

DECISIONS AT QUEBEC. *

Droit municipal—Privilege de traversier — Articles 549, 550 et 860 Code Municipal.

JUGÉ :—Que les corporations municipales locales ont le pouvoir d'accorder un privilège exclusif de traversier (*ferry*) sur les rivières situées dans leurs limites.—*Paquet v. La Corporation de St. Lambert et al.*, C. S., Caron, J., 16 oct. 1888.

Meuble immobilisé—Privilege du vendeur.

JUGÉ :—1o. Le privilège pour le prix du vendeur d'un meuble incorporé à un immeuble ne prime pas les hypothèques inscrites sur cet immeuble ;

2o. Il ne s'étend pas aux frais de l'action intentée pour recouvrer le prix.—*Bilodeau v. Sharpley*, en révision, Casault, Andrews, Pelletier, J.J., 30 nov. 1887.

Maintenance — Alimony — 42-43 Vict., ch. 14.

HELD :—That where the revenues of a person's property are barely sufficient for her support, she is not liable to the corporation of her parish for the maintenance of her insane child in an asylum, under 42-43 Vict., ch. 14. — *Corporation of Ancient Lorette v. Voyer*, C. C., Andrews, J., Oct. 15, 1888.

Practice—Dock dues after arrest.

HELD :—The arrest of a vessel puts an end to any contract for repairs which she may be undergoing at the time, and the marshal in whose custody she remains is responsible for subsequent dock dues. He may, therefore, include in his account a charge for the dock dues from the arrest until the sale. — *Canada Shipping Co. v. The "Chrysolite"*, Vice Admiralty Court, Irvine, J., Oct. 9, 1888.

Injunction—Violation of—Grounds for.

HELD :—1. An order of injunction, no matter under what circumstances obtained, must be implicitly observed, so long as it exists.

2. An interim order of injunction will lie to restrain the Quebec Harbour Commissioners from proceeding on an arbitration under 36 Vict., ch. 62, sect. 14, where it is made to appear that such arbitration has already been held, and suit has been brought and is pending to recover the amount of the award.—*Chint v. Quebec Harbour Commissioners*, S. C., Andrews, J., Nov. 3, 1888.

SUPREME COURT OF CANADA.

OTTAWA, December 22, 1888.

THE MANITOBA RAILWAY CROSSING CASE.

Railway Crossings—Case under ch. 5 of Statutes of Manitoba, 1888.

The following case was submitted to the Supreme Court of Canada by the Railway Committee of the Privy Council :—

Case under chapter 5 of the statutes of Manitoba (passed on the 30th day of April, 1888).

The Railway Commissioner of that province is constructing a railway known as the Portage extension of the Red River Valley railway, from Winnipeg to Portage la Prairie, both places being within the province of Manitoba, and he has made application to the Railway committee of the Privy Council of Canada, under section 179 of the Railway Act of 1888 (Canada), for the approval of the place at which and the mode by which it is proposed that the said Portage extension should cross the Pembina branch of the Canadian Pacific railway (the said branch being part of the Canadian Pacific railway), at a point within the said province. The Railway Act of the Manitoba Legislature under which the railway is being constructed by the said Commissioner is hereunto annexed, marked "A". The application of the Railway Commissioner of Manitoba to the Railway committee of the Privy Council is marked "B."

After hearing the parties interested, and at the instance of counsel for the Canadian Pacific Railway company, the following question is submitted by the Railway committee for the opinion of the Supreme Court of Canada, under the provisions of section 199 of the Railway Act of 1888 : "Is the said

* 14 Q. L. R.