

years old (the father being dead), unless it is established that she is disqualified by misconduct, or is unable to provide for the child.¹⁰⁰

An unemancipated minor cannot leave his father's house without his permission.¹⁰¹ Emancipation only modifies the condition of the minor; it does not put an end to the minority, nor does it confer all the rights resulting from majority. Every minor is of right emancipated by marriage.¹⁰² A tutor (or guardian) for an infant may be appointed by a competent Court on the advice of a family council. The family council must consist of at least seven near relations, who must be males over twenty-one years of age.¹⁰³

Quebec is the only Province in Canada where children born out of wedlock are legitimated by the subsequent marriage of their father and mother.¹⁰⁴ An illegitimate child has a right to establish judicially his claim of paternity or maternity, and, upon the forced or voluntary acknowledgment by his father or mother of him as their illegitimate child, he has the right to demand maintenance from each of them, according to their circumstances.¹⁰⁵

ATTEMPT TO COMMIT A CRIME.

The perplexing question of the meaning of "attempt to commit a crime" has once again claimed the attention of the Court of Criminal Appeal. It is sometimes supposed that the principle of the established definitions of "attempt" is clear, and that it is only its application, which must depend upon the circumstances of each individual case, that causes all the difficulty. It is doubtful, however, whether there is any very clear principle. Over and over again counsel cite the definition in Stephen: "An act done

100. *Ex parte Ham* (1883), 27 Lower Canada Jurist, p. 127.

101. Civil Code of Quebec, Art. 244.

102. *ib.* Arts. 247, 248 & 314.

103. *ib.* Arts. 249, 251 & 252.

104. *ib.* Art. 237.

105. *ib.* Arts. 240 & 241.