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## DECISIONS IN COMMERCIAL LAW.

BULLOCK V. DELAWARE, LACKAWANNA AND WESTERN RAILWAY.—Bullock sued the Delaware, Lackawanna & Western Railroad for damages for having his packages taken from him by an officer of the company, and being himself ejected from the train on which he carried the offending packages. His clothes were torn when he was put off. He had in his possession at the time a commuter's ticket and also a family ticket. Both tickets limited his baggage to personal baggage. After his packages were taken from him, they were placed in the baggage car. The trial court awarded the plaintiff \$1,000 damages. Upon appeal in the Supreme Court of New Jersey, the original finding was reversed. The court says the right of passengers to carry packages is limited to articles of clothing, and this cannot be made to include groceries. The court further says that the company had no right to separate a passenger from his bundles. The company has, however, the right to use all reasonable force to prevent the passenger carrying such bundles from entering the train. Once upon the cars it might eject him and his bundles, but has no right to eject the passenger without his bundles, or the bundles without the passenger. Therefore the company should be held liable for the value of the packages and for whatever damage was done to the passenger's clothing.

## DEPARTMENT STORES.

There is in every community a strong feeling against the departmental store. It is regarded as an intruder, a disturber, a greedy monster, which swallows up smaller stores and takes the bread out of thousands of mouths of those who try to make a living by merchandising in a small way. The people thus dispossessed will not listen to any one who says that these big stores sell for cash, and when conducted with system and economy really can reduce the cost of goods to the consumer. They curse them for an evil, and that continually. The movement of the smaller merchants of Chicago, directed against the department stores, has crystallized at last into concrete form, several meetings by various associations in that city having recently been held. What is known as the Schwab bill is being vigorously supported by forty organizations of business men of varied trades, having, it is said, a membership of 7,500 in all.

## TITLE TO LAND.

In buying real estate great care must be used in ascertaining whether the deeds contain any peculiar provisions that might seriously impair the merchantableness of the title. These provisions may be that the property should never be used as a livery stable, for any immoral purposes, or for the carrying on of any special business to which the seller has a decided aversion. These provisions are entirely legal, and can be enforced in the courts, they holding that they run with the land, and their appearance on the official records is ample and sufficient notice to subsequent purchasers. An abstractor who does not set all such out in his line of title, is not fit to be in the business and should retire.—*American Investments.*

—It has been held by the courts time and time again that one holding funds in trust, who makes use of them to his own profit, or even suffers them to remain idle when they should be invested according to law, will certainly be charged interest upon them and held accountable for any profits made by their use.—*American Investments.*

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