

*Procedure—Action in forma pauperis.*

*Held*, where leave has been granted to a party to institute a suit *in forma pauperis*, and such action has been dismissed, the original order granting leave to proceed *in forma pauperis* cannot be invoked to sustain a suit in renewal of the first suit.—*Noel v. White*, S. C., Montreal, Davidson, J., April 6, 1892.

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*Insurance, Life—Insurance Money Payable to Widow—Party Interested Dying Before Insured—Remarriage of Husband—Claim to Insurance Money Deposited Under Quebec Judicial Deposits Act.*

P. effected an insurance on his life for the benefit of his wife. The wife died first, and by her will named P. her universal legatee. P. married again, the contract of marriage stipulating separation of property. There was never any assignment of the policy for the benefit of the second wife. P. predeceased his second wife, and by his will bequeathed all his property to his daughter by the first marriage. The amount of the policy being claimed both by the daughter and the second wife, the insurance company deposited the amount in court.

*Held*, that the daughter was entitled to the amount of the insurance.—*In re Aetna Life Insurance Co., Gaucher et al.*, and *Gosselin*, petitioners, S. C., Montreal, Tait, J., December 28, 1892.

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*Advocate—Withdrawal from Suit—Action for Fees—Disbursements.*

*Held*, 1. An advocate has no right of action for his fees until the cause wherein he claims them has been terminated by judgment, settlement, or discontinuance, or until his client has withdrawn his mandate from him.

2. An advocate cannot withdraw from a cause without the permission of the court or judge, and even where such withdrawal is regularly made it does not give the advocate a right of action against his client for his fees before the termination of the cause.

3. The fact that the client has employed another lawyer in another case in which he was concerned, and did not respond to a notice by his attorney to inform him what he intended to do in the case in which he represented him does not justify an advocate in withdrawing from a case, or give him a right of action for fees before the termination of the suit.