

*Usufruitier—Taxes municipales—Donation—
Clause d'insaisissabilité—Vente judiciaire.*

Jugé, 10. Que les taxes municipales et autres impositions publiques sont à la charge de l'usufruitier.

20. Qu'un donateur ne peut, par une clause d'insaisissabilité, soustraire les biens donnés aux charges et contributions imposées dans l'intérêt public; et que malgré cette clause d'insaisissabilité les biens qui y sont sujets peuvent être vendus pour taxes municipales.—*La Cité de Montréal v. Bronsdon, Jetté, J.*, 27 juin 1887.

*Succession vacante—Curateur—Vente des biens
—Formalités.*

Jugé, Que les formalités imposées par la loi pour la vente par le curateur des biens meubles et immeubles d'une succession vacante, sont impératives, et sous aucune circonstance le juge ne peut sur simple requête en permettre la vente.—*Ex parte Lamothe, Taschereau, J.*, 16 avril 1887.

*Abandonment of Property—Appointment of
Provisional Guardian.*

Held, 1. That the Provisional Guardian appointed to property judicially abandoned must be resident within the Province of Quebec.

2. The decision of the prothonotary appointing a Provisional Guardian may be revised by the Court or judge.

3. Where the interests of the Provisional Guardian appointed by the prothonotary are adverse to those of the creditors generally, his appointment may be set aside.—*McDougall v. McDougall et al.*, & *Munro, Davidson, J.*, July 15, 1887.

*Tariff of Fees—Petition under Liquidation Act
of 1882.*

Held, That Nos. 41 and 42 of the Tariff of Fees are applicable to a petition praying that liquidators under the Liquidation Act of 1882, be ordered to deliver up property in their possession.—*In re Adams Tobacco Co.*, & *Henshaw, Petr., Mathieu, J.*, June 28, 1887.

*LAW AND RELIGION IN THE PRO-
VINCE OF QUEBEC.*

A recent discussion on the exclusion of persons disavowing the existence of a Supreme Being, and of a future state of rewards and punishments, from testifying in a court of justice, introduces us to the consideration of the much broader and important question of the effect of the quasi-religious system of law of our Province upon the status of those citizens who acknowledge no religious belief.

The French code, entitled the Code Napoleon, was adopted as the model upon which our Civil Code was framed, but in many instances, either from design or negligence, innovations were introduced, and departures from the spirit, as well as the text, were made in our codification, which have tended to contrast the latter unfavourably with the universally appreciated code of France.

Under the Code Napoleon, no disqualification ensued on account of any religious belief; its enactments were confined to rules of law, governing the intercourse between man and the State, and were not rendered dependent for their maintenance upon the performance of any obligation towards a Supernatural Being.

Our codifiers have seen fit, in the matter of acts of civil status, to cling to the old opinions, and have ignored the judicious provisions of the French law. Under the latter code, the celebration of marriage and its registration, as well as the registration of births and deaths, were declared to be matters purely civil, and left to the officers of the State to perform; under our law, the Church takes the place of the State in these important duties, and to it, only, is allotted this power.

It is unnecessary to dilate upon the absolute importance of the proper celebration of these ceremonies, and of the official recognition and proof of births, marriages, and deaths, the three great epochs of human existence. Some very cogent reasons must be advanced why the duties thereof should be allotted to any particular set of individuals unconnected in any official capacity with the State.

To illustrate, the law and practice in force here require that at the beginning of each