

The Daily Record.

AND JUDICIAL NEWS.

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THE DAILY RECORD AND JUDICIAL NEWS

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Should any irregularity occur in the delivery of The Record, subscribers will please notify the publishers.

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REAL ESTATE.

Sales from:

George Childs et al to Patrick McDermott, of lots 414 and 415, St Ann's ward.

Hardoin Léonais, es-qual to Thomas Trihey, of lot 944-3-4, St Louis ward.

Leon Lespérance to Elzéar Provost, of lot 651, St James ward.

John M Smith to Geo Ross, of lots 19-40-41-42-43-44, St Lawrence ward.

Edward D Roy to Leonard Bastien, of lots 115 and 129, Cote St Louis Village.

Jos Haynes to M Millard, of lots 162-227 to 230, 165-20 to 23, said Village.

Alph Chapleau et al to M Millard, of lots 162-233, 234, 165-16, 7, said parish.

JUDICIAL NEWS

TUTELLE DEPARTMENT.

The Reverend Alfred Bertrand, Priest and Chaplain, of Montreal, has been appointed curator to the vacant succession of the late Marguerite O'Dea, in her lifetime of Montreal, widow of the late Francis Collins.

Thomas Fournier dit Prefontaine, of Longueuil, gentleman, has been appointed curator to the substitution created by the last will of the late François Fournier dit Prefontaine, in his lifetime of the same place, also gentleman.

Joseph Desmarais, of Montreal, carriage maker has been appointed tutor to his minor children and Patrice Rivet, of St Jérôme, farmer, subrogate-tutor.

Charlotte Dickinson, widow of the late William Crowther, in his lifetime of Montreal, Railway employe, has been appointed tutrix to her minor children and Edward James Major, of the same place, inspector, subrogate-tutor.

William John Fraas, of Cote St Paul, Miller has been appointed tutor to his minor children and George Woolam, of the same place, book keeper, subrogate-tutor.

EXPROPRIATION MATTERS.

In the expropriation of St Cuthbert Street an order has been given to the Prothonotary to pay to the following party the amount, opposite his respective names, to wit:—

To David T Irish, \$3918.58
R A E Greenshields, Esq, for Indem:

COURT OF APPEAL.

Writs issued

Montreal No. 455.—Royal Can. Ins. Co. v. A J A Roberge; MM. Bethune & Co. for appell

CIRCUIT COURT.

Judgments rendered on the 6th 8th inst.

Alfred Muer v. John D Armstrong, Montreal, \$60, Burroughs & Co. Default.

Stanislas Boucher v. Jos Robert, St Marc, \$31, A Girard. Default.

Same v. Pierre Robert, St Marc, \$17, A Girard. Default.

Same v. Al. Robert, St Marc, \$48, A Girard. Default.

Corp College St Laurent v. Wm Chapdelaine, Richelieu, \$25, Laurendeau.

Alf Desmarais v. Ferdinand Marcoux, shoemaker, Montreal, \$95, Laviolette.

J Barth v. Thomas Belanger, machinist, \$60, Charbonneau.

Jos Duhamel v. Nap Monette and Dme Celanie Vaudry, Montreal, fourth class, Duhamel & Co.

E E Goyer v. Jos Caron and Communauté frères Ecoles Chré. T.S. Montreal, \$38, Laval-lée.

Thomas Dionne v. Telesphore Villandré, painter, Montreal, \$55, Z Renaud.

Olivier Holmes v. Thomas Allard, Infant Jesus Parish, Montreal, \$6, O Gaudet.

MAGISTRATES COURT.

Judgments rendered on the 8th inst.

MONTREAL.

Dme G Foisy et al v. Dme L Ross, \$25 Rolillard. Default.

Chs. E Thibault v. Geo. Giroux, \$36, Cholette & Co. Default

E Brabant v Alderic Lavoie, \$16, Brodeur. Sai. gag.

Same v. Isaie Butler, \$7, L P Brodeur.

Dme J Barbeau v. Hirani Johnson, trader, \$46, Augé & Co.

J Jeannotte v. Jos. Jobin, \$42, Augé Co.

Dme C Hart v. Nazaire Bourgouin et al., \$21, E Desrosiers.

F X Dyotte v. E H Thurston, \$50, David & Co.

Chs. Deblois v. Same, \$50, David & Co.

A Gauthier v. F Ames and James Holden, \$1, Augé & Co.

G Gagné v. Horace Chagnon, \$30, Augé & Co. Noé E Coulombe v. Nap. Houle, painter, \$2, Bourgouin.

E Desjardins v. G Brault, tailor, \$4, A Mathieu.

J D Rolland v. Samuel, Leva, trader, \$48, J L Archambault.

Eug. Bernier v. Omer Girard, \$22, Dupuis & Co.

Frank Meagher v. Canada Paper Co'y, \$3, Gratton.

Denis Demers v. Jos. Lefrançois, \$12, David & Co.

A S Masterman v. Isaie Boudreau and Jos Bourdeau, \$42, M Davidson & Co.

Dme S Larin v. Xavier Moreau, carter \$50, Beauchamp & Co.

R Laurier v. Dme C Lambert \$25, E. Desrosiers.

Thomas Lamb v. Thos. Haseltine and J P Marion, \$50, Gagnon & Co.

COURT OF REVIEW.

In re Trudeau, insolvent, Merizzi, provisional guardian, and Kent et al., curators and petitioners, the following judgment was rendered, The Hon. Sir Chief Justice Johnson, speaking for the Court.

Trudeau made an assignment, and Merizzi was appointed provisional guardian. On the 29th May the petitioners were named curators, and on the 25th June they petitioned alleging that among the property of the estate assigned were accounts and notes and other assets contained in the books of account of the insolvent and praying that the provisional guardian who had them, and whose functions had ceased, should be ordered to give them up.

The latter contested the petition, denying what it alleged, and asserting that he had never, as guardian, had possession of the books. He was examined, and admitted that he had them, adding he got them from the insolvent about a month before the cession by what he calls a sale.

He explains, however, that he was to get 25 per cent. on the amount of the debts collected, and hand over 75 per cent. to the insolvent. The judgment ordered the books to be given up to the curators provisionally, reserving the rights of the contestant to claim them afterwards.

My individual opinion is that Merizzi has no right to them at all, even admitting the transfer by what he calls a sale. The law (art. 768, C. P.) vests the guardian provisionally with the books and account of the estate. He could not hold them in any other capacity without a violation of his duty as guardian.

The curators ask for the books and accounts which are the key to the affairs they have to administer. The other says he has them; but he adds, as a witness for himself, that he bought them.

To be Continued,