

Council, the hatchet having been deeply buried. It was in the robes of Sir Montague Smith, hallowed by five years' wear, that Sir Robert Collier acquired that two days' experience as a judge which Lord Hatherley considered sufficient qualification for the Privy Council, but which was generally pronounced too magically rapid. Honours fell on Collier in quick succession. He was Recorder of Penzance, Counsel to the Admiralty and Judge Advocate of the Fleet, Solicitor General, and Attorney-General. As Attorney General he accepted the best office of profit on his circuit, that is the Recordership of Bristol, but this form of pluralism was not countenanced either by the circuit or his constituents, and he resigned it only by a further stroke of good luck to be made a judge of the Common Pleas and a member of the Judicial Committee in startling succession. The condemnation by lawyers of both sides which this manœuvre provoked is matter of general history.

Sir Robert Collier might have said 'Post me, diluvium,' because his appointment to the Privy Council and the cynical defence of it by his colleagues largely contributed to the ultimate fall of the Government, but he himself was safe, as the appointment was, however questionable in policy and morals, undoubtedly legal. He took his seat with Sir Montague Smith, Sir James Colvile, and Sir Barnes Peacock, who formed the paid members of the Judicial Committee under the Act so recently passed and so easily violated. It was one of the commonplaces of the controversy that on his merits the appointment of Sir Robert Collier was unobjectionable, and the experience of sixteen years proved the truth of this assumption. The atmosphere of the Judicial Committee, with its formal and apparently unanimous judgment, is not such as to encourage the exhibition of judicial greatness. The member of the Committee responsible for the literary form of the judgment is generally entrusted with the task of reading it, and in this way much of Sir Robert Collier's work has found its way into the Reports. But the colonies do not often send us burning questions of law. Sir Robert's judgments were generally concerned in such things as the application

of a Crown Lands Act to Murrumbidgee, New South Wales, or other remote place, or the elucidation of a Bankruptcy Ordinance of Hong Kong. If he could have chosen his legal subjects as he chose the subjects of his pencil, the result might have been happier. He found a constant source of artistic inspiration in the Rosenlaui Glacier, in the neighbourhood of which he often passed a part of the Long Vacation. Of late years he has frequently sat with Lord Blackburn, whose judgment, together with his own and that of the rest of the Committee, he has delivered. He was gradually deprived of his colleagues, whose vacant places were not filled up. Sir James Colvile died in 1880, and Sir Montague Smith resigned in 1882. Lord Fitzgerald was appointed as a Lord of Appeal to fill the gap, but the death of Lord Monkswell will not be followed by a fresh appointment. Sir Barnes Peacock remains the last of his class, and on him, with the assistance of the Lords of Appeal from time to time, and of Sir Richard Couch and Lord Hobhouse, falls the burden of the Privy Council jurisdiction. With him the last of the four judges of whom Lord Monkswell was one will disappear, and in their place will be four Lords of Appeal in Ordinary taking their turn in the House of Lords and the Judicial Committee as occasion may require. Lord Monkswell is an example how hard work, good talents, and a capacity for taking advantage of every opening, will make a judge who, if he does not add lustre to the bench, plays excellently well the part of supporting it.—*Law Journal* (London).

COURT OF REVIEW.

QUEBEC, April 30, 1883.

Before CASAULT, CARON, ALLEYN, JJ.

GUILLET v. L'HEUREUX, and LAMARCHE
et al., T. S.

Jurisdiction — *Contestation of garnishee's declaration.*

The defendant, a merchant, residing at Ste-Genève de Batiscan, became financially embarrassed; on the 23rd September, 1882, at Montreal, he made a voluntary notarial assignment of all his estate to the two gar-