

# THE LEGAL NEWS.

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## CURRENT TOPICS AND CASES.

A considerable amount of space is given in the present issue to an able review of the question whether substitutions of movables were permitted in this province before the promulgation of the Civil Code. The Code expressly authorized them, and the enactment was not indicated by the Commissioners as being new law. The cases which have come before the courts in recent years appear to be cases in which such substitutions were made, and even if the authorities which support the view of the codification commissioners were less convincing, it is satisfactory that the Court of Appeal has come to the conclusion not to disturb the settlements made by parties who appear to have been advised by their counsel that the law at the time they were made, as subsequently declared by the Code, permitted such substitutions. It may be stated that the delay in the publication of the report of the *Simpson* case, we understand, is due to delay in obtaining the notes of one of the learned judges. The written opinion in question was supposed to have been mislaid, but it subsequently appeared that it had been handed by the learned judge to one of the counsel in the case, and was by him transmitted to England for the purposes of the appeal to the Privy Council.