

*Gouin & Dubord.*—Held, That a *mandamus* will not lie against a Crown Lands Timber Agent to order him to issue licences for timber limits.

*Fraser & Patterson.*—The Insolvent has no action against the assignee to his Insolvent estate, even after his discharge, to compel him to render an account of his administration; his recourse is by petition or motion; and if he claims under deeds of composition and discharge, these must have been first deposited with the assignee to enable him to give notice of the same under the Insolvent Act.

*Gauthier & Sauvageau.*—Sénécal, to whose insolvent estate Sauvageau was assignee on 10th August, 1866, transferred to Gauthier certain sums of money owing to him, a year before he became insolvent and made an assignment, and the transfers above mentioned were only served on the debtors a few days prior thereto. On action by Gauthier against debtors, Sauvageau intervened, and Gauthier's action was dismissed in the Court below (Arthabaska). Judgment reversed by C. Q. B., who held:

That the creditors of the vendor are not, in the absence of fraud or simulation, *tiers*, in the sense of the art. 1571 C. C.

That the notification of the transfer under the circumstances was valid, and would have been valid even had the transfers been served "après la faillite notoirement connue et déclarée. Duval dissenting.

*Burton & Young & al.*—An action was instituted against Young & Knight for a penalty, which was dismissed. Appeal by the plaintiff Burton. The defendants, who had severed in the defence, severed on the appeal. Young died, and Knight forced on the case as against him, and judgment was confirmed. No proceedings were taken on the appeal for or against Young or his representatives. Motion by Knight to transmit record to the Superior Court granted: "Considering that more than six calendar months have elapsed since the appeal to Her Majesty, &c., was allowed, and that no certificate has been filed in this Court, as required by law, that such appeal has been lodged, and proceedings had thereon, &c."

18th March, 1871.

*Laventure & Dussault.*—Dussault sued the appellant for several hundred dollars. His action was dismissed in the Superior Court (Arthabaska), but this judgment was reversed in review, and the defendant condemned to pay \$250. In appeal, the defendant was condemned to pay \$87 and costs of action of that class, and the respondent condemned to pay the costs of appeal and review. Monk dissenting.

16th December, 1870.

*The Principal Sec. of State & McGreevy.*—McGreevy by his action claimed \$8597.50; the defendant pleaded tender of £644 7s, entire amount of indebtedness. Judgment in Superior Court for \$3019.18. On appeal by the defendant this amount was reduced to £679 7s. 6d., with costs of Superior Court, plaintiff (respondent) to pay costs in appeal.

LE SECRÉTAIRE DE LA RÉDACTION.