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DECISIONS IN COMMERCIAL LAW

LAMBERT V. THE UNITED COUNTIES
RAILWAY COMPANY.—The Court of Re-
view of the Province of Quebec has re-
cently given a decision in this case. The
chief point was whether a railway com-
pany is entitled to have surrendered to it
the bill of lading issued for the transpor-
tation of goods before delivering them or
not. The defendants commenced de-
livering a quantity of goods which were
addressed to him at St. Aime, but they
stopped and asked him to produce his
bill of lading. The plaintiff did not have
it, but that it was in the possession of
some one else. The goods were replaced
in the storehouse. The plaintiff took out
a seizure in revendication, and the goods
were attached. The goods were placed
in his possession on his giving security.
The judgment of the Superior Court held
that the defendants knew that the plain-
tiff was the person entitled to receive the
goods; had recognized him as such, and
were not warranted in refusing delivery;
declared the plaintiff the owner of the
goods, and entitled to the possession of
them, discharged the security bond, and
condemned the defendants to pay the
costs. The Court of Review, in reversing
the judgment of the Superior Court, held
that the agent was right in demanding
the production of the bill of lading, and
that his action was wholly unnecessary.

PHILIP HEIMINCK AND THE MUNICI-
PALITY OF THE TOWN OF EDMONTON.—
The user of old travelled roads or trails
over the waste lands of the Crown in the
North-West Territories of Canada, prior
to the Dominion Government survey
thereof, does not give rise to a presump-
tion that the lands over which they pass-
ed were dedicated as public highways.
The land over which an old travelled
trail had formerly passed, leading to the
Hudson Bay trading post at Edmonton,
N.W.T., had been enclosed by the owner,
divided into town lots, and assessed and
taxed as private property by the munici-
pality, and a new street substituted
therefor, as shown upon the registered
plans of subdivision, and laid out upon
the ground, had been adopted as a
boundary in the descriptions of lands
abutting thereon, in the grants thereof by
Letters Patent from the Crown. It was
held by the Supreme Court of Canada,
reversing the decision of the Supreme
Court of the North-West Territories, that
under the circumstances there could be
no presumption of dedication of the lands
over which the old trail passed, as a pub-
lic highway, either by the Crown or by
the private owner, notwithstanding long
user of the same by settlers in that distant
district, prior to the Dominion Govern-
ment survey of the Edmonton settlement.

—An old Scotch grave-digger was re-
monstrated with one day at a funeral for
making a serious overcharge for digging
a grave. "Well, ye see, sir," said the old
man in explanation, making a motion
with his thumb toward the grave, "him
and me had a bit o' tiff twa or three years
syne owre a braw watch I selt him, an'
I never been able to get the money out o'
him yet. 'Now,' says I to myself, 'this
is my last chance, and I'll better tak' it.'"
—Weekly Telegraph.

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