

second endorser, the holder's recourse against such second endorser is lost.—*Desrosiers v. Guérin*, S. C., p. 96.

3. A note signed by a person carrying on business as a grocer, to whom a judicial adviser has been appointed, without the assistance of such adviser, for goods sold and delivered to him as such grocer, is valid.—*Delisle v. Valade*, S. C., p. 250.

4. A note given to a creditor to induce him to sign a deed of composition, or the note given in renewal of such note, is null, and the nullity may be pleaded by the maker to an action by the creditor.—*MacDonald v. Senez*, S. C., p. 290.

5. A note given either by an insolvent or by a creditor to induce the payee to consent to the insolvent's discharge is null.—*Decelles v. Bertrand*, C. R., p. 291.

See *Larceny*.

*Railway Ticket*.—The holder of a railway ticket travelling from Montreal to Toronto, and marked—"Good only for continuous trip within two days from date"—and who leaves the train in which he starts at Kingston, where he remains several days, cannot afterwards avail himself of the ticket in payment of a trip on another train from Kingston to Toronto.—*Livingston v. The Grand Trunk R. Co.*, C. R., p. 13.

*Redhibitory Vice*.—See *Exchange*.

*Registrar's Certificate*.—See *Trouble*.

*Requête Civile*.—A *requête civile* which does not on its face come within the provisions of art. 505, C. P., may be rejected on motion.—*MacDougall et al. & The Union Navigation Company*, Q. B., p. 63.

See *Judgment*.

*Reserved Case*.—See *Practice*.

*Review, Court of*.—See *Practice*.

*Saisie Arrêt*.—The omission to allege in an affidavit for *saisie arrêt*, that the defendant "is secreting" his property, or (in the case of a trader alleged to be insolvent) "that he still carries on his business," is fatal.—*Osborn et al. v. Nitsch, & Nitsch*, petr., S. C., p. 252.

*Saisie Conservatoire*.—In an action claiming a resolution of a sale of moveables by the unpaid vendor, the plaintiff has a right to attach the property by a *saisie conservatoire*, and, although the attachment may be in the nature of a *saisie revendication*, it will nevertheless avail to him as

a *saisie conservatoire*.—*Henderson & Tremblay*, Q. B., p. 24.

*Sale*.—1. The remedy of a purchaser of real estate in case of deficiency of quantity in the land sold is not in damages, but to claim either a diminution of the price or the revocation of the sale.—*Doutney v. Bruyère et al.*, S. C., p. 59.

2. A purchaser of real estate cannot seek to recover back a part of the price paid by him, or claim security from the vendor on the ground that he has just cause to apprehend being troubled in his possession, nor can he refuse to pay interest on the balance of the capital due by him.—*Hogan et al. v. Bernier*, S. C., p. 101.

See *Latent Defect*; *Trade Mark*; *Trouble*; *Unpaid Vendor*.

*Séparation de Corps*.—In an action of *séparation de corps* for adultery, the defendant cannot plead in bar acts of adultery on the part of the plaintiff.—*Brennan v. McAnnally*, S. C., p. 301.

*Shareholder*.—See *Calls*.

*Sheriff*.—See *Adjudicataire*.

*Sheriff's Sale*.—In the case of a sale by the Sheriff of an immoveable which by a donation was substituted, the purchaser is justified in claiming to be relieved from the sale, notwithstanding that the donor, by a second donation to the same donee, makes no mention of any substitution, and such relief may be claimed, by an answer to a rule against him for *folle enchère*.—*Jobin & Shuter et vir.*, Q. B., p. 67.

*Signification*.—See *Transfer*.

*Stamps*.—See *Bon*.

*Stolen Goods*.—See *Pledge*.

*Substitution*.—See *Sheriff's Sale*.

*Summons, Service of, on Married Persons*.—See *Practice*.

*Supreme Court*.—See *Appeal*.

*Surveyor*.—See *Practice*.

*Tax*.—See *Insurance*.

*Temperance Act of 1864*.—1. The provisions of this Act have not been repealed or amended by the Municipal Code or subsequent legislation, so as to prevent the enactment of a by-law thereunder for the prohibition of the sale of spirituous liquors.—*Ex parte Coosy, Jr., & The Municipality of the County of Brome*, C.C., p. 182.

2. The regulation of the traffic in intoxicating liquors is within the jurisdiction of the Parliament of Canada.—*Ib.*

See *Municipal Code*.

*Tirage au Sort*.—A *tirage au sort* by a building