The Legal News.

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We had occasion to notice recently the changes and appointments which occurred in the Court of Appeal in the month of September. October has brought some change also in the bench of the Superior Court. On the 19th instant Mr. Justice Doherty on taking his seat in the Practice division announced to the bar that he had tendered his resignation, and that it had been accepted. Mr. Justice Doherty was appointed to the bench of the Superior Court in 1873. For several years he was the resident judge for the district of St. Francis. Five or six years ago he was transferred to the Montreal district, where since the death of Mr. Justice Torrance he has been the senior puisne justice of the Superior Court. During the illness of Mr. Justice Church, Mr. Justice Doherty has also sat as an assistant judge of the Court of Appeal. The learned judge's judicial opinions have been characterized by shrewd perception of the merits of the controversy, and while not given to elaborate discussions of legal points or voluminous citation of authority, it may be said that he has seldom taken an erroneous view, or been reversed by a higher court. He retires after eighteen years' service, and carries with him the best wishes of the bar that he may long be spared to enjoy the rest to which he is so well entitled.

It is rather an unusual circumstance that the place vacated by the father should be taken by the son. In this case, however, it is a mere coincidence, it being understood that the position was first tendered to Mr. J. J. Curran, Q.C., the member for Montreal Centre in the Dominion Parliament. Mr. Curran having declined to accept judicial office at present, the position fell to Mr. C. J. Doherty, Q.C., son of the ex-judge, who, although but 36 years of age, has for a long time held a distinguished place at the Montreal bar. Youth is far from being a disqualification for the duties of the Superior Court, as the work taxes the physical endurance as well as the intellectual powers. Mr. Doherty's nomination has been received with much satisfaction, and we are confident that the anticipations of good work from him are not unfounded.

The corporation of Maidstone, in England, have passed a by-law which prohibits street processions of the Salvation Army or of any other religious body. As the Salvationists are not disposed to comply with by-laws which forbid processions, considerable trouble is expected to arise in the enforcement of the ordinance. The *London Law Journal* remarks that the subject is becoming one of such vital importance to all lovers of peace and quiet, especially on a Sunday, that imperial legislation will probably be demanded.

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*COURT OF QUEEN'S BENCH—MONTREAL.**

*Conseil de Ville—Mode d'ordonner le prélèvement des deniers requis pour payer dettes de la ville—Villes incorporées par acte spécial contribuent à la construction de la bâtisse servant à la Cour Circuit du comté—Appel—*40 *Vict.* (Q), *ch.* 29—*C. M. arts.* 513, 514 *et* 515.

JUGÉ:—1o. Qu'un conseil de ville, en vertu de l'acte des clauses générales des villes, peut, par une résolution, ordonner au secrétaire-trésorier de prélever une somme déterminée pour acquitter une dette de la corporation, ce que le secrétaire-trésorier fera par un rôle spécial de perception;

2o. Que les villes constituées en corporation par acte spécial sont tenues de contribuer au coût de l'achat d'un terrain et de la construction sur icelui d'une bâtisse pour servir à la Cour de Circuit et au bureau d'enregistrement du comté dans lequel elles sont situées;

3o. Que la part à contribuer par chacune de ces villes sera établie par le conseil de comté d'après toutefois le montant total de l'évaluation des biens imposables de cette ville, ce montant total étant fourni au con-

* To appear in Montreal Law Reports, 7 Q. B.

seil de comté par un certificat du secrétaire-trésorier de la ville;

4o. Qu'il y a lieu à appel du jugement rendu en cette cause par la Cour Supérieure, étant une action en la forme ordinaire pour faire annuler des procédés du conseil de la ville de Lachute.—*McConnell & Corporation de la Ville de Lachute*, Dorion, C.J., Bossé, Baby, Doherty, Cimon, JJ., 23 mars 1891.

Railway Act of Canada, 42 Vict., ch. 9—Award of arbitrators—Prolongation of delay for making award.

HELD:—1. Under the Railway Act of 1879, 42 Vict., ch. 9, that where the arbitrators appointed to fix the compensation for a property, adjourned to a day subsequent to that originally fixed for making the award, without stating in their minutes that such adjournment was for the purpose of making an award, and at their subsequent meeting the three arbitrators and counsel for the parties were present, and no objection was made to the regularity of the meeting, such absence of objection constituted a tacit ratification of the proceedings up to that time.

2. That an adjournment to enable one of the arbitrators to visit the property, without any date being fixed for the next meeting, did not terminate the arbitration; and that an award made on a subsequent day, the three arbitrators being present, was a valid award.

3. That a notarial award is not necessary in the case of an arbitration under the Railway Act of 1879; that the entering of the amount awarded in the minutes constituted the actual award; and the fact that on a subsequent day the award was made out in notarial form and signed by two of the arbitrators, the other arbitrator not being present, did not invalidate the award as previously made and entered in the minutes.—*Ontario & Quebec Ry. Co. & Les Curé etc. de Ste. Anne du Bout de l'Isle*, Cross, Baby, Bossé, Doherty and Cimon, JJ. (Cross and Doherty, JJ., diss.), June 25, 1891.

*SUPERIOR COURT—MONTREAL.**

Sale—Building materials.

Held:—That the words "building materials," in a contract of sale of material to be removed from a certain lot of ground, do not include fixtures and appliances contained in the building for supplying heat, for lighting by gas, and for the distribution of water.—*Labbé* v. *Francis*, Würtele, J., June 18, 1891.

Railway Act of Canada—Jurisdiction of Railway Committee—Complaint of Express company against Railway company—Mandamus.

Held:—1. That the Railway Committee of the Privy Council, created by Sect. 8 of the Railway Act, has jurisdiction to enquire into a complaint of an express company against a railway company that the latter has not granted it equal privileges with other express companies.

2. That an adequate remedy being thus provided, a mandamus does not lie in such cases.—*Ontario Express & Transportation Co. v. G. T. R. Co.*, Würtele, J., July 17, 1891.

Continuation of community—Demand for—Art. 1323, C. C.—Prescription—Art. 2250, C. C. —Improvements—Art. 417, C. C.

Held:—1. Following *Beckett & Merchants Bank of Canada*, M.L.R., 3 Q. B. 381, where a community existed between husband and wife, and there was one child, issue of the marriage, and the husband dying intestate, the surviving consort failed to have an inventory made of the common property, and (the child being then a minor) the surviving consort married a second time without marriage contract,—that in the absence of any demand on the part of the minor for a continued community, a tripartite community did not exist between the surviving consort, her second husband, and the child of the first marriage; and an option made by the child 45 years after the dissolution of the first community has no effect.

2. The claim for revenues of an immovable illegally possessed by the child is prescribed by five years.

3. The possessor has no claim for a building erected by him, which was not a necessary improvement, and which no longer exists, having been burned, and the amount insured thereon paid to him.—*Spooner* v. *Pearson*, in Review, Johnson, C. J., Würtele, Ouimet, JJ., Dec. 30, 1890.

*To appear in Montreal Law Reports, 7 S.C.

Industrie—Fours à chaux—Fumée—Odeurs—Propriété voisine—Dommage—Préoccupation—Prix d'acquisition—Spéculation.

Jugé:—1o. Qu'une personne a le droit de tirer de sa chose toute l'utilité non prohibée par les lois, mais qu'en ce faisant elle n'a pas le droit de rien introduire ou faire passer aucune chose sur la propriété voisine qui puisse lui nuire, en diminuer la valeur ou modifier sensiblement le droit de propriété du propriétaire.

2o. Que, quoique dans les centres populeux, il soit juste que les citoyens endurent des inconvénients de voisinage plus grands des établissements industriels que des habitations particulières, néanmoins, les industriels doivent éviter de causer du dommage à leur voisin en prenant toutes les précautions que la pratique et la science enseignent, quand même cela les entrainerait à des sacrifices pécuniaires.

3o. Que le voisinage d'un four à chaux doit être considéré comme dangereux, insalubre ou incommode et de nature à faire du tort aux propriétés voisines.

4o. Que le fait qu'un propriétaire de four à chaux ou autre établissement industriel avait établi et commencé à exploiter son industrie avant que le voisin qui se plaint ait acquis sa propriété, n'empêche pas l'industriel d'être responsable des dommages qu'il cause; cette préoccupation ne pouvant tout au plus que le protéger contre la suppression de son établissement en certains cas, et donner au tribunal une certaine discrétion dans l'appréciation du dommage.

5o. Que dans l'appréciation des dommages que souffre un propriétaire voisin dans les circonstances susdites, le fait qu'il aurait acquis sa propriété pour un prix moindre que sa valeur réelle, ne fait pas obstacle à son droit de réclamer des dommages, vu qu'il est en droit de tirer de sa chose, en tout temps, tout le bénéfice dont elle est susceptible. Il n'y a lieu d'en excepter que le cas de mauvaise foi, et l'intention bien établie d'acquisition de la propriété voisine dans le seul but de faire une spéculation ou d'exercer une vengeance.—*Gravel* v. *Gervais*, Taschereau, J., 8 mai 1891.

Banking—Clearing house rules—Return of unaccepted cheque—Usage.

Held:—That a custom of trade or banking in derogation of the common law must be strictly proved. And where a bank sought to excuse itself from taking back an unaccepted cheque on another bank, which had been sent to the clearing house in the morning, on the ground that by a rule of the association a cheque for which there were no funds should be returned to the presenting bank before noon of the day of presentation, whereas the cheque in question was not offered back until 3.30 p.m., and it appeared that the rule in question was of a temporary character only, and was not usually followed by the banks which belonged to the clearing house association, it was held that such rule could not derogate from the ordinary rule of law as to the return of cheques for which there are no funds.—*Banque National* v. *Merchants Bank of Canada*, Davidson, J., June 30, 1891.

DISTRICT MAGISTRATE'S COURT.

SHERBROOKE, Oct. 22, 1891.

Before G. E. RIOUX, D.M.

TOWNSHIP OF COMPTON v. J. E. SIMONEAU.

Sale of intoxicating liquors—Mining Inspector's License—R.S.Q. 1095 *et seq.—R.S.Q.* 1477.

HELD:—1. *That the right of prohibiting the sale of intoxicating liquors given to municipalities by the former legislature of Canada comprising the two provinces of Quebec and Ontario, possessed by them ever since, and continued by the Temperance Act, Revised Statutes of Quebec, Art.* 1095 *et seq., and the Municipal Code, cannot directly or indirectly be taken away or modified in any manner by the legislature of the province of Quebec.*

2. *Where in a municipality a by-law exists under the authority of the Temperance Act or Municipal Code, prohibiting the sale of intoxicating liquors within the municipality, the right which a mining inspector may possess in ordinary cases to issue licenses ceases.*

Semble, such licenses, where permitted to be issued, should be issued for the term of one month only, and not otherwise.

G. E. RIOUX, D.M.—The Corporation of the

township of Compton in this cause prosecute the defendant for selling liquor without a license. Defendant has pleaded not guilty, but admits the sale of the liquor under a mining inspector's license, which is produced. The complainant replies that this license is illegal and null as no such license could be granted within the municipality, because a prohibitory by-law, passed in March, 1885, is claimed to be in force therein.

Defendant claims that his license should prevail over the by-law.

No witnesses were examined in this cause, and it rests merely on documents filed and admissions of parties.

The question submitted is whether the by-law should hold or the license.

The "Mining Law," embodied in the Revised Statutes of Quebec, Art. 1477, says, "The sale of intoxicating liquor within a "radius of seven miles of any mine in oper-"ation is prohibited until a license to that "effect has been obtained from the Inspector "of the Mining Division, in conformity with "sec. 12 of chap. 5, of title four of these Re-"vised Statutes, under the penalties set forth "in the 893rd and following articles." Section 12 which is mentioned in this article, is the Quebec License Act.

Art. 829 of the License Act says:—"It is "forbidden to keep,' amongst other things, "a railway buffet or tavern at the mines, etc., "without having previously obtained from "the Government, in the form and manner "hereinafter mentioned, a license, etc." And "Art. 830 proceeds to say: "The officer ap-"pointed under any Mining Act in force, in "charge of any mining district, shall alone "have the right to issue licenses for the sale "of intoxicating liquors within a radius of "seven miles from any mine that is being "worked."

At the argument of the case, it was admitted that Compton is included in a Mining Division, and within a radius of seven miles from a mine in operation.

It is curious to refer back to old Statutes in order to see where this law is first found. We have to look, to do this, to 27 and 28 Vic., chap. 9, sec. 28, viz., in 1864, which is an act called the Gold Mining Act. This statute prescribes that "no person shall sell liquors "within one mile of a gold mine without a "*monthly* license for an inn, issued by the "officer of the mining division, under a "penalty of one hundred dollars, etc." This same statute, 27 and 28 Vic., contains also the original Temperance Act (commonly called Dunkin Act) chap. 18. It is this law which gives authority to Municipal Corporations to pass prohibitory by-laws, and punishes offences against them by a fine of $50. Then these two acts were enacted in the same year and form part of the same statute book. Is it not evident that, in the intention of the legislature, the clause of the "Gold Mining Act," was intended to be more restrictive with regard to the sale of intoxicating liquors than the ordinary law, and took away from the Municipal Councils the right to grant licenses, to place that power in the hands of a Government officer in order to have a better control of the sale of ardent spirits? If that was not the object of the law, why only grant *monthly licenses*, and impose for infraction of the law fines of $100 instead of $50, as under the Dunkin Act? This appears also plainer by reading together sections 28 and 29 of the "Gold Mining Act." This last section in particular says that this sort of license is only granted to those who can show the mining officer that they already possess an ordinary license granted by the Collector of Inland Revenue then in force. This Gold Mining Act, as originally enacted, has undergone a great many changes, but the original intention to put more than ordinary restrictions on the sale of liquors has, I believe, been generally preserved. It is clear to me that these statutes (The Gold Mining Act and the Dunkin Act), having been enacted together by the old Legislature of the Province of Canada before confederation, namely in 1864, and the last act having been embodied in the Municipal Code and in our Revised Statutes at Art. 1095, are not inconsistent with each other, but, on the contrary, are intended to stand together and help each other in imposing greater restraint on the sale of liquors. The first amendment to those two sections, 28 and 29 of the Gold Mining Act, was made in 1868 (31 Vic., chap. 21, sec. 7) by the Province of Quebec. This would be sufficient to show that the Quebec Legislature could not

then take away from the municipalities who had exercised it the power granted them by the Temperance Act of 1864, either *directly* or *indirectly*. It has been several times decided, and I need not quote the cases, that the Provincial Legislature could not by any legislation modify the Dunkin Act. If so, then the right to pass prohibitory by-laws which municipal bodies were given before Confederation, if used then could not be taken away or impaired afterwards. This alone is sufficient to decide this case in favor of the complainant. But, I believe, there are other reasons which might be invoked in favor of that pretension.

We find again these two acts, viz., the Mining Act and the Temperance Law, both included in our Revised Statutes, almost side by side. Art. 1095 of these statutes, which is called the Temperance Act, says :—" The " Municipal Council of every county, city, " town, township, parish or village shall have " power . . . at any time to pass a by-law " prohibiting the sale of intoxicating liquors " and the *issue* of *licenses* therefor, within its " limits."

Art. 1096 : " Such by-law shall be drawn " up and passed in ordinary form, and shall " simply declare that the sale of liquors and " the issue of licenses therefor are prohibited " within such limits." Art. 1102 says, " As " regards the prohibition of licenses, every " such by-law shall come into force from the " day of the communication thereof to the " Collector of Provincial Revenue, and as re- " gards the prohibition of sale . . . from " the 1st of May following."

Those three articles, 1095, 1096 and 1102, have been consolidated from the old Temperance Act of 1864. This law then was not considered as altered or modified by the Mining Act at the time of the Revision of our Statutes, which contained also the " Mining Act " and Art. 1477, which I have quoted at the beginning. They were not considered inconsistent with each other. It may be worth while to remark that this Art. 1477 refers to 893 as the article under which penalties are imposed in a mining division, and if we turn to Art. 893 it is said : " The Lieutenant-Governor in " Council may, by proclamation, issued and " published in the usual manner, when mines " are actually in operation and when the pub- " lic interest requires the same, declare that " this subsection shall apply to any or all " mining divisions of the Province or any " part thereof ; and, after such proclamation " whosoever in such mining divisions sells " intoxicating liquors, without a license from " the inspector of the division, is liable to a " fine not exceeding $100 etc., etc."

In this case I have not been able to find any such proclamation putting in force this Act about the penalties. It is well to notice that the penalty is heavier than under the ordinary license acts before the amendment of last session, which did not exceed $75. This shows again the greater restrictions imposed by the Mining Act on the sale of liquors.

Another reason which affects materially the case of the defence is this :—The license filed herein is dated on the 19th of June, 1891, and to be valid until the 30th April, 1892. If we turn, however, to Art. 834 Quebec License Act, we find :—" Except ferry " licenses, concerning which this section con- " tains special provisions, steamboat bar " licenses, which expire when the boats go " into winter quarters, and licenses for tav- " erns at the mines, which are of *monthly* " duration, licenses are granted for one year, " or for a portion of a year only and expire " on the first day of the month of May subse- " quent to their issue."

In the body of the licence itself it is stated : —" This licence is granted . . . subject in " all things to the provision of ' The Quebec " License Law.' " *Semble*, in this case that the license should have been valid only for *one month*, and, if so, must have expired on the 19th of July last, unless renewed.

It is also singular that although the Mining Act refers us to the License Act for the mode of obtaining such licenses, still nothing is found therein concerning it.

Section 50 of the License Act of 1878, which prescribed the manner of obtaining such license has not been embodied in the Revised Statutes, with the exception of the *heading*, which is found over Art. 858, in the words following : " Licenses of railway " buffets and taverns at the mines," although not a word concerning these last is contained

in that article or the following. It is well to remark that section 50 of the License Act of 1878 still retains the original proviso of the Gold Mining Act which permitted this sort of license to be issued only to those who held another license previously issued by the Collector. An indirect amendment may be said to have been made to this section 50, by 43-44 Vic., chap. 11, sec. 47, where the power of issuing these licenses was given the Mining officer alone, "any municipal by-law or any-"thing in the Quebec License Law of 1878, "or in any other Act, to the contrary not-"withstanding." But although I consider this inoperative if intended to affect the Dunkin Act, or restrict its operation, I am happy to see the sweeping enactment which I have just quoted has not been put in our Revised Statutes.

The defendants claim that a Corporation passing a prohibitory by-law should give a copy of it to the Mining Officer. This is not required either by the Temperance Act nor the Municipal Code. The only officer entitled to a copy of the by-law is the Collector of Provincial Revenue. M. C. art. 562.

Art. 563 of the Municipal Code says that "the Collector of Provincial Revenue cannot "so long as the by-law remains in force, issue "licenses, etc."

Art. 565 says, "Licenses granted in contra-"vention to the provisions of a prohibitory "by-law and to those of this code are null "and void."

Hardcastle, in his work "on the construction of statutes" at p. 153 says:—"By-laws "made under the authority of a statute are "similar in all respects to an Act of Parlia-"ment."

It is claimed that these statutes clash with one another and are inconsistent. I cannot see why they cannot stand together. Both were made with a view to restrict the sale of liquors—the Temperance Act permitting the *total* prohibition by municipal bodies and the Mining Act taking out of their hands the granting of licenses (where no by-law to prohibit is passed) and leaving the whole control of them in the hands of an officer, independent of parties, exercising a strict supervision on the licenses of short duration. When a by-law exists in some municipality of a mining division the object of both laws as to the restriction of the sale of liquors is then more effectually obtained and the duties of the mining officers reduced to preventing infractions of the law.

I consider then these two Statutes, (viz.: the Temperance Act and the Mining Act) as made in what is called *pari materia*, having reference in some parts to the same subject.

The rule of construction of such statutes as laid down in Hardcastle p. 58 is—"they are "to be taken together as forming one system "and as interpreting and enforcing each "other;" and, further on the same page he says, "where there are different statutes *in* "*pari materia*, though made at different times "or even expired and not referring to each "other, they shall be taken and construed "together as one system and as explanatory "of each other."

En résumé.—I hold that the right of prohibiting given to the municipalities by the old legislature of the two Provinces, and enjoyed by them ever since and continued by the Temperance Act in our Revised Statutes, Art. 1095, *et seq.*, and the Municipal Code, cannot directly or indirectly be taken away or modified in any manner by the present legislature of Quebec.

That these two Acts, enacted formerly together, were intended, one to prohibit, and the other, where no prohibition existed, to restrict the sale of intoxicating liquors in a more stringent manner than the ordinary License Laws, and are not inconsistent with each other.

That where, in a municipality, such a by-law exists under the authority of the Temperance Act or Municipal Code, the right the Mining officer may possess in ordinary cases to issue licenses ceases.

Semble. That such licenses should be issued *monthly* and not otherwise, and that the license herein filed has expired and ceased to be in force long before the institution of this prosecution.

[Defendant was convicted and fined $50 and costs.]

J. L. Terrill, Q.C., for complainant.

J. Leonard, for defendant.

LAW PARTNERSHIPS.

Forming a business partnership is the next thing to getting married. Unless there be mutual respect and compatibility of temper, the daily friction between uncongenial natures not only produces discomfort, but materially detracts from the working capacity of the firm. A man's professional standing is as seriously affected by the mere fact of having a partner of shady reputation as his social position would be compromised by the bad character of a wife. Outside of the matter of mental equipment and general business aptitude, the purely personal qualities and attributes are of the utmost importance, and can never be safely ignored when a proposition to enter a copartnership is under advisement. Naturally, a feeling of fraternal affection grows up between the partners, and if a breach unfortunately does occur, one is apt to find much the same intensity of bitterness in a partnership litigation that proverbially exists in family quarrels. There is the same element of "love to hatred turned" to account for it.

We have heard members of the bar, who, recognizing the specially close intimacy and identification of interest of law partners, have maintained that every lawyer should practise alone. No doubt the speakers were better off alone, and probably it was also better for their possible copartners. The partnership relation always entails much mutual forbearance and personal compromise. Just as there are many persons who, from temperament and disposition, ought never to marry, so there are many men, both at the bar and in ordinary business, whose idiosyncracies render a successful partnership impossible. But for the majority of practitioners we believe that a copartnership, provided of course it be a "happy" one, is desirable, and that it will increase the aggregate usefulness of its members.

There are first the very obvious motives of economy and mutual convenience. The clerical and mechanical labor incidental to the business of two or three men can be done more cheaply and at the same time more thoroughly by a force of assistants held in common, whose work is carefully systematized. The practice of the law necessarily involves many absences from the office, and the great practical advantage of arranging engagements so that one member of the firm shall always be responsibly in charge, is in itself a strong argument for a partnership.

But these considerations are comparatively superficial. The essential requisite of a genuine law partnership is community of mind and thought. It must be granted that in many legal firms, especially in the large cities, this element does not in great measure exist. As in conventional society one becomes very familiar with the *mariage de convenance*, so, instances of metropolitan professional life are not uncommon, where one attorney of brains and experience maintains a partnership with another nominal lawyer, who controls a wealthy clientage, but spends his time yachting or on the race track. In the large cities, also, are always found law offices transacting such a large volume and variety of business that each of the partners is a specialist in charge of a separate department. But even in concerns of such magnitude, there will be consultation between the members of the firm upon important matters, and, moreover, each department is virtually a partnership within a partnership, the community of mind and thought of which we have spoken being in constant operation among the subordinates in such department. In hundreds of law partnerships in the great cities, and in the large majority of them in the smaller towns and country districts, mental community is the rule, making the partnership very real and very efficient.

A striking illustration of the effect of mental community in legal matters is to be found in the decisions of the great Courts of Appeal. The most admirable feature in the work of the First Division of our New York Court of Appeals is that it is clearly the effort not of seven minds but, so to speak, of one composite mind. The methods of thought of the judges have been assimilated and unified. Dissenting opinions are rare, not because they deliberately arrange the most available basis of compromise in each case, but because they have arrived at a communal point of view from which every new controversy is judged. The force of the illustration is strengthened by the gradual change in the Second Division

of the same court during the comparatively short time of its existence. In the earlier decisions of this tribunal the lack of internal adjustment was often very apparent. The opinions were more like individual than collective and representative utterances. But the effect of the consultation room has become clearly apparent in the modification of extreme views and in more comprehensive discussion.

On a smaller scale the same natural law must operate in every intellectual partnership, producing a harmonious resultant from more or less discordant forces. This, to our mind, is the chief consideration in favor of partnerships among lawyers. Of the professional life of the average lawyer, or firm of lawyers, the work actually done in court forms a comparatively unimportant part. It is the thinking, the foreseeing, the preparing, the advising, that count for most in results. This is true of what is known as litigated business as well as of office practice. How many actions are brought and never tried because of a shrewd checkmate before that point is reached? How many more go to trial when the result is a foregone conclusion because of long-headed management out of court?

The most important element in the preparation of any case for trial is the calm, comprehensive thought and discussion it receives in the privacy of the office. And it seems quite obvious that two or three men, who are accustomed to thinking together and schooled by habit to supplement and correct each other, can make such preparation of greater practical benefit for their combined business than could possibly result from the solitary effort of each of them given to his individual cases.—*New York Law Journal.*

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, Oct. 31.

Judicial Abandonments.

Bernier, Savard & Pepin, groccrs, St. Sauveur de Québec, Oct. 24.

O. Napoléon Morin, trader, St. Pie, Oct. 29.

F. X. St. Pierre, trader, Lyster, Oct. 27.

Curators appointed.

Re François Caron, mill-owner, St. Irénée.—N. Matte, Quebec, curator, Oct. 27.

Re J. B. Dagenais.—C. Desmarteau, Montreal, curator, Oct. 24.

Re Dugrenier & Gagnon, mill-owners, township of Ely.—L. Jodoin, Waterloo, curator, Oct. 21.

Re Jacob Gagné, trader, Rimouski.—H. A. Bedard, Quebec, curator, Oct. 23.

Re Narcisse Gélinas, Three Rivers.—Kent & Turcotte, Montreal, joint curator, Oct. 23.

Re Joseph Giroux.—C. Desmarteau, Montreal, curator, Oct. 26.

Re Léon Ravary, mill-owner, St. Clet.—A. Lamarche, Montreal, curator, Oct. 24.

Re Joseph Smith, trader, Cedar Hall.—H. A. Bedard, Quebec, curator, Oct. 26.

Re Robert Summerhayes, Montreal.—A. W. Stevenson, Montreal, curator, Oct. 24.

Re Frs. Turcotte, shoemaker, St. Sauveur de Québec, —H. A. Bedard, Quebec, curator, Oct. 28.

Dividends.

Re N. Allard & Co., Montreal.—Dividend on proceeds of immovables, payable Nov. 17.—C. Desmarteau Montreal, curator.

Re Joseph Elisée Bourque, St. John's.—First dividend, payable Nov. 16, Lamarche & Olivier, Montreal, joint curator.

Re J. Mongin & Cie.—First and final dividend, payable Nov. 17, C. Desmarteau, Montreal, curator.

Re Patrick O'Connor, Little Pabos.—First and final dividend, payable Nov. 17, H. A. Bedard, Quebec, curator.

Re Richard Ready, Montreal.—First and final dividend, payable Nov. 19, A. H. Plimsoll, Montreal, curator.

Re Joseph Roy, Montreal.—First dividend, payable Nov. 20, Kent & Turcotte, Montreal, joint curator.

Commissioner to receive affidavits.

Hy. Barber, accountant, Toronto, has been appointed Commissioner to receive affidavits to be used in the Courts of record in the province of Quebec.

GENERAL NOTES.

UTTERING AND PUBLISHING A FORGED NOTE.—The wife and daughter of the defendant had the same name. He got the daughter to sign a note, intending to pass it as that of his wife, which he subsequently did. He was held to be guilty of uttering and publishing a forged note. *State* v. *Farrell* (Iowa), 48 N. W. Rep. 940.

STATE RAILWAY OWNERSHIP.—Six States—Massachusetts, Pennsylvania, Michigan, Illinois, Indiana and Georgia—have tried and abandoned the experiment of railway ownership and management, and that too before the era of competing lines and low rates. If the States were compelled to buy and run the railways now it would bankrupt their treasuries and prove a great calamity to the travelling and shipping public.—*Railway Age.*