

The Ontario Weekly Notes

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APPELLATE DIVISION.

FIRST DIVISIONAL COURT.

JANUARY 31ST, 1921.

*QUARTIER v. FARAH.

Currency—Action by French Advocate to Recover Amount of Counsel-fee—Charge Made in French Currency—Recovery of Judgment for Equivalent in Canadian Currency—Value in Canadian Currency to be Ascertained according to Rate of Exchange on Day when Judgment Pronounced—Currency Act, R.S.C. 1906 ch. 25, sec. 4—Bills of Exchange Act, R.S.C. 1906 ch. 119, secs. 136, 163.

Appeal by the defendant from the judgment of the County Court of the County of Carleton in favour of the plaintiff for the recovery of \$400 for services of the plaintiff as counsel rendered to the defendant.

The appeal was heard by MEREDITH, C.J.O., MACLAREN, MAGEE, and FERGUSON, J.J.A.

W. L. Scott, for the appellant.

A. Lemieux, K.C., for the plaintiff, respondent.

MEREDITH, C.J.O., read a judgment in which he said that the questions for decision were, whether the respondent was entitled to recover \$400 or only the equivalent in Canadian currency of 2,000 francs, and, if the latter sum, as of what date its value in Canadian currency was to be ascertained.

The respondent was an advocate residing and practising in Paris, France, and was retained on behalf of the appellant in connection with the taking of evidence under a commission in a proceeding against the appellant in a Court in the Province of Quebec.

The proper conclusion upon the evidence was that the respondent's fee for the services rendered by him was 2,000 francs, not \$400.

For what sum in dollars then should judgment be entered? That was the very important question to be determined.

* This case and all others so marked to be reported in the Ontario Law Reports.