

MERCANTILE AMENDMENT ACT.

Chose in Action—Parol Assignment of.—See CHOSE IN ACTION, 2.

MORTGAGE.

1. *Larceny—Consideration—Mitigation of Sentence—Validity.*—The defendant while a prisoner arrested on a charge of larceny sent for the agent of the owner of the property stolen and, admitting his guilt, offered to give security by mortgage for the value of the goods stolen. The agent informed him he would have to take his trial whether he gave a mortgage or not, and that he could not release him from his position even if he secured him, but after the security was given he let him know that he would endeavour to get a mitigation of the sentence, which he afterwards did :—

Held, that there was no sufficient evidence that there was any agreement to stifle the prosecution and that the security was valid ; STREET, J., dissenting, being of opinion that the evidence shewed that an agreement or understanding to give the security was come to before it was given. *Henry v. Dickie*, 416.

2. *Several Parcels—Sale Under Power, en bloc—Duty of Mortgagees—Damages.*—The mortgagees, in a mortgage containing two parcels of land, a farm with buildings, and some village lots with stores thereon, about three quarters of a mile distant from the farm, sold the property *en bloc*, under the power of sale in the mortgage, for a much smaller sum, as shewn by the evidence, than would have been realized had the properties been sold separately :—

Held, that the mortgagees had not acted with that prudence and discretion which they were bound to do, and that they were liable to the mortgagors for the amount that might have been realized. Decision of MACMAHON, J., reversed. *Aldrich v. Canada Permanent Loan and Savings Co.*, 548.

Assignment of—Extension of Time—New Mortgage—Parol Reservation of Rights—Purchaser of Equity.—See PRINCIPAL AND SURETY, 1.

Chattel—Insurance—Assignment of Mortgage—Equitable Assignees of Insurance Money.—See BILLS OF SALE, 2.

Chattels—Distress—Pound Breach.—See LANDLORD AND TENANT, 5.

Sale of Land—Mortgage by Vendor—Mortgagee without Notice.—See LIMITATION OF ACTIONS, 3.

MUNICIPAL AMENDMENT ACT, 1894.

Section 13—Defective Sidewalk—Notice of Action—Pleading.—See MUNICIPAL CORPORATIONS, 3.

MUNICIPAL CORPORATIONS.

1. *Private Approach to and from Highway—Non-repair—Accident—Liability of Private Person.*—A person who, with the knowledge of, and without objection by, a municipal corporation, constructs across a ditch between the sidewalk and crown of the highway an approach therefrom to enable vehicles to pass