

torney in this latter court but consent to file the inscription because the delay was at the eve of expiration and to save his right, this did not constitute a new mandate.

Civile Code, article 259, 260.

The action is for the recovery of fee for professional services and for disbursements rendered before the civil and criminal courts.

The plaintiff is a member of the Bar and acted as attorney for the defendant, and by his action sues for the amount of two taxed bills of costs in a certain case wherein the present defendant was defendant, and also for extra charges for consultations &c. in connection with the said cases. In addition he claims a certain amount for services rendered for the defendant in a case before the criminal Court. The defendant was arrested for forgery and was defended by the present plaintiff.

The defendant contest the action by a denegation, and specially alleged that the case in which plaintiff was attorney *ad litem* has not terminated being pending in Review, and that, therefore, the mandate of plaintiff was still in existence and his action was premature.

The judgment *a quo* admitted the liability of the defendant for part of the charges made in connection with the criminal proceedings.

With respect to plaintiff's claim in the civil cases, the learned trial judge held, that inasmuch as at the time the action was brought, the plaintiff had not ceased to be the attorney of the defendant in the civil suits, and the same were still pending; that no right of action then lay, but the same was premature; but it allowed to the plaintiff his disbursements in connection with the said suits.

This judgment was reversed by the court of Review, and plaintiff's action was maintained;