

account rendered, where the judgment ordered the account to be reformed within thirty days, by adding to the balance stated, certain sums proved to have been omitted in the account, and the judgment proceeded to condemn the defendant to pay the amount omitted, before the balance due and payable had been established in due course of law, that the latter part of such judgment is irregular and erroneous.

2. Where the plaintiff desisted from the latter part of the judgment above mentioned, and obtained *acte of désistement*, pending an appeal by the defendant from the judgment, that the respondent should be held only for the costs of the appeal up to the time when he obtained *acte of désistement* as aforesaid, and that the appellant having failed on the other grounds of appeal, should be condemned to pay the costs of the appeal from the date when *acte* was obtained.—*Stephens & Gillespie, Lacoste, C. J., Baby, Bossé, Wurtele, JJ., Sept. 26, 1891.*

Taxation—Insane Asylum—Charitable institution—Exemption—
R. S. Q. 2044, 6146.

Held:—That an asylum for the insane, established and incorporated by an Act of the legislature, and supported chiefly by voluntary donations, the members of the corporation individually deriving no profit from the institution, is a charitable institution within the meaning of R. S. Q. 2044, 6146, and therefore exempt from the payment of municipal and school taxes.—*Corporation of Verdun & Protestant Hospital for the Insane, Lacoste, C.J., Baby, Bossé, Wurtele, JJ., Sept. 27, 1891.*

PROCEEDINGS IN APPEAL—MONTREAL.

Friday, January 15.

The Court adjourned, the parties not being ready to proceed in any case.

Saturday, January 16.

Commission of Mr. Justice Hall read. Commissions of Justices Wurtele and Ouimet read, the former to replace Mr. Justice Cross, during his leave of absence, and the latter to replace Mr. Justice Baby during the term.

Menard dit Bonenfant & Bryson.—Appeal from judgment of the Court of Review, Montreal, Jan. 31, 1891. Part heard.

Monday, January 18.

Villeneuve & Kent.—Confirmed, Blanchet, J., diss.