

INTERESTING LEGAL DECISION.

The full court sat on Saturday and delivered judgment in *Cass vs. Couture*, the injunction in which has stopped building operations where brick was required, except where the contracts were being carried on by *Cass* or his nominees.

The court discharged the orders granted for injunctions, and for the present, unless further steps are taken, brick can be sold to those outside the combine, and the remedy of those in the combine will be an action for damages against the parties to the contract if those injured or that allege they are injured can prove damage. The judgment of the court was delivered by Chief Justice Kitchin. After referring to the facts and authorities, his lordship proceeded:

"Whatever claim to damages the plaintiff, *Cass*, might be able to assert, I am of opinion that, in a case like the present the circumstances form no ground for interference by the Interlocutory Injunction. For any loss of profits upon resales of bricks damages will be sufficient compensation and it does not appear to me that the personal interests of the plaintiff and his associates should be considered.

"I will not enter into the merits of the case further than to say that, while the plaintiff presents a strong case, it is not absolutely certain that there are no defenses.

"I would allow the appeals and discharge the orders; costs of the motions and of the appeals to be reversed to be disposed of at the trial, or by further order."

Mr. Justice Dubeau said that he concurred in the judgment of the learned chief justice. When the application was made to him for the interlocutory injunction it appeared that the four brick manufacturers were refusing to supply brick under their contract without any reasonable ground for so doing, and he thought there was reason for interfering by injunction, and hence had granted the injunction. But subsequent events, as stated in the judgment of the court, had disclosed a state of affairs which, if the

had been aware of at the time he would certainly not have granted the injunction, but would have left the parties to their remedy by applying for an injunction on notice; and as he was now of this opinion, he fully concurred with the chief justice in his view of the matter. He did not, however, wish this expression of opinion to be taken as one with regard to the merits of the case either way or the other.

Mr. Justice Richards stated that he agreed in the judgment delivered by the chief justice, and he thought as to the Couture case it was very doubtful whether Gideon Couture had power to contract, as he had done apparently in this case, binding himself and his partner alone. He also had serious doubts whether Couture understood the nature of the contract that he was entering into.

WINNIPEG EXHIBITION.

The tender for the immediate erection of the new cattle stables on the fair grounds to replace those which were destroyed by fire on Sunday night last, has been let to Messrs. J. & J. McDiarmid who have already begun work. The contract calls for the completion of the work by the evening of Friday, July 17, so that they will be ready to receive the live stock exhibits which may arrive on Saturday. A start was made yesterday when the fence was repaired.

The Ontario Society of Artists have appointed Mr. J. W. Beatty, of Toronto, as their judge of the art exhibit in connection with the fair. The secretary of the society has written to the manager of the fair that they have prepared a fine collection of pictures, the best that has yet been sent to Winnipeg.

The statement has often been made by the Winnipeg Industrial Exhibition association that each succeeding exhibition will be better than the one that preceded it and in every case this has proved true.

It is not too early to make the statement that the live stock exhibits this year will certainly be more numerous than has ever been the case before. The clerks at the office are kept busy all day registering the numerous en-

tries. Several breeders and owners have entered in many classes.

Other entries from the east and south include Hawthorne & Bain, of Simcoe, who are showing carriage horses and Clydes; Geo. E. Brown, of Aurora, Ill., and Brandon, Man., who is making a splendid exhibit of Shire horses; B. & C. George, of Aurora, Ill., who are showing Herefords; Geo. Leigh & Co., of Aurora, who are also showing Herefords; and John W. of Cartwright, Man., also making an exhibit of Hereford cattle.

There is no doubt but that the new stables on which work has been already commenced will be no more than adequate to accommodate the large number of cattle that will be on show during the week.

The Winnipeg exhibition has ever been an occasion for rejoicing, being, as it is, a splendid indication of the irrepressible progress and abundant prosperity of the province. Thirteen years ago it was non-existent, and last year over \$200,000 was taken at the gates alone and the low limit was passed as regards attendance. It is a season of rejoicing over the triumph of pluck and energy which, in the course of but thirty years, has established in Manitoba some thousands of farmers upon at least 100,000 acres of land, with comfortable houses, farm buildings, modern machinery, horses, and cattle that are able to compete with the best specimens of the world famous Canadian stock.

As was announced some weeks ago the directors of the association have had the west end of the grand stand raised to an equal height with the other portions so that the visitors may have an equal opportunity of witnessing the many events and features at the Winnipeg fair.

The press competition which was inaugurated this year for the newspaper men of Manitoba and the Northwest bids fair to be a very successful one. Several editorials have already been received, and after July 11th, the last day for receiving the work and the prize will be printed in next week's bulletin as well as once in the Winnipeg daily papers.

Intending exhibitors at the approaching fair are reminded that all entries must be received at the offices of the Winnipeg Industrial Exhibition Association not later than Saturday, July 11th. Horsemen are also reminded that all entries for the horse show at the fair must be on Thursday, July 16. The man-

agement of the exhibition will be if all entries are sent forward as early as possible, as this considerably lessens the labor at the office and to a great degree prevents any mistakes in which the more likely to be made when entries come in with a rush. Frank H. of the Toronto Empire, who is looking after the horses from the east for the exhibition, reports that quite an interest is being taken in Winnipeg's annual fair, the seat of a summer of fine weather will be here, as well as some trotting races. The entries close July 16.

For the accommodation of those coming to the Winnipeg fair from distant points, the management has given notice that received seat tickets for the grand stand for any of the performances during the week will be valid in Winnipeg from Monday, July 12, and visitors desiring to obtain good seats can obtain same by sending the money for the seats to the exhibition office, their seats will be reserved. These seats are 50 cents each.

It has been decided by the accommodation bureau to permit private parties to erect large wooden temporary buildings on vacant lots in Winnipeg for the purpose of accommodating visitors to the exhibition who will be unable to go to a hotel or to a private house. The plan will be so arranged that thousands of people will be able to find accommodation in them.

Mr. J. Obed Smith, Dominion commissioner of immigration, has advised the manager of the Winnipeg Industrial Exhibition that the Hon. Clifford Robertson, minister of the interior, has agreed to allow the immigration tent to be used for the accommodation of visitors to the Winnipeg fair week.

Mayor Arthur Hoot had last week the accommodation bureau in daily communication for rooms for little over all over the west, and that the holders of Winnipeg are showing a most commendable spirit in the way they are coming forward and offering rooms. He anticipates no difficulty in being able to supply ample accommodation, but he says, "I don't know what will happen next year, though open the city hall."

"I can't say I am satisfied with any of your payments," said the member of the aldermanic committee from the distant city on a visit of inspection. "For a first-class pavement what you consider the best material."

"An honest contractor," replied the prominent citizen, with a dreamy face, "look in his eyes.—Chicago Tribune.



It isn't the name that makes the article good. It is the article that makes the name good. A trade mark is valuable only because of what it represents. People ask for CELLULOSE STARCH because experience has shown it to be the best. If you do not sell CELLULOSE STARCH you do not sell the best starch, the starch that is not equalled by any other brand on the market.

Cellulose Starch
Never Sticks Requires no Cooking.

The Brantford Starch Works LIMITED, Brantford, Ont.