

La Cour supérieure a maintenu la défense par le jugement suivant:

"Considering that the defendant Goudron has admitted that the plaintiff is the owner of the Cadillac automobile and its equipment in question herein, and that the plaintiff has admitted that the said defendant Goudron, who is the keeper of a garage and repairing shop for automobiles, received the said automobile in his garage from the defendant A. Marin, and that the said defendant Goudron, at the date of the institution of this action, had a claim against the said Marin for the care of said automobile, and for oil and gasoline supplies amounting to the sum of \$132;

"Considering that the delivery of said automobile to the defendant Goudron to be kept in his garage, created a bailment which entitled him to the payment of a reasonable hire, and of the expenses and charges incurred by him, in connection with said automobile.

"Considering that a garage is similar to a livery stable, for which it has become a substitute to a great extent, and that the rules of law governing livery stables are applicable to garages;

"Considering that the defendant Goudron has a lien and right of retention against said automobile until his charges amounting to \$132 have been paid" (1).

La Cour de revision a infirmé ce jugement pour les motifs suivants:

"Considering that the proof establishes that the said Marin placed the said automobile in a garage kept by the

(1) *Rpland v. Gingras*, [1848] 2 R. J. R. Q. 293;—*Lachapelle v. Renaud*, [1873] 6 R. L. 217;—*Brazier v. Léonard*, [1882] M. L. R., 1 S. C. 419.