

counsel at length, for presentation to the court. The attorneys for the interveners in a suit of *Perkins v. Lyons*, now pending in the Supreme Court of Iowa, are Messrs. Kinne, Hume & Bradshaw. The senior member of this firm was recently Chief Justice of that court. Whilst occupying that position he gave a judgment which was dead against the law as contended for in the factum prepared by the firm of which he is now a member. It was important, as far as possible, to overcome this difficulty; and that there was dexterity and tact in the effort will be seen from the following amusing extract from the printed argument of the attorneys for the interveners:

"We recognize the fact that the senior member of the firm, the name of which is subscribed hereto, among his last official duties as chief justice of this honorable and respected court, wrote the decision in the case of *Ottumwa v. Stodghill*, reported in 103 Iowa, 437, in which this court held that a transfer of stock in a corporation is invalid as against an attaching creditor, even though he has actual notice of the transfer, when the transfer is not entered upon the books of the corporation in the manner provided by section 1078 of the Code of 1873. Since that case was decided the junior members of the firm have labored long and earnestly with the senior member to convince him of the error of his decision. We have shown him that it is based upon a harsh, strict and literal interpretation of the statute; that it is contrary to equity and good conscience, and opposed to the trend of modern and enlightened authority. We have pointed out to him that he wrote it as the shades of night were falling upon his judicial career, and that his theretofore clear-sightedness in legal matters had become temporarily dimmed, and that he is now in the bright light of a free and unhampered advocate, and more capable of seeing things in their proper proportions. We have even quoted to him the speech of Mrs. Browning's maiden to her lover:

Yes—I answered you last night.

No—this morning, sir, I say.

Colors seen by candle light.

Do not seem the same by day

In short though he has never said so in words, we are convinced that the ex-Chief Justice is heartily ashamed of that narrow, almost mediæval, decision, and that all we have to do is to present the question to his successor, and five associates, in a proper manner to convince them also that the rule promulgated in the *Ottumwa* case is not the law."

We are glad to know that a difficulty of this kind does not often present itself in this Dominion, as we do not often see a judge re-entering the professional arena. It is said, however, that a prominent leader of our bar was once placed in a somewhat similar