fiance; and Beaudry, who reposed confidence in a faithless employee, should bear the loss rather than Moss, who advanced to one having the watch—so far as Moss was concerned—*à titre de propriétaire*, under art. 2268 C. C. Intervention maintained, with costs as in an intervention in a case of $23.

Duhamel, Pagnuelo & Rainville, for plaintiff.

Kerr, Carter & McGibbon, for intervenant.

FULLER V. SMITH.

To the Editor of the LEGAL NEWS.

SIR,—We see, on page 388 of your last number, two cases significantly reported in juxtaposition, as contributions from Messrs. Brooks, Camirand & Hurd, and being interested in one of them, now in appeal, as counsel, as well as in justice to the learned judge who rendered these judgments, which, *as reported*, are contradictory, we ask space for a word.

The first judgment was rendered in March last, and the second in November following, and we can account for their now appearing together in your valuable publication, only upon the supposition that the learned contributors prepared both within the twenty-four hours allowed to the disappointed pleader, after the rendering of the second judgment against them. The first was in their favor.

It will be observed that the reports in question are not even skeletons of what a report ought to be, and, as a matter of fact, they give no correct idea of the grounds of either case.

Not a word is said about the pleadings or proof, which essentially vary in the two cases.

In the case of *McLaren* v. *Drew*, and *Drew*, opp., the first case decided, and where the opposition was dismissed, the contestation of the opposition was filed on 24th Sept., 1878, six months after the first seizure, on which the opposition was based, had been quashed and declared a nullity *ab initio*. The contestation in this case, moreover, was specially based on the ground that the first seizure was a nullity and had always been a nullity, and in evidence of this it referred to the judgment rendered months before, declaring the said first seizure a nullity, and that consequently the first seizure did not *subsist* when the second seizure was made. It may be added that this contestation is drafted by Mr. Camirand, of the firm of Brooks, Camirand & Hurd, who is also the plaintiff in the case of *Camirand* v. *Drew*, wherein the first seizure was made, and consequently he had every facility for knowing that the first seizure was null and void.

Now, in the second case reported, *Fuller* v. *Smith*, and *Fletcher*, opp., the first seizure is not even opposed, the opposition thereto merely asking that *the sale* be suspended until certain movable property, then also under seizure, should be sold. That is, in the one case, not only was the first seizure attacked and denied, but it had been adjudged null and void months before the contestation in question, while in the other case, it is specially admitted that the first seizure was subsisting when the second was made, and is still subsisting.

Where, then, Mr. Editor, we may ask, are the grounds for placing these two judgments so unfairly and suggestively side by side? Where, in reality, is the contradiction studied to give them?

We never doubted the propriety of the time-honored "twenty-four hours," but it has commonly been allotted to the unsuccessful suitor, and not to the attorney. As to the motive, however, prompting these contributions, we are willing to leave this an open question, but as cognizant of the facts, we deemed it our duty by stating these facts, to remove the reflection, unintentionally, we hope, cast upon the judge of rendering two judgments, reported on the same page of your journal, one directly contradictory of the other.

We are,

Yours obediently,

IVES, BROWN & MERRY.

SHERBROOKE, Dec. 5, 1879.

CURRENT EVENTS.

THE Q. C. QUESTION—In the Practice Court, Montreal, on the 5th inst., Mr. Justice Mackay intimated to the bar that they would do well to respect the opinion expressed by the Supreme Court in the case of *Lenoir & Ritchie*, and that he was not disposed to recognize as Queen's Counsel those who hold documents emanating from the Lieutenant-Governor.