

bref de saisie-gagerie qui signifie d'abord une copie du bref au locataire et qui ne va ensuite saisir que plusieurs jours après, est responsable en dommages au demandeur pour les effets que le locataire a, dans l'intervalle de la signification à la saisie, enlevés de sur les lieux loués et ainsi soustraits au privilège du demandeur;

20. Que les arts. 22 et 36 du code procédure civile ne s'appliquent pas à cette action on dommages;

30. Que le privilège du locateur ne porte pas sur les effets qui doivent être, en vertu de l'art. 556, laissés au débiteur à son choix;

40. Que cet art. 556, tel qu'amendé, s'applique aussi bien aux saisies qui ont lieu pour le recouvrement d'une dette antérieure à cet article qu'à pour les dettes postérieures;

50. Que le jugement condamnant, dans ce cas, l'huissier à des dommages, le subrogera pour autant dans la créance du demandeur contre le locataire.—*Michon et al., v. Venne, Cimon, J., confirmé en révision, 12 juin 1886.*

Procedure—Opposition to judgment by default.

HELD:—That under 46 Vict. (Q.), ch. 26, s. 4, amending C. C. P. 484, an opposition to a judgment by default must be supported by affidavit setting forth that the opposant has a good defence to the action, and that he has been prevented from filing his defence by surprise, fraud or other just and sufficient causes.—*Ross v. Dawson et al., Jetté, J., Sept. 20, 1886.*

Procedure—Opposition to judgment by default—C. C. P. 486—46 Vict. (Q.) ch. 23, s. 4.

HELD:—1. That the opposant, against whom a judgment by default had been obtained after being regularly foreclosed from pleading, not having objected within the ordinary delay to the filing of a contestation in law of his opposition to judgment, but on the contrary, having appeared and been heard on said contestation, could not object afterwards (and more especially when the case was before the Court of Review), that the contestation had been filed too late. C. C. P. 140.

2. An opposition to judgment by default must be supported by affidavit that the de-

fendant has a good defence to the action,—which defence shall be set out in the opposition,—and that he has been prevented from filing his defence by surprise, fraud or other just and sufficient causes.

3. Where the defendant has been regularly foreclosed from pleading, and does not complain of such foreclosure, he is not entitled to file an opposition to the judgment (which is equivalent to a plea to the action), without being relieved from such foreclosure.—*Letourneux v. St. Jean, In Review, Johnson, Papineau, Gill, J.J., Nov. 30, 1886.*

UNPROFESSIONAL CONDUCT.

To the Editor of THE LEGAL NEWS:

SIR,—Frequent reference has recently been made in the city papers to matters reflecting upon the conduct of members of our Bar. The presiding Judge of the Circuit Court for the last term, must have been utterly disgusted at the numerous instances of unprofessional practice disclosed to him. If this state of affairs be allowed to proceed unmo-
lested, it is difficult to say where it will end. It is about time that our Council showed a little "backbone" and woke up to the fact that the dignity and reputation of our Bar are at stake, and that they proceeded to inquire into and put down with a strong hand this unfortunate but growing evil.

NEMESIS.

Dec. 27, 1886.

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, Dec. 18.

Judicial Abandonments.

Louis Fréchette, trader, Ste. Madeleine, Dec. 6.
Louis Proulx, carriage-maker, St. Robert, Dec. 13.
John N. Smith, trader, township of Winslow, Dec. 6.

Curators appointed.

Re F. X. Brazeau & Cie.—Kent & Turcotte, Montreal, curator, Dec. 16.
Re Telesphore Coderre, druggist, Montreal.—Seath & Daveluy, Montreal, curator, Dec. 7.
Re Henriette Dubeau, milliner, Montreal.—Seath & Daveluy, Montreal, curator, Dec. 10.
Re Thomas Lavoie, Fraserville.—L. N. Paquet, Fraserville, curator, Dec. 14.
Re N. O. Lebrun, Sorel.—Kent & Turcotte, Montreal, curator, Dec. 3.
Re Nathaniel Michaud, trader, St. Eloi.—H. A. Bedard, Quebec, curator, Dec. 14.
Re Edouard Morin, druggist, Montreal.—David Seath, curator, Dec. 7.