



From the Use of Cigarettes. 7

Wilmington, N. C., March 7, 1892.  
I hereby certify that my son became epileptic from the use of cigarettes, etc., and would have falling fits as often as 4 times a day. After using all medicines given by doctors in this city without any benefit I commenced the use of Pastor Koenig's Nerve Tonic and after only a few doses the fits left him and he improved otherwise in health.

There are many here who can testify to my son's condition and I am willing to prove to all who wish to know what Pastor Koenig's Nerve Tonic has done for my son, and I cannot say too much in praise of it.

Edward Murrin.

Dayton, O., September 8, '91.  
I have tried Pastor Koenig's Nerve Tonic on a great number of sufferers, and found that in each instance it afforded relief.

REV. C. S. KEMPER,

Chaplain, Ohio National Military Home.

**FREE** A Valuable Book on Nervous Diseases and a sample bottle to any address. Poor patients also get them medicine free.

This remedy has been prepared by the Rev. Father Koenig, of Fort Wayne, Ind., since 1876, and is now under his direction by the

**KOENIG MED. CO., Chicago, Ill.**  
49 S. Franklin Street

Sold by Druggists at \$1 per Bottle. 6 for \$5.  
Largo Size, \$1.75. 6 Bottles for \$9.

In Montreal by E. LEONARD, 118 St. Lawrence street.

### AN IMPORTANT JUDGMENT.

#### THE COTTOLENE TRADE-MARK.

An important and interesting trade-mark suit, which has been before the courts for some time, has recently reached a decision in the United States Circuit Court for the Southern District of New York, Judge Townsend presiding. As the decision has a wide application, and contains numerous interesting references, with a full presentation of the law as applied to trade-marks, we give the decision in full, believing it will prove of interest to our readers:

This is a bill in equity for an injunction against the infringement of complainant's trade-mark "Cottolene" by the use of the word "Cottoleo."

The complainant began the manufacture of the article and devised and registered the word "Cottolene" as a trade-mark, in 1887. It obtained a large and increasing business. In May, 1892, its sales amounted to a million pounds a month.

"Cottolene" is a substitute for lard. It is composed of cotton seed oil and the product of beef fat. Beef fat or suet, under heat and pressure, yields two products, oleo-stearine and oleomargarine. The former is a solid, and is used in the manufacture of lard. The latter is a liquid, and is used in the manufacture of butter.

In this case, the defendant, in rejecting the word "Cottolene" and in coining a new word, "Cottoleo," which conveys to the eye and ear an imitation of defendant's trade-mark, seems to indicate a design to impose his article upon the public as that of the complainant, or at least to obtain the substantial benefit of complainant's trade-mark.

It is well settled that the inventor of an arbitrary or fanciful name may apply it to an article manufactured by him to distinguish his manufacture from that of others, and that the subsequent use of such word by the public to denote the article does not deprive the originator of such word of his exclusive right to its use. See *Selschow vs. Baker*, 93 N.Y. 59; *Ausable Horse Nail Co. vs. Essex Horse Nail Co.*, 32 F.R. 74; *Celluloid Mfg. Co. vs. Read*, 47 F.R. 712.

Neither does the fact that the defendant sold under its own name; and made no attempt other than by the use of the word "Cottoleo" to palm off his goods as those of the complainant, constitute a defense. See *Roberts vs. Shedden*, 18 O. G. 1277, and cases there quoted. See *Sawyer vs. Horn*, 1 F.R. 24; *Hier vs. Abrahams*, 82 N.Y., 319; *Battle vs. Finlay*, 45 F.R., 796.

It seems to be the law that when manufacturers have educated the public to ask for a certain article by its trade-mark name, they have acquired the right to insist that products manufactured by others shall not be given to the public under that name. It is just that it should be so for the benefit derived from such name can only be obtained by faithful service in furnishing articles of recognized value. Moreover, if the trade-

mark might be adopted by others, inferior articles might then be produced and sold under it; and thereby the value to manufacturers of the reputation of the name used by them as a trade-mark would be destroyed.

There will be the usual decree for an injunction and an accounting." — *Oil Paint and Drug Reporter*.

### TRADE AND COMMERCE.

#### FLOUR, GRAIN, Etc.

**Flour.**—We quote:  
Patent Spring.....\$3.75 @ 8.90  
Ontario Patent.....\$2.00 @ 8.40  
Manitoba Patents.....3.50 @ 8.90  
Straight Roller.....2.90 @ 8.10  
Extra.....2.65 @ 2.80  
Superfine.....2.40 @ 2.60  
City Strong Bakers.....3.75 —  
Manitoba Bakers.....8.50 @ 3.75  
Ontario bags—extra.....1.30 @ 1.35  
Straight Rollers.....1.50 @ 1.55

**Oatmeal.**—We quote jobbing prices as follows:—Rolled and granulated, \$3.85 to \$3.95; Standard, \$3.60 to \$3.75. In bags, granulated and rolled are quoted at \$1.80 to \$1.85, and standard at \$1.60 to \$1.75. Pot barley \$3.75 in bbls and \$1.75 in bags, and split peas \$3.50 to \$3.80.

**Bran, etc.**—Sales of Ontario at \$15.75 to \$18.00, quotations ranging from \$15.75 to \$16.25. Shorts are quoted at \$17.00 to \$18.00, and Mouille at \$20.50 to \$22.00 as to grade.

**Wheat.**—Last sales were reported at 66c cash for No. 1 hard Fort William. Car lots in the West have sold at 78c and at North Bay 82c is quoted.

**Corn.**—Market rules quiet at 64c duty paid, and 57c to 58c in bond.

**Peas.**—The market is easier in the West at 53c in the Stratford district per 60 lbs.

**Oats.**—At 38c per 34 lbs for No. 2. A lot was offered at 35c.

**Barley.**—Malting barley placed at 51c to 53c, and feed barley at 48c.

**Malt.**—At 65c to 75c as to quality and quantity.

**Rye.**—Prices quoted nominal at 51c to 52c.

**Buckwheat.**—The market is quiet at 44c.

**Seeds.**—Timothy prices are purely nominal at \$2.25 to \$2.50. Alsike is easy at \$5.25 to \$5.50, and red clover \$8.00 to \$8.50.

#### PROVISIONS.

**Pork, Lard, &c.**—We quote prices as follows:—

Canadashortcut pork, per bbl.....\$15.00 @ 16.00  
Canada short cut, thin, per bbl.....14.00 @ 14.50  
Extra plate beef, per bbl.....10.50 @ 11.00  
Hams, per lb.....9¢ @ 10¢  
Lard, pure in pails, per lb.....8¢ @ 9¢  
Lard, com. in pails, per lb.....8¢ @ 7¢  
Bacon, per lb.....10¢ @ 11¢  
Shoulders, per lb.....8¢ @ 9¢

**Dressed Hogs.**—Ten cars were offered from Western points at \$5.00 f.o.b., equal to \$5.85 laid down here. Of course, small jobbing lots bring about \$5.40 to \$5.50.

#### DAIRY PRODUCE.

**Butter.**—We quote prices as follows:—  
Creamery, finest fall.....21¢ to 22¢  
Creamery, early made.....18¢ to 19¢  
Eastern Townships dairy.....16¢ to 20¢  
Western.....14¢ to 16¢

Add 1c to 2c per lb to above prices for single tubs of selected.

**Roll Butter.**—We quote 16c to 17c. A lot of inferior rolls, in which were large chunks like tubs, quartered, sold at 15c.

**Cheese.**—Some grades are quoted at 9c to 9½c. The cable remains steady at 50s 8d.

#### COUNTRY PRODUCE.

**Eggs.**—Lined are selling at 12c to 13c, and this causes the market to drag. Montreal lined sell at from 13c to 14c, and good held fresh fall stock bring from 14c to 15c.

**Game.**—Venison carcasses are quoted at 5c to 6c, and saddles at 7c to 8c. Partridge 50c to 55c for No. 1 and 30c for No. 2.

**Honey.**—Extracted old at 4½c to 5½c per lb. New 7c to 9c per lb in tins as to quality. Comb honey 10c to 13c.

**Baled Hay.**—No. 2 shipping hay \$6.00 to \$7.00 in round lots; and No. 1 straight Timothy scarce at \$8.50 to \$9.00. At country points \$5.00 to \$6.00 are the ruling rates f.o.b. as to position.

**Beans.**—Good to choice hand-picked from \$1.30 to \$1.45 per bushel, and poor to fair \$1.10 to \$1.20.

**Hops.**—At 8½c to 8c as to quality.

**Dressed Poultry.**—Sales of turkeys in cases and barrels have sold at 8½c to 9c, choice fresh killed birds bringing 9½c, but stock that is the least discolored has to be worked off at 7½c to 8c, a lot of 3 large cases being placed as low as 7c. Chickens have sold at 6c to 6½c for fine stock, while less desirable lots have been worked off at 5c to 5½c. Geese range from 5c to 8c and 7c to 9c as to quality.

### HEATING STOVES,

### STEEL RANGES,

### GAS STOVES.

#### SPECIALTIES:

#### GURNEY'S STOVES AND RANGES,

#### MAGEE AND GOOD NEWS RANGES.

#### STOVE REPAIRS OF ALL KINDS.

#### PLUMBING, TINSMITHING, GAS FITTING.

**F. H. BARR**

Telephone 4241

## JAS. A. OGILVY & SONS

### ADVERTISEMENT.

### JANUARY CLEARING SALE.

During this month every article in stock is REDUCED and the reductions are genuine, ranging from ten to seventy-five per cent on actual sale prices in

#### GENTS' FURNISHING TWEEDS,

#### FLANNELS AND FLANNELETTES.

The inducements offered were so encouraging. Prices were never so low. Discounts ranging from ten to seventy five per cent reduction all through the stock.

Men's White Shirts, 75c, \$1, \$1.25, \$1.50  
Boys' " " 75c, \$1.00  
Men's Flannel Shirts, \$1.00, \$1.25, \$1.50  
Boys' Flannel Shirts, 75c upwards.  
Men's Braces, 15c, 20c, 25c upwards.  
Boys' Braces, 9c, 10c, 12c, 15c  
Men and Boys Collars, all styles  
Men and Boys' Ties in all styles

All our Tweeds and Coatings greatly reduced.

Beautiful Fancy Flannelettes, 5c, 9c, 10c, per yard.

Eider Down and Fancy Flannelettes greatly reduced.

50 Pairs Brown Tweed and Serge Pants, for Boys from 2½ years up to 10 years, from 60c up to \$1.00.

And a few Boys Reefers left over to clear at \$1.25 each.

—AT—

## JAS. A. OGILVY & SONS,

### THE FAMILY LINEN AND DRAPERY HOUSE.

208 to 207 ST. ANTOINE ST. Telephone 144 to 150 MOUNTAIN ST. 8225.

Branch. ST. CATHERINE STREET, Telephone 8835. Cor. Buckingham Ave.

#### FRUITS, Etc.

**Apples.**—Sales being reported very slow at \$2.00 to \$2.50 per barrel.

**Oranges.**—We quote: Floridas 126s \$2.75, 150s \$3 to \$3.25, 170s \$3.50, and 200s \$3.50 to \$3.75.

**Lemons.**—We quote \$2.50 to \$3.50 per box, some extra fancy bringing higher prices.

**Pine Apples.**—Ready sale at 25c each.

**Pears.**—We quote California \$2 to \$2.25 per box, and Canadian pears at \$3.00 to \$4.00 per barrel.

**Cranberries.**—Have been made at \$18 to \$14 per barrel. Frozen stock is also very scarce at \$8 to \$9 per barrel.

**Grapes.**—We quote \$5.00 to \$5.50 per keg for ordinary stock, and \$6.00 to \$6.50 for heavy weights.

**Dates.**—Are meeting with ready sale at 4½c to 5c per pound.

**Cocoanuts.**—At \$4 per hundred.

**Potatoes.**—We quote 53c on track here, 60c by the load, and 65c in small jobbing lots.

**Onions.**—Canadian onions, sales reported slow at \$1.75 to \$2.00 per barrel, while the few crates of Spanish onions that are in the market are selling at \$1.00 per crate.

**Nuts.**—We quote prices as follows: Granobles Walnuts, 13½c to 14c; Tarragona Almonds, 12½c to 13c per lb; Almonds, 7½c to 8c; Brazil, 11c; pecan, small 10c, medium 13c, extra 15c; peanuts roasted, 7c to 9c, raw 6c to 8c.

#### FISH AND OILS.

**Salt Fish.**—Dry cod is nominally quoted at \$4.00 to \$4.25. Green cod \$4.00 to \$4.25. Labrador herring \$4.00 to \$4.50 and shore \$3.50 to \$3.75. Salmon \$10 to \$11 for No. 1 small, in bbls, and \$13.50 to \$14.00 for No. 1 large. British Columbia \$9 to \$10.

**Oils.**—Cod oil remains steady: Gaspe 30c to 31c, and Newfoundland in round quantities at 32c to 33c. Jobbing lots are 32c to 33c for Gaspe and 34c to 35c for Newfoundland. Steam refined seal oil 31½c to 32½c in round lots and 34c to 35c in jobbing lots. Cod liver oil at 60c to 70c.

## RHEUMATISM AND DYSPEPSIA.

### COMBINATION OF TROUBLES WHICH MADE LIFE MISERABLE

MR. ELI JOYCE RELATES HIS EXPERIENCE WITH THESE TROUBLES—COULD NOT RETAIN FOOD AND WAS THOUGHT TO BE BEYOND HOPE OF CURE—BUT RELIEF CAME AND HE IS NOW A WELL MAN.

From the *Coastlook*, Que., Observer.

The readers of the *Observer* have become familiar with the remarkable cures effected by the use of Dr. Williams' Pink Pills for Pale People through their recital in these columns, as taken from other reputable newspapers. It is now our purpose to tell them of a cure, hardly short of miraculous, which was effected on a person with whom many of our readers are acquainted. We refer to Mr. Eli Joyce, formerly of Dixville, but now living at Averil, Vt. A few days ago we saw Mr. Joyce and asked him about his recovery. He stated that for four or five years he had been afflicted with rheumatism and dyspepsia. He was laid up and unable to do anything on an average four months in a year, and was constantly growing worse, although treated by good physicians and trying numerous remedies recommended. A year ago last August he was taken seriously ill while at his sister's, Mrs. Dolloff, of Dixville. He could not retain anything on his stomach and the physicians who attended him were powerless in improving his condition. One of them stated that he had cancer of the stomach and could not live long. It was while in this precarious condition that he determined to try Dr. Williams' Pink Pills, and before long was able to retain food on his stomach. His pain gradually became less and in six weeks time he was back to his home in Averil, feeling that he had obtained a new lease of life. He continued taking the Pink Pills for some time longer and gained so much in health and strength that he is now able to do the hardest kind of a day's work, and he frankly gives Dr. Williams' Pink Pills all the credit for his rejuvenated condition, and says he believes their timely use saved his life. The *Observer* has verified his story through several of his neighbors, who say that it was thought that he was at the point of death when he began the use of Pink Pills. In fact when we mentioned his case to one of the doctors who had attended him he said he supposed he was dead long ago. When such strong tributes as these can be had to the wonderful merit of Pink Pills it is little wonder that their sales reach such enormous proportions, and that they are the favorite remedy with all classes. Dr. Williams' Pink Pills contain the elements necessary to give new life and richness to the blood and restore shattered nerves. They are an unfailing specific for locomotor ataxia, partial paralysis, St. Vitus' dance, sciatica, neuralgia, rheumatism, nervous headache, the after effects of la grippe, palpitation of the heart, nervous prostration, all diseases depending upon vitiated humors in the blood, such as scrofula, chronic erysipelas, etc. They are also a specific for troubles peculiar to females, such as suppressions, irregularities and all forms of weakness. In men they effect a radical cure in all troubles arising from mental worry, overwork, or excesses of any nature.

Dr. Williams' Pink Pills are manufactured by the Dr. Williams' Medicine Company, Brockville, Ontario, or Schenectady, N. Y., sold in boxes (never in loose form by the dozen or hundred and the public are cautioned against numerous imitations sold in this shape) at 50 cents a box, or six boxes for \$2.50, and may be had of all druggists, or direct by mail from Dr. Williams' Medicine Company, at either address.

Merchants Tel. 550. Ba'l Tel. 8025.

## The Edward Cavanagh Co.

MANUFACTURERS AND IMPORTERS OF

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