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DECISIONS IN COMMERCIAL LAW.

MEARNS V. ANCIENT ORDER OF UNITED WORKMEN.—As to the interpretation of the words "legal heirs." A widower, having two children, insured in a benevolent society and took out his certificate payable to "his legal heirs" and subsequently married a second time. He died without having altered the certificate leaving his wife surviving with the two children of the first marriage. It was held that the children took the whole fund payable under the certificate to the exclusion of the wife.

ALEXANDER V. IRONDALE, BANCROFT AND OTTAWA RAILWAY COMPANY.—In an action brought by an incorporated company to recover a money demand it was claimed in defence that the indebtedness, if any, was that of the president in his private capacity. Upon an application for a better affidavit, on production of documents, it had been determined that the company had no documents to be produced. Rose, J., held, that upon the examination for discovery of the president, he could not be compelled to produce documents or books which had been determined *not* to be in possession of the company nor his own books and documents. But this decision was reversed by the Divisional Court on the ground that the affidavits showed that the accounts of the defendant company were kept in the books of the president. A subpoena served upon the president had been set aside; the Court held that this should be done only in exceptional cases and the question of production should be raised in ordinary cases before the examiner.

DOMICILE.

The Supreme Court of New York State has recently rendered an important decision as to foreign corporations doing business in the State. It was held that a foreign company, which through brokers carrying on business in the State of New York obtains orders for goods which are sent to it for approval, and when approved are filled by the transmission of the goods direct from its factory not situated in New York State, is not doing business in the State within the meaning of the law for the taxation of foreign corporations that do business there.

MONTREAL harbor will shortly see very large vessels plying into it. There are being additions made to the list. According to the *Liverpool Journal of Commerce*, a contract has been let for another Allan liner, dimensions not given, but presumed the same as those of the "Castalian" and "Tunisian," the latter of which is 500 feet long, 60 feet beam, and between 9,000 and 10,000 tons burthen. The Dominion line is building the "Yorkshire" and the "Dominion," the Donaldson line a 7,000 ton steamer for the Canadian service.

HAVING started on insufficient capital, nearly all the funds being used up in fitting the factory, the Walkerton Chair Manufacturing Company is in difficulty, wages and other running expenses having accumulated. A week ago to day, therefore, the company assigned to S. W. Vogan, and a meeting of creditors was appointed for the 22nd instant. The liabilities are \$15,049, of which \$2,128 is due on local notes. There is a bank claim of \$5,000; wages unpaid amount to \$820; the manager's salary is \$478 in arrear. The town of Walkerton holds a mortgage for \$6,000 on the premises.

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