

contracted with the M. J. C. C. to erect them a building, and proceeded to make frames and also to order from one R., of Revelstoke, B.C., certain lumber for the same work. On 6th Dec., 1895, McV. assigned to plaintiff his contract and the lumber order, by a writing worded: "For value received I, D. McV., do hereby assign, transfer and set over to David Robb the car of lumber which has been ordered by me of R., of Revelstoke, . . . and also the contract which has been entered into with me by the M. J. C. C. . . ." R., who had no notice of this assignment, shipped the lumber to McV., 9th Dec., 1895. The car of lumber arrived 13th Dec., 1895, consigned to McV., and after it had been partly unloaded by plaintiff (the freight charges having been paid for the plaintiff by the M. J. C. C., who had notice of the assignment), was seized under defendant's writ of execution. The plaintiff had no notice of the writ of execution until the actual seizure was made. Plaintiff claiming the lumber under his assignment, an interpleader issue was directed to determine whether the assignment to plaintiff outranked defendant's execution.

Held, that on Dec. 6th, and up to Dec. 13th, McV., not having the car of lumber and being unable to deliver it, the writing operated as an equitable assignment to the plaintiff of chattels not in existence, which assignment plaintiff could enforce when the chattels came within McV.'s control on 13th Dec., and that consequently under sec. 337 of the Judicature Ordinance, the lumber was not bound by the writ of execution. Seizure ordered to be vacated, with costs of sheriff and of plaintiff to be paid by defendant.

J. G. Gordon, for plaintiff.

T. C. Johnstone, for defendant.

BOOK REVIEWS.

Political Appointments, Parliaments and the Judicial Bench in the Dominion of Canada, 1867 to 1895, by N. OMER COTÉ, of the Department of the Interior, Canada.

We have before us this very useful compilation of 480 pages. It embraces the long period of 28 years, and the information is given up to the latest date. It seems to be a complete and accurate record on the subjects of historic interest which are therein treated. Its interest to the profession is largely under the head of the Judicial Bench, the Constitution of the Courts and the names of the Judges. There is here given the dates of the appointments and the periods during which the Judge served, as well as the names of those who have retired, etc. It would have added to the interest to have given their ages, though we can well understand that this would have been only obtainable with great difficulty.

We are also indebted to Mr. Coté for a copy of a similar work, though less complete, published by his father, Mr. J. O. Coté, in 1866. These two works really give a complete political history of the Dominion in a statistical form from 1841 to the present time, a period of 54 years. They are indispensable to any student of the history of the Dominion, and will be very useful works of reference, and more especially as a full index of the names completes the last volume.