

# The Daily Record.

AND JUDICIAL NEWS.

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## THE DAILY RECORD AND JUDICIAL NEWS

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### JUDICIAL NEWS

TUTELLE DEPARTMENT.

Ulric Lachapelle, of Montreal, shoemaker, in his quality of tutor to his minor child has been authorized to accept the succession of his late mother, under benefit of inventory.

François Xavier Collette, of Verchères, retired merchant, in his quality of tutor to his minor children, has been authorized to sell, jointly with the co-proprietors of age, eight different lots of land situated at Verchères, E E Chagnon, of Verchères afore-said, notary, has been appointed to conduct the said sales.

And Felix C Larose, of the same place, merchant, has been appointed tutor *ad hoc* to the said minors to represent them at the said sales.

### JUDGMENTS OF DISTRIBUTION.

Posted on the 11th inst.

Lanouette v. Besner MM. de Lorimier & Co for plff.

La Banque Jac: Cartier v. Derocher et al, MM. Lacoste & Co for plff.

### MAGISTRATES COURT.

Judgments rendered on the 9th inst.

MONTREAL.

Benjamin Groulx v. Jos Latour, \$27, Beaudin & Co. Default.

G O Dupuis v. Clovis Monette, \$18, Beaudin & Co. Default.

Albert Jetté v. F X Lessard, \$50, Beaudin & Co. Default.

P Pilon v. Henry Glauffield, \$32, Sarrasin. Default.

Chs Racicot v. Theophile Lafricain, \$13, J C Lacoste.

F X Roy v. Elie Morneau, \$50, L P DuJ ré. Default.

Louis Lebus v. Theophile Ouellette, \$35, St Julien. Default.

Hornisdas Laporte et al, v. Frs Clement, dit Proulx, \$10, G Mireault. Default.

### CIRCUIT COURT.

Judgments rendered on the 9th inst.

Jos Duhamel v. Nap Monette, and Dme C Landry, opp, Montreal, fourth class, Augé & Co.

J U Lamarre v. F F Ferland, and E P Ferland opp, builder, Montreal, fourth class, Oimet & Co.

A. Filiatrault et al. v. H Champeau, and Marc Larose, \$71, Lefebvre L A.

O Vinette v. A J Carrigan, (Inkermam P. O.) \$48, Beaudin & Co.

Dme V St Marie v. Moise Portelance, Montreal, \$56, Beaudin & Co.

E Monty v. Amedée Delisle, Montreal, \$52, Dupuis & Co.

Wm W O'Gilvie v. Edouard Beliveau, Ibergville, \$27, Chauvin & Co.

Noxon Bros. André Elie, parish St Zotique, \$23, Greenshields & Co.

G R Fabre et al, v. Ephrem Boisvert, St Cyrille de Wendover, \$4, T Fortin.

Auguste Jolivet v. Alexander Anderson, Longueuil, \$9, Lavallée & Co.

### COURT OF REVIEW.

In re TRUDEAU INSOLVENT.

Continued from our last issue.

Such a position, I think, is against the spirit and the policy of the insolvent law; the more so that the law provides for the sale of the books as part of the estate.

It is, of course, conceivable that a perfectly solvent trader may sell his books of account without fraud to an honest purchaser; but here the thing looks very much against such an idea as that, and Merizzi certainly could not honestly accept the office of guardian if he knew himself to be incapacitated to hand over what was indispensable to the liquidation of the estate.

The judgment telling the curators they might take the books and use them, but not dispose of them as the property of the estate until Merizzi's claim was ascertained, appeared to me at first equitable enough—that is, assuming there had been a form of sale which the curators did not question as fraudulent or illegal, which they did not do; but when we come to consider what it is precisely that this man, questioned under oath as to his title, calls a sale, we see it is not a transfer of property at all, but merely a mandate conveying power to collect debts on commission and not divesting the insolvent of the right of property at all.

That being the case, the curators have a right to get the books. The court is, therefore, to revise and extend the judgment below, and grant the curators petition with costs in both courts.

### SUPERIOR COURT—ENQUETE ET MERITS.

The hearing of the case of "Henderson vs. Ontario Bank," which was on the roll of the 29th April last, began yesterday, it will be continued this morning.

The following cases shall be called afterwards:—

1 Doré	E Desrosiers.
& City of Montreal	Roy & Co.
2 Bénéard	do
& City of Montreal	do
3 Goldie	Huchinson & Co.
& Lareau	Augé & Co.
4 Beaulne	J J Beauchamps.
& Berthiaume	F L Sarrasin.
5 Hemsley	McCormick & Co.
& Morgan et al.	Monk & Co.
6 Gauthier	Duhamel & Co.
& Rozier	Prévost & Co.
	Duhamel & Co.

### SHERIFF'S SALES.

326 MM. Morris & Holt distrayant v. Christin Levac, Sheriff's Off, June 5th 10 a.m.

Lot 15-31, Hochelaga ward corner Ste Catherine and Cuvillier Streets with buildings.

1896 Aimé Masson v. J Bte Persellier dit Lachapelle, jr, St Frs de Salles, April 21st 11 a.m.

Two lands bounded in front by Rivière des Prairies, with buildings.

313 Chs W Meyer v. G N Brabant, Vaudreuil, June 5th, 11 a.m.

1st An emplacement at Vaudreuil, with a grain shed, two story high etc. 2nd an Island, L'Isle aux tourtes situate in the Ottawa, river, parish of Vaudreuil.

Province of Quebec, }  
District of Montreal }

### IN THE SUPERIOR COURT.

No. 875.

HOHMISDAS LAPORTE J-Bte Albert Martin and J Octave Boucher, all of the City and District of Montreal, grocers, and doing business together in partnership under the name and style of Laporte Martin & Co. Plaintiffs.

vs.

LOUIS DUGAL of the City and District of Montreal. Defendant.

The Defendant is ordered to appear within two months. Montreal, 8th May, 1891.

GEO. H. KERNICK.

Deputy Prothonotary.

G. MIRREAU, Atty. for Plff.

Province of Quebec, District of Montreal, No. 4154, Circuit Court Edouard Durand, Plaintiff vs. Delle Clotilde Yerrault, Defendant. On the twenty first day of May 1891 at nine of the clock in the forenoon, at the house of the said Defendant 340, Craig Street, in the City of Montreal, will be sold by authority of Justice, all the goods and chattels of the said Defendant, seized in this case, consisting of house furnishing etc., Terms, cash. F X Br ARNAUD, B.S.C. Montreal, May 11th, 1891