

THE  
*Canada Law Journal.*

---

---

VOL. XXIX.

AUGUST 16, 1893.

No. 13.

---

---

HON. CHRISTOPHER SALMON PATTERSON, one of the judges of the Supreme Court of Canada, died on July 24th last. We give some particulars of his life and career in another place. We also regret to record the sudden death of Mr. Davis, the junior judge of the County of Middlesex. An obituary notice of this much esteemed judge will appear next issue.

---

THE following States of the American Union have abolished days of grace upon all classes of commercial instruments payable within their respective borders, viz., California, Idaho, Utah, Vermont, Oregon, Washington. We can well suppose that their example will ere long be followed in all places where English law prevails.

---

SOME time ago, we drew attention to the peculiar working of the Mechanics' Lien Act (R.S.O., c. 126), s. 5 (see *ante* vol. 26, p. 578), and ventured the opinion that, according to the true construction of that section, the words "prior mortgage" therein should have a somewhat restricted meaning, and should be confined to mortgages prior in point of time, and could not include mortgages which are subsequent in point of time to the lien, but which acquire priority over it under the Registry Act. We now find that the correctness of the opinion we then expressed is confirmed by the decision of Boyd, C., in *Cook v. Belshaw*, 23 O.R. 545. There the lien attached on 13th Sept., 1892. The mortgage was taken and registered without notice of the lien on 22nd October; the lien was not registered until 23rd November. The Master in Ordinary came to the conclusion that the mortgage