

enough, if it be true, and it ought to be ; but we doubt if it will have its due weight on the minds of "our learned and respected contemporary," for in the very next article in the *Legal News*, we are given an account of "professional etiquette on the frontier," wherein is stated the cause of the great unpopularity of Judge Beck, "Judge of Wyoming." We quote :

"He even carried his whim of professional propriety so far as to prohibit swearing in court, and is said to have fined a lawyer who swore at a witness during his cross-examination. Another peculiarity of this judge is a dislike of seeing attorneys, when arguing a case before him, pass around a bottle of whiskey, and he is said to be violently opposed to lawyers treating the jury to "drinks" while a trial is in progress. Judge Beck is said to have violated common decency by refusing to proceed with a case until the attorneys engaged in it should put out their pipes ; and a community once rose in indignation when he ordered a lawyer to remove his feet from the judge's desk."

This was all, no doubt, very difficult for the "popular mind" to submit to, but when Judge Beck instructed the grand jury "to indict every man who indulged in gambling, or sold liquor without a license, the outraged public demanded his removal." As is usual under like circumstances in this country, the Legislature was "seen," and the result was that a "redistricting act" was passed, and Judge Beck was assigned to a district without "a town or a court house, and entirely uninhabited, except by military garrisons, Indians and wild beasts." The "popular mind" was thereby satisfied. Of course, Judge Beck was not a "politician"—a "machine politician"—or he never would have so run counter to the "sense of the people"—and this suggests the wonder, how, not being a "politician," he got his appointment—but however that may be, the *Legal News* should have remembered that the degenerate foreigner is not up in these matters, and should have kept its lecture and Judge Beck's case apart. By the way, we believe that women are voters and "lawyers" in Wyoming. — *Albany Law Journal*.

## NOTES OF CASES.

IN THE ONTARIO COURTS, PUBLISHED  
IN ADVANCE, BY ORDER OF THE  
LAW SOCIETY.

### COURT OF APPEAL.

ADAMS V. WOODLAND.

*Insolvent Act of 1875—Debt barred by discharge—  
Promise to pay.*

C. C. York.] [Sept. 3.]

*Held*, reversing the judgment of the County Court, that a promise to pay a debt from which a discharge under the Insolvent Act of 1875 has been obtained, is founded on a consideration which will support an action.

*Jones v. Phelps*, 20 W. R. 92, and *Heather v. Webb*, L. R. 2 C. P. D. 1. distinguished.

*J. E. Rose*, for the appellant.

*Akers*, for the respondent.

*Appeal allowed.*

### COMMON PLEAS.

IN BANCO.

MASON V. BORROUGHS ET AL.

*Agreement—Costs.*

Under a written agreement between the parties, two actions between them, at the suit of the parties respectively, were settled in consideration of the payment by the defendants of a named sum and all costs of the two suits. In an action for the costs.

*Held*, Hagarty, C. J., dissenting, that the true agreement was, that the defendants should pay to the plaintiff his costs of both actions except the counsel fees, such costs to be as settled by the master, for which the plaintiff was to have a verdict.

*Richards*, Q. C., for the plaintiff.

*M. C. Cameron*, Q. C., for the defendant.

### CHANCERY.

Chancellor.]

WILSON V. OWENS.

[Sept. 4.]

*Fraudulent conveyance—Parol evidence—Resulting trust.*

A suit for alimony having been instituted against the plaintiff, he, for the purpose of protecting his lands from process therein, conveyed the same to his solicitors for a money consideration, and the solicitors afterwards made a conveyance of the same lands to the sister of the plaintiff, the consideration money being paid by the plaintiff. The Court held there was a resulting trust in favour of the plaintiff, and decreed