

The Legal News.

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THE LEGAL VACATION.

The brief annual holiday, misnamed the "Long Vacation," accorded to the legal profession in Canada, has come to a close. In Ontario, Trinity Term began August 22, and in the Province of Quebec, the Courts resumed their usual work on the 1st instant. We see, by some of our United States contemporaries, that in the larger American cities there is a growing disposition to make the most of the brief respite afforded by the summer vacation from exhausting toil, and lawyers of eminence, at any sacrifice, desert their offices for a plunge into the mountains, or other secluded spots, where only, at a distance from telegraph and telephone, they may obtain the change and the rest which are so essential to build up the energy impaired by long months of continuous exertion. In England the "Long Vacation" means something more than a few weeks' suspension of active work, and English barristers probably owe a good deal to their lengthened opportunity for physical and mental recreation.

In Canada the first of September usually brings the temperate weather conducive to comfortable activity, but this year has been an exception. The vacation came to a close in a torrid temperature, and, in the cities, with its usual accompaniment, fetid odors, and a debilitating atmosphere. We have the certainty, however, that summer heats must speedily pass away, and the Courts will resume their usual aspect. We trust that our readers have all enjoyed to the full the season of relaxation, and we take the opportunity of the beginning of another legal year, to invite in a larger measure their co-operation and support. To the judiciary we are already indebted for much valuable assistance; and the profession is equally indebted to them, for, without such aid, a work of this kind could probably not be sustained at all. We think, however, that our readers, especially in the country districts, have it in their power to add considerably to the interest of their weekly visitor, by contributing brief memoranda of the decisions

in those cases on which they have bestowed the most labor, and in which they have taken the deepest interest. For all such assistance we shall be grateful.

UNPROFESSIONAL PUFFING.

The profession in the Province of Quebec are probably aware of indirect advertising indulged in to some extent by certain irrepressible members, but we think we may claim to be free from the indecent quackery which unfortunately appears to be too common in some districts of the sister Province of Ontario. One "barrister" announces in the public journals that he "will continue his law, loan, and insurance practice with good assistants." Another professional gentleman proclaims the curious combination "Dry Goods, Groceries, Commissioner and Conveyancer, Real Estate Agent, Boots and Shoes." "Conveyancing" seems to be a favorite ground for poachers of all denominations, but even a licensed solicitor has informed the public by advertisement that he will do work of this description at half the usual prices "for cash".

Our bar associations are often treated with ridicule, and the bulwarks against unprofessional conduct are regarded as contemptible. We are not among those who attribute to them undue excellence or importance; but at least we do not suffer by comparison with some features of outside customs.

NOTES OF CASES.

COURT OF QUEEN'S BENCH.

MONTREAL, June 30, 1881.

DORION, C. J., MONK, RAMSAY, TESSIER, CROSS, JJ.
NICHOLSON (def. below), Appellant, and METRAS
(plff. below), Respondent.

Evidence—Appeal where case turns upon evidence which is contradictory.

The appeal was from a judgment of the Court of Review, Montreal, Sept. 30, 1879, (Rainville, Papineau, Jetté, JJ.) which reversed a judgment of the Superior Court, Montreal Feb. 28, 1879, (Mackay, J.)

In appeal the judgment in revision was reversed, and the original judgment restored.