

THOMSON, HENDERSON & BELL,**BARRISTERS, SOLICITORS, &c.**D. E. THOMSON, Q.C.
DAVID HENDERSON,
GEORGE BELL,
JOHN B. HOLDEN,Offices
Board of Trade Buildings
TORONTO.

G. G. S. LINDSEY.

LYON LINDSEY.

LINDSEY, LINDSEY & BETHUNE,**Barristers, Solicitors, Notaries, and
Conveyancers.**Pacific Buildings, 23 Scott Street, TORONTO.
TELEPHONE 2984 - - - Money to Loan**GIBBONS, MULKERN & HARPER,****Barristers, Solicitors, &c.**Office—Corner Richmond and Carling Streets,
LONDON, ONT.

GEO. C. GIBBONS, Q.C.

P. MULKERN.

FRED. F. HARPER.

R. CUNNINGHAM, Guelph.—Fire Insurance and
Real Estate. Properties valued. Counties of
Wellington, Halton, Dufferin, Grey, Bruce, and Huron
covered monthly. Telephone 195.**GEORGE F. JEWELL, F.C.A.,** Public Accountant
and Auditor. Office, No. 193 Queen's Avenue,
London, Ont.**COUNTIES Grey and Bruce** collections made on
commission, lands valued and sold, notices served.
A general financial business transacted. Leading loan
companies, lawyers and wholesale merchants given as
references.

H. H. MILLER, Hanover.

WALTER SUCKLING & COMPANY, Winnipeg.
Real Estate, Renting and Mortgages. 374 Main
Street (ground floor). We undertake the management
of estates, collection of rents and sale of city property.
(This agency controls the management of 300 dwellings.)
Over twelve years' experience in Winnipeg property.
References, any monetary house in western Canada.**Counsell, Glassco & Co.****BANKERS & BROKERS****Stocks, Bonds, Insurance, Real Estate.**W. H. Glassco.
C. M. Counsell.
F. S. Glassco.**HAMILTON, Canada.****Manitoba Farms**Improved and Unimproved in all parts, and on
easy terms.**NARES, NICHOLLS & Co., Box 1265, Winnipeg**References { The Canadian Bank of Commerce.
The Union Bank of Canada.**Over 13,000,000 Feet of
Land for Sale**Situating in Hochelaga Ward, Beginning at
Frontenac StreetThis property is well located for factories; the Can-
adian Pacific runs through its centre, and sidings may be
oult to any part of it. Easy of access by electric cars.

Terms easy. Apply to

HENRY HOGAN, Proprietor.
St. Lawrence Hall, Montreal.**Investment Bonds.****We buy and sell High Grade
MUNICIPAL BONDS, suitable for
Trust Funds and the Investment
of Savings.****Lists giving full details mail-
ed upon application.****E. C. Stanwood & Co'y**121 Devonshire Street,
BOSTON, Mass., U.S.A.**DECISIONS IN COMMERCIAL LAW.**

JOHNSTON V. CONSUMERS GAS CO. OF TORONTO.—Ferguson, J., gave judgment for the plaintiffs upon a special case in an action brought by J. T. Johnston and the Toronto Type Foundry Co. (on their own behalf, as well as on behalf of all other consumers of gas furnished by defendants in the City of Toronto), on the ground of non-compliance, by the defendants, with the terms of "an Act to extend the powers of the Consumers Gas Company of Toronto," 50 Vict., ch. 85 (O.), for an account, repayment of moneys alleged to have been overpaid to the defendants, an injunction, mandamus, and other relief. The plaintiffs alleged that the defendants, by their method of dealing, had violated the provisions of the Act, and used the moneys received by way of premium on the sale of their stock, and also their profits, in a manner not authorized by the Act, and thereby had lost large amounts which should have been applied towards the reduction of the price of gas furnished to plaintiffs and other consumers, and had improperly, and by *ultra vires* acts, deducted from their profits large sums of money for depreciation in plant. The defendants questioned the status of the plaintiffs to bring the action and denied that they had violated the terms of the Act. The judgment of Ferguson, J., directed a reference to Edward Morgan, one of the junior judges of the County Court of York, to take an account (a) of all moneys received by the defendants from all sources from 23rd April, 1887, until judgment; (b) of all moneys disbursed by defendants in their business, and in the purchase of buildings and plant (1) from and out of their paid-up capital, (2) from and out of the reserve fund, (3) from and out of plant and buildings renewal fund, (4) from and out of all other moneys, including moneys received from premiums on sale of stock from 23rd April, 1887; (c) an account of the actual profits made by defendants in their business each year since 23rd April, 1887; (d) an account of the amount standing to the credit of the contingent account on 1st October, 1886; and several other accounts of a like nature. The Consumers Gas Co. appealed to the Court of Appeal, contending that plaintiffs either on their own behalf, or on behalf of other consumers, had no cause of action; either the Attorney-General or corporation of City of Toronto should bring the action; also, that provisions of the statute respecting formation of and dealing with a reserve fund are merely permissive, and not compulsory; that it is competent for defendants to invest the reserve fund in their own business, and supported the appeal on other grounds. The Court unanimously held the view that the plaintiff had no *locus standi* himself, and could not maintain the action on behalf of the other consumers. The plaintiff having accepted a reduction on account of over-payments in previous years, was not entitled to bring an action for an account for the purpose of obtaining further relief in respect of over-payments.

CONTRIBUTORY NEGLIGENCE.

A Wisconsin appeal court has given a decision which is of interest to railway employees and railway companies. It was rendered in the case of the Terre Haute and I.R. Company vs. Mansberger, and the conclusion reached is that where a brakeman is injured by the breaking of a defective coupling-pin, the fact that he was at the time on top of the car, instead of on the ground beside the car, as the rules of the railroad company required, does not constitute contributory negligence, since his improper position was not the proximate cause of the injury. In this matter the decision in Phillips vs. Railway Co., 25 N. W., 544, 64 Wis., 475, was followed.

PAPER

FOR PRINTING ON
FOR WRITING ON
FOR BOOKS
FOR CATALOGUES

S TIPULATE FOR OUR PAPER

when giving an order to the
Printer - - - - -

ALL WHOLESALERS KEEP IT

TORONTO PAPER MFG. CO.

Mills at Cornwall

Wm. Barber & Bros.**PAPERMAKERS**

GEORGETOWN, - - - ONTARIO.

MANUFACTURERS OF

Book Papers, Weekly News, and
Colored Specialties

JOHN BARBER.

ASK YOUR PRINTER OR
STATIONER FOR

Bank Blotting

High quality. Reasonable price.
Wholesale only.

CANADA PAPER Co.**BOECKH'S****BRUSHES**

And

BROOMS.**Buckeye Tires****WEAR LIKE IRON**

No matter whether the roads are
sand, brick, gravel, asphalt, cobble,
corduroy, prairie or hilly, these tires
stand them.

Used on Gendron Bicycles!