

PROCEDURE—Continued.

- Lusignan v. Rielle*, M. L. R., 4 Q. B. 204, the question was improperly raised by declinatory exception, the Superior Court having jurisdiction over the matter, and the question raised referring only to delays in procedure, which can be raised by exception to the form only. (2.) A letter in which the defendant acknowledged to owe and promised to pay the taxes, without specifying any amount, did not constitute an acknowledgment of debt sufficient to make the action summary under Section 2 of Article 887, C. C. P., this clause referring to commercial paper only. *Inglis v. Drechsel*, 205.
- *Articulation of facts*—Art. 208, C. C. P.] An articulation of facts which does not set up specific facts in the interrogatories, does not comply with the requirements of Art. 208, C. C. P., and will be rejected from the record. *Williams v. Esfine*, 237.
- *Attachment before judgment—Affidavit—Departure*.] (1.) While the affidavit for attachment before judgment must state the cause of the debt with sufficient certainty to enable the Court to decide whether an indebtedness exists, it need not necessarily state when or at what place the debt was contracted. (2.) Departure from the province, unaccompanied by any circumstance to indicate fraud, does not give rise to the right of attachment before judgment. *Lanktree v. Grey*, 453.
- *Attachment before judgment—Secrecion*.] The fact that a debtor wastes money in dissipation does not establish acts of secrecion to warrant the issue of a *sumis-well* before judgment. *Mullette v. Ethier*, 151.
- *Continuance of suit in name of curator to abandonment*.] The permission to exercise the actions of a debtor or of the mass of his creditors is a judicial authorization which is required in the interest of the mass of the creditors of a debtor who has abandoned his property for their benefit, and not in the interest of the adverse party. The latter cannot ask that the proceedings adopted without such authorization be rejected, but only that the proceedings be stayed until the proper authorization has been obtained, or for a sufficient time to enable the curator to apply for it. *Chisholm v. Gallery*, 302.
- *Experts*.] The Court will not, before *enquête*, make an order for examination by experts, where the parties are in dispute as to the limits of their respective properties, and one is claiming damages from the other for encroachment. *Deseve v. Deseve*, 157.
- *Non-judicial day*—Art. 3, C. P.] See PRESCRIPTION, 447.
- *Proceeding in forma pauperis—Deposit*.] Even where a party is permitted to proceed in *forma pauperis* before the Court of Review, such permission does not exempt him from making the usual deposit. *Dion v. Gervin*, 450.
- *Real estate—Seizure under §40*—Art. 1102, C. C. P.] The costs of