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THE bringing of an action for breach of promise of marriage against the executors of a deceased promisor is a novel experiment in litigation, which was recently undertaken in England in the case of *Finlay v. Chirney*, 84 L. T. 296. We are not surprised to learn that it proved unsuccessful. The Court of Appeal, however, held that if special damage to the personal estate of the plaintiff arises from the breach of such a promise, then in respect of such special damage an action would lie. As the *Law Times* remarks, the decision of the Court of Appeal dispels a popular illusion of long standing that the maxim *Actio personalis* applies exclusively to actions *ex delicto*, and not to actions *ex contractu*.

WE hasten to lay our respectful admiration before the judges of the newly constituted Queen's Bench Divisional Court for the marked conciseness of their judgments as contained in the current number of the Ontario Reports. Surely one of the most practical methods of lessening the burden which is thrown upon the shoulders of those lawyers who conscientiously endeavour to keep up with the current decisions, is that judges should make a point of condensing their judgments to the greatest possible extent. Many of the profession will feel grateful to the learned judges of the Queen's Bench Divisional Court for their having apparently studied conciseness in the recent judgments to which we allude. None will dispute that our present Chancellor is, to say the least, one of the ablest occupants of the bench at the present moment, and yet conciseness and shortness have always been among many of the distinguishing characteristics of his judgments. On the other hand, the prolixity and verbosity in which some of the other occupants of the Bench indulge may, we think, almost be called one of the banes of our profession.

## DIVORCE—SEPARATION DE CORPS.

IT seems to be felt by many that the law on the subject of divorce is not exactly what it should be; that in Canada divorce is a luxury for the rich, not a legal remedy free to all; that justice, in this respect, will not even appear unless invoked with the "open sesame" of a well-filled purse. That may be, but the object of this paper is not to criticise the Dominion law or to suggest any improvements, but to call attention to the substitute that exists for divorce in one of the provinces of this legally dis-united country. We refer to the action *en séparation de corps* in the civil law of the Province of Quebec.

A judgment of this character does not give the consorts the right to marry again. Neither husband nor wife can contract a new marriage while both are