

The Legal News.

VOL. XII. DECEMBER 7, 1889. No. 49.

The Cronin case is one of the greatest combats which justice has had with crime. Enormous difficulties must have been encountered in securing the attendance of witnesses. In obtaining a jury, nine weeks were consumed, in the course of which time 1,115 talesmen were examined. Then a formidable conspiracy for corrupting the jury was discovered. Judge, counsel, witnesses, all appear to have been threatened with violence or death. In the face of all this, State-Attorney Longenecker's address to the jury is a remarkably bold and fearless utterance, which shows that the bar is not forgetful of its traditions, and gathers strength from the gravity and importance of the circumstances in which it is called to discharge its functions.

In *McAllister v. Detroit Free Press Co.*, Morse, J., of the Michigan Supreme Court, (Oct. 11, 1889), answering the pretention "that a newspaper in this day and age of the world, when people are hungry for the news, and almost every person is a newspaper reader, must be allowed some latitude and more privilege than is ordinarily given under the law of libel as it has heretofore been understood," expressed himself strongly against the acceptance of such doctrine. "In other words," he said, "because the world is thirsting for criminal items, and the libel in a newspaper is more far-reaching and wide-spread than it used to be when tales were only spread by the mouth, or through the medium of books or letters, there should be given greater immunity to gossip in the newspaper, although the harm to the person injured is infinitely greater than it would be if published otherwise. The greater the circulation, the greater the wrong, and the more reason why greater care should be exercised in the publication of personal items. No newspaper has any right to trifle with the reputation of any citizen, or by carelessness or recklessness to injure his good name and fame or business.

And the reporter of a newspaper has no more right to collect the stories on the street, or even to gather information from policemen or magistrates out of court, about a citizen, and to his detriment, and publish such stories and information as facts in a newspaper, than has a person not connected with a newspaper to whisper from ear to ear the gossip and scandal of the street. If true, such publication or such speaking may be privileged, but if false, the newspaper as well as the citizen must be responsible to any one wronged or damaged thereby. It is indignity enough for an honest man to be arrested and put in prison for an offence of which he is innocent, and for which indignity oftentimes he has no redress, without being further subjected to the wrong and outrage of a false publication of the circumstance of such arrest and imprisonment, looking toward his guilt, without remedy. And no sophistry of reasoning, and no excuse of the demand of the public for news, or of the peculiarity and magnitude of newspaper work, can avail to alter the law, except perhaps by positive statute, which is doubtful, so as to leave a party thus injured without any recompense for a wrong which can even now, as the law stands, never be adequately compensated to one who loves his reputation better than money."

Only a few cases with us attain the dignity of existence for twenty years. The litigation arising from the commencement of the St. Joseph Street expropriation was, we believe, one of them. The *Warsaw Courier*, however, refers to a law suit, recently terminated at Warsaw, which has lasted four centuries. The object of litigation was a piece of uncultivated ground of forty acres between the estates of Orlowo and Podlowo, which was claimed by the two proprietors of them. The suit was commenced in 1490, and was after all brought to an end by amicable arbitration.

The office of Chief Justice of Prince Edward Island, which recently became vacant by the death of Chief Justice Palmer, has been filled by the appointment of the Hon. W. W. Sullivan, Q. C., Attorney-General for the province.

SUPERIOR COURT—MONTREAL.*

Lessor and lessee—Obligations of lessor—Arts. 1613, 1614, 1641, C.C.—Damage caused by fall of leased premises—Art. 1055, C.C.—Married woman—Action for personal injuries.

Held :—1. In an action brought by a married woman in this province it will be presumed that she is common as to property with her husband, in the absence of proof of her matrimonial domicile or of the law which regulates it.

2. Following *Waldron & White*, M.L.R., 3 Q.B. 375. A married woman, common as to property, may bring an action in her own name, authorized by her husband, for personal injuries.

3. The owner of a building is responsible for damages caused by the falling or giving way of a portion of it, where the accident occurs either from want of repairs, or from a defect in its construction.

4. The obligation of the lessor towards the lessee is similar to that of the owner.

5. The wife of the lessee is entitled to invoke the conditions of the lease, or the obligations arising from the relation of lessor and lessee, in an action for personal injuries suffered by her from the defective condition of the leased premises.—*Simmons v. Elliott*, Tait, J., June 28, 1889.

Sale of immovables—Pour parlars—Remedy of Vendor—Folle enchère.

Held :—Where the conditions of a sale of immovable property have been settled or practically settled between the parties, but the interval between the pour parlars and the preparation of the deed of sale is so long as to change the conditions, there is no longer the consent necessary to complete the contract of sale.

Semble, that the vendor of immovable property, on the refusal of the buyer to carry out the contract, cannot sell the property at at the *folle enchère* of the buyer, and claim the difference of price from such buyer as damages.—*Pepin v. Seguin*, de Lorimier, J., Nov. 2, 1889.

* To appear in Montreal Law Reports, 5 S.C.

Insolvency—Unpaid vendor—Privilege—Delays—Arts. 1998, 2000, C.C.

Held :—That the privilege granted to the unpaid vendor by Art. 2000, C.C., can be exercised only within 15 days from the date of sale, in cases of insolvency.—*In re McDougall, Logie & Co., & Riddell, & Leyendecker*, Gill, J., June 30, 1888.

Taxation of Costs—Notice to adverse party—Art. 479, C.C.P.—Execution for part of judgment—Art. 581, C.C.P.

Held :—That the practice under the ordinance of 1667, tit. 33, requiring notice to the adverse party of taxation of costs, was not affected by the passing of 20 Vict. ch. 44, s. 90 (C.S.L.C. ch. 83, s. 151), reproduced in Art. 479, C.C.P., and such notice is still required.

2. (Johnson, J., diss.) That an execution bad for part is bad for the whole: and so where an execution issued for debt, interest and costs, and it appeared that the costs had not been regularly taxed, the execution was annulled on opposition *afin d'annuler*.—*Scott v. McCaffrey et vir*, In Review, Johnson, Taschereau, Wurtele, JJ., Dec. 29, 1888.

COURT OF QUEEN'S BENCH.

MONTREAL, NOV. 22, 1889.

Coram DORION, Ch. J., TESSIER, BABY, CHURCH, Bossé, JJ.

ROBIN dit LAPOINTE, appellant, and BRIERE, respondent.

Motion for substitution—Costs.

The respondent moved for substitution of attorney.

The appellant contested, and, as to costs, contended that the costs of the motion should be against the party presenting it.

The Court held that the costs must be costs in the cause, and follow the event of the suit.

Prevost & Bastien for appellant.

C. L. Champagne for respondent.

CHANCERY DIVISION.

LONDON, June 7, 1889.

Before KEKEWICH, J.*Re* CAZENOVE.CAZENOVE *v.* CAZENOVE.*Legacy—Abatement—Immediate Legacy to Widow.*

A testator bequeathed a legacy of 1,000*l.* to his wife, to be paid to her immediately after his decease, but the will contained no indication as to priority of payment. The estate being insufficient for payment in full of all the legacies, the question arose whether, having regard to the decision in *Re Hardy*; *Wells v. Barwick*, 50 Law J. Rep. Chanc. 241; L.R. 17 Chanc. Div. 798, the 1000*l.* legacy must be paid in full or should abate.

KEKEWICH, J., followed the decision in *Blower v. Morret*, 2 Ves. Sen. 420, and dissenting from *Wells v. Barwick*, held that the legacy must abate.

APPEAL REGISTER—MONTREAL.

Thursday, Nov. 21.

Bastien & Charland.—Motion for dismissal of appeal granted as to costs. Motion for substitution granted.

Bastien & Chagnon.—Same entries.

Hill & Ferreri.—*Désistement* by respondent Ferreri from interlocutory judgment, and discontinuation of his action. No one appears. C.A.V.

Laforce & Le Maire et al. de Sorel.—Heard on merits. C.A.V.

Webster & Taylor.—Heard. C.A.V.

Montreal Loan & Mortgage Co. & Leclair.—Motion for substitution granted.

Friday, Nov. 22.

Barnard & Molson.—Motion that the declaration and plea in the original action be joined to the record. C.A.V.

Robin Lapointe & Brière.—Motion for substitution granted; costs to follow suit.

Brulé Bussières & Prevost.—Heard. C.A.V.

Marion & H. M. Postmaster General.—Heard. C.A.V.

Saturday, Nov. 23.

Barnard & Molson.—Motion of Nov. 22 granted.

Banque Jacques Cartier & Lalonde.—Motion for leave to appeal rejected.

Stanton & Canada Atlantic R. Co. & Bank of B. N. A.—Petition to take up instance granted, with option to defendant to declare within 15 days whether he contests the signature; and to plaintiff to file further proof of same.

Hill & Ferreri.—Ordered that the copies of *désistement* filed, be received as part of the record, the Court not having to pronounce thereon.

Cie. de Chemin de Fer Urbain & Wilsam.—Confirmed.

Marchessault & Durand.—Confirmed.

Champagne & Ross.—Confirmed.

Low & Gemley.—Confirmed. Motion for appeal to Privy Council. To stand till 25th. *Glasgow & London Ins. Co. & Lord.*—Confirmed.

Browne & Lord.—Confirmed.

Dick & Canada Jute Co.—Two appeals. Confirmed.

Canada Jute Co. & Dick.—Confirmed.

Leclair et al. & Dessaint.—Reformed as to amount of damages which are reduced to \$2,000. Costs of appeal in favour of appellants.

Monday, November 25.

Nordheimer & Hutchinson, & Campbell et al.—Petition *en reprise d'instance* granted.

Stanton & Canada Atlantic Railway Co.—Motion of D. N. Stanton, petitioner for *reprise d'instance*, for leave to withdraw original sale and transfer from Balch to Stanton, upon depositing certified copy. Granted.

Wells & Burroughs.—Motion to dismiss appeal. Rejected without costs.

Tarte dit Larivière & Tuillefer.—Petition for leave to appeal from interlocutory judgment. C. A. V.

Hampson & Wineberg.—Motion for leave to appeal from interlocutory judgment. C.A.V.

Low & Gemley.—Motion for leave to appeal to Privy Council. Granted.

Exchange Bank & Fletcher.—Hearing resumed and closed. C. A. V.

Peloquin & Cardinal.—Heard. C. A. V.

Commissaires d'Ecole de la paroisse de St. Marc & Langevin.—Part heard.

Tuesday, November 26.

Ex parte R. T. Clouston.—Petition to be appointed a bailiff. Granted.

Commissaires d'Ecole de la paroisse de St. Marc & Langevin.—Hearing resumed and closed. C. A. V.

Barnard & Molson.—Part heard.

Wednesday, November 27.

Hampson & Wineberg.—Motion for leave to appeal. Rejected.

Watt & Fraser, & Turcotte.—Judgment reversed, and action dismissed. Motion for leave to appeal to Privy Council. Granted.

Tourville & Ritchie, & E. Contra.—Judgment confirmed, and cross appeal dismissed; each party paying his own costs on the appeal and cross appeal.

Ritchie & Tourville.—No. 31. Reversed; action dismissed with costs of Superior Court, each party paying his own costs on the appeal.

Holt & Meloche.—Reversed.

Tarte dit Larivière et al. & Taillefer.—Leave to appeal from interlocutory judgment. Granted.

Mail Printing Co. & Cie. de Jesus, & Turcotte.—Confirmed, Cross and Church, JJ., diss.

Raphael & Macfarlane.—Confirmed, Cross and Church, JJ., diss. Motion for leave to appeal to Privy Council. Continued to next term.

Gilman & Campbell.—Reversed without costs.

Religieuses de l'Hôtel Dieu & Sigouin.—Reversed, and action dismissed, *sauf à se pourvoir.*

Montreal Street Railway Co. & City of Montreal.—Motion for leave to appeal to Privy Council. C. A. V.

Guimond & Les Religieuses de l'Hôtel Dieu.—Petition for leave to appeal from interlocutory judgment. C. A. V.

The following causes were dismissed for default to proceed within the year:—

Penhall & London & Lancashire Life Ass. Co.; Hall & Morkill; No. 70. Dorion & Dorion; Giroux & Lafontaine dit Surprenant.

Barnard & Molson.—Hearing continued to next term.

The Court adjourned to Jan 15, 1890.

THE ITALIAN SCHOOL OF CRIMINAL JURISPRUDENCE.

In Italy has arisen of late years a new school of criminal jurisprudence. The names of the chief representatives of the "positive school of criminal law," as they generally describe themselves (Lombroso, Ferri, Virgilio, Garofalo, Marro, Colajanni), are sometimes heard of here; and the recently published work of the last writer, entitled "La Sociologia Criminale," is not unknown. But the tenets of the new school are probably known to few persons in this country, lawyers and jurists not excepted. Professor Lombroso, who perhaps best merits the title of the leader of the movement, in the introduction to his classical work, "L'Uomo Delinquente," is able to enumerate in every country, England not excepted, advocates of his theory. English writers of reputation long ago applied the methods of the new school to the study of the problems of criminal insanity; the Italian authorities ungrudgingly admit their obligations to Thompson's "Psychology of Criminals" and to Dr. Maudsley's brilliant works. But English and German investigators deal with isolated parts of the subject; outside Italy there is no group of investigators who systematically employ in the whole field of crime the methods of investigation of the writers of the *Archivio di Psichiatria, Scienze Penali e Antropologia Criminale per servire allo Studio dell' Uomo Alienato e Delinquente*, to cite the full title of the chief organ of this school. They claim to have already revolutionised criminal jurisdiction. It was only fitting, they sometimes add, that this step should be first taken in the country of Vico, Beccaria, Filangieri, and Rossi.

If their conclusions are paradoxical, some of their premises are truisms. Every one agrees that habits, hereditary instincts, physical infirmities, count for much in crime. It often is not a mere accident or a casual episode in the criminal's life. He is in the dock because he was born and trained to be there. Even when his crime does not manifestly appear to be the result of his nature, closer investigation, a study of the antecedents of his parents or ancestors generally,

it is said, reveals the existence of some internal cause. So many apparently accidental crimes are reversions to ancestral habits. Men who know nothing of jurisprudence have an instinct of this truth. Why do juries in every country, disregarding the monition of judges and the plain letter of the law, acquit or find extenuating circumstances in favour of those whom the lawyer would condemn? Because, says Garofalo, in his "Criminalogia," they are better logicians, deeper savants, than the judges who direct them. They have truer ideas about crime and the nature of *l'uomo delinquente* than the jurist with his metaphysical notions about "guilt" and "responsibility." The latter has studied crime, but not the criminal; and if we are to get real knowledge, the subject must be taken away from the lawyer and put into the hands of the ethnologist and the anthropologist.

We say advisedly "ethnologist," because the key to the doctrine of Lombroso, Marro, and other representatives of the new school, is the assumption that what may be called criminal man is a distinct variety of the human race; a variety with many pronounced characteristics of physical degeneracy; a class of persons with distinct anatomical and pathological peculiarities which can be described and tabulated. Some of these peculiarities are, it is admitted, obscure, but the work of investigation is only in its infancy. But the first duty of the criminal jurist is to investigate and classify these characteristics. Lombroso, Ferri, Marro, and other writers, claim not only to have revealed the existence of a true criminal type, but to have made considerable progress in describing the natural history of this race and its varieties. There is a distinct criminal type marked by pathological defects and reversions to some inferior ancestor. This or that crime is not committed, it is said, by accident; a naturalist can tell by a glance at the teeth or claws of a wolf or bear what must be their prey; and the students of criminal anthropology hope to predict from a study of the physique of the criminal the precise form of his offence. And, undoubtedly, in their books is a great show of system and a large accumulation of

interesting observations well worthy of study. They have collected valuable information, for example, as to what the German writers call the "Lehre von den Degenerationszeichen" — physical defects and anomalies, the common concomitants of vice and criminality. They compile tables of classification of offenders, from one of which we take a characteristic extract: "Third class of offenders. (a) Offenders in whom is a preponderance of hereditary internal causes. Clinical form of offence—offences of self-indulgence, grievous bodily injuries inflicted without premeditation, arson. Predisposing causes—in most cases descent from *cretin* parents, old age or youth. Determining causes—atmospheric influences, temporary mental excitement. Organic characteristics—frequency of fair hair; general development of the body incomplete; *frontale microcephalic*, and preponderant development of the posterior part of the cranium; thick short limbs; appearance of *cretinism* or physical atrophy; frequency of hernia. Biological characteristics—specific senses obtuse. Mental characteristics—arrest of intelligence, or beginning of senile insanity; want of social education; character, generally less dangerous than in the other forms. (b) Offenders in which is a preponderance of internal morbid causes. Clinical form of the offence—housebreaking, repeated cases of wounding; homicide and murder. Predisposing causes—descent from parents who were drunkards and criminals; former maladies affecting the cerebrospinal axis; drunkenness; previous convictions; poverty. Determining causes—greed, debauchery, vengeance. Organic characteristics—general development of the body regular; pronounced development of the facial bones, deformities of the cranium, frequency of scars and wounds on the head, fierce physiognomy, tattooing frequent. Biological characteristics—marked fondness for alcohol; diminution of the sense of touch and capacity of feeling pain. Mental characteristics—intelligence not very defective, but profound deterioration of the moral sense; precocity in self-indulgence and in criminality, taking ever graver forms; impulsiveness; inclination to debauchery; tendency to suicide; cynicism;

cure almost hopeless. (c) Offenders in whom is a grave combination of innate internal causes and morbid acquired causes. Clinical form of offence—numerous homicides; murders. Preponderating causes—drunkenness, epilepsy or insanity in parents, father and mother married at advanced age; wounds in the head and cerebro-spinal affections. Determining causes—maniacal excitement, melancholic or epileptic *raptus*. Organic characteristics—combination of many signs of degeneracy and morbidness; malformation of the cranium; wounds on the head. Biological characteristics—change in the specific senses; general insensibility and loss of power of movement. Mental characteristics—exaggerated impulsiveness; corresponding changes in the intelligence and affections; tendency to suicide; character extremely dangerous; incurable.”

Professor Benedikt, and many other disciples of the new school, have made minute examinations of the brains of celebrated offenders; and we are confidently told that their brains “show a deviation from the normal type, and that criminals are to be viewed as an anthropological variety of their species, at least among the cultured races.” Lavater did not rely more confidently upon the truths of physiognomy than does Professor Lombroso. Here is his description of the *omicidi obituari*: “They have the cold, glassy, immobile look, the eyes sometimes bloodshot; the nose often aquiline or hooked, always full; strong jaws, long ears, large cheek-bones, hair crisp, abundant and dark, and the canine teeth prominent, thin lips, often nervous contractions of one side of the face so as to give a grimacing or threatening look.... Of the forgers and rogues whom I have studied, many have a physiognomy marked by singular good nature, recalling the clerical profession; a necessary condition, if the victim is not to be put on his guard.... As a rule, the born criminals had projecting ears, plenty of hair, scanty beard, puckered or wrinkled foreheads, square or projecting chins, large cheek-bones; in short, a Mongolian and sometimes a negro type.... I find a great resemblance between the look of a murderer and that of a cat

when she is lurking in ambush or about to spring.”

Marro, in his work “*I Caratteri dei delinquenti*,” says: “In this class homicidal criminals are mostly sons of old parents, insane sufferers from epilepsy, or drunkards.”

One observer writes: “My studies of living persons have revealed to me, in the physiognomy of prisoners, want of symmetry, high-cheek bones, large jaws, absence of beard, constitutional pallor, retreating foreheads, teeth overlapping, crooked noses, dark-coloured hair, and general prevalence of the signs of degeneracy. Among women, masculine physiognomies, but generally fewer anomalies than among men.”

Marro, and in fact, most observers, lay stress upon the want of beards in many male criminals; and they find abundant verification in statistics of the proverbs, appearing in many forms—“*Dieu me garde de l'homme sans barbe*,” and the counterpart, “*A mulieribus barbatis et inimicis reconciliatis cave*.” As to the significance of the ear there is a general consensus; Knecht, who examined the ears of 1,214 male criminals, found that the muscles of that organ in the great majority of cases showed anomalies. There is a general admission as to the prevailing ugliness of the criminal class. Lombroso has collected curious evidence as to the resemblance between the skulls of famous criminals, and those of the Papuans and negroes. Other observers are not less struck with the long arms of habitual criminals, and they see in this and some other facts, evidence of the reversion to the type of the anthropomorphic apes. The resemblance of *l'uomo delinquente* to the savage extends, we are told, to the mental and moral nature. He has the same inability as the savage to reflect and foresee, or to deny himself the pleasure of the moment. He has the same love of violent pleasures, the same dislike to persistent exertion, the same capacity to be momentarily energetic, the same insensibility to pain, the same inability to feel pity or awe. He is addicted to tattooing; and, strange fact, his slang or *argot* and the inscriptions scrawled on the walls of his prisons are like what is in use among the rudest tribes. In short, he is a belated

savage; a specimen of primitive man preserved to modern society—as distinct an ethnological fact as the Red Man or the indigenous Australian. And accordingly the pages of the *Archivio di Psichiatria* and other organs of the new school are full of papers in which the peculiarities of this race are described just as a naturalist might write of the Fuegians or Bushmen.

Such are the chief principles and methods of the new school. We are more impressed by the uniformity of the method employed than that of the results attained by it. In fact, the latter are strikingly conflicting. What one observer declares to be true of a type of criminals another fails to find, and the more careful representatives of the new school are content to maintain that the proportion of congenital anomalies is distinctly greater in a given number of criminals than in a given number of non-criminals. That there is an element of truth in all this; that certain criminals have generally certain physical and mental characteristics; that there is an hereditary predisposition to certain offences, is manifest. A multitude of familiar facts prove it. There is, for example, the well-attested history of the progeny of a drunkard; 200 thieves and murderers and 288 paupers and prostitutes traced their lineage to him. We have before us genealogical trees every branch of which has borne evil fruit. One and all have been epileptic, scrofulous, or thievish. The figures accumulated by the new school put it beyond doubt that certain physical malformations and abnormal features, hitherto unsuspected, are very often found in certain classes of criminals; the fact was observed by Aristotle. Writers on criminal jurisprudence have long investigated the varieties of insanity leading to crime; it can scarcely be doubted that truth will gain, and jurisprudence be improved, by similar investigation extended to criminals whom we could not without violence to language describe as insane. We may safely admit, if the teaching of the new school be verified, the probability of a revolution in the treatment of some classes of offenders. The distinction so much insisted upon between crimes due chiefly to innate internal causes and those attributable to out-

side circumstances may prove fruitful in consequences affecting the treatment of criminals. Upon some of them the sentences now inflicted are puerile; if they are proved to be habitually dangerous, is it reasonable to suppose that when they have been in prison a short time they have earned the right to go at large and be treated as other citizens? As to other criminals the sentences upon them are alike cruel and inefficacious. The law now seeks to cure those whom science pronounces incurable, and it punishes those who, wisely treated and placed under restraint might be cured. Guilty or not guilty, imprisonment or death, cannot be the last word of society on this subject; and it is no idle dream to look forward to the time when in regard to not a few complex crimes the present simple forms of sentence will be as antiquated as in complicated civil matters is the old common law form of judgment.

The new school has carried into all varieties of crime a method which can scarcely fail to revolutionise as to some points the practice of the criminal law. But sound sense is mixed up with much crude matter of the kind which we used to get from the Social Science Congress. There is a tendency to assume that the guilt of a prisoner and the age of a horse may be determined in the same way—by an examination of the teeth. We must, too, protest against the exaggerated contention of the new school that not to transient causes—misery, drink, want of education, the temptations of surrounding circumstances, evil example—but to settled hereditary habits, physical malformations, and something in the blood, is due the great majority of crimes. Not merely is this not proved, but the contrary is made clear. Some of the abnormal characteristics described in the works to which we have referred might, given other circumstances and a favourable *milieu*, be the instruments of distinction. Granted that the habitual criminal is a savage—even the lowest savages, the Fuegians, for instance, may be improved. Darwin found in Jemmy Button, a fair sample of the Fuegians, whose ancestors had eaten each other in due course, the making of a good citizen. The clever brigand and the admirable *gens d'armes* may not in their

origin be very dissimilar. The exclamation of Baxter on seeing a murderer led to execution often occurs to every humble and just minded person. And if the teaching of the new school be true, would society act otherwise than it does nine times out of ten? If the form of verdict were not "guilty" but, as has been suggested, "proved dangerous," would the prisoner fare differently from what he does? If the "positivist school" of criminal jurisprudence were ever to influence legislation, terminology would be most affected; the judge, the jury, the gaoler, and the executioner would act in the main as they do now.—*London Times*.

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, Nov. 30.

Judicial Abandonments.

- Gédéon Beauchesne, Scotstown, Nov. 22.
 Theophile Brodeur, St. Liboire, Nov. 28.
 George E. Campbell, Windsor Mills, and Marie Vitaline Berthelette, widow of late John Campbell, doing business under name of the Windsor Creamery Co., Nov. 21.
 Marie Louise Gareau, doing business under name of "Boyer frère," Montreal, Nov. 22.
 Alfred L. G. Dugal, furrier, Quebec, Nov. 29.
 C. N. Falardeau, trader, l'Ancienne Lorette, Nov. 22.
 Arthur Fournier, grocer, doing business as A. Fournier & Co., Montreal, Nov. 25.
 George Gauvreau, boot and shoe dealer, Montreal, Nov. 29.
 P. Gingras & Cie., coal dealers, Quebec, Nov. 27.
 John C. Moore, contractor, township of Kingsey, Nov. 22.
 F. H. Parsons, trader, Coleraine, Nov. 26.
 Louis Weinstein, trader, Coat'cook, Nov. 22.

Curators appointed.

- Re* André Beaugard.—J. Morin, St. Hyacinthe, curator, Nov. 2^d.
Re Euclide Bernard, trader, Belœil.—J. P. M. Bedard, Belœil, curator, Nov. 30.
Re Maurice Bernard, absentee, St. Germain de Grantham.—Kent & Turcotte, Montreal, joint curator, Nov. 25.
Re Charles Carignan, Weedon.—Kent & Turcotte, Montreal, joint curator, Nov. 21.
Re Marie Louise Danis, widow of O. P. Allard, grocer, Montreal.—T. Gauthier, Montreal, curator, Nov. 22.
Re Duncan Everett Dewar, trader, Aylmer.—R. H. Klock, Aylmer, curator, Nov. 8.
Re Philéas Faucher, trader, St. François Xavier de Brompton.—J. A. Begin, curator, Windsor Mills, Nov. 21.
Re Guenette & Co., St. Dominique.—J. O. Dion, St. Hyacinthe, curator, Nov. 21.

Re D. Lyons & Co., fruit dealers, Montreal.—Chas. Hollis, Montreal, curator, Nov. 27.

Re N. Massé, fils, Three Rivers.—Kent & Turcotte, Montreal, joint curator, Nov. 22.

Re J. P. Morin, Stanhope.—Kent & Turcotte, Montreal, joint curator, Nov. 21.

Re Louis Ovide Roy, trader, St. François Rivière du Sud.—H. A. Bedard, Quebec, curator, Nov. 25.

Re Roy, frère & Deshais, Scotstown.—Millier & Griffith, Sherbrooke, joint curator, Nov. 21.

Re Sénécal & frère.—C. Desmarteau, Montreal, curator, Nov. 25.

Re C. C. Snowdon, hardware merchant, Montreal.—P. S. Ross, Montreal, curator, Nov. 25.

Re J. J. Trudeau, deceased, Farnham.—A. Turcotte, Montreal, curator, Nov. 19.

Re George Watson, Montreal (absentee).—W. J. Common, Montreal, curator, Nov. 27.

Dividends.

Re Chapdelaine & Lacouture, Sorol.—First and final dividend, payable Dec. 19, C. Desmarteau, Montreal, curator.

Re Frank A. Desroches, St. Jérôme.—First and final dividend, payable Dec. 9, Bilodeau & Renaud, Montreal, joint curator.

Re Marie Louise Danis, widow of O. P. Allard, grocer.—First dividend, payable Dec. 10, T. Gauthier, Montreal, curator.

Re Wm. F. Pagels.—Dividend declared, S. C. Fatt, Montreal, curator.

Re H. E. Pelletier, trader, Ste. Louise.—Second and final dividend, payable Dec. 16, H. A. Bedard, Quebec, curator.

Re J. A. P. Renaud, Drummondville.—First and final dividend, payable Dec. 9, Bilodeau & Renaud, Montreal, joint curator.

Re C. A. Simard, St. Hyacinthe.—First dividend, payable Dec. 17, G. H. Henshaw, jr., Montreal, curator.

Separation as to Pr party.

Emma Casler vs. Angus McIntyre Thom, Montreal, Nov. 23.

Alexina David vs. Omer Alain, agent, Montreal, Nov. 30.

Mary Sarah Farroll vs. Thomas Connolly, cabinet maker, Montreal, Nov. 28.

Notarial minutes transferred.

Minutes of A. E. Gladu, N.P., St. Michel d'Yamaska, transferred to L. P. Veronneau, N.P., of the same place, Nov. 21.

Meeting of Legislature.

For despatch of business, Jan. 7, 1890.

GENERAL NOTES.

CHANGES ON THE SCOTCH BENCH.—Lord Mure, one of the oldest of the Scotch judges, who is in his seventy-ninth year, has resigned his judgeship in the Court of Session. For some time past his lordship has not been in robust health. Lord Mure was called to the bar in Scotland in December, 1831, and appointed a judge of session in January, 1865. His resignation will elevate Lord M'Laren from the Outer House to the First Division of the Court of Session.