

publication of an alleged libel ought not to be restrained by interlocutory injunction, except in the clearest cases — lay down a principle of law? Lord Justice Lopes and Lord Justice Davey hold that it does, and we think they are right; indeed, the notorious history of the case seems conclusive on the point. But Lord Halsbury strongly entertains the contrary opinion. Again, can a person take a photograph picture or representation of another who has been accused of a crime, exhibit it in a permanent form, and defend the exhibition by saying, 'I do this because the public are interested in this person; and it is true that he has been accused of a crime, which is the only allegation (if any) that I make?' Lord Halsbury says, 'No,' partly, it would seem, on the authority of *Leyman v. Latimer*, 47 Law J. Rep. Exch. 470; L. R. 3 Exch. Div. 15, 352. Lord Justice Lopes apparently differs, and holds that in any event the question is one for the jury. Lord Justice Davey preserves a judicial silence. We trust that ere long, in some form or other, these moot points will come before the House of Lords. *Interest reipublicæ ut sit finis litium* is no doubt a salutary principle; but *interest reipublicæ ut sit finis causarum litigandi* is a better one.—*Law Journal* (London).

SUPREME COURT OF CANADA

23 Oct., 1893.

KINGHORN v. LARUE.

Quebec.]

*Opposition afin de conserver on proceeds of a judgment for \$1,129—
Amount in dispute—Right to appeal—R.S.C., c. 135, sec. 29.*

K. (plaintiff) contested an opposition *afin de conserver* for \$2,000, filed by L. on the proceeds of a sale of property upon the execution by K. against H. & Co. of a judgment obtained by K. against H. & Co. for \$1,129. The Superior Court dismissed L's opposition, but on appeal the Court of Queen's Bench (appeal side) maintained the opposition and ordered that L. be collocated *au marc la livre* on the sum of \$930, being the amount of the proceeds of the sale.

Held, that the pecuniary interest of K. appealing from the judgment of the Court of Queen's Bench (appeal side) being under \$2,000 the case was not appealable under R. S. C., c. 135, sec. 29. *Gendron v. McDougall* (Cassels's Dig., 2 ed. 429) followed.