

TABLE ANALYTIQUE

DES

MATIERES PRINCIPALES.

ADJUDICATION.—*Défaut de contenance.*

Le défaut de contenance dans un meuble vendu par décret donne droit à l'adjudicataire de demander une diminution de prix, mais non la nullité de l'adjudication: cette diminution sera en proportion du prix; et *vice versa*. [*Grey vs. Dodd.*]..... p. 57.
Held that an adjudicataire who has purchased a farm, together with buildings at Sheriff's sale cannot claim a reduction of price, because such buildings are not upon the premises: he ought to demand the nullity of the sale. [*Lloyd and Clapham.*]..... p. 179.

ADMIRALTY.

An allegation in a cause of damage pleaded in general terms, the history of the ship proceeded against for some days previous to the collision. Statements made by the mate and seamen of the ship proceeding with respect to the state of their vessel, &c. The age of this latter ship. Variations between the accounts given in the protest and libel; and delay in instituting the proceedings:—*Held*, first,

that the previous history of the ship was admissible as being usual and convenient.

Secondly, such only of the statements as formed part of the *res gestæ* were admissible.

Thirdly, the age of the ship might be pleaded to account for her loss.

Fourthly, inasmuch as the protest itself was to be brought in, the statements contained in it need not be pleaded.

Fifthly, the delay appearing on the face of the proceedings and not being accounted for in the libel, it was not necessary to allege it in the responsive allegation. [*The Mellona.*] p. 288.

ANALYTICAL INDEX.

Of cases determined in the court of King's Bench for the district of Quebec, from 1808 to 1822, p.p. 27, 73, 123, 205, 276, 332, 437.

ASSIGNATION.

Le sept de Janvier, (1847.) jour où la sommation devait être rapportée en cour, et le défendeur appelé,—la cour n'ayant siégé qu'à onze heures et demie du soir, la majorité de la cour