

thority sitting singly, to which must be added the little weight given by judges to the decisions of their colleagues, and the constancy with which they adhere to their own views, even after (in some instances) being overruled by the Court of Appeal. Lawyers know this, and love to pile up as many citations as possible in favor of their side of any particular question, hoping to prevail by dint of numbers, just as one witness after another is often called to give evidence of the value of real estate, in the expectation that the other side will be overwhelmed by the multitude of witnesses. And in order to be able to cite the cases, lawyers wish them all to be reported, but meanwhile the science of the law makes little progress compared with the number of decisions.

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Mr. David Dudley Field was a remarkable example of mental and physical vigour. He was born Feb. 13, 1805, and was therefore in his ninetieth year on the 13th April last, when he died somewhat suddenly of an attack of pneumonia. He had just returned from Europe where he had passed the winter. He got a chill in driving from the steamship landing to his residence, and died within forty-eight hours. Mr. Field commenced the study of the law in 1825, was admitted to practice in 1828, and settled in New York. His name is chiefly associated with the cause of codification and law reform, but apart from this supreme object of his life he was an able and gifted advocate and counsellor, and for more than forty years held a leading position at the bar of New York.

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The Court of Appeal (Montreal, 28 April, 1894) unanimously affirmed the judgment of the Court of Review in *Roch v. Thouin*, reported in 3 C. S. 141. The court referred to the case of *Pacaud v. Constant*, which was noticed at length in Vol. 16 of this publication, pp. 325, 326.