

it was a third party who came in and asked for the judgment of the Court on it. The principle on which the judgment should go, was that the petitioner stood merely in the position of *amicus curie*. This was not a case, in his Honor's opinion, in which a party should be allowed to intervene in this Court. He might attain his end by making an affidavit in the Court below, and putting the Bank into insolvency at his own instance.

Gilman & Holton for the appellants.

Trenholme & Maclaren for intervening party ;

T. W. Ritchie, Q.C., Counsel.

STATUTES OF QUEBEC, 1879.

(ASSEMBLY BILL No. 123)

[Mr. Wurtelo, M.P.P.]

An act defining the Investments to be made by administrators.

Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :—

1. Administrators, as defined by section one of the act 33 Vict., chapter 19, and including trustees, to be exempt from liability by reason of the investments made by them, saving always the case of fraud in making the same, must invest moneys held by them as such, in dominion or provincial stock or debentures, or in public securities of the United Kingdom or of the United States of America, or in real estate in this province, or on first privilege or hypothec upon real estate in this province valued in the municipal valuation roll at double the amount of the investment; except in the case of executors when they are authorized otherwise by the will, in the case of institutes and curators to a substitution when they are likewise otherwise authorized by the document creating the substitution, and in the case of trustees when they also are otherwise authorized by the document creating the trust.

2. When therefore investments are made otherwise than as above provided, or than as ordered by the will appointing executors or by the document creating a substitution or a trust, the administrators are obliged to indemnify the parties to whom they are accountable for losses caused by the depreciation of the securities invested in, under pain of coercive imprison-

ment. subject to the provisions contained in the code of civil procedure.

3. In the case of fraud in making investments in the securities mentioned in section 1, administrators are responsible for the damage caused by their fraud under the like pain of coercive imprisonment.

(ASSEMBLY BILL No. 132.)

[Mr. Flynn, M.P.P.]

An act to amend article 49 of the Code of Civil Procedure.

Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 49 of the Code of Civil Procedure is amended by adding to the second paragraph thereof, the following words :

“ If the defendant has no domicile or permanent residence in this province, the mention of his surname alone will suffice, if his christian name cannot be ascertained, provided he be otherwise sufficiently designated in the writ and that such writ be served upon him personally.”

2. This act shall come into force on the day of its sanction.

(ASSEMBLY BILL No. 143.)

[Mr. Wurtelo, M.P.P.]

An act respecting the sale of securities belonging to persons not in the exercise of their civil rights.

Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. In the case of sale of securities, such as capital sums, shares or interest in financial, commercial or manufacturing joint stock companies or public securities, belonging to minors, interdicts or absentees or to substitutions, the judge or the court, authorising such sale upon the advice of a family council, may, if he or it deem it meet, order that the sale be made, at the current rate upon the Stock Exchange, by a broker or other person appointed for that purpose, without advertisement or other formalities; and the judge or court, in case he or it may deem the thing advisable, may authorize, during such delay as shall be determined, the gradual disposal of such securities at the current rate upon the Stock Exchange.