

of justice, as well as in other matters. Under the bill which Lord Roseberry introduced, and which Mr. Chamberlain finally passed into law, they had for a time sent three judges, representative of different parts of the Empire, to sit in the Privy Council. Sir Henry Strong, the Chief Justice of Canada, has come over from that country; Sir Henry de Villiers, Chief Justice of the Cape, and Sir Samuel Way, one of the Australasian Chief Justices, had for a time come over as representatives of their colonies. But these eminent lawyers were required at home. They were paid no salaries for the assistance they gave to the Imperial Government, at much expense and inconvenience to themselves, and they had, in a large measure, ceased to sit at Downing Street." This last remark reveals a state of affairs unfortunate indeed, and Canada, at least, ought to be aware that it is in her best interests to enable the Chief Justice to make his duties at Downing Street of paramount importance. So far as the profession is concerned this seems to be the prevalent opinion.

REPORTS AND NOTES OF CASES

Dominion of Canada.

EXCHEQUER COURT.

Burbidge, J.]

[June 14, 1899

GENERAL ENGINEERING CO. v. DOMINION COTTON MILLS CO. (1)

Patent of Invention—Furnace stoker—Combination—Infringement.

On the 15th October, 1892, Jones obtained a patent in Canada for alleged new and useful improvements in boiler furnaces. The distinctive feature of Jones' invention was that instead of using a fuel chamber or magazine bowl-like in shape, such as that claimed in Worthington's United States patent, he employed an oblong trough or bath-tub shaped fuel chamber with upwardly and outwardly inclined closed sides. This form of fuel chamber was suggested in the Worthington patent, but was not worked out by its inventor, it being his view apparently that several magazines or chambers bowl-like in shape could be used within the trough-shaped chamber. The Worthington patent was not commercially successful. Jones, using an oblong or trough-shaped chamber, was the first to manufacture a mechanical stoker that was commercially successful.