

Jugement résiliant le bail en faveur du défendeur.

*F. X. Ferras*, avocat du demandeur.  
*Marceau & Lanctot*, avocats du défendeur.  
(J. J. B.)

COUR DE MAGISTRAT.

MONTREAL, 7 mars 1889.

Coram CHAMPAGNE, J.

PICARD v. GINGUE.

*Locateur—Chambre garnie—Droit de rétention.*

Jugé:—*Que le locateur d'une chambre garnie avec usage en commun du poêle de la cuisine, a un lien ou droit de rétention sur les bagages et la propriété de son hôte, jusqu'au paiement du prix de location.*

*Autorités*: 39 Vict., ch. 23; *Demers, Privileges des biens meubles*, p. 69; 11 Leg. News, p. 171; *Lalonde v. McGloin*, 3 Leg. News, 94; *Boyer v. Ross*, jug. 14 mai 1886, confirmé en révision.

Jugement pour le défendeur sur saisie-revendication.

*F. L. Sarrasin*, avocat du demandeur.  
*David, Demers & Gervais*, avocats du défendeur.

(J. J. B.)

QUEBEC LEGISLATION, 1889.

CAP. 48.

An Act to amend the Civil Code of Lower Canada.

[Assented to 21st March, 1889.]

Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:—

1. Article 85 of the Civil Code is amended by adding thereto the following paragraph:

"2. The indication of a place of payment in any note or writing, wherever it is dated, is equivalent to such election of domicile at the place so indicated."

CAP. 49.

An Act to amend article 483a of the Code of Civil Procedure, added by article 5905 of the Revised Statutes of the Province of Quebec, respecting the revision of judgments.

[Assented to 21st March, 1889.]

Whereas the judicial interpretation given to the Act of this Province, 46 Victoria, chap. 26, sec. 4, now Article 5905 of the Revised Statutes of the Province of Quebec, restricts the application of that section to a particular class of cases, and whereas it is desirable that all cases in which judgment has been rendered by default or *ex parte* should be subject to the same provisions; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Article 483a of the Code of Civil Procedure, added by Article 5905 of the Revised Statutes of the Province of Quebec is replaced by the following:

"483a. In all cases whatever, and not only in those in which the judgment may have been rendered in virtue of Articles 89, 90, 91 and 92 of this Code, any party condemned by default to appear or to plead may proceed against the judgment, whether rendered in term or in vacation, by opposition made and filed according to Articles 484 and following; but no such opposition is allowed, unless the party condemned produces an affidavit that such party has a good defence to the action, which defence must be set out in the opposition, and unless such party has been prevented from filing his defence by surprise, fraud, or other cause considered just and sufficient by the Judge, without whose order no such opposition shall have any effect nor shall it be received by the prothonotary."

CAP. 50.

An Act to amend Articles 1745, 5917 and 5918 of the Revised Statutes of the province of Quebec, respecting exemptions from seizure.

[Assented to 21st March, 1889.]

Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:—

1. The following paragraph is added after the list of articles exempt from seizure under Article 1745 of the Revised Statutes of the Province of Quebec.

"7. The building materials intended to be employed in the construction of a dwelling