

be quashed for not deprive the corporation, its powers. (2) *Process-verbal* for the officers of municipal taxation as proprietors of the county council upon the local a by-law under & Corporation

STITUTIONAL LAW,

—40 Vict. (Q.) council, under the (Q.) c. 29, may, by a fixed sum etary-treasurer incorporated by of a building for of the county in contributed by in proportion to such total value certificate of the of the Superior town council to under the above of the Town of

eggs.] Officers ration have no ight time, with- on that a felony be held respon- & Charbonneau,

o years of age, its parents, is rack of a street way company, of the company, ill not be main-

NEGLIGENCE—Continued.

tained. (Judgment of Loranger, J., M. L. R., 78 C. 10, reversed.) *Compagnie de Chemin de Fer à Passagers de Montréal & Dufresne*, 214.

— See DAMAGES, 468.

NUISANCE.

Asylum for the Insane—Action to compel discontinuance of erection. Where buildings are being erected for a legal and proper object, such as a hospital for the insane, and there is no proof that they are causing or likely to cause any injury to the properties of the neighbours or any diminution of their value, owing to causes for which the proprietors of the asylum would be liable, adjoining proprietors have no right to ask by injunction that the erection of the buildings be discontinued. *Crawford & Protestant Hospital for the Insane*, 67.

PARTNERSHIP.

Action for dissolution pending—Appointment of liquidator. The fact that an action is pending for the dissolution of a co-partnership, the management of the business of which, by the deed of co-partnership, was entrusted to the partner defendant, is not a sufficient ground for depriving him of the management, and for the appointment of a liquidator. *Gerhardt & Davis*, 437.

PHYSICIAN.

Proof of services—C. C. 2260; 32 Vic. (Q.), c. 32, s. 1—R. S. Q. 5851.] The oath of the physician or surgeon, which, under R. S. Q. 5851, makes proof as to the nature and duration of the services, can only be rebutted by the clearest and most precise testimony, which was not found by the Court in the present case, in which, by the evidence of doctors who had not seen the patient before or during the illness, and who did not speak positively, it was sought to reduce a physician's account, for treating a case of fracture of the collar bone, from \$175 to \$100. *Bourgeau & Brodeur*, 171.

PLEADING. See PROCEDURE.

PLEDGE.

Of goods for pre-existing debt—Transfer of bill of lading—R. S. Q. 5846.] The transfer of goods, then stored in New York, by a debtor apparently solvent, to his creditor, by endorsement of the bill of lading, as security for an antecedent indebtedness as well as for a note at the time discounted by the creditor, is valid, and the creditor may apply the proceeds of the pledge to the antecedent debt, and recover on the note discounted at the time. *Watson & Johnson*, 147.

— See BUILDING SOCIETY, 417.

POLICE, POWERS OF.

Violation of Domicile—Arrest without warrant.] See MUNICIPAL CORPORATION, 24.