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DECISIONS IN COMMERCIAL LAW.

GOLD MEDAL FURNITURE CO. V. LUMBERS.—

A lease of part of a building contained a proviso that in the event of the lessor disposing of the building, the lessees should go out on notice; and shortly after the lease was made he notified them to vacate, as he had disposed of his interest in the building, which they did, under protest. The alleged disposal was by an agreement in writing between the lessor and another, whereby the latter was to have superintendence of the building, to obtain tenants at higher rents, and to collect the rents, the leases to be in the name of the former, the latter to have a sub-lease on the happening of certain events, and an option to purchase at any time before its expiration. It was held not to be a disposal of the building within the meaning of the proviso: but as the lessor had not intentionally, wilfully or maliciously misled the lessees, and was acting in good faith upon what he believed to be his rights, there was no actionable false representation. But the lessees were entitled to damages for breach of the short form covenant contained in the lease, for quiet enjoyment "without interruption or disturbance from the lessor;" the covenant being against the lessor's own acts, it was not material whether the act assigned as a breach was lawful or not, and the acts here done were in breach of the covenant, for there was no right to give the notice to quit, nor to complain that the lessees acted upon it without waiting for an action to be brought.

PERRAULT V. GAUTHIER.—This is a Quebec case tried before the Supreme Court deciding certain rights claimed by striking workmen. Men carrying out the regulations of a trade union, which prohibited them from working with non-union employees, without threats, violence, intimidation or other illegal means, took such action as prevented the non-union men from obtaining employment. It was held that the union men did not by this action incur liability to an action for damages, and an appeal in the matter was dismissed with costs.

CUNNINGTON V. PETERSON.—Several parties' names appeared as signatures to a promissory note. It was shown that the signature of one of the alleged makers had been added not by himself nor his authority, but was added to the note after others had signed it; although before the note came to Cunnington, a holder for value. Held, that the plaintiff being the holder of the note in due course, and the alteration not being apparent, he could avail himself of it as if it had not been altered under the proviso to s. 563 of the Bills of Exchange Act, 1890, 58 Vict., c. 33.

A BRITISH COLUMBIA letter of 7th inst. says that the sawmills on the inlet are very busy, mostly working overtime. The Royal City mills have extensive orders from adjoining territories, and its sash and door factory is busy on cannery and door orders. The Pacific Coast Lumber Company's mill runs night and day, double shifts being employed on cedar lumber by day and cedar shingles by night. The Brunette sawmills also work overtime, filling orders from the Northwest, and even Ontario.

THE bridge works of McNeil & Co. at New Glasgow, Nova Scotia, are busy turning out iron bridges. It has four now under construction, from 100 to 150 feet long, for Joggins Mines, Yarmouth, and elsewhere. It shipped one 90 foot bridge to King's county, and a larger one to Wilmot, in the Annapolis Valley. County and township, as well as town authorities, are perceiving the economy of bridges made of something more durable than wood.

JOHN MACKAY

Public Accountant, Auditor, Receiver
and Trustee

Bank of Commerce Bldg., Toronto
Cable Address: CAPITAL. Tel. No. 3738.

THE INSOLVENCY AND LIQUIDATION
DEPARTMENT OF THE

Western Loan and Trust Company, Limited.

IS OPERATED BY

W. Barclay Stephens,

Manager of the Company.

Under the laws of the Province of Quebec the Company cannot be appointed directly to trusts, such as assignees, etc. Therefore, Mr. Stephens will act on behalf of the Company in all such cases, the Company assuming all responsibility and reliability in regard to any trusts which may be placed in his hands.

Address communications to

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