

The Legal News.

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GRANT v. BEAUDRY.

The appeal from the judgment of the Court of Queen's Bench, at Montreal (4 Legal News, p. 393), has been dismissed by the Supreme Court. The judgment of the Queen's Bench affirmed the judgment of Mr. Justice Mackay in the Superior Court (2 Legal News, p. 354).

The following appears in the *Montreal Herald* of January 12th:—

"Our special correspondent at Ottawa telegraphed last night to the following effect: The appeal in *Grant v. Beaudry* was dismissed to-day with costs. The judgment was upon the question of the sufficiency of the notice of action to the defendant in the first instance. In giving judgment the Chief Justice quoted authorities to show that the residence of the plaintiff or that of his attorney should be indicated in all notices of action against public officials. The Court had been asked to express an opinion as to the legality or illegality of the Orange Association in the Province of Quebec, but as no action could be sustained in this case because of the insufficiency of the notice any opinion the Court might express would be extra-judicial and unwarranted. Justices Strong, Fournier, Henry and Taschereau concurred. Mr. Justice Gwynne, while agreeing with the decision of his colleagues, censured the judges of the Court of Queen's Bench for exceeding their functions in giving their opinions upon the general question. They should, he contended, have confined their judgment to the points immediately at issue in the appeal."

"Censure" is a somewhat extraordinary expression to be used in this connection, and it is to be hoped that the special correspondent is in error. As to the opinion expressed by the Court of Queen's Bench upon the merits, it is to be remarked that all the evidence was before the Court, and our impression is that both parties were equally anxious for a decision upon the whole case, in order that further litigation might be avoided.

PROFESSIONAL FAME.

The fleeting nature of the great lawyer's triumphs is admirably depicted in the following passage (reproduced by the *Albany Law Journal*) which formed part of ex-governor Hubbard's eulogy on William Hungerford, and is printed in 39 Connecticut Reports:

"And now when I consider this long life closed—these many years ended of eminent labor in the highest ranks of the forum—and nothing left of it all but a tolling bell, a handful of earth and a passing tradition—a tradition already half past—I am reminded of the infelicity which attends the reputation of a great lawyer. To my thinking, the most vigorous brain work of the world is done in the ranks of our profession. And then our work concerns the highest of all temporal interests, property, reputation, the peace of families, liberty, life even, the foundations of society, the jurisprudence of the world, and as a recent event has shown, the arbitrations and peace of nations. The world accepts the work, but forgets the workers. The waste hours of Lord Bacon and Serjeant Talfourd were devoted to letters, and each is infinitely better remembered for his mere literary diversions than for his long and laborious professional life-work. The cheap caricatures of Dickens on the profession will outlive, I fear, in the popular memory, the judgments of Chief Justice Marshall, for the latter were not clownish burlesques, but only masterpieces of reason and jurisprudence. The victory gained by the counsel of the seven bishops was worth infinitely more to the people of England than all the triumphs of the Crimean war. But one Lord Cardigan led a foolishly brilliant charge against a Russian battery at Balaklava, and became immortal. Who led the great charge of the seven great confessors of the English church against the English crown at Westminster Hall? You must go to your books to answer. They were not on horseback. They wore gowns instead of epaulettes. The truth is, we are like the little insects that in the unseen depths of the ocean lay the coral foundations of uprising islands. In the end come the solid land, the olive and the vine, the habitations of man, the arts and industries of life, the havens of the sea and ships riding at anchor. But the busy toilers which laid the beams of a continent in a dreary waste are entombed in their work and forgotten in their tombs. Yet the infelicity to which I have alluded is not without its compensations. For what, after all, is posthumous fame to him who brought nothing into this world and may carry nothing out? The dead leave behind their reputations alike with their estates. A man may be labelled to-day as a