

PROVINCE OF CANADA,
LOWER CANADA, To Wit.

Court of Queen's Bench,

APPEAL SIDE.

LOUS VADEBONCŒUR & AL.

(Opposants in Court Below.)
APPELLANTS.

and

THE TRUST & LOAN COMPANY OF UPPER-CANADA,

(Plaintiffs in Court Below)
RESPONDENTS,

RESPONDENT'S CASE.

The Respondents having obtained a Judgment against the Appellants issued an execution,—and certain moveable property belonging to him having been seized by the Sheriff,—an opposition “*afin d’annuler*” was filed by him in which he acknowledged that certain irregularities had occurred in the course of the proceedings, and concluding that the seizure might be declared null and void with costs against the Respondents.

The opposition having been contested by the Respondents, was dismissed by the following Judgment, rendered on the 17th December last, which contains the reasons for its dismissal.

“The Court, having heard the Plaintiffs, by their Counsel, upon the merits of the opposition “*afin d’annuler*,” filed by the opposants in this cause, the said opposants not appearing at the said hearing, doth dismiss the said opposition with costs.

“It is manifest that this Appeal, like the opposition “*afin d’annuler*” filed by the Appellants, has been made for the purpose of obtaining delay, and without the least expectation that the Judgment appealed from could by any possibility be removed.

Henry THOMAS S. JUDAH,

Montreal, 21th May, 1858.

Attorney for Respondents.