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DECISIONS IN COMMERCIAL LAW.

KREH VS. BISHOP.—An appeal by the defendant Puddicombe from the judgment pronounced at Berlin, in favor of the plaintiff as against both defendants. The plaintiff sued for wages as a groom employed in a livery stable. He was employed by the defendant Bishop, but brought the action against both the defendants, alleging that the defendant Puddicombe was a partner of Bishop in the livery stable business. The trial judge held that there was no partnership in fact, but that the defendant Puddicombe had held himself out to the plaintiff as a partner in the business, and was liable to the plaintiff, and he gave judgment for \$211 and full costs. A Divisional Court decided that this was a case in which the defendant Puddicombe had used the property and gave it to be used for the purposes of the business by the defendant Bishop, who was to employ the labor, and there was to be a division of a portion of the gross receipts. The essence of a partnership is that it is a joint venture from which profits are expected to be derived, with an agreement to apportion such profits. This was not a partnership.

WIGLE VS. VILLAGE OF KINGSVILLE.—A by-law of a village corporation authorized the raising, by way of loan of a certain sum for the purposes of mining and supplying the village with natural gas, and the issue of debentures therefor. A Divisional Court held, having regard to section 282 of the Consolidated Municipal Act, 1892, that a by-law was necessary to authorize the making of a contract for the mining work to be done, and that this by-law did not authorize it. Also, that a resolution of the council, though entered in the minute book and containing the contract at full length, and having the seal of the corporation attached to it, could not be considered a by-law, because it was not signed as required by section 288.

NEWSOME V. COUNTY OF OXFORD.—By section 466 of the Municipal Act, it was enacted that the county council shall "provide proper offices, together with fuel, light, and furniture, for all officers connected with the courts of justice, etc." Meredith, C. J., decided that "furniture" must include everything necessary for the furnishing of the offices referred to in the enactment for the purpose of transacting such business as might be properly done in such offices; and the word therefore included stationery and printed forms in use in the courts.

DAVIS V. OTTAWA ELECTRIC R. W. CO.—The defendants moved to set aside the verdict and judgment for the plaintiff for \$200 in an action tried with a jury in the County Court of Carleton, and to dismiss the action or for a new trial. The plaintiff was ejected from a street car of the defendant in which he was a passenger, and brought this action to recover damages for his ejection. The conductor who ejected the plaintiff did so because he refused to take his feet off the seat when requested to do so, and because he used bad language when so requested. Held by a Divisional Court that the conductor had, upon the undisputed facts, a right to eject the plaintiff for the misconduct stated; the case should not have been allowed to go to the jury, and the action should be dismissed with costs.

—The Chapel bridge, at Acadia Mines, is being replaced by a new iron one on concrete piers. The iron is being furnished by the Londonderry Iron Co.

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