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DECISIONS IN COMMERCIAL LAW.

TALBOT V. CANADIAN COLORED COTTON MILLS Co.—T. was employed as a weaver in a cotton mill, and was injured, while assisting a less experienced hand, by the shuttle flying out of the loom at which the latter worked, and striking her on the head. The mill contained some 400 looms, and for every forty-six there was a man, called the "loom fixer," whose duty it was to keep them in proper repair. The evidence showed that the accident was caused by a bolt breaking by the shuttle coming against it, and as this bolt served as a guard to the shuttle, the latter could not remain in the loom. The jury found that the breaking of the bolt caused the accident, and that the "loom fixer" was guilty of negligence in not having examined it within a reasonable time before it broke. T. obtained a verdict, which was affirmed by the Court of Appeal Held, Gwynne, J., dissenting, that the "loom fixer" had not performed his duty properly; that the evidence as to negligence could not have been withdrawn from the jury; and that, although the mill was well equipped, as the jury had found the accident due to negligence, and there was evidence to justify such finding, the verdict should stand.

WHITFIELD V. MERCHANTS BANK.—A bank, holding judgment against several sureties, released one, reserving recourse against the others, with a declaration that the release gave no warranty against claims which the other sureties might seek to enforce against the one released, by reason of the exercise of the recourse reserved. The surety released had at the time a sum of money in his hands to be applied towards payments of the bank's debt. Held, that, notwithstanding the release, the surety could be compelled by his co-sureties to pay such moneys to the bank or to the co-sureties if the bank had been paid by them. Held, also, that the bank was not liable as a warrantor to the sureties not released, having entered into no agreement creating an obligation in guaranty towards them.

D'IVRY V. WORLD NEWSPAPER Co. OF TORONTO.—A person is protected against answering any question not only that had a direct tendency to criminate him, but that forms one step towards doing so, but the person, or in the case of a corporation, an officer, must pledge his oath to his belief that such would or might be the effect of his answer, and it must appear that such belief is likely to be well founded. The proposition that a corporation is not liable to an indictment for libel is at least so doubtful that it would not be proper to compel a newspaper publishing corporation to make production of documents which might subject them to a criminal prosecution.

MONES V. MCCALLUM.—A receiver appointed by the court to aid a judgment creditor in recovering his claim, by receiving the judgment debtor's share in an estate which cannot be reached by execution, is to get in the estate for the benefit of those who may be found entitled, and if it be necessary to bring actions for the recovery of any of the assets, the court will from time to time authorize him to bring such actions in the name of the proper parties, whether they be plaintiffs or defendants, and whether they be willing or unwilling, but the receiver himself should not be a party to any such action.

THE sum of a hundred and five thousand dollars was paid by the Quebec Government to the United Counties Railway last week, on account of the conversion of its land subsidy.

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