

ADMINISTRATION—PRESUMPTION OF DEATH—DISAPPEARANCE FOR 7 YEARS

In the goods of Winston (1898) P. 143. This was an application for letters of administration to the estate of a man who had been last heard of in July, 1891. The application was made before the lapse of seven years for the purpose of proving a claim in a Chancery suit. The application was granted, but it was directed that the grant should, except in so far as it might be required in the Chancery Division, remain in the registry till the expiration of the seven years.

INJUNCTION—COMPANY—SIMILARITY OF NAME—DECEPTION.

Manchester Brewery Co. v. North Cheshire and Manchester Brewery Co. (1898) 1 Ch. 539. This was an action to restrain the defendants from using the name "North Cheshire and Manchester Brewery Co." In 1897 two companies existed called the "Manchester Brewery Co." and "the North Cheshire Brewery Co." The former had its brewery in Manchester and had a large business there. The latter had its brewery in Macclesfield, and had business there and also in Manchester. In that year the latter company's business was sold to persons who started a new company called the "North Cheshire and Manchester Brewery Co." There was no evidence of any fraudulent intent on the part of the defendants, and Byrne, J., who tried the action, thought no sufficient ground was shown for the interference of the Court. The Court of Appeal (Lindley, M.R., and Rigby and Collins, L.J.J.) were of a different opinion and considered there was a sufficient similarity of name between the plaintiff company's and that adopted by the defendant, as to be likely to deceive the public into a belief that there had been an amalgamation of the two companies, and an injunction was granted.

Correspondence.

EXEMPTIONS FROM DISTRESS.

To the Editor of the Canada Law Journal :

Sir,—I observe in your valuable periodical two recent decisions, *Harris v. Can. Perm. L. & S. Co.*, 34 C.L.J. 39, and *Shannon v. O'Brien*, *ib.* 421, bearing upon the exemption sec-