The Legal News.

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MURDER TO END PAIN.

In an article in the *Law Quarterly Review*, Mr. Herbert Stephen comments on a remarkable debate recently held by the New-York Medico-Legal Society, and reported in the Society's Journal. Dr. Thwing read a short paper entitled "Euthanasia in Articulo Mortis," in which he argued that in some cases of hopeless suffering a physician is morally justified in putting an end to his patient's life. Mr. Stephen says:—"The arguments for and against such a proceeding are obvious, but what makes Dr. Thwing's paper remarkable is the calmness of his avowals as to what he has himself done. He says that he once attended a lady, a relation of his own, who was stricken with apoplexy and hemiplegia. The age of the patient, a widow of sixty-six years, the severity of the attack and her plethoric habit, promised a fatal issue within a day or two. She lingered, however, five days, speechless from the first, and comatose. Details of the lady's condition follow, from which it appears that she was, in Dr. Thwing's opinion, unconscious. 'The reality of suffering I could not admit, but the appearance of it in actions, purely reflex, was painful to me. As her only surviving kinsman, I took the responsibility of administering a mild anæsthetic.' Dr. Thwing then caused his dying relation to inhale a mixture of chloroform and sulphuric ether. This treatment caused her death in a quarter of an hour. In Dr. Thwing's words, 'respiration became easy and a general quietude secured. Euthanasia was gained and an apparently painful dissolution avoided.' The boldness of this avowal is made particularly conspicuous by Dr. Thwing's express admission that the only person for whom the lady's death, if she had been allowed to die naturally, would have been in any degree painful was not the lady herself, but Dr. Thwing. It cannot be for a moment disputed that according to the law of England, and I presume, according to that of New-York, Dr. Thwing murdered his patient. He asserts that his reason was not that it was a saving of pain to her, but that it put an end to a spectacle which was 'painful to me.' He says he killed her purely for his own personal convenience, because she had lived some three days longer than his medical learning and experience had led him to expect. And he seems to think his example worthy of imitation.... The extracts from the discussion which I have given afford, I think, grounds enough for a very conclusive opinion as to whether doctors are to be morally commended when they seek to substitute their individual feelings and judgments for the plain and universal rule supplied by the criminal law." The editor of the *Law Quarterly Review* adds the following:—"English medical opinion and practice are, I believe, quite settled against using, for the sole purpose of neutralizing pain, any treatment that involves a new danger to the patient's life. Perhaps it ought to be added that Dr. Thwing's narrative is somewhat confused on the material question whether his treatment really did cause death or not. But if it did not, there was nothing to discuss."

FIRST DIVISION COURT.

PEMBROKE, July 3, 1889.

Coram DEACON, Co. J.

RATHWELL v. CANADIAN PACIFIC RAILWAY CO.

Railway—Cattle trespassing and getting on track from land not occupied by owner of cattle.

PER CURIAM.— This is an action against the defendant company to recover $60, the value of two cows of plaintiff killed by an engine and train of defendants on that part of their line which crosses lot No. 19 in the 3rd concession of Rolph, and came up for trial at the last May sitting of this Court, when the counsel for the parties agreed upon the following statement of facts, and arranged for a subsequent appointment to argue the question of law arising thereon:—

1. Plaintiff is the occupant of lot 18 in the 3rd concession of Rolph.

2. Said lot 18 does not touch the railway

track within 310 feet; the railway crossing lot 19 and not lot 18.

3. Plaintiff is neither owner nor occupant of lot 19. Reference to plan or sketch annexed to statement.

4. Township of Rolph is organized and surveyed for settlement.

5. There are no fences.

6. Plaintiff's cattle were killed on the railway, having got thereon from lot 19, having first come from 18 on to 19; accident occurred on 22nd October, 1888.

7. The value of the cattle, $50.

8. Cattle were at the date of accident free commoners in Rolph; provided counsel for plaintiff files certified copy of by-law to the effect; not otherwise admitted.

9. No negligence either way.

Pursuant to the arrangement made, the questions of law were argued before me by Mr. Burrit for plaintiff, and Mr. White for the defendants.

Mr. Burrit at once conceded that if the law had stood as it was declared to be in the cases of *Conway* v. *C. P. R. Co.*, 12 Ont. App. Rep. 708, and *Davis* v. *C. P. R. Co.*, same vol. 724, the plaintiff would not be entitled to recover, as the cattle had gone upon the track from lot No. 19 of which he was not occupant, and to which he had no shadow of a claim—his own lot No. 18 not being in any part touched by the line of railway, and he being in no sense an adjoining proprietor. But he argued that by the effect of the 194th section of the Railway Act, 51 Vic. chap. 29, which reads as follows: "When a municipal "corporation for any township has been or- "ganized, and the whole or any portion of "such township has been surveyed and sub- "divided into lots for settlement, fences shall "be erected and maintained on each side of "the railway through such township, of the "height and strength of an ordinary division "fence with openings or gates or bars or sli- "ding or hurdle gates of sufficient width for "purposes thereof, with proper fastenings at "farm crossings of the railway, and also "cattle guards at all highway crossings, suit- "able and sufficient to prevent cattle and "other animals from getting on the railway. (3) "Until such fences and cattle guards are "duly made and completed, and if after they "are so made and completed, they are not "duly maintained, the company shall be "liable for all damages done by its trains "to cattle, horses and other animals not "wrongfully on the railway, and having got "there in consequence of the omission to "make complete and maintain such fences "and cattle guards as aforesaid."

The right of the plaintiff, and in fact of each private proprietor in the whole township, was enlarged beyond the limits of his own or the land occupied by him to the full extent of the limits of the township, and that he had a right to allow his cattle to roam at their free will and pleasure over the highways and unenclosed lands in the township, and of course go upon the railway line or track, if in their rambles they should meet with it; and in further support of this contention he put in a copy of a by-law of the municipality of Rolph, Buchanan and Wylie, providing for the allowing of cattle to be free commoners within the townships at certain seasons of the year, and with certain exceptions not applying to the cattle now sued for.

This by-law was passed as long ago as the 5th of June, 1875, and before the defendants' railway was built through these townships or even contemplated. Its provisions are somewhat peculiar. Sec. 1 provides, "That "on and after the maturing and passing of "this by-law it shall not be lawful for horses, "bulls, stags, breachy or unruly cattle, oxen, "cows, young cattle, pigs, sheep, geese and "turkeys to run at large, or to be free com- "moners within the limits of the said town- "ships of Rolph, Buchanan and Wylie, at any "season of the year—proviso—that oxen, "cows, and young cattle (not being breachy "or unruly) shall be at liberty to run at large "and be free commoners within the said "townships between the 1st day of April and "the 1st day of January in each year." But then section 2 provides that "any animal or "animals mentioned in the first section of this "by-law, found running at large contrary to "the provisions of the by-law, shall be liable "to be impounded in one of the public "pounds of the said township, and being so "impounded, the owner or owners of such "animal or animals shall be liable to pay

" the fines and penalties following, that is to " say, for each and every cow, ox, or young " cattle running at large between the 1st day " of April and the 1st day of January in any " year, one dollar."

This part of section 2 directly contradicts the proviso in section 1, and renders it at least doubtful what the council really meant to do in regard to cows, oxen and young cattle.

I have carefully compared section 194 of the Act of 1888 with sec. 16 of the Act of 1883 for which it is substituted, and excepting only the provision in that sec. 16 as to the case of the company taking possession of a section or a lot of land for the purpose of constructing a railway thereon, and being required in writing by the occupant thereof, to fence, etc.—the obligation to fence in the other cases is as clear and imperative in one section as the other. The phraseology of sec. 194 is certainly different in some respects from that in the sec. 16 of which I have spoken; but unless it was to give the municipality as such some right to compel a general fencing of the line through the whole of the townships, I cannot satisfactorily determine what more, if anything, the parliament did intend. If it was intended to enlarge the right and privilege of each private proprietor to the extent contended for by Mr. Burrit, why were the words of limitation " not wrongfully on the railway " inserted in sub. sec. 3, and thereby in every case raising and presenting the issue as to whether the cattle were or were not wrongfully on the railway at the time of their being struck and killed. In the present case that issue is fairly and squarely presented—the cattle were either rightfully or wrongfully on the line on 22nd of October, 1888. Now, if rightfully, where was the right and how was it acquired? There is nothing in sec. 194 which speaks of private proprietors or occupants, or gives them any new rights or defines any old ones, in fact nothing touching them, except this sub.-sec. 3 which contains the limitation just now mentioned.

If the right is given by the by-law upon which Mr. Burrit was candid enough to say he did not place very much reliance, then all I can say is, that I cannot make out from sections 1 and 2 of it (which contradict one another) what the council really intended to do with respect to oxen, cows and young cattle being allowed to run at large as free commoners. But even if their by-law was ever so clear in its provisions it must be borne in mind that municipal councils could give no such right or authority over private lands or properties, and certainly not over any part of the railway track itself. Their by-law could only affect the streets, highways and public squares of their municipality—and even in regard to the highways, the 271st sec. of the Railway Act would limit their right (so far as allowing cattle to run at large was concerned), to such parts of them as were not within half a mile of the intersection of the highway with any railway at rail level. On the best consideration I have been able to give the matter, I cannot see how the plaintiff's cattle can be said to be rightfully on the track at the time, as they were undoubtedly trespassers on lot 19 from which they got upon the railway; and as the plaintiff has not shown any right for the cattle to be put or go there, I am forced to hold that they were wrongfully on the track of the railway when they were struck and killed; and adopting the language of Mr. Justice Patterson in the *Conway* case, at page 717, when speaking of the change effected by the sec. 16 then under consideration, it appears to me " there is no evidence of a change so " great and so uncalled for as to extend the " right to either owner or occupant of lands " that did not adjoin the railway." And I think the language of Mr. Justice Osler in the same case, at page 721, is still, notwithstanding the change in the enactment, applicable to such a case as this. " In the absence " of any statutory provision to the contrary, a " railway company is under no obligation to " fence its track. As a general rule, however, " Railway Acts contain enactments more or " less stringent requiring them to do so; but " unless the duty created by the Act is gen- " eral and the obligations imposed unlimited " and unqualified, it is only the owners of ad- " joining lands and those in privity with " them who can take advantage of it, and the " company are not bound to make good " damages to cattle which were trespassing " upon lands which, when they escaped upon

"the track, ought as between the landowner "and the company to have been fenced."

I have been favoured with a perusal of the judgment recently delivered by Mr. Justice Brooks, of the Quebec Superior Court, in *Morin* v. *Atlantic and Northwest Railway Co.*, 12 Legal News (Montreal), p. 89, and find that he takes the same view as I do of the recent section 194 of the Railway Act.

If the Parliament intended making such an extensive change in the law as contended for, they should have said so in plain terms, and could have refrained from putting in any limitation of the right to recover.

A good deal of the language of the Judges in *Douglas* v. *Grand Trunk Railway Co.*, 5 App. Rep. Ont. 585, is, I think, still applicable to the position of the plaintiff even under this new enactment. As to the question of negligence or contributory negligence, I do not touch upon it in view of the admission made in the statement, further than to say that I gathered from Mr. Burritt's argument that the absence of negligence as conceded did not include what might be deemed negligence in not having constructed the fences, and from Mr. White's that the want of negligence on the part of the plaintiff did not include what might be deemed negligence in allowing his cattle to roam at large over the lands not belonging to him, and unattended and unrestrained.

I think my proper course is to direct a non-suit under the 114th sec. of the Act.

And a non-suit is ordered accordingly.

COUR DE MAGISTRAT.

MONTRÉAL, 17 avril 1889.

Coram CHAMPAGNE, J.

CHARLEBOIS ET VIR v. LEPINE ET AL.

Novation—Billet promissoire—Garantie.

JUGÉ:—*Qu'il n'y a pas novation lorsqu'un débiteur donne en paiement de sa dette le billet d'un tiers, et, qu'à moins de décharge formelle, le débiteur continue à être responsable conjointement avec le faiseur du billet.*

PER CURIAM:—La femme de Pierre Lépine a fait faire trois manteaux par la demanderesse. Au moment de les livrer, la demanderesse exige le paiement ou une caution. La femme de Lépine revient avec l'autre défendeur Parent qui donne un écrit s'engageant personnellement à payer les manteaux, et sur cet écrit, ils sont livrés à l'épouse de Lépine. Les deux défendeurs, Lépine et Parent, sont poursuivis conjointement. Parent fait défaut et Lépine plaide qu'en acceptant l'écrit de Parent, la demanderesse l'a déchargée et n'a pas d'action contre lui. La Cour est d'opinion qu'il n'a pas été déchargé et que la demanderesse a encore droit d'action contre lui.

Demolombe, vol. 28, p. 209, 210, No. 297.

Jugement pour la demanderesse avec dépens.

G. Mireault, avocat de la demanderesse.

Lavallée & Lavallée, avocats du défendeur.

(J. J. B.)

COUR DE MAGISTRAT.

MONTRÉAL, 4 avril 1889.

Coram CHAMPAGNE, J.

KENNEDY v. DANFORD, et DANFORD, opposant.

Saisie-exécution—Retour—Huissier—Avis de vente.

JUGÉ:—1o. *Qu'un bref de saisie-exécution doit être fait rapportable à une date fixe. C. P. C., art.* 545.

2o. *Qu'un huissier n'a pas le droit de faire une saisie avec un bref d'exécution adressé à un autre huissier.*

3o. *Après le renvoi d'une première opposition, l'huissier à qui le bref est adressé, n'a pas le droit de donner avis* de plano *au défendeur et gardien qu'il allait vendre les effets saisis.*

4o. *Que l'huissier auquel le bref d'exécution a été adressé, n'a aucun droit de vendre les effets saisis par un autre huissier, et n'a pas d'autorité pour ordonner au gardien de lui livrer les effets saisis.*

Opposition maintenue.

W. S. Walker, avocat du demandeur.

Sicotte & Chauvin, avocats de l'opposant.

(J. J. B.)

DECISIONS AT QUEBEC. *

Folle enchère—Obligations du fol enchérisseur—Partie en cause—Créancier conditionnel—Contrainte.

* 15 Q. L. R.

Jugé, 1. Que le fol enchérisseur doit la différence entre son adjudication et la vente effective, les intérêts sur le montant de son adjudication à compter du troisième jour de sa date, ceux sur la différence entre les deux adjudications, de la date de la dernière, et les frais de la vente à sa folle enchère, et qu'il peut y être contraint par corps.

2. Qu'un créancier, dont la créance est portée au certificat du régistrateur, peut poursuivre et obtenir la vente à la folle enchère et la contrainte par corps du fol enchérisseur; et ce, même lorsque la créance n'est que conditionnelle.—*Gault* v. *Honan*, & *Dénéchaud*, en révision, Casault, Andrews, Larue, JJ., 30 mars 1889.

Location de meubles—Revendication de meubles volés—Arts. 1487, 1488, 1489 *et* 2268, *C. C.*

Jugé:—1. La location d'un meuble avec promesse conditionnelle de vente, n'équivaut pas à vente et ne prive pas le locateur du droit de le revendiquer.

2. Les mots "ni en affaire de commerce en général," dans l'article 2268 du Code Civil, ne libèrent pas l'acheteur de bonne foi, d'un meuble volé, de la revendication que peut exercer le propriétaire. Ils doivent s'interpréter comme ayant pour objet d'étendre l'effet de l'article aux contrats autres que ceux de vente, tel que décidé par la Cour d'Appel dans *Cassils & Crawford*, 21 L. C. J. 1.—*Spencer* v. *Lavigne*, C. S., Larue, J., 23 fév. 1889.

Cession de biens—Société—Capias.

Jugé:—1o. Que la cession de biens demandée à un commerçant qui a cessé ses paiements doit l'être par le créancier lui-même ou par un mandataire spécial, qui doit communiquer au débiteur l'acte ou écrit constitutif de ce mandat.

2. Que l'allégation qu'une cession de biens, qui a été demandée par un mandataire sans production de son mandat à cet effet, a été légalement faite, interdit au débiteur celle de l'informalité et de l'irrégularité de la demande.

3. Que la cession de biens faite par une société doit être consentie par chacun de ses membres et doit comprendre, non-seulement les biens de la société, mais aussi les biens particuliers des associés.—*Reid* v. *Bisset*, en révision, Casault, Routhier, Andrews, JJ., 30 avril 1889.

Deed of gift—When onerous transfer equivalent to sale—Liability of donee for contingent debts of donor.

Held:—1. In estimating the value of yearly charges imposed on the donee in a deed of gift of all the donor's property, to determine whether it is a universal gift or an onerous transfer equivalent to sale, account must be taken of the yearly revenue yielded by the property given.

2. A universal donee is liable for debts incurred by the donor before the gift, but contingent upon an event to happen subsequently to it.

3. Where a donor gives, *inter alia*, a house to his son subject to the right in favor of his wife, the donee's step-mother, to occupy an apartment in it, and the donee sells the property, the step-mother is not bound, in the circumstances of this case, to accept an apartment from the donee in another house, nor to continue to occupy that in the house given after it has passed into the hands of a stranger, and she is entitled to recover from the donee the money rental of the apartment she would have occupied, had the sale not taken place.—*Goupil* v. *Letellier*, in review, Casault, Caron, Andrews, JJ., (Casault, J., diss.), Feb. 28, 1888.

COLLET.

(Continued from page 239.)

If Collet had known when to stop, he would have made himself the most curious example of successful audacity that has ever been enrolled among the *chevaliers d'industrie*; but he became intoxicated by his gold and his honors; he was carried away by his new *rôle*, which he entered into with his whole soul, and he found at Montpellier his Waterloo.

He went to that town to take part in a brilliant review, in which he appeared surrounded by the principal authorities. He was sitting at an official dinner given in his honor, at the prefecture, when suddenly the door of the banquet hall was thrown open, and some *gendarmes* appeared in the ante-

chamber. The chief of the *gendarmes* advanced and placed his hand disrespectfully upon the shoulder of General Count Borromeo. He arrested him before the eyes of the astonished officials, and conducted him to prison. The poor officers who composed his staff were also arrested and thrown into prison, until it could be ascertained whether or not they were merely dupes.

The excitement was tremendous. Collet had attacked, in a vital spot, the most sacred institution of the empire—the army; he had plundered the public funds; he had made the authorities ridiculous. It was a case for hanging. The examination was pushed rapidly, and during twenty days continued uninterruptedly. But they did not succeed in establishing the identity of the false Borromeo.

It seized the fancy of the prefect, Hérault, the man so greedy for great décorations, to exhibit the celebrated swindler to some of his guests, as one would show a fox caught in a trap. They took Collet from his cell and carried him to the prefecture. The *gendarmes* shut him up in the office and guarded the door, because he was not to be produced until the time for dessert and champagne. Collet, left alone, looked around him and saw, hanging against the wall, a white apron, a vest and a hat,– the dress of a cook. Seized with one of those inspirations with which the genius of Cartouche abounded, he threw off his prison garb, dressed himself as a cook, took some cream in his hand, opened a door that was not guarded, and walked out unmolested.

The prefect, cruelly mystified, scoured the country with his men; but Collet concealed himself where no one would ever think of looking for him,—in the house of a mason, directly opposite the prefecture. Every morning from his little window he saw the prefect shaving himself, and watched him walking his chamber the rest of the day, for he feared arrest and punishment for permitting this unfortunate escape.

Collet, informed of all that was going on, by the papers and by his host, let the storm pass over; and, assuring himself by writing to Lorient that there was no suspicion against the lieutenant of the 47th Regiment of the line, departed to rejoin his corps.

He went to Tulle; but the passion for swindling again took possession of him. He encountered there the head clerk of the house of Durand, at Grenoble, worked himself into his confidence, and negotiated with him a forged bill of exchange for twelve thousand francs, upon which he obtained an advance of five thousand francs. Some days later he resumed his epaulettes. But his last affair had been fatal to him; the swindled clerk succeeded in tracking him, and the lieutenant was arrested and taken to Grenoble, where he was condemned as a forger of commercial paper to five years' hard labor.

Money is all-powerful; the condemned was treated with rare kindness. He was allowed to undergo his punishment in one of the prisons of Grenoble, and there, through his money, he obtained, first, a place in the hospital, and then the easy position of assistant jailer.

The five years had nearly passed, and Collet was about to be discharged, when one day an officer came to visit a prisoner, and recognized the Inspector-General of Montpellier in the assistant jailer. This officer had been one of the staff of the Count Borromeo, and still bore in mind the comedy of which he had been a dupe and a victim. He denounced Collet, who was immediately put in irons, taken to Montpellier, and sent to the galleys at Toulon. During the examination, he succeeded in seizing some papers, which were injurious to him, and threw them into the flames before the judge or the *gendarmes* could prevent their destruction. Collet stirred up the fire with the tongs, while the judge and the *gendarmes* clung to him and endeavoured to snatch from the flames the accusing documents.

Collet finished at Toulon the unexpired term of his five years, and was then set at liberty; but they fixed as the place at which he was to be kept under surveillance the town of Passin, in the arrondissement of Belley, his native place. There Collet installed himself comfortably with a part of his family. He lived at ease upon his concealed fortune; but the obligation to present himself constantly before the authorities annoyed

him. He broke his ban and fled to Toulouse. There, followed by the *gendarmes*, he sought an asylum, and could only find a sure retreat with the Brothers of the Christian Religion.

The good Brothers received with gladness a neophyte who announced his intention of ending his days with their community, and whose first care had been to place in the hands of the director a large amount of gold and jewels. Already Collet meditated making a hole in the treasury of the community, when he was recognized by an old prison comrade, whose silence he bought. The extortions of this man determined him to expedite matters. Under the pretext of consecrating his large fortune to the aggrandizement of the community, he bought, without paying for it, a large estate situate at Cugnaux, and belonging to a gentleman named Laurent Lajus. He wished to have the new house put in order at once. He withdrew his money and his jewels from the hands of the Director, and borrowed thirty thousand francs of his accommodating vendor. The report of his fortune and his piety determined many charitable persons to make him advances, and in this way he extorted 15,000 francs from the Count de Lespinasse; 20,000 francs from the Countess de Grœsse; 5,000 from the physician of the Brothers; 4,000 from two grand vicars, and innumerable smaller sums from different persons. Each one of the lenders pledged himself to secrecy, and believed that he alone was aiding in the pious work.

This new enterprise being completed, he departed for Montauban, thence went to Lahore and Le Plaissac. There he personated a rich bourgeois, dispensed money in the community, and spoke of settling in the vicinity. He, however, established himself in the Commune of Dordogne, at Rochebeaucourt, in the house of a commissary of police, M. Lafond. He called himself the Count de Golo, a rich proprietor of Ain, who came to end his days in the department. He bought a farm of Madame Jeannet-Lafond, the widow of a counsellor at Bordeaux. He promised to marry the woman, and make the commissary of police manager of his property, and to repair the church at his own expense; then, when called upon to fulfil his promises, he departed, carrying with him the savings of all his dupes.

We next find him at Mans; and this place was the scene of the last exploits of this indefatigable swindler. He arrived there under the name of Gallat, hired a house, bought an estate, and sold another, which existed only in his fertile brain, to a jeweller, Trolait-Gabant, and then slipped away.

But this time the hour of final punishment had come. The *gendarmes* pursued him, seized him, and presently, before the Court of Mans, the long series of his impostures were laid bare. It was necessary to issue many commissions to take depositions of witnesses, who, since the fall of the empire, were no longer subjects of France.

After an energetic address by the Procureur du Roi, Gérard, Collet humbly confessed the faults of his life, and was condemned to twenty years' imprisonment at hard labor, to be exposed in the pillory, and to be branded.

Condemned in November, 1820, he was not taken to Brest until the month of July in the following year. He remained there five years.

These five years were not for Collet very hard ones. He found the means to live in the galleys like a true monk, and his rotund, rosy appearance, his jolly face and priestly *embonpoint*, accorded admirably with the name of Monsieur the Bishop, given him by his companions in the chain. Whence came the gold which he scattered around him? What was the secret of all the privileges which he knew so well how to obtain? No one could tell. Once only they surprised a package addressed to him, which one sought secretly to slip into his hand; upon this discovery, he was transferred to the galleys at Rochefort. There, suspected of concealing about his body diamonds and valuables, they made him submit to the most thorough search, and to the most energetic medical treatment. They failed to discover the whereabouts of the swindler's treasury.

After twenty-six months of poverty, he returned to his old ways. Gold was never lacking; he made a good use of it, and distributed large amounts in charity. His companions, whom he willingly obliged, and

to whom he gave advice worthy of an honest man, had for him a real veneration. We find, for example, in the annals of the galleys of Rochefort, that in July, 1836, an incorrigible convict, by the name of Jacquenard, having been condemned to death for murder, addressed to his comrades kneeling about the scaffold, according to the solemn custom observed at executions in the galleys, the following remarks: "Comrades, do not do as I have done; obey your masters; they are not bad men now. I thank God and my judges for giving me time to die like a good Christian. I thank you for all your kindnesses to me while I have been in prison. *I thank, especially, M. Collet.* That is all I have to say. Adieu!"

This reputation for charity and kindness Collet prised above everything.

Collet had never committed an act of violence; on the contrary, he had always shown himself, through vanity perhaps, disposed to do good. Once, at Saint Vallier, on the road from Valence, he adopted a poor little child, three years old, who had been abandoned in a public place, with a letter from its parents in the pocket of its dress. Collet, then in all his glory as Inspector-General, placed eight thousand francs upon the head of the little one, and later, when he became accountable to human justice, he did not forget to continue his benefits to this soul that the good God had, perhaps, placed in the way of the robber, to commence the work of his redemption by charity.

The end of his captivity drew near for Collet. He was about to re-enter society. A few days before the time, he was seized with that fever, caused by the near approach of liberty,—a malady not unfrequent among criminals who have been long imprisoned. He was taken to the hospital, and died there the 24th of November, 1840, on the very eve of deliverance. "I only regret," said he, "dying a convict. Gold! gold!" he murmured, his eyes already fixed in death, "what is the use of so much gold, so many jewels? Well! well!"

Collet died, carrying with him the secret of his treasure, which had sufficed to provide him each day with fine linen, delicate meats, tobacco, and books. They found, after his death, only nine louis in the pocket of his vest. For twenty years he never, apparently, had a centime reserved in his hands; they had never surprised him with a larger sum than that allowed by the prison regulations; but whenever he wished to gratify a desire the money jingled in his hands, without any one being able to ascertain whence it came.

All this address, this genius, this happy patience, never failing him, had served Collet only so far as to procure for him, in the galleys, a little better treatment than that received by the other convicts.

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, August 8.

Judicial Abandonments.

Amelina Charbonneau, doing business as A. Renaud & Co., Montreal, July 20.

James Henry, Huntingdon, July 30.

Vincent Francis Lefebvre, tailor, St. Jerôme, July 26.

Daniel Ruest, Rimouski, July 20.

Curators Appointed.

Re A. Renaud & Co., Montreal.—Bilodeau & Renaud, Montreal, joint curator, July 26.

Re J. B. N. Bedard, Montreal.—Kent & Turcotte, Montreal, joint curator, July 30.

Re Hector Bourassa, Three Rivers.—U. Martel, Jr., Three Rivers, curator, July 25.

Re A. A. Chapdelaine, Sorel.—A. A. Taillon, Sorel, curator, July 19.

Re Jean-Baptiste de Vicq de Cumptick, trader.—H. A. Bedard, Quebec, provisional guardian, July 26.

Re Donnelly & McCallum.—C. Desmarteau, Montreal, curator, July 29.

Re J. N. Grenier.—Kent & Turcotte, Montreal, joint curator, July 30.

Re Raphael Maretsky, Chambly Canton.—W. A. Caldwell, Montreal, curator, July 30.

Re Montreal Cyclorama Company.—A. Gagnon, Montreal, liquidator, July 25.

Re P. Ouellette—P. Deshaies, Ste. Angèle de Laval, curator, July 29.

Re L. H. Paquin, Sorel.—A. A. Taillon, Sorel, curator, July 19.

Dividends.

Re Edward Coveney, Quebec.—First and final dividend, payable Aug. 20, H. A. Bedard, Quebec, curator.

Re Peter Gannon.—First dividend, payable Aug. 21, C. Desmarteau, Montreal, curator.

Re J. L. Gascon.—First dividend, payable Aug. 20, C. Desmarteau, Montreal, curator.

Re McDougall, Logie & Co.—Fourth and final dividend, A. F. Riddell, Montreal, curator.

Separation as to Property.

Aglaé Gauthier dit St. Germain vs. Antoine Gauthier dit St. Germain, Longueuil, July 31.