's estate, in respect of the purchase money of all three properties, and also for other sums subsequently advanced by him for their improvement. Some questions arose in the case touching the Quebec law as to gifts by husband and wife, and as to whether the husband, claiming to have advanced money for his wife, could bring an action of this kind without first rendering an account of rents and profits received by him, as, until he had done so, it would be possible that he might have been recouped his alleged advances; but the judgment of the Judicial Committee of the Privy Council largely turns upon the fact that the actions of the plaintiff himself were inconsistent with the claim he now sets up. In 1873 he had conveyed what purported to be all his estate for the benefit of his creditors, but did not include in the property so assigned the alleged debts due by his wife and daughter. In 1876 he became insolvent and sent in upon oath a statement of assets and liabilities, and though he entered his wife as a creditor, he did not enter among his assets the alleged debts due by her, or his daughter, and these omissions were not explained, and the only evidence of the alleged debts was the fact that the plaintiff had given his own cheques for the sums claimed, but this fact their Lordships considered was consistent with the fact that the plaintiff was advancing money in his hands belonging to his wife. The judgment of the Court below dismissing the action was therefore affirmed.

TELEPHONE WIRES — ILLEGALLY STRETCHING WIRES ACROSS A STREET—
REMOVAL OF WIRES.

National Telephone Co. v. Constables of St. Peter Port (1900) A.C. 317, was an appeal from the Royal Court of Guernsey. The action was brought by a telephone company against municipal officers for removing the plaintiffs' telephone wires, which were stretched across a public street without obtaining the defendants' permission, and contrary to their prohibition. The Judicial Committee (the Lord Chancellor and Lords Macnaghten, Morris, Shand, Davey, Brampton, and Robertson) being of opinion that the plaintiffs' had failed to make out any statutory right to stretch their wires across, could not succeed in the action, even though it