

*The Legal News.*

VOL. IX. JULY 17, 1886. No. 29.

An interesting question is presented by the recent case of *Taillon v. Poulin*, reported and commented upon in the communication of a Quebec correspondent in the present issue. It is difficult to imagine that the legislature contemplated that a provision, framed in a merciful spirit, to prevent the sale of an immoveable with heavy costs for a debt of forty dollars or under, might be converted into an occasion for making double costs. As to the policy of the exception made by the law with reference to judgments under forty dollars, we are somewhat doubtful. It does not seem to be very important, and might be abolished, perhaps, without much hardship. Its existence may possibly in some cases give rise to actual injustice. Suppose a person with a small property has several creditors much poorer than himself, for sums of twenty-five or thirty dollars each. On what principle should he be allowed to retain his homestead at the expense of other people who are less favoured by fortune?

The recent general elections in Great Britain and Ireland brought out lawyer candidates in great numbers. It is stated that 248 in all presented themselves, of whom a large number aspired to represent "the masses" under the leadership of Mr. Gladstone. A curious incident occurred in Edinburgh. Two candidates, both bearing the name of Robert Wallace, both barristers-at-law from London, and both enthusiastic supporters of Mr. Gladstone, presented themselves, one in East Edinburgh and the other in the Western Division.

Business in the United States Supreme Court is so greatly in arrear that the list of our Appeal Court, which is so constantly deplored, looks quite insignificant in comparison. The cases undisposed of by the U. S. Supreme Court have increased from 851

at the close of last year's sittings, to 900 at the close of the term which has just adjourned.

ABANDONMENT OF PROPERTY—PROTHONOTARIES' FEES.

Notice is given, under the authority of article 29 of the Code of Civil Procedure and of chapter 93 of the consolidated statutes for Lower Canada, that the fees hereafter determined be in future paid to prothonotaries of the Superior Court for the Province of Quebec, so soon as a copy of the present order in council shall have been published in the *Official Gazette*, and shall have been recorded in the registers of the said Superior Court, in the several districts of this Province respectively, to wit:

Upon proceedings and things done in virtue of the act respecting the abandonment of property (48 Vict., ch. 22), and described in the following tariff:

1. Upon the production of a demand of abandonment.....\$0 50
2. Upon the production of the balance sheet by the debtor and the appointment of a provisional guardian.... 2 00
3. For the attendance of the prothonotary at the meeting appointing a curator..... 2 00
4. Upon the production of a petition contesting a demand for abandonment of property or the balance sheet furnished by the debtor.... 4 00
5. Upon every answer in writing given to such contestation..... 2 00
6. Upon every petition or demand not specially mentioned above ..... 1 00
7. Upon every contestation of dividend sheets prepared by the curator.... 2 50
8. Upon every answer in writing given to any motion, petition or contestation ..... 1 00
9. Upon every motion, rule, ordonnance, copy of rule, judgment, order, commission to examine witnesses, and other incidental proceedings not specified above, the same fees as those required by the tariff of the Superior Court in first class actions.