

of the contents of the letter, and that any threat had been made, allowed defendant to gently draw him toward defendant and turn him round so as to bring plaintiff's body between defendant and the visitor. An explosion then occurred through which plaintiff sustained severe injuries. The Supreme Court held that such facts presumptively established a cause of action in favour of plaintiff against defendant; that the burden of proof was not on plaintiff to show that he would have been less seriously injured or not injured at all if he had been let alone, but that the burden of proof was on defendant, if he wished to avail himself of such defence, to show that without defendant's act plaintiff would have been equally injured. The judgment of the lower court was reversed, and a new trial ordered.

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In *Bastien v. Labrie*, Superior Court, Pagnuelo, J., Montreal, Feb. 10, 1893, the action was for the recovery of the amount of several promissory notes made by the defendant to the order of a firm which had become insolvent. The notes had been sold by the curator, and had been endorsed by him. The court held that the endorsement constituted a valid transfer, and that it was sufficient for the plaintiff (the purchaser of the notes) to exhibit the endorsement to the maker, to notify him of the sale and prove the fact of the sale.

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In *Marc v. Cleveland*, Superior Court, Davidson, J., Montreal, May 10, 1893, it was held that the defendant filing a *requête civile* is in the position of a plaintiff in respect of the *requête civile*, and, if a non-resident, is bound to satisfy the requirements of Article 29 of the Civil Code, as to giving security for costs and producing a power of attorney.

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A question interesting to lawyers was decided in the Superior Court by Mr. Justice de Lorimier, Montreal,