UNIVERSITY OF

NEW BRUNSWICK LAW JOURNAL

VOLUME 12

1959

UNIVERSITY OF NEW BRUNSWICK

LAW JOURNAL

VOL. XII

May, 1959

CONTENTS

ARTICLES	AR	TI	CI	ES
----------	----	----	----	----

LEGAL ASPECTS OF THE POWER DEVELOPMENT OF	
THE SAINT JOHN RIVER BASIN Gerald F. FitzGerald	*
SOME ASPECTS OF THE WRIT OF FIERI FACIASG. V. La Forest	38
THE NEW BRUNSWICK UNSATISFIED	
JUDGMENT FUND Franklin O. Leger	53
WARD CHIPMAN SR.: AN EARLY NEW BRUNSWICK	
JUDGE Patricia A. Ryder	65
CASE AND COMMENT	85

Expropriation — Value — Injurious Affection — Sections 11-13, N. B. Expropriation Act (John W. Turnbull); Bailees — Power of Sale — Liens — Sections 5-9, Liens on Goods and Chattels Act — R.S.C. Ord. 50, R. 2 (Ronald G. Lister).



The University of New Brunswick FACULTY OF LAW

Beaverbrook House
Saint John, New Brunswick
COURSES LEADING TO THE DEGREE OF B.C.L.

FACULTY

Dean of the Faculty

WILLIAM F. RYAN, B.A., B.C.L. (U.N.B.), LL.M. (COL.)

CONTRACTS, CORPORATIONS, CONFLICT OF LAWS, JURISPRUDENCE, INSURANCE, TAXATION

Professor of Law

G. A. McA'LISTER, B.A., M.A., B.C.L. (U.N.B.), LL.M. (COL.)

Professor

TORTS, CONSTITUTIONAL AND ADMINISTRATIVE LAW, LANDLORD AND TENANT, MORTGAGES AND SURETYSHIP, LABOUR LAW

Associate Professor of Law

G. V. LA FOREST, B.C.L. (U.N.B.), M.A. (OXON)

Professor

REAL PROPERTY, CRIMINAL LAW, COMMERCIAL LAW, PUBLIC INTERNATIONAL LAW, CREDITORS' RIGHTS, ESTATES.

Secretary and Registrar
M. LOUISE LYNCH, B.C.L. (U.N.B.)

Lecturers

L. G. HOAR, B.A., B.C.I.. (U.N.B.)

JUDICIAL REMEDIES AND ELEMENTS OF ENGLISH LAW

DONALD M. GILLIS, B.A. (ACADIA), B.C.L. (U.N.B.) EVIDENCE, FRACTICE

NORWOOD CARTER, B.A. (McGILL), M.A., B.C.L. (OXON)
EQUITY, TRUSTS

REGINALD D. KEIRSTEAD, B.A. (MT. ALLISON), B.C.L. (U.N.B.)

Judge of the Saint John County Court

DOMESTIC RELATIONS

WALLACE D. MACAULAY, B.Sc. (U.N.B.), B.C.L. (U.N.B.), LL.M. (London)

DAVID M. HARLEY, M.A., (TORONTO), B.A., B.C.L. (OXON).
PERSONAL PROPERTY

Courses given in Fredericton, N. B.

Professor of Law

J. W. SEARS, B.A. (U.N.B.), (OXON), B.C.L. (OXON), LL.D. (U.N.B.) TORTS, CONTRACTS, PROPERTY, JUDICIAL REMEDIES

Lecturer

RALPH V. LIMERICK, Q.C., B.A. (U.N.B.) CRIMINAL LAW



COMPLIMENTS OF HIS WORSHIP THE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF SAINT JOHN

THE CITY WITH THE ALL-YEAR ROUND PORT
THE FIRST INCORPPORATED CITY IN CANADA

With the Compliments

of

THE NEW BRUNSWICK INSTITUTE

OF

CHARTERED ACCOUNTANTS

THE LAW SCHOOL

of the University of New Brunswick shows . . .

An institution tried by the years before the bar of time may expect a verdict in its favour.

In appreciation . . .

PROVINCE OF NEW BRUNSWICK

HUGH JOHN FLEMMING, Premier
R. G. L. FAIRWEATHER, Q.C., Attorney-General

UNIVERSITY OF NEW BRUNSWICK



A modern university for men and women, situated in Fredericton, the beautiful capital city of New Brunswick.

GRADUATE AND UNDERGRADUATE DEGREE COURSES Arts (B.A., M.A.); Sciences (B.Sc., M.Sc., Ph.D.); Engineering — Civil. Mechanical, Electrical (B.Sc., M.Sc.); Forestry (B.Sc., M.Sc.); Law (B.C.L.); Education (B.Ed., M.Ed., B. of Teaching); Physical Education (B.Phys. Ed.); Nursing (B.N.); Business Administration (B.B.A.); Courses in Chemical and Mining Engineering.

RESIDENCE ACCOMMODATION AVAILABLE

For full particulars about courses, scholarships and other academic information, write:

THE REGISTRAR
UNIVERSITY OF NEW BRUNSWICK, Fredericton, N.B.

UNIVERSITY OF NEW BRUNSWICK LAW JOURNAL

Vol. XII

May, 1959

HONORARY EDITOR-IN-CHIEF RT. HON. LORD BEAVERBROOK

HONORARY EDITOR

HON. R. G. L. FAIRWEATHER, Q.C. Attorney General

CO-EDITORS-IN-CHIEF
JOHN W. TURNBULL
LOIS HOLMAN

EDITORIAL AND BUSINESS STAFF

Donald J. French	Business	Manager
Alfred J. Landry	Pro	of Editor

FACULTY ADVISER Professor G. V. La Forest

Published during the academic year
by the University of New Brunswick Law Students' Society,
Beaverbrook House, Saint John, N. B.

Advertising rates may be obtained by writing the Business Manager, c/o Beaverbrook House, Saint John, N. B.