

fournit pas caution et que la cause d'éviction ne disparaisse pas, alors, ce délai expiré, le défendeur pourra inscrire la cause pour jugement, et je crois qu'alors l'action devra être renvoyée *quant à présent* avec dépens, car l'art. 1533 du C. C. dit que l'acheteur "peut différer le paiement du prix jusqu'à ce que le vendeur fasse cesser le trouble, ou lui fournisse caution;" et si l'acheteur peut différer le paiement, c'est donc qu'on ne peut le lui demander maintenant.

Il y a une pratique qui permet de condamner le défendeur à payer, avec condition que le jugement ne deviendra exécutoire qu'après que le demandeur aura fourni caution au défendeur ou aura fait disparaître la cause de trouble. Mais ce jugement conditionnel peut donner lieu à des difficultés. Vaut mieux accorder un délai pour fournir caution, et si on la fournit, le jugement sera pur et simple; si on ne la fournit pas, le jugement aussi sera pur et simple, en ce que l'action sera déboutée *quant à présent*.

Dans tous les cas, pour le moment, la Cour n'adjuge rien. Elle ordonne seulement en ces termes:

"Ordonne, avant d'adjuger, que, sous un délai de deux mois, la demanderesse pourra fournir au défendeur caution d'une somme jusqu'à concurrence de \$166.67 qui devra être remise au défendeur en cas d'éviction à raison du douaire susdit et pour le garantir de tout trouble à ce sujet, ou faire disparaître la cause d'éviction; après que ce délai sera expiré, l'une, ou l'autre, des parties pourra s'adresser à la Cour suivant la loi pour obtenir le jugement final en cette cause, réservant aussi d'adjuger alors sur les frais."

P. A. O. Archambault, avocat de la demanderesse.

J. E. Faribault, avocat du défendeur.

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, March 20.

Judicial Abandonments.

Simon Pierre Belay, trader, Fraserville, March 5.

Magloire Gascon, grocer, St. Jérôme, March 17.

Calixte Gaudette, St. Hyacinthe, March 16.

Francis M. O'Donnely, trader, St. Giles, March 16.

Philéas Picher, La Patrie, March 9.

Curators Appointed.

Re Donat Blondeau, trader, Fraserville.—H. A. Bedard, Quebec, curator, March 17.

Re Solomon Fox, merchant tailor, Montreal.—Henry Ward, Montreal, curator, March 13.

Re Fortunat Thibodeau, St. Célestin.—A Turcotte, Montreal, curator, March 11.

Dividend Sheets.

Re Robert McJanet.—At office of P. Larmouth, curator, Ottawa.

Re J. S. Beaudette, Arthabaska.—1st div. open to objection until April 15. At office of Kent & Turcotte, curator, Montreal.

Re Z. C. Jolicoeur.—Final div. at office of Kent & Turcotte, curator, Montreal, payable April 5.

Re A. Tellier (G. A. Brouillet & Co.), 1st div. at office of Kent & Turcotte, curator, Montreal, payable April 5.

Separation as to Property.

Dame Eleonor Mary Clarke, vs. John Edward H. Parker, brewer, Montreal, March 18.

Dame Mathilde Vient vs. Joseph Couture, trader, St. Barthélemy. March 1.

GENERAL NOTES.

HEARINGS IN CAMERA.—The practice as to hearing *in camera* has, we believe, never been fully stated. The application for such a hearing must always be made in open court, and of course, in cases relating to wards of court, which are often of a peculiarly delicate nature, precautions are taken to prevent the names of the parties concerned from being revealed. The case is referred to by counsel as "a case of ward of court," without mentioning the name, or even the title of the action in which the application is made. Counsel must be enabled to state on his own responsibility that the case is one which it is expedient should be heard in private. In granting the application the judge appoints a day or time (usually at the midday interval, or after the sitting of the court) for hearing the case. The hearing usually takes place in the judge's private room; the only persons present, besides the judge, being the counsel and solicitors and the registrar. Sometimes, however, the judge clears his court. The proceedings, in the case of applications with reference to wards of court, generally take the form of a private conversation between judge and counsel; the latter stating his case, and the former, after asking for any necessary explanations, reading over the evidence before pronouncing his decision. In these cases the order drawn up frequently includes a direction that the ward of court and the offending party shall attend the judge in his private room on a specified day. Then the proceedings generally take the form of a "wiggling" of the offending party by the learned judge, which, in case of a timid or nervous delinquent, is no doubt a very terrible process; but if the history of the court in this connection could be fully told, we fancy there would be revealed some instances in which judicial thunder has been expended in vain on certain refractory and strong-minded female wards. Offending male persons have more to fear, since Holloway Jail is in convenient proximity, and a journey direct from the luxury of a judge's private room to the bare walls of a cell has not been unknown.—*Solicitors Journal*.