

in one indictment, the prosecution must elect on which count it will go to trial; but two offences in one indictment is—he means 'are'—'bad for duplicity.' This is a hash of blunders. There was no indictment in this case. Two counts are never bad for duplicity. Duplicity is a fault in a count, not in forming several. If two separate felonies are put in one indictment, it may be quashed, or the prosecution compelled to select one to go on. But in misdemeanors any number of different offences may be stated. And the charges against O'Brien were misdemeanors. Mr. Mundy proceeds: 'The witness was allowed to read from a memorandum made the next day, and that before he had exhausted his memory or recollection. Did any lawyer ever hear of such practice before?' Yes, always when the case arose. 'A witness may refresh his memory by referring to any writing made by himself at the time of the transaction, or so soon afterwards that the judge considers it likely that the transaction was at that time fresh in his memory' (Stephen's 'Digest of Evidence,' 128). Nor is he bound to try first if he can remember without. 'Again,' says Mr. Mundy, 'the witness swore he could not swear to the words used,' and asks whether men can be deprived of their liberty on such a flimsy pretext. Did Mr. Mundy never hear of evidence to the 'best of the knowledge and belief' of the deponent? Mr. Mundy says he was sorry to see such things in an English Court. Will it console him to remember that the Court was Irish? He says, 'When I return to America I shall be compelled to tell our people' dreadful things about the English—of one thing he says, 'if it was not horrible it would be laughable.' I will borrow his words with a change. His letter, if it was not laughable, would be horrible—if 'his people' agreed with it.

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, Oct. 22.

Judicial Abandonments.

Damase Moineau, trader, Montreal, Oct. 18.

Curators appointed.

Re Zoël Bessette, Granby.—J. L. Dozois, Granby, curator, Oct. 7.

Re Norris Best, hotel-keeper, Bord-à-Pleuff.—Fulton & Richards, Montreal, curators, Oct. 20.

Re L. Collin & frère.—H. A. Bedard, Quebec, curator, Oct. 15.

Re Augustin Groulx.—R. Kornmaier, Montreal, curator, Oct. 15.

Re Dolphis Sigouin, saddler.—G. R. Falere, Montreal, curator, Oct. 11.

Re Louis Tremblay.—C. Desmarteau, Montreal, curator, Oct. 18.

Dividends.

Re Ferdinand Aubry.—Dividend, payable Nov. 9, at office of C. Desmarteau, Montreal, curator.

Re Joseph Corrivault.—First dividend, payable Nov. 11, J. J. Griffith, Sherbrooke, curator.

Re Hypolite Lanctot.—Dividend, payable Nov. 10, C. Desmarteau, Montreal, curator.

Re Myer Myers.—Dividend, W. A. Caldwell, Montreal, curator.

Separation as to property.

Sarah Raines vs. James Pringle, trader, Montreal, Oct. 12.

Vitaline Rousseau vs. Donville Gingras, mechanic, Ste. Pudentienne, Oct. 18.

Appointments.

Jean Octave Chalut, N. P., to be clerk of the Circuit Court, co. of Berthier, in the place of Pierre Tellier.

Quebec Official Gazette, Oct. 23.

Judicial Abandonments.

Fletcher Thompson, trader, Sherbrooke, Oct. 26.

Curators Appointed.

Re Bowen & Woodward, (contractors.—J. A. Archambault, Sherbrooke, curator, Oct. 20.

Re Wilfred E. Brunet, St. Sauveur de Québec.—H. A. Bedard, Quebec, curator, Oct. 25.

Re Joseph Charron, *file*, St. Denis.—J. O. Dion, St. Hyacinthe, curator, Oct. 22.

Re André Gagnon, Lévis.—Kent & Turcotte, Montreal, curator, Oct. 25.

Re A. L. Lassonde, St. Zéphirin.—Kent & Turcotte, Montreal, curator, Oct. 21.

Re Israël Lemay.—C. Fortin, Beauharnois, curator, Oct. 14.

Re Rosario Roussil.—O. Forget, district of Terrebonne, curator, Oct. 13.

Dividends.

Re Nazaire Garon, Rimouski.—Dividend, payable Nov. 14, Kent & Turcotte, Montreal, curator.

Re Louis Houle.—Dividend on privileged claims, payable Nov. 14, Kent & Turcotte, Montreal, curator.

Re Hugh O'Hara, Chambly Canton.—Composition sheet prepared, payable Nov. 9, Thos. Darling, Montreal, curator.

Re Trefflé Yanier.—Dividend, payable Nov. 14, Kent & Turcotte, Montreal, curator.

Separation as to Property.

Marie Azilda Charlebois vs. Joseph Ludger Damase Brasseur, trader, St. Polioarpe, Oct. 27.

Asilda Hatte vs. Adolphe *alias* Delphis Papineau, Montreal, Oct. 17.

Maria Santa Impini vs. Bormetti Francesco, laborer, Montreal, Oct. 26.

Alice McGarvey vs. Arsène Neveu, trader, Montreal, Oct. 11.

Appointment.

Hon. Auguste Real Angers, Justice of the Superior Court, to be Lieutenant Governor of the Province of Quebec, Oct. 24.