

Some time not later than the year 1877, the claimant being possessed of property in the village mentioned, divided it into 41 lots. Through these lots a street was laid out known by the name of Couillard Street, and which connected St. Joseph Street with Port Joliette, a small cove or harbor on the River St. Lawrence. The plan of this division of the claimants' lands was duly recorded in the Registry Office for the County of Levis.

In the construction of the Railway, the Crown diverted Couillard Street, purchasing for that purpose one of the 41 lots in the aforesaid division of the claimant's lands. The village Corporation had never taken any steps to declare Couillard Street a public way. It was, however, used as such, was open at both ends and formed a means of communication between St. Joseph's Street and Port Joliette, and work had been done and repairs made thereon under the direction of the village Inspector of streets. The village council had also at one time passed a resolution for the construction of a sidewalk on the street, but nothing was done thereunder.

Upon the hearing of the claim, the claimant contended that Couillard Street at the time of the expropriation was not a highway or public road within the meaning of "The Government Railways Act" (44 Vic., C. 25), but was her private property, and that she was entitled to compensation for its expropriation.

The Crown's contention was that at the date of the expropriation, Couillard Street was a highway or public road within the meaning of "The Government Railways Act" (44 Vict. C. 25), and that the Crown had satisfied the provisions of Sec. 5, s.-s. 8, and Sec. 49 thereof, by substituting a convenient road in lieu of the portion of street so diverted, and that the claimant was therefore not entitled to compensation.

*Held*:—(1). That the question was one of dedication rather than of prescription, that the evidence showed that the claimant had dedicated the street to the public, and that it was not necessary for the Crown to prove user by the public for any particular time.

(2). That the law of the Province of Quebec relating to the doctrine of dedication or destination is the same as the law of England,

*Semble*:—That 18 Vict. C. 100, S. 41, s.-s. 9, Can. is a temporary provision having reference to roads in existence on July 1st, 1855, which had been left open and used as such by the public without contestation during a period of ten years or upwards. (See *Myrand v. Legaré*, 6 Q.L.R. 120, and *Guy v. City of Montreal*, 25 L.C.J. 132.)

Claim dismissed with costs.

*F. X. Drouin, Q.C.* } for Crown.  
*C. P. Angers* }  
*I. N. Belleau, Q.C.*, for Claimant.

#### INSOLVENT NOTICES, ETC.

*Quebec Official Gazette, Jan. 19.*

#### Judicial Abandonments.

Rose Ann O'Cain, St. John's, Jan. 10.  
Chas. Z. Langevin, dry goods, St. Sauveur de Québec, Jan. 16.

#### Curators appointed.

*Re* Beaver Oil Co., Montreal.—Geo. Irving, Montreal, curator, Jan. 16.  
*Re* Michel Bourdon.—C. Desmarteau, Montreal, curator, Jan. 16.  
*Re* Brault & Cadieux.—Gauthier & Parent, Montreal, joint curator, Jan. 16.  
*Re* Louis Napoléon Carle, restaurant keeper, Montreal.—Louis Carle, Ste. Ursule, district of Three Rivers, curator, Dec. 26.  
*Re* Hormidas Cousineau, Ile Bizard.—Kent and Turcotte, Montreal, joint curator, Jan. 16.  
*Re* Damiens & Frère, Fraserville.—H. A. Bedard, Quebec, curator, Jan. 17.  
*Re* Desmarteau & fils.—C. Desmarteau, Montreal, curator, Jan. 16.  
*Re* Dorval & Samson, Levis.—S. C. Fatt, Montreal, curator, Jan. 15.  
*Re* Pierre Dubé, St. Sauveur de Québec.—C. Desmarteau, Montreal, curator, Jan. 16.  
*Re* M. H. Fauteux, Montreal.—Kent & Turcotte, Montreal, joint curator, Jan. 16.  
*Re* Hector Leblanc.—C. Desmarteau, Montreal, curator, Jan. 15.  
*Re* Moïse Leblanc.—C. Desmarteau, Montreal, curator, Jan. 16.  
*Re* L. M. Perrault, Montreal.—Kent & Turcotte, Montreal, joint curator, Jan. 16.  
*Re* Ls. Richard.—L. Lavoie, Montmagny, curator, Jan. 3.  
*Re* Arthur Robinson, Montreal.—Kent & Turcotte, Montreal, joint curator, Jan. 16.  
*Re* George Woolley.—J. N. Fulton, Montreal, curator, Jan. 16.

#### Dividends.

*Re* Guillaume alias William Gariépy.—Final dividend of full balance of claims, payable Feb. 4, H. A. A. Brault and O. Dufresne, jr., Montreal, joint, curator.  
*Re* L. M. Trottier, jeweller, St. Johns.—First and final dividend, payable Feb. 5, J. O'Cain, St. Johns, curator.  
*Re* P. A. Leduc.—First and final dividend, payable Feb. 10, Kent & Turcotte, Montreal, joint curator.

#### Separation as to Property.

*Almira Libby vs. William F. Manson*, farmer, township of Potton, Nov. 30.  
*Harriet Amelia Manning vs. James Allen Gordon*, contractor, Sherbrooke, Jan. 15.  
*Marguerite Massé vs. Joseph Henry Prairie*, advocate, parish of St. Athanase, Jan. 17.  
*Harriet Permelia McCarty vs. Charles Minkler Murray*, hotel-keeper, Montreal, Jan. 12.