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Vaults,

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TORONTO

PRESIDENT:

J. R. STRATTON, M.P.P.

VICE PRESIDENTS:

D. W. KARN, Esq. C. KLOEPFER, M.P.

The Company is chartered to act as Executor, Administrator, Guardian, Trustee, Assignee, Committee of Lunatic, Receiver and General Fiduciary Agent for investment of moneys, Management of Estates, Issuing and Countersigning Bonds, etc.

Trust Accounts kept separate from assets of Company.

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To the Stove and Hardware Trade.

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DECISIONS IN COMMERCIAL LAW

O'CONNOR v. GEMMILL.—An agreement by a solicitor to prosecute a claim to judgment at his own expense in consideration of his receiving one-fourth of the amount which should be recovered, is void on the ground of champerty.

COCKBURN v. IMPERIAL LUMBER COMPANY.—When an arbitrator awards one sum in respect of matters, some of which are within and some without his jurisdiction, the award must be set aside.

CRAIG v. WALKER.—Mr. Justice Charnland, Montreal, has given judgment for the plaintiff for \$1,980, in this case. The plaintiff purchased a three-story furniture factory, situated in St. Antoine Ward, from the Banque du Peuple, which had been in the possession of the defendant, doing business under the name of James Thompson & Co., and in which he had erected a boiler and engine and other machinery necessary for such a business. The defendant had removed all this away from the place. The plaintiff held that this machinery was an immovable, which belonged to the building, of which it formed part, and the court held that his pretensions were well founded. The defendant is ordered to restore the things removed, or to place the value thereof, as given above.

The police magistrate at Ottawa has decided that an auctioneer cannot sell after six o'clock in the evening without breaking the early closing by-law.

SUBSCRIPTION TO PAPER.

At the last Division Court at Glencoe the case of the Free Press Co. v. Edwards was tried. It was an action on account to recover three years' subscription to the Daily Free Press. Plaintiff proved that defendant had taken the paper regularly from the post-office, and was therefore entitled to pay for it. Defendant alleged that he never subscribed for the paper; that one Carson Adair, who lived in the premises now occupied by defendant, and in whose name it had been sent, had ordered the paper; that when he went away he had made a present of the paper to defendant, and had instructed the postmaster to deliver it to defendant, who had imagined that Adair had paid for it, otherwise he would not have taken it. The judge held that defendant, having taken the paper, got the benefit of it, and should have stopped it if he did not want it. Judgment for plaintiff.

—It has been decided, we observe, by the town council of Lachine to accept the application of the Silver Boot & Shoe Co. for a bonus, and to grant the company a bonus of \$13,000, and exemption from taxes for ten years. According to the contract, the town takes a first mortgage of \$16,000 on their immovables, which includes the ground, building and plant. They must employ one hundred persons, forty of whom must be heads of families residing in the town, and pay annually in wages \$30,000.

JOHN MACKAY

Public Accountant, Auditor, Receiver
and Trustee

Bank of Commerce Bldg., Toronto

Cable Address: CAPITAL. Tel. No. 3733.

THE INSOLVENCY AND LIQUIDATION
DEPARTMENT OF THE

Western Loan and Trust Company, Limited,

IS OPERATED BY

W. Barclay Stephens

Manager of the Company.

Under the laws of the Province of Quebec the Company cannot be appointed directly to trusts, such as assignees, etc. Therefore, Mr. Stephens will act on behalf of the Company in all such cases, the Company assuming all responsibility and reliability in regard to any trusts which may be placed in his hands.

Address communications to

W. BARCLAY STEPHENS,

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12 King St. West, Toronto

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Reserve 37,535 90

Total Assets 1,427,931 11

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I. M. HOLLAND, General Manager.

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