

whole domain of the common law? I think I need not—nor of its high and scrupulous honor. The world has its fling at lawyers sometimes, but its very denial is an admission. It feels what I believe to be the truth, that of all secular professions this has the highest standards."

"And what a profession it is!" he continued. "No doubt every thing is interesting when it is understood and seen in its connection with the rest of things. Every calling is great when greatly pursued. But what other gives such scope to realize the spontaneous energy of one's soul? In what other does one plunge so deep in the stream of life—so share its passions, its battles, its despair, its triumphs—both as witness and actor? But that is not all. What a subject is this in which we are united! This abstraction called the Law, wherein as in a magic mirror we see reflected, not only our own lives, but the lives of all men that have been. When I think on this majestic theme my eyes dazzle. If we are to speak of the law as our mistress, we who are here know that she is a mistress only to be wooed with sustained and lonely passion—only to be won by straining all the faculties by which man is likeliest to a god. Those who, having begun the suit, turn away uncharmed, do so either because they have not been vouchsafed the sight of her divine figure, or because they have not the heart for so great a struggle. To the lover of the law, how small a thing seem the novelist's tales of the loves and fates of Daphnis and Chloe. How pale a phantom even the Circe of poetry transforming mankind with intoxicating dreams of fiery aether and the foam of summer seas and glowing greensward, and the white arms of women! For him no less a history will suffice than that of the moral life of his race. For him every text that he deciphers, every doubt that he resolves, adds a new feature to the unfolding panorama of man's destiny upon this earth. Nor will his task be done until, by the furthest stretch of human imagination, he has seen as with his eyes the birth and growth of society, and by the furthest stretch of reason he has understood the philosophy of its being."

NOTES OF CASES.

COURT OF QUEEN'S BENCH.

QUEBEC, May 8, 1885.

Before DORION, C.J., MONK, RAMSAY, CROSS, and BABY, J.J.

FRASER (plff. contesting in court below), appellant, and JONES (opposant below), respondent.

Legacy—Sale of object bequeathed—Marriage in North West Territory

1. *The sale of the object bequeathed under pressure of urgent necessity did not, prior to the Code, imply an intention to revoke the legacy.*
2. *Evidence of long cohabitation of a white man and an Indian woman in the North West Territory, the woman never having received the title of wife, will not establish a valid marriage.*

Connolly v. Woolrich (11 L. C. J. 197) distinguished.

RAMSAY, J. The appellant brought an action against the curator to the vacant estate of the late Alex. Fraser to render an account to appellant, a special legatee under the will of Alex. Fraser, of the sum of £9,600, being the balance of the price of sale of two seigniories, Temiscouata and Madawaska, portions of which had been bequeathed to appellant, but had been subsequently sold by the testator. The respondent, Jones, was made a party to this suit, and he specially pleaded, that he was the legitimate son of Marguerite Fraser, who was the legitimate daughter of the late Alex. Fraser and Angelique Meadows, an Indian woman to whom Fraser had been married according to the Indian custom in the North-west Territory; that the legacy to appellant was revoked by the sale of the seigniories, and that in right of his mother he, the respondent, was entitled to one half of the balance of the price of sale.

On these issues the parties were heard before Chief Justice Meredith, who dismissed the exception on the ground that under the law of Canada as it stood when Alex. Fraser's will was made, and at the time of his death,—and indeed until the alteration of the law by the Civil Code, the sale of the object bequeathed was only a presumption that the testator had changed his intention, which