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The Legal News.

VOL. IX. SEPTEMBER 18, 1886. No. 38.

"B.", who is generally understood to be a correspondent filling a high judicial office, writes to the *London Times*:—"It may be a difficult thing for the Americans to make a law to punish or prevent the plots against this country now being formed in Chicago; and if they could, they may be unwilling to do so. But we are not without a remedy in our own hands. The subjects of this country may be made directly liable for acts done abroad. Of course, nothing could be done against them till they came within the jurisdiction. The subjects or citizens of other States, who owe no allegiance here, could not be directly affected by our legislation; but they could be indirectly. Thus there might be a statute that no one not a British subject committing certain acts should enter British territory, and that if he did, he should be liable to the same penalty as a British subject committing the same offence. Such a law would be acted on by our Courts. It could only be objected to by foreign States as a breach of the comity of nations. But it would not be open to such an objection if only a reasonable protection for ourselves. Such a law would reach naturalised persons if they visited us."

In the case of *Maberly* v. *Maberly*, July 19, the Court of Chancery took notice of the present disturbed condition of affairs in Ireland. A testator had directed that the whole of his estate, real and personal, should be converted, and invested in Irish land. Vice-Chancellor Bacon held that in present circumstances it would be improper and imprudent on the part of the trustees to follow their testator's instructions in this respect.

The following document was delivered to the Rev. Mr. Drought on his expulsion from France for presenting an address of condolence to the Duc d'Aumale: "Considering Article 7 of the law of November 13 and 21 and December 3, 1849," worded as follows: "The Minister of the Interior may, by a measure of police, order any foreigner travelling or residing in the territory to leave immediately and to have him conducted to the frontier;" considering the reports of the Prefect of the Oise, dated July 24 and 29, 1886, concerning M. Drought, an English subject residing at Chantilly; considering that the presence of the above-named foreigner on French territory is of a nature to compromise the public safety—on the recommendation of the Prefect of the Oise, the Minister decrees —Article 1. M. Drought is ordered to quit French territory. Article 2. The Prefect of the Oise is charged with the execution of the present decree.—The Minister of the Interior, SARRIEN."

COURT OF QUEEN'S BENCH.

QUEBEC, May, 1886.

HALL, Appellant, and THE UNION BANK OF LOWER CANADA, Respondent.

Procedure—Demand for Particulars.

In an action upon a promissory note, the defendant moved that the plaintiff be required to furnish him with a statement of assets, realized by the plaintiff, and which should be set off against the note, and that the delay to plead should not run until such statement was furnished.

HELD:—*That such a demand, if properly supported by evidence, might be made by motion, but the better course for the defendant was to plead the counter indebtedness, or to file an incidental demand; and accordingly the court affirmed the judgment of the lower court, which rejected such motion.*

RAMSAY, J. This is an appeal from an interlocutory judgment dismissing a motion. The action was on a promissory note; the motion was made by the defendant, praying the court to order that he be furnished with a statement of assets realized by the plaintiff, and which should be set off against the note, and that the delay to plead shall not run until such statement be furnished.

It was moved to reject this appeal, because

security had not been given within the delay fixed by this court. This motion was dealt with at the argument.

Another preliminary question was raised, namely, that the requirements of the motion were matter of *exception à la forme*, and that therefore, the motion was too late, and was not the proper proceeding.

It seems to us this preliminary ground is unfounded. The motion does not pretend that the action is not sufficiently *libellée*. It is a demand for certain particulars, which it is contended are necessary for the defence.

It is evidently an application which should be supported by very special evidence. But before examining the intrinsic merits of defendant's demands, there is a question which seems to be important. It is, what would be the result of according such a motion? We should be, on a peradventure, hanging up a simple action on a promissory note, perhaps, for ever.

Again, it is not essential to the defence. If the note is paid by the counter indebtedness of the plaintiff, that can be pleaded. And so, also, may any other defence. Or, the defendant might make an incidental demand, which would completely obviate the risk of what was called at the argument—a snap judgment, by which we suppose, is meant a one-sided judgment, on a seeming, but not on a real indebtedness.

Apart from the apparently unnecessary, and certainly the very unusual nature of the motion, on the merits it is not very easy to determine the rights of the parties, on a preliminary and undeveloped issue like the present, and as any special order might jeopardise these rights, we think appellant should be left to pursue the ordinary procedure of the court.

Judgment confirmed.

COUR DE CIRCUIT.

[En Chambre.]

MONTRÉAL, 31 juillet 1886.

Coram TORRANCE, J.

McCARTHY *v.* JACKSON, et WARD, gardien, mis-en-cause, et le mis-en-cause, requérant.

Mépris de Cour—Pension alimentaire.

JUGÉ:—*Qu'un gardien emprisonné pour mépris de Cour, n'a pas droit à une pension alimentaire.*

Le jour fixé pour la vente des effets saisis en cette cause, le gardien, Percy Ward, refusa de les représenter et livrer à l'huissier exploitant.

De là, règle *nisi* contre le gardien pour mépris de cour et emprisonnement en vertu de cette règle.

Le 30 juillet courant, le gardien présenta à l'hon. juge Torrance, en Chambre, une requête alléguant qu'il ne possédait pas de biens pour la valeur de $50 et demandant une pension alimentaire pendant la durée de sa détention.

L'hon. juge a rejeté cette requête avec dépens. Et au cours des remarques qui ont accompagné sa décision, il a déclaré qu'aucune pension alimentaire ne pouvait, en aucun cas, être accordée à la personne incarcérée pour *mépris de cour ;* et qu'une telle pension ne pouvait être accordée qu'à la personne détenue sur *capias.*

L'hon. juge ajoute que l'art. 790 C. P. C., n'est pas de droit nouveau, et n'avait pas changé le droit statutaire existant lors de la promulgation du code, et que l'on retrouve dans la sec. 6, du ch. 87 des S. R. du B. C. Aussi, continue l'hon. juge, est-ce la seule autorité indiquée par les codificateurs, dans leur rapport, comme étant la source d'où l'art. 790, du C. P. C., a été tiré. Et son honneur cita de plus la cause de *Vermette v. Fontaine*, rapportée au 6 R. J. de Q. 159, ainsi que son propre jugement dans la cause de *Cramp v. Coquereau, et al.*, 3 L. N. 332; 25 L. C. J. 162.

Requête rejetée.

J. Crankshaw, pour le requérant.

J. G. D'Amour, pour la demanderesse.

(J. G. D.)

COURT OF APPEAL.

LONDON, June 9, Aug 9, 1886.

Before LORD ESHER, M. R., BOWEN, L. J., FRY, L. J.

THE FINE ART SOCIETY (LIM.) *v.* THE UNION BANK OF LONDON.

Conversion—Negotiable Instrument—Post Office Order—Payment to Banker—Estoppel.

Appeal of the defendants from the judgment of DAY, J., at trial in Middlesex without a jury.

The plaintiffs, who had a banking account with the defendants, had in their employ one Mugford, a clerk, who, unknown to the plaintiffs, kept a private banking account with the defendants. Part of Mugford's duty was to receive Post Office orders remitted to the plaintiffs by customers and hand them to the defendants, in order that the proceeds might be collected by them from the Post Office and placed to the plaintiffs' account. Mugford, having received in this way a number of Post Office orders, wrongfully paid them into his own account with the defendants.

The plaintiffs having brought an action against the defendants for the amount of the orders, DAY, J., sitting without a jury, gave judgment for the plaintiffs.

Cohen, Q. C., and *Pollard* (*Douglas Walker* with them) for the defendants (the appellants).

Finlay, Q. C., and *Vaughan Williams* for the plaintiffs (the respondents).

Their LORDSHIPS held that there was evidence of conversion by the defendants of the plaintiffs' property, that the regulation of the Post Office which permits Post Office orders to be paid to a bank without the signature of the payee to the receipt being required did not render these orders in the nature of negotiable instruments so as to bring the case within the authority of *Goodwin* v. *Robarts*, 45 Law J. Rep. Exch. 748; L. R. 1 App. Cas. 475, and that the plaintiffs were not estopped, by their conduct in entrusting the Post Office orders to Mugford, from asserting their own title to them, and their Lordships accordingly affirmed the judgment of Day, J.

Appeal dismissed.

JUSTICE DE PAIX DE SAVIGNY-SUR-BRAYE.

18 avril 1886.

M. DELBASSÉ, juge de paix.

COMMUNEAU v. BARBIER.

Action possessoire— Servitude— Titre contesté — Incompétence.

Le droit de passage étant une servitude discontinue, ne peut servir de base à une action possessoire que s'il est appuyé sur des titres réguliers et non contestés; et dès que le sens des conditions d'un titre et sa validité sont sérieusement mis en doute, le juge du possessoire doit se déclarer incompétent.

Nous juge de paix,

Attendu que Communeau prétend être en possession d'un droit de passage sur le grenier à Barbier; qu'il se fonde pour l'exercice de ce droit, tant sur son titre d'acquisition, devant Halgrin, notaire à Javigny, du 3 avril 1884, que sur un partage devant Bordier, notaire à Lunay, du 28 janvier 1830;

Attendu que Barbier articule que le grenier de Communeau n'existait pas au moment du partage de 1830; et que si ce dernier a joui de ce passage, ce n'est qu'à titre de pure tolérance;

Attendu que la clause que Communeau interprète à son profit a un tout autre sens pour Barbier; et que, quant au titre devant Halgrin, ni lui ni ses auteurs n'y étant partie, il en conteste la validité à son égard;

Attendu que le droit de passage, étant une servitude discontinue, ne peut servir de base à une action possessoire que si elle est appuyée sur des titres réguliers et non contestés;

Attendu que Communeau se base, pour fonder sa prétention, sur la condition insérée dans le partage de 1830 et sur son titre devant Halgrin;

Attendu que Barbier interprète la condition insérée au dit partage d'une tout autre façon que Communeau; et, quant au titre devant Halgrin, qu'il en conteste la validité, ni lui ni ses auteurs n'y étant partie;

Attendu que, dans la circonstance, l'action de Communeau est, d'après lui, fondée sur des titres dont le sens des conditions et la validité sont contestés par le défendeur; que, par ce moyen, la demande échappe à notre juridiction;

Par ces motifs, nous déclarons incompétent, etc.

NOTE.—V. Trib. civ. Aubusson 4 août 1885 (Gaz. Pal. 85.2.528) et Cass. 27 janvier 1885 (Gaz. Pal. 85.1.304).

COUR DE CASSATION (Ch. des requêtes).

19 octobre 1885.

Présidence de M. Bédarrides.

Baudet v. Jacquemain.

Responsabilité— Accident— Patron— Ouvrier— Faute de la victime.

Le patron est à bon droit déclaré non responsable du dommage causé à un de ses ouvriers, à raison d'un accident dont il a été victime dans son travail, lorsqu'il est constant que le dit accident n'a eu d'autre cause que la faute personnelle du dit ouvrier.

La Cour,

Sur le moyen unique du pourvoi tiré de la violation des art. 1382, 1383, 1384 C. civ.:

Attendu qu'il appartient aux juges du fond de constater souverainement l'existence des faits pouvant constituer la faute qui donne lieu à des dommages-intérêts;

Attendu que le sieur Baudet demandait à prouver qu'il avait été chargé par son maître d'opérer dans un chantier de scierie mécanique le déplacement d'une pièce de bois, trop lourde pour ses forces, eu égard à l'état de santé où il se trouvait, et que l'exécution de cette opération lui avait occasionné de graves blessures;

Mais attendu que l'arrêt attaqué constate qu'il est d'ores et déjà établi que cet accident n'avait eu d'autre cause "que la faute personnelle et la propre imprudence du demandeur; que celui-ci, en effet, avait eu le tort de ne pas réclamer ou de n'avoir pas attendu, pour le travail dont on l'avait chargé, le secours d'un autre ouvrier de l'atelier, secours qui ne lui aurait assurément pas fait défaut;"

Attendu que, dans ces circonstances de faits souverainement constatés, la Cour de Nancy, en déclarant qu'il n'y avait pas lieu d'admettre la demande en preuve, parce qu'elle manquait de pertinence et que l'articulation n'était pas concluante, n'a pu violer les textes de lois visés ci-dessus;

Par ces motifs,

Rejette.

Note.—Jurisprudence constante. V. Cass. 14 avril 1885 (Gaz. Pal. 85.1.646) et le renvoi. V. également: Cass. 2 décembre 1884 (Gaz. Pal. 85.1.85) et la note.—*Gazette du Palais.*

TEXT OF THE EXTRADITION AGREEMENT.

CONVENTION BETWEEN THE UNITED STATES AND HER BRITANNIC MAJESTY.

Whereas, By the Xth Article of the Treaty concluded between the United States of America and Her Britannic Majesty, on the 9th day of August, 1842, provision is made for the extradition of persons charged with certain crimes:

And, *Whereas*, it is now desired by the high contracting parties that the provisions of the said Article should embrace certain crimes not therein specified, and should extend to fugitives convicted of the crimes specified in said Article and in this convention:

The said high contracting parties have appointed as their plenipotentiaries to conclude a convention for this purpose, namely, the President of the United States of America, Edward J. Phelps, Envoy Extraordinary and Minister Plenipotentiary of the United States to the court of St. James, etc., etc., and Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, the Right Honorable Archibald Philip, Earl of Rosebery, Her Majesty's Principal Secretary of State for Foreign Affairs, etc., etc.: who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

The provisions of the Xth Article of the said treaty will be and are hereby extended so as to apply to and comprehend the following additional crimes not mentioned in said Article, namely:

1. Manslaughter. 2. Burglary. 3. Embezzlement or larceny of the value of $50 or £10 and upward. 4. Malicious injuries to property, whereby the life of any person shall be endangered, if such injuries constitute a crime according to the laws of both the high contracting parties. And the provisions of the said Article shall have the same effect with respect to the extradition of persons charged with any of the said crimes as if the same had been originally named and specified in the said Article.

ARTICLE II.

The provisions of the Xth Article of the said treaty and of this convention shall apply to persons convicted of the crimes therein respectively named and specified, whose sentences thereupon shall not have been executed. In the case of a fugitive criminal alleged to have been convicted of the crime for which his surrender is asked, a copy of the record of conviction and of the sentence of the court before which such conviction took place, duly authenticated, shall be produced together with the evidence that the prisoner is the person to whom such sentence refers.

ARTICLE III.

This convention shall not apply to any of the crimes herein named and specified which shall have been committed, or to any convictions which shall have been procured, prior to the date when the convention shall come into force.

ARTICLE IV.

No fugitive criminal shall be surrendered under the provisions of the said treaty or of this convention, if the crime in respect of which his surrender is demanded be one of a political character, or if he prove to the competent authority that the said requisition for his surrender has in fact been made with the view to try or punish him for a crime of a political character.

ARTICLE V.

A fugitive criminal, surrendered to either of the high contracting parties, under the provisions of the said treaty or of this convention, shall not, until he has had an opportunity of returning to the State by which he has been surrendered, be detained or tried for any crime committed prior to his surrender, other than the extradition crime proved by the facts on which his surrender was granted.

ARTICLE VI.

The extradition of fugitives under the provisions of the said treaty and of the present convention shall be carried out in the United States and in Her Majesty's dominions, respectively, subject to and in conformity with the laws regulating extradition for the time being in force in the surrendering State.

ARTICLE VII.

This convention shall be ratified, and the ratifications exchanged at London as soon as possible.

It shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the high contracting parties, and shall continue in force until one or the other of the high contracting parties shall signify its wish to terminate it, and no longer.

In witness whereof, the undersigned have signed the same, and have affixed thereunto their seals.

Done at London the 25th day of June, 1886.

{SEAL} EDWARD JOHN PHELPS.

{SEAL} ROSEBERY.

THE INTERNATIONAL COPYRIGHT ACT, 1886.

The International Copyright Act, 1886 (49 & 50 Vict. c. 33), makes some valuable improvements in that branch of law which is called International Copyright, and which owes its existence to the very peculiar and anomalous view taken of copyright by lawyers, both English and foreign. If copyright were considered property, the international law on the subject would be so simple as practically not to exist. We do not talk of an international law of property, yet, if a man paints a picture or writes a manuscript in Paris, it is his property in London, and conversely. If any one were to bring an action in England or France for the recovery of a chattel, he would recover it quite irrespectively of his nationality, his residence, or the place where he acquired his property. When, however, it is not the picture or the manuscript which is in question, but the right to reproduce the picture or multiply copies of the manuscript, it appears that the laws of property do not apply, because many of these questions of nationality and the rest at once arise. How it was that law failed

to admit copyright into the secure fold of property does not require a very deep knowledge of the processes by which law grows. It was not because copyright was intangible. Incorporeal rights, such as rights of way, light and air, are easily provided with a place in jurisprudence. It was because the theory of prescription, which is the basis of property, did not apply, or applied but feebly to the case of copyright. It is perhaps conceivable that a man might possess a picture which all the world was anxious to copy, and which he for a long period successfully prevented from being copied, so that foundation was given to the idea that he had a copyright by prescription; but such right as he had would probably be attributed to his right of property in the chattel and not be the origin of a new incorporeal right. So soon as he sold one copy he would seem to have parted with all his right. The fact is that copyright does not take its rise from the slow processes to which legal rights are in general due, but to a conscious act on the part of the supreme power in the general interest. In this respect it is not unlike patent right, although the analogy has been in some respects misleading. It is probably due to this false analogy that it is still considered essential to copyright in a country that the subject of it should be first published in that country. When an idea is in question, as in the case of patent rights, it is desirable that the monopoly should only be given on the terms that a perfect record of the idea should be made public. This is a valuable condition, because the idea once published becomes part of the general stock of knowledge. The same cannot be said of copyright. The reason why publication in this country was made a condition of obtaining copyright here was probably the notion that the author ought not to have rights without some return. But to publish one copy would satisfy the condition; and, if there is any likelihood of the author being a 'dog in the manger,' the necessity of once publishing will not prevent it.

The new Act does not deal with any of the fundamental laws of international copyright. Copyright is one of the few subjects upon which the English nation, like its neighbours, are strict protectionists, and the basis of international copyright continues to be reciprocity, as it was under the original Act of 1844. In fact, the new Act increases the security for reciprocity, while making it more flexible. It repeals section 14 of the Act of 1844, which provided that no Order in Council shall have any effect unless it state that due protection has been secured by the foreign power for all works first published in the Queen's dominions. The new Act is not content with such a mere statement, but requires by section 4, subsection 2, that before making an Order in Council Her Majesty in Council shall be satisfied that the foreign country 'has made such provisions (if any) as it appears to Her Majesty expedient to require for the protection of authors of works first produced in the United Kingdom.' If the foreign country has made provision for British authors, Her Majesty in Council must be satisfied with them; but if it has made none, the order may still be made. Reciprocity is still further secured by section 2, subsection 3, which provides that 'no greater right or longer term of copyright shall be conferred in any work than that enjoyed in the foreign country in which such work was first produced.' In Germany copyright lasts for thirty years after the death of the author, so that the author of a book first produced in Germany would have a longer copyright there than here. The clause does not deal with the case of a country with a more liberal law of copyright than our own, leaving the matter to that country to stipulate for if she should think fit; but, in the converse case of the foreign copyright being shorter than the English copyright, it restricts the duration of the English copyright in respect of a foreign work. A revolution is made in the law regarding translations by section 5. The Act repeals section 18 of the Act of 1844, which provided that 'nothing in the Act should prevent the printing, publication, or sale of any translation of any book the author whereof and his assigns may be entitled to the benefit of this Act,' and also repeals sections 1 to 5 of 15 & 16 Vict. c. 12, which gives a qualified right to

prevent translations. In their place it is provided that the translation of a book or drama is to be an infringement of international copyright unless otherwise provided in the Order in Council; but the copyright for purposes of translation ceases ordinarily if an authorized translation in English has not been produced, and in general a translation is to have the same copyright as an original. Other useful amendments of the effect of a copyright order are to be found in section 2. By subsection 1 the order may embrace several foreign countries, and by subsection 2 a further protective provision is introduced. Of course, it cannot be hoped that all countries will join the convention, and, in particular, the United States of America have not yet been arranged with. It might be worth the while of an American author to publish his book in the first instance in a country with which England has a copyright treaty. Whether he would also obtain a copyright in the United States depends on the Acts of Congress. According to the English law, an author first publishing abroad does not obtain copyright in the United Kingdom. This may be different in the United States, or it might be worth while in a particular work to sacrifice the American copyright to the English. In that case the American author might first publish his work in a country in treaty with England and thus obtain the English copyright. He cannot obtain the English copyright direct by first publishing in England, for, although a foreigner may obtain copyright, yet, by a peculiarity in the statutes, he must be a foreigner resident in England. To prevent this evasion, subsection 2 provides that a copyright order may exclude or limit the rights of persons not subjects of the State in question. The effect given to such an exclusion by the Act may well be criticised. The right is, in the event in question, to be in the publisher instead of the author, without prejudice to the rights of the author and publisher *inter se*, which means that the author may effect this manœuvre through his publisher. The clause will, therefore, be useless, unless, by means of the words 'unless the order otherwise provides,' a provision is introduced into orders which will have the effect of turning the exception into the rule. Section 3 deals with simultaneous publication, an important question by reason of the fact that it is the place of first publication which designates the origin of the copyright. It was held in *Boosey* v. *Purdey*, 4 Exch. 145, that a publication in a foreign country on the same day does not injure the English copyright. Subsection 1 of section 3 allows the effect of simultaneous publication to be settled by the Order in Council; and, by subsection 2, if the result is that the work is deemed to have been first published abroad, the copyright is to be considered a foreign and not an English copyright. This section seems not sufficiently definite to work practically. Section 6 deals with the application of the Act to existing works, and contains the proviso that 'where any person has, before the date of the publication of an Order in Council, lawfully produced any work in the United Kingdom, nothing in this section shall diminish or prejudice any rights or interests arising from or in connection with such production which are subsisting and valuable at the said date.' The insertion of this proviso is, we believe, due to Mr. F. Rolt, solicitor, who addressed a circular letter containing many useful criticisms to the members of the House of Lords when the bill was passing through that House. He pointed out that the clause of the bill which merely preserved rights in existing stock, while not unjust in regard to books generally, would work injustice to the publishers of books by foreign authors illustrated by English artists, and foreign airs with setting by English composers. The words of the proviso, although somewhat vague, seem sufficient for the purpose intended.

Perhaps, however, the most interesting of all the amendments in the Act is the small instalment of imperial federation which the Parliament of the United Kingdom has been able to bestow on British possessions beyond the seas during what may be called the Colonial year. Hitherto the Colonies have not only not participated in the benefit of British copyright treaties, but have had no general copyright for their own works in the United Kingdom. Colonial works have been

treated as foreign. The poet or painter who published his work at Melbourne, not only could have no copyright in France, but had no copyright in England, because under the English statute it was necessary that the work should first be produced in the United Kingdom. Colonies were, under the Colonial Reprints Act, treated like foreign countries. This blot, due probably to carelessness rather than selfishness, is now removed. All the copyright Acts are, by section 8, to apply to 'literary or artistic work first produced in a British possession in like manner as they apply to a work first produced in the United Kingdom.' As usual, however, this generosity is onesided. The mother-country gives protection to the works of her children, but no provision is made for the daughter-countries giving protection to the works of the mother-country. We see no reason why the Imperial Parliament should not, in this instance, have taken upon itself to legislate for the empire. It was perhaps difficult to obtain the assent of the representatives of so many scattered dependencies, an assent which ought to be forthcoming none the less, because the mother-country has now put it out of her power to make any bargain with the Colonies by freely giving all she has to give.—*Law Journal* (London.)

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, Sept. 4.

Judicial Abandonments.

Adolphe G. Morris, wholesale cigar merchant, Montreal, Aug. 20.

John F. Robinson, tailor, Sherbrooke, Aug. 16.

Curators appointed.

Re Joseph A. G. Delfosse, hardware merchant, Montreal. — Seath & Daveluy, Montreal, curator, Aug. 27.

Re Hebert & Newton.—James I. Kimbal, East Dunham, curator, July 19.

Re Alphonse Labelle.—Chas. Desmarteau, Montreal, curator, Sept. 1.

Re Adolphe G. Morris.—Seath & Daveluy, Montreal, curator, Aug. 27.

Re Jean-Baptiste G. Perrault, hardware merchant, Montreal.—David Seath, Montreal, curator, Aug. 31.

Re Roy & Frère, grocers, Montreal. — Seath & Daveluy, Montreal, curator, Aug. 17.

Dividends.

Re Alfred Charland.—First dividend, payable Sept. 21, Kent & Turcotte, Montreal, curator.

Re Joseph Pineau, Bic.—Dividend payable Sept. 21. Kent & Turcotte, Montreal, curator.

Re Anselme Plamondon, district of Richelieu.—Kent & Turcotte, Montreal, curator.

Application for discharge.

Re J. Stewart Kennedy, Cowansville.—Application for discharge under Insolvent Act of 1875, district of Richelieu, Oct. 5.

Separation as to property.

Dame Marie Elise Bellemare vs. Pierre Morin, trader, St. Justin, district of Three Rivers, Aug. 21.

Dame Phélonise Fafard vs. Cléophas Brodeur, lumber merchant, St. Hugues, Aug. 27.

Dame Hélène Johnson vs. Gonzague Renouf, wheelwright, Trois Pistoles, Aug. 30.

Dame Frances Maria Tracey vs. Robert Arthur Alloway, dentist, Montreal, Sept. 1.

Quebec Official Gazette, Sept. 11.

Judicial Abandonments.

L. Nemese Bernatchez, St. Thomas, trader, Sept. 3.

Curators appointed.

Re Laurent Audette.—Samuel C. Fatt, Montreal, curator, Aug. 31.

Re Théophile Beaudoin.—Armand Prévost, Nicolet, curator, Sept. 1.

Re George A. Gagnon and Charles Gagnon (Gagnon Frères).—Thos. Darling, Montreal, curator, Sept. 4.

Re D. E. Morin, St. George de Cacouna, district of Kamouraska.—Edouard Bégin, N.P., Quebec, curator, Sept. 2.

Re Nicholas R. Mudge.—Frederick M. Cole, Montreal, curator, Aug. 27.

Dividend Sheet.

Re L. J. N. Gauthier, St. Hyacinthe.—First and final dividend, payable Sept. 30, J. O. Dion, St. Hyacinthe, curator.

Separation as to property.

Dame Rosalie Larocque vs. Frédéric Monast, St. Hyacinthe, Sept. 6.

Dame Eugénie *alias* Eugéna Minher, vs. Alfred Fiset, trader, Montreal, Sept. 8.

Dame Mathilda Eliza Osbert vs. Aubin Duperrouzel, restaurant keeper, Montreal, Sept. 9.

Quebec Official Gazette, Sept. 18.

Judicial Abandonments.

A. T. Constantin & Cie., Quebec, dry goods merchants, Sept. 15.

Auguste Laberge, Ste. Luce, Rimouski, general dealer, Sept. 9.

Prosper Milot, Ste. Anne d'Yamachiche, trader, Sept. 15.

Curators appointed.

Re J. W. Lamontagne & Co., Montreal.—Kent & Turcotte, Montreal, Curator, Sept. 10.

Separation as to property.

Dame Marie Louise Cartier vs. François Allard, Sorel, undertaker, July 28.

Dame Clarisse Lassalle vs. Alfred Charland, St. Michel d'Yamaska, trader, Aug. 4.

Dame Adèle Turcot vs. Francis Lamalice, Montreal, clerk, Sept. 3.

Dame Ida Vesta Wallis vs. Joseph Lunan, Godmanchester, Beauharnois, July 6.

Commissioner.

Tobias Gainsford Ridgway, N. P., London, Eng., appointed commissioner to take depositions under oath in England to be used in courts of this Province.