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## DECISIONS IN COMMERCIAL LAW.

GRIFFITH V. TOWER PUBLISHING COMPANY, LIMITED.—The principle established that a publishing agreement between an author and a publisher, or a firm of publishers, is personal to the individuals entering into it, and that the benefit of such an agreement is not assignable by the publisher without the consent of the author, applies equally to the case of a publishing agreement between an author and a limited company.

THE "MARIPOSA."—The defendants' steamship, three days out from Montreal bound for Liverpool, stranded on the coast of Labrador. The master landed his passengers and crews provided them with food and accommodation, and the same day intercepted a passing steamer, which, at the request of the master, conveyed the passengers to their destination. The following day a steamer passing in the opposite direction, at the like request, took off the greater part of the crew, conveyed them to Quebec, and, on the way, telegraphed for assistance to be sent. By the contract with the passengers the defendants were "not liable for loss or delay from the act of God, perils of the seas, rivers or navigation . . . or the wrongful act or default" of their servants. The defendants' vessel became a total loss, materials to the value of £335 only being saved. In an action *in personam* by the owners of the passing steamers for salvage, or, in the alternative for remuneration for services rendered at request, the defendants tendered £200. Held by Barnes, J., that the tender must be upheld, as the passengers and crew were not in any danger, so that no life salvage was claimable; and, as the defendants were under no obligation to forward the passengers to their destination, the master, in transshipping them, acted as the agent of the passengers, and not of the defendants.

NORTON V. DASHWOOD.—Tapestry which has been cut and pierced so as to cover the walls of a room, and the spaces left by the doors and mantelpiece, and hung by being nailed to wooden battens let into the plaster and nailed to the brickwork, was held by Chitty, J., to pass as a fixture under the devise of the mansion-house.

PATERSON V. GAS, LIGHT AND COKE COMPANY.—A limited company (M. & Co.) was supplied with gas by a gas company. In February, 1896, P. was appointed manager and receiver of the business of M. & Co. by debenture-holders, and shortly afterwards P. & S. were appointed by the Court joint receivers and managers in an action on behalf of a higher class of debenture-holders. They entered and carried on the business, and were supplied with gas by the gas company. At the time when P. was appointed there was due to the gas company £90 for gas supplied to M. & Co. The gas company threatened to cut off the supply unless the £90 arrears were paid, and the receiver brought an action to restrain them. Kekewich, J., granted an injunction to restrain them from doing so, holding that the receivers were new tenants, entitled in their own right to a supply of gas, without liability for the arrears due from M. & Co. The Court of Appeal, of England, on appeal took the view that the relation of the plaintiffs to M. & Co. was not that of incoming and outgoing tenant, but of caretaker and owner, and that the plaintiffs were in no better position against the gas company than M. & Co. were, and could not claim a supply of gas except on payment of the arrears.

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