

Appeal was dismissed with costs, MACLENNAN, J.A., dissenting, the majority of the Court agreeing with the judgment appealed from.

*Moss*, Q.C., for the appellant.

*Armour*, Q.C., for the respondents, The Hastings Loan Company.

*O'Flynn*, for the respondent, Frederick.

From ROBERTSON, J.]

[March 2.

CAMPBELL *v.* MORRISON.

*Indemnity—Mortgage—Purchase subject to mortgage—Assignment of right to payment.*

The equitable obligation of a purchaser of land subject to a mortgage may be assigned by the vendor to the mortgagee, who may maintain an action thereon against the purchaser for recovery of the mortgage moneys.

Judgment of ROBERTSON, J., affirmed, BURTON, J.A., dissenting.

*Moss*, Q.C., and *Boland*, for the appellant.

*J. H. Clark*, for the respondent.

From ROSE, J.]

[March 2.

ATTORNEY-GENERAL *v.* HAMILTON STREET RAILWAY COMPANY.

*Sunday—Street railway—Lord's Day Act—R.S.O. c. 203, s. 1.*

A company incorporated for the purpose of operating street cars does not come within the Lord's Day Act, R.S.O. c. 203, s. 1.

Judgment of ROSE, J., 27 O.R. 49, affirmed.

*Moss*, Q.C., and *A. E. O'Meara*, for the appellant.

*Martin*, Q.C., and *D'Arcy Martin*, for the respondents.

From MEREDITH, C.J.]

[March 2.

HALSTED *v.* BANK OF HAMILTON.

*Banks—Bank Act—53 Vict., c. 31, ss. 74, 75—Security form C—"Negotiation"—Bankruptcy and insolvency—Assignments and preferences.*

This was an appeal by the defendants from the judgment of MEREDITH, C.J., reported 27 O.R. 435, and was argued before BURTON, OSLER, and MACLENNAN, JJ.A., on the 6th of October, 1896.

The Court dismissed the appeal with costs, holding that the case was governed by *Bank of Hamilton v. Sheppard*, 21 A.R. 156.

*J. J. Scott*, for the appellants.

*Gibbons*, Q.C., for the respondent.

From FALCONBRIDGE, J.]

[March 2.

TRUSTS CORPORATION OF ONTARIO *v.* RIDER.

*Chose in action—Parol assignment—R.S.O. c. 122, s. 7.*

A parol assignment of a chose in action is valid.

Judgment of FALCONBRIDGE, J., 27 O.R. 593, affirmed.

*Anglin*, for the appellants.

*D. Urquhart*, for the respondent.