

Vert, judgment was given that the defendant should pay four dollars and a half and costs.

Some other cases are worthy of note—for example, as shewing an "Equity" practice in this Court of Common Pleas, at the Court held 19th May 1791 in the case of *George Lyons v. Francois Chabut Esquire*, we find the following as the proceedings: "That the plaintiff having this day filed the affidavit of James May purporting that the best and only witness to prove his demands are without the jurisdiction of this Court, and being willing to refer the said demand to the decisive oath of the defendant, prays that a rule may be personally served on the said Francois Chabut, Esq., requiring him to attend this Court in his proper person on Thursday the 9th of June next, then here to purge himself by his corporal oath from his said demand, failing whereof it shall be admitted and taken pro confesso. The Court order accordingly."

On June 9th the defendant did not appear, the declaration was taken as confessed and judgment was entered "for £26 - 10 - 4, currency of New York, equal to £16 - 11 - 5 currency of Quebec, with costs. The costs were taxed at £6 - 11 - 5 currency of Quebec, Fi. fa. was issued and the money made in full (there is a trifling error in calculation £26 - 10 - 4 N.Y. currency is equivalent to £16 - 15 - 2½ Quebec currency).

On the 20th August 1789, in the action of *Thomas Cox v. Guillaume Gyeaux of L'Assomption*, "Walter Roe for the plaintiff filed his Declaration and the Defendant appeared in person:—

"As judgment was rendered the 23rd of July last against the Defendant and Execution the 24th of August, and finding by the Return of the Sheriff that the Defendant's Goods and chattels, Lands and Tenements are not sufficient to satisfy the said judgment creditor, and the plaintiff's Attorney suspecting that the defendant had property secreted in the hands of Joseph Pilet, he was therefore summoned before the Court to give his declaration on oath, whom being called and duly sworn and declared to have no effects of the Defendant's in his hands at this time, nor have had at the time of the service of the Declaration."

August 20th 1789 "*Isaac Dolson of L'Assomption, Yeoman, vs. Joseph Perrier, dite Vadeboncœur of the River of Ecosse, Walter Roe Attorney for the plaintiff*, filed his declaration and the Defendant being called and appeared in person and acknowledged that the plaintiff was in peaceable and quiet possession of the land in question, and that he did enter upon the premises in manner and in form as set forth in the Plaintiff's Declaration, which being duly considered, the Court ordered the Defendant to put the Plaintiff immediately in pos-