

BASTIEN *v.* FILIATRAULT *et ux.*

Husband and wife—Judicial separation as to property—Debts incurred by husband before dissolution of community—Obligation by wife—Art. 1301 C. C.—Nullity—Public policy.

1900

*Oct. 4.

*Oct. 8.

APPEAL from a judgment of the Court of Review, at Montreal (1), affirming the judgment of the Superior Court, District of Montreal (2), dismissing the plaintiff's action as to the female defendant, and relieving her from liability under a deed to which she had become a party to guarantee claims against her husband.

After hearing counsel for the parties the court reserved judgment, and on a subsequent day, dismissed the appeal on the merits with costs for the reasons given in the courts below, and without determining a question as to the jurisdiction of the court to entertain the appeal raised by the respondent upon a motion to quash the hearing.

Appeal dismissed with costs.

Charbonneau Q.C. for the appellant.

Rodolphe Lemieux Q.C. for the respondent.

*PRESENT :—Taschereau, Gwynne, Sedgewick, King and Girouard JJ.

(1) 6 Rev. de Jur. 13.

(2) Q. R. 15 S. C. 445.