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DECISIONS IN COMMERCIAL LAW.

FISHER V. FISHER.—A policy of life assurance was issued providing that the insurance money upon the death of the assured should be paid to his wife or such other beneficiary or beneficiaries as he might in his lifetime have designated in writing endorsed on the policy and in default of any such designation to his legal representatives. It was held that the policy came within the act to secure to wives and children the benefit of life assurance (R. S.O. 1887, c. 137) and was not affected by an absolute assignment endorsed upon it by the assured to a creditor.

BANQUE D'HOCHELAGA V. MARITIME RAILWAY NEWS CO.—As co-partners in the Maritime News Company, C. and D. were served, and defended an action. B. was at the time also a partner in the firm, but the fact was not known to the plaintiffs, and he was not served. Judgment having been given for plaintiffs, C. and D. appealed; the appeal was dismissed with costs. It then became known to the plaintiffs that B. was a partner, and steps were taken to have execution against him, both on the original judgment and for the costs incurred in the appeal. It was held in Supreme Court, Nova Scotia, that B. was liable for the costs of the original action, the judgment, and costs of the appeal.

A TOLL GATE CASE.

The County Judge of Elgin, Judge Hughes, rendered last week a decision that toll roads were not assessable. The case was this: Some time ago the village of Port Stanley sent a bailiff to a toll gate house and for unpaid taxes seized a bicycle belonging to Chas. Hough. The latter took out a writ of replevin, and the judge decided in favor of the plaintiff, Hough, stating that the bicycle could not be seized, and that toll roads were not assessable.

THE TRADE MARK DISPUTE.

An interesting decision has just been rendered by the United States Circuit Court of Appeals at Chicago. Certain Minneapolis flour mills brought a suit against one Eagle, asking for an injunction restraining the defendant from selling flours branded "Minneapolis Mills," which, however, was not manufactured in Minneapolis, but elsewhere. The defendant contended in the proceeding before judge Showalter that the words "Minneapolis Mills" had come to mean flour made from hard spring wheat, under the roller or patent process, and had no reference to the place where the wheat was milled. Judge Showalter held that the complainants had no such property right in the name of the town or place in which their goods were manufactured as to enable them to stop the use of it, even if wrongful, by makers outside of the city. The decision of the Circuit Court of Appeals, however, reversed that of Judge Showalter and granted the injunction.

ON Friday night last a curious accident occurred at the Sydenham Glass Works in Wallaceburg. Between nine and ten o'clock one of the stones in the front end of the tank at the works gave way, and about fifty tons of melted glass poured out over the floor of the factory. Fire ensued, and the alarm was sounded, but the blaze was quenched. After nearly all the glass had run out there was found to be but very little damage, save for small repairs to the tank. The greatest loss to the company will be the delay of a week or more, ere it can be running again as before.

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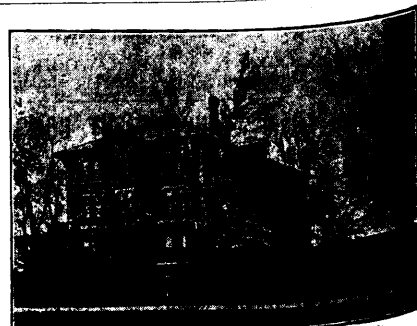
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