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References { The Canadian Bank of Commerce
The Union Bank of Canada.

DECISIONS IN COMMERCIAL LAW.

TORROP V. IMPERIAL INSURANCE Co.—A fire insurance policy on a spool factory and machinery contained a condition providing that if the property should be sold or conveyed, or the interest of the parties therein changed, the policy should be void. The Supreme Court of Canada decided, affirming the decision of the Supreme Court of New Brunswick, that a chattel mortgage of the property executed by the assured was a "change of interest" within the meaning of such condition, and forfeited the policy. Further, that an agent whose powers were limited to receiving applications to be forwarded to the head office, and collecting the first premiums on delivery of the policy when issued, had no authority to waive the forfeiture caused by the breach of the said condition.

REGINA V. LORRAINE.—The defendant was convicted by a police magistrate for that he did "unlawfully sell and barter a certain card and ticket for advancing, lending, giving, selling and otherwise disposing of certain property, to wit, pictures or one-half the stated value of each picture in money, by lots, tickets, and modes of chance." A Divisional Court decided that "property" in s. 205, s.s. 1 (b) of the Code is not to be read "specific property," and that the essence of that enactment lies in the disposal of any property by mode of chance. Also, that there was evidence to show that money might be had instead of pictures by the winning tickets, and that destroyed the privilege in favor of the dissemination of works of art under s.s. 6 (c), and even if the society reserved an option as to giving cash, that only added to the precariousness of the whole transaction and constituted another chance.

REGINA V. McMILLAN.—On a motion to quash a summary conviction under a municipal by-law providing for the closing of shops for the sale of watches and jewellery at a certain hour every day, excepting Saturdays, the days immediately preceding public holidays, the days during which the Central Canada Exhibition Association is being held, and the last two weeks of the month of December, on the ground that the by-law was invalid for uncertainty, a Divisional Court decided that the by-law was valid.

PAYNE V. CAUGHELL.—Prior to the 13th May, 1831, the London and Port Stanley Road belonged to the Government of Canada, as one of the public works. On that day the Government, by an Order-in-Council or proclamation, granted the road, for valuable consideration, to the county of Middlesex. The part of the road lying within the limits of the county of Elgin afterwards fell into the hands of the corporation of that municipality, who, on the 16th February, 1857, leased it to the defendants' predecessor or assignor for the term of 199 years. A Divisional Court decided that the county corporation had the power to sell or lease the road to any such grantee or lessee as is mentioned in the above statutes, and the further power to let to farm the tolls on the road; but had not the power to lease or sell the road, or any part of it, to a private person; and, therefore, the defendants had no title to the road, and were not justified in obstructing it by bars, and exacting tolls upon it.

NOVEMBER was a rough month for the ranchers in our North-West Territories; deep snow kept the animals a good while from being able to graze. But December came, warm and fine, taking away the snow, and at Christmas the cattle were all right.

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