

COUR SUPÉRIEURE.

MONTRÉAL, 29 NOVEMBRE, 1873.

Coram.—MACKAY, J.

DECARIE *vs.* LA CORPORATION DE LACHINE *et*
FOREST, *Défendeurs en Garantie.*SECRÉTAIRE.—TRÉSORIER.—RESPONSABILITÉ, ACTION EN
GARANTIE.

Plaintiff, a brick-maker, would not sell brick to the contractor for the Lachine Town Hall without the Corporation guarantee. Forest, the Secretary-Treasurer, without authority, gave a written guarantee. When the Corporation was sued *en garantie* it disavowed Forest's act; then Decarie sued Forest *en garantie*. The Corporation is to be freed in the costs to it; and Forest is to be condemned. The sole question now is whether he should also have to pay the costs of the first suit against the Corporation. I condemn him because it was by his fault that the Corporation was sued.

U. Denis, for plaintiff;

Bélanger, Desnoyers & Owimet, for defendants.

COUR SUPÉRIEURE.—(En Révision.)

MONTRÉAL, 29 NOVEMBRE, 1873.

Coram.—MONDELET, MACKAY, TORRANCE, J. J.

RENTER *vs.* GLEASON.

Record sent back to District of Bedford, in order that day week judgment was rendered and name of Judge might be certified.

COUR SUPÉRIEURE.

MONTRÉAL, 29 NOVEMBRE, 1873.

Coram.—JOHNSON, J.

ALICE KIRBY *vs.* JOHN ROSS *et al.*

JUGÉ:—Qu'un légataire universel ne peut réclamer du