

to demand that the public libraries shall cater to their literary desires as well as to those of the readers who differ from them. To insist that a pessimist shall only read the books that preach optimistic views of life, or vice versa, is tantamount to forcing Catholics to attend Protestant churches. The public libraries are maintained by and for people of all classes of thought and opinion, and, in consequence, they should impartially furnish their shelves with the single object of giving satisfaction to all."

Hall Caine, whose "Christian" is being played in New York, where a certain scene in it suggesting the temptation of St. Anthony, has been made the subject of discussion among prudish people, executed a neat advertising feat by inviting all the prominent clergymen in the metropolitan district to witness the performance, and afterwards making them a little speech. A large number attended, and the newspapers gave the matter much space, "The Journal," for instance, devoting almost an entire page to it, which is more than the best press agent could accomplish.

LABELS MUST NOT BE UNFAIRLY IMITATED.

A decision of importance has just been rendered by Judge O'Brien in the appellate division of the Supreme Court. The hearing was on an appeal by McLaughlin Bros. from an order denying a motion for an injunction to restrain Jane C. Singer et al. from using a copy of the colored label of the Game of District Messenger. In his decision in favor of McLaughlin, Judge O'Brien says: "It appears by affidavits that in 1886 the plaintiffs prepared a colored label to be used on a box containing a new game board introduced by them, and to which they gave the name of 'Game of District Messenger Boy.' There was a chart or board of the game, and a book of directions, which latter was sent to the Librarian of Congress and duly copyrighted. Since that time, the plaintiffs have continued to manufacture and sell the game, put up in a box upon which the colored label is affixed; and as the result of advertising, it has obtained quite a reputation as one of plaintiff's best games." The defendant, Jasper H. Singer, began to make an article and put it up with a label on boxes containing it, some time just prior to 1897, when, having made an assignment for the benefit of creditors, the business was subsequently bought in and conducted by his wife, the other defendant, Jane C. Singer, under the superintendence of her husband.

"The similarity in the two labels is apparent on the barest inspection; and we do not understand that the fact that they are similar is at all in dispute. The position taken by the defendants is stated in the affidavit of one of them in the following language: 'I am advised and believe that plaintiffs might possibly have obtained a copyright upon the design contained upon the box cover, provided the same involved any originality; but the very fact that they did not obtain a copyright for such design is an abandonment and dedication to the public of such design, and, therefore, I have a perfect right to copy it literally, if I see fit so to do.' This position is emphasized by the counsel for the respondents, who insists that 'after the publication of this new

game and new design everybody had the right to publish the same game and the same picture.

"The practice is not to grant preliminary injunctions except in very clear cases; but the present we think clearly falls within the exception, for little could be added upon the trial to the showing made by the plaintiffs as to the palpable imitation of their label, or to the facts showing unfair competition."

DEATH OF A POPULAR COMMERCIAL TRAVELLER.

The many friends of Mr. H. (Bert) T. Tinning, late of Toronto, were painfully surprised to hear of his sudden death, which occurred at the Royal Victoria Hospital, Montreal, on Saturday night, January 14, at 9.30 o'clock, in the presence of his loving wife, mother and sisters who had been summoned on Friday. Mr. Tinning was in his thirty-first year, and for about eighteen years had been in the employ of Messrs. H. A. Nelson & Sons, Montreal, latterly as one of their most successful travellers. Mr. Tinning was one of the most popular travellers in the fancy goods trade of Canada, and was well known to all the trade of the west. He had gone to Montreal on New Year's Day to get out his spring samples. There he fell a victim to a severe attack of the grippe, which soon developed into typhoid fever. He was very popular with his comrades of the road and his many customers, and his genial face will be greatly missed in the many towns along the route, westward from Toronto to Sarnia, and northward to Owen Sound. The funeral, which was held from the residence of his father, Mr. John Tinning, 80 St. Mary street, Toronto, on Tuesday, January 17, at three o'clock, was largely attended by his fellow Masons, travellers and friends, service being conducted at the residence and at St. Luke's church by Rev. Dr. Langtry. There was a profusion of lovely floral tributes, among others being a pillow from Georgina Lodge, A. F. & A. M., of which he was a member, and a wreath from Messrs. H. A. Nelson & Sons, and a wreath from his fellow travellers. The pall-bearers were: Messrs. G. O. Merson, A. L. Malone, F. W. Flett, A. B. Cordingley, representing Georgina Lodge; Mr. G. A. Henderson, representing Messrs. H. A. Nelson & Sons, and Mr. J. W. Sanders, of Port Hope, brother-in-law of the deceased. The most heartfelt sympathy is extended to the sorrowing widow and relatives of the deceased in their sad affliction.

AN ESTIMABLE MAN'S OBSEQUIES.

The funeral of the late Robert Higgins took place from his residence, 804 Yonge street, on Friday afternoon, Jan. 20th. The deceased was a member of Commonwealth Lodge, Brooklyn, N.Y., and a member of King Solomon Lodge, A.F. & A.M., this city. He came to this country from England, and had charge of the bindery of the Hunter, Rose Company, Limited, for 28 years.

The floral tributes were numerous and beautiful. One was of the most original design that has been seen in Toronto for some years. It was in the shape of a ledger, and the debtor and credit side contained deceased's age and date of birth, and year in which he died, balanced on both sides, with the word "Closed" on the credit side. Prominent among the floral tributes were

an anchor from his fellow-employees; a compass and square from King Solomon Lodge, and a wreath from the grandchildren of the deceased. Mr. Higgins leaves a widow, six sons and five daughters, who were all at the funeral. Charles, who lives in Chicago, and Edward, who lives in Auburn, are the only members of the family who do not reside in Toronto. His brother, Mr. Joseph Higgins, of New York, was present at the funeral. The Hunter, Rose Company, Limited, suspended business for the afternoon and the employees attended the funeral in a body.

MAARTEN MAARTENS.

It is common to hear a man use as a form of asseveration or astonishment, "I'll eat my hat." Others say, by way of enforcing the absolute veracity of their statement, "Well, if it isn't so, I'm a Dutchman." Where did this phrase come from? Was it a William-and-Mary idiom, or did it belong to the Dutch colonizing days? The meaning of it is that the Dutch were romantic story-tellers, to put it pleasantly. Whatever may have been its origin, we know that J. M. Van der Poorten-Schwartz is a story-teller, and we know that to all intents and purposes he is a Dutchman, although if he isn't a naturalized Englishman, he writes the English language like a native. He chooses to be called on the title-pages of his stories Maarten Maartens. What the Dutch think of him is not known to the present writer, any more than what they think of Alma Tadema, another talented Dutchman, who chose to leave the land of dykes and windmills and live in London. But Maarten Maartens is in the top pew of the crowded congregation of English novelists, in that small church that is so hard to get inside of, and where the pulpit may be supposed to be "supplied" by successive big publishers, the missionaries and representatives of that almighty and sometimes cruel god, the public. He has attained this position by dint of hard work and ability. All his books have been written in English, and he dates from eight years ago, when he was 33 years old, and published "Joost Avelingh." In 1891 he published "An Old Maid's Love." The following year came "God's Fool," and "A Question of Taste." In 1894 he published "The Greater Glory," and in 1895 "My Lady Nobody." This year Mr. Poorten-Schwartz has issued, in London and on this continent, "Her Memory." Already publishers and the public had begun to regret his prolonged (for a popular novelist) silence. The author, however, declined to hurry himself, and "Her Memory" shows even greater care than his other novels, masterpieces of care as they were. No doubt it was his "God's Fool" that clenched the nail of success that he had driven in with his two first novels, so that when it appeared Boston critics said that it was wonderfully brilliant, that the interest never lagged, that the style was realistic and intense, and that there was a constant underlying current of subtle humor. They further remarked that it was a book that no student of modern literature should fail to read. The best Chicago critic said that it was a strong and powerful story, and that the author's satire, like Thackeray's showed no taint of cynicism, and was uttered more in sorrow than in anger. That the author was a powerful painter of