

having in his possession the bill of lading was an agent entrusted therewith, and competent to confer a title; but Mathew, J., was of opinion that he was not an agent within the meaning of the Act, and not entrusted with the bill of lading "with the consent of the seller" within the meaning of s. 25, s.s. 2 of the Sale of Goods Act, 1893. How far this case may be of authority for the construction of R. O., c. 150, s. 5, needs some consideration, owing to the difference in the statute law of England and Ontario. The case is, however, one which can hardly be neglected in considering the Ontario Act.

CHattel Mortgage—MORTGAGEE TAKING POSSESSION FOR DEFAULT IN PAYMENT OF INSTALMENT—RIGHT OF MORTGAGOR TO REDEEM—REDEMPTION—ACCELERATION OF PAYMENT OF PRINCIPAL.

Ex parte Ellis (1898) 2 Q.B. 79. In this case a chattel mortgagee had taken possession of the mortgaged property for default in payment of an instalment of interest, whereupon the mortgagor claimed the right to redeem the mortgage, which did not become due until the end of two years. Darling, J., held that he was so entitled; but the Court of Appeal (Smith & Williams, L.J.J.) held, that as the mortgagee had merely taken possession for the purpose of enforcing payment of the interest in arrear, and not for the purpose of recovering the principal, the mortgagor had no right to accelerate the payment of the principal.

BY-LAW—REASONABLENESS—PREVENTION OF STREET SINGING AND MUSIC—DIVISIONAL COURT DECISION OF, WHEN NOT BINDING ON ANOTHER DIVISIONAL COURT.

In *Kruse v Johnson* (1898) 2 Q.B. 91, a strong Divisional Court (Lord Russell, C.J., Jeune, P.P.D., Chitty, L.J., and Wright, Darling, Channell and Mathew, J.J.), was called on to determine the validity of a municipal by-law prohibiting any person playing music or singing in any public street within fifty yards of any dwelling house after being requested by any constable, or an inmate of such house, or his or her servant, to desist. The Court held that the by-law was valid, Mathew, J., dissenting, and, in doing so, the majority of the