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DECISIONS IN COMMERCIAL LAW.

* **MINHINNICK V. JOLLY.**—The mere expression by the owner of an intention to sever a fixture from the freehold, and sell it to another even if communicated to one who becomes a subsequent purchaser of the freehold, would not operate to convert a part of the freehold (the fixture) into a chattel, or to alter its character in any way; and in the absence of any reservation in the conveyance, everything attached to the freehold passes to the purchaser.

FULTON V. THE KINGSTON VEHICLE CO.—It was sought to set aside a deed of assignment made by A. R. F. to F., in which the defendant company were preferred creditors, and also a judgment confessed to the said company on the ground that A. R. F. was induced to take this action (1) under threat of criminal prosecution; (2) by an agreement on the part of the defendants to stifle such prosecution if their demand was complied with. It was held on the jury's finding that there was no "understanding between the defendant company or its directors and A. R. F., either expressed or implied to abandon the criminal prosecution if the assignment and warrant to confess judgment were executed;" that the mere facts that threats of a criminal prosecution were employed were not enough to invalidate the security given for a debt admittedly due.

GRAND TRUNK RAILWAY CO. V. PORT PERRY.—In an appeal from the Court of Revision, of the village of Port Perry, it was held by Judge Dartnell, that water tanks and platforms are part of the superstructure of a railway. As such, they are not assessable. The assessment of a sub-tenant of a railway company should be deducted from the total assessment.

BELL V. OTTAWA TRUST AND DEPOSIT COMPANY.—This case came up in the administration of the estate of a deceased partner, who was a joint promisor with his firm on certain notes. It was held that the security upon an asset of the firm (certain timber limits), was not security on the estate of a deceased partner nor security on the estate of a third person for whom he was secondarily liable, as his liability was direct and primary.

The assessment of Brantford has been fixed at 17½ mills for this year.

WINDSOR, Ont., is counting on a new industry for the manufacture of fence wire.

The menacing nature of the Cuban situation sufficed, as long ago as Saturday, to induce the Ward Line of steamers, which have long been plying from New York to South and Central America and the West Indies, to withdraw all their steamers plying to Cuba.

To show what a magnet the Yukon gold fields are proving to even business men it may be noted that a week ago a group of business men of Annapolis, N.S., Messrs. W. W. Clarke, hardware merchants; J. A. Langille, watches and silverware, and W. Cunningham, of the Annapolis Royal drug store, left by express for the Klondyke gold fields a week ago.

MAYOR ROBERTSON, of St. John, N.B., reports that the agreement with the Canadian Pacific Railway, by which the latter pays over its contribution towards the west side harbor works in return for concessions made to the company, has been satisfactorily arranged. He also states that the company has promised to build an elevator of 750,000 bushels capacity.

* Reported in *Canada Law Journal*.

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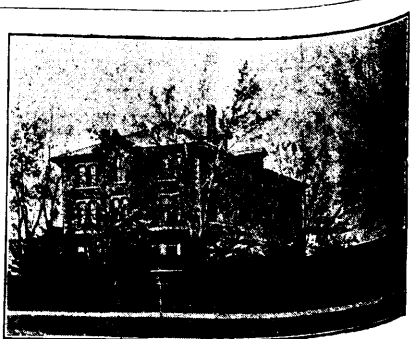
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