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In a recent case before the Court of Review at Montreal, *Prime v. Perkins*, (ante, p. 256,) the question was raised whether a second distress might lawfully be made, where the bailiff had not seized sufficient effects in the first instance to satisfy the judgment. The majority of the Court were of opinion that although it is the duty of the officer charged with the writ of execution to seize enough at one time to satisfy the debt and costs, yet if, without bad faith or malice on his part, the sale does not produce enough to discharge the debt and costs, he may make a second seizure. The question was one of novelty in our courts, and it is a little singular that almost at the same time, a similar question was engaging the attention of an English court, viz., the right of a landlord to distrain twice for the same rent. An English contemporary, in an article which we copy elsewhere, takes occasion to notice the decisions bearing on the point. Some of the authorities cited do not seem to go quite as far as *Prime v. Perkins*, because they hold that it is only where the distrainee has done something to prevent the distrainer from realizing that the second distress is justified. The Montreal court, however, intended to follow the principle stated by Lord Mansfield in *Hutchins v. Chambers*, that if the seizing party merely mistakes the value of the goods seized, there is no reason why he should not afterwards complete his execution by making a further seizure.

REPETITIONS.

Judges have often to complain of lawyers for useless repetitions in their arguments, and so, too, lawyers have sometimes to make the same complaint of judges as to their judgments. The speeches of counsel to juries are more open to the charge of vain repetitions. But, in truth, an occasion may often present itself when the same argument or fact may usefully be presented more than once, and if there be sufficient variety in the style or in the illustration, the effect is

not disagreeable or wearisome. A tired or pre-occupied hearer calls for special expedients to fix his wandering attention, and the rhetorical art suggests a resort to repetition as often conducive to perspicuity. It could only, we imagine, have been from a profound conviction of this fact, that a member of the profession in New Hampshire recently took exception to a judicial address, on the ground that the judge neglected to charge the jury more than once on a point of law. The court ruled on this exception: "The law being thus once declared by the court, the defendant had no more right to require it to be repeated once than to require it to be repeated twice or ten times. Whether a statement of the law once distinctly made, and acted upon by counsel throughout the trial, shall be repeated, and how many times, is not a question of law. The court may repeat it; but a judgment cannot be reversed because it was not repeated, especially when no other use was made of the evidence than the legal one announced by the counsel for the prosecution and by the court. The refusal to repeat the law once laid down was not error in law."

THE LATE MR. I. G. THOMPSON.

It is with much grief that we receive intelligence of the sudden decease of Mr. Isaac Grant Thompson, the originator and conductor of our contemporary, the *Albany Law Journal*. Mr. Thompson was recovering from an attack of diphtheria, when congestion of the lungs supervened, and he passed away after an illness of only twelve hours' duration. Possessing scholarly tastes and great literary industry, Mr. Thompson in early life applied himself to one department of professional labor with a persevering attention which was unbroken until his last illness. He was the author of a treatise on the Law of Highways, and a second on Provisional Remedies; he edited an edition of Warren's Law Studies, compiled a volume of National Bank Cases, Manuals for Supervisors, &c. In 1871 he commenced the publication of "The American Reports," 27 volumes of which have been issued. His favorite work, however, was the *Albany Law Journal*, established in 1870, and now in its 20th volume. This most popular weekly bears in every issue the marks of his unwearied attention and versatile talent. We are quite prepared to accept the statement of