

COPYRIGHT IN TRADE-MARKS.—A point of some importance to manufacturers was argued recently in Manchester, England, before Mr. Justice Lush. An action was brought by the representatives of a Mr. Hardcastle, "a bleacher dyer, and finisher of gray cloths," against another manufacturer in the same business, for the piracy of the former's trade-mark, usually affixed to the "Jeannettes" finished by his firm. The trade-mark consisted of Mr. Hardcastle's coat-of-arms, crest and initials, surrounded with a scroll and border, in blue and gold, on a white ground, and it was proved to have been favorably known in the trade. The defendants trade-mark consisted, also, of a coat-of-arms, crest, and initials, not however, the same as those of Mr. Hardcastle, but similarly displayed with the white blue and gold colors. It was argued for the plaintiff that drapers, not being commonly skilled in heraldry, would be more likely to be guided by the colors than by the blazonings, and would buy the defendant's goods, attracted by the plaintiff's trade-mark. Mr. Justice Lush told the jury that to bring home the charge of piracy in such a case two things must be proved; First, that the trade-mark was copied; and, next, that this was done with the intent to divert custom from the manufacturer of the goods originally bearing the marks imitated; the owner of a trade-mark had not an absolute monopoly of its use, which he could enforce irrespective of the motive of the infringement, as the owner of a patent or registered design could do, but was rather in the position of an author whose copyright protected him, not against a similar book, but only against an obvious copy. We apprehend that a colorable imitation comes under the law laid down by Mr. Justice Lush, and the jury in the case referred to evidently took this view, for though there was no absolute copy, but only an imitative use by the defendant of the colors and outlines characterizing the plaintiff's trade-mark, they gave an unhesitating verdict for the latter. The intention, in fact, is the most important point to be proved, and this must be a matter of inference from the circumstances of each individual case.

Montreal Assurance Company.

DIVIDEND NOTICE.

NOTICE is hereby given, that a Dividend of
TWELVE PER CENT.

ON THE PAID UP CAPITAL STOCK.

Has been declared for the past year, and will be payable
AT THE OFFICE OF THE COMPANY,

in Montreal, on and after

THURSDAY, 15TH DECEMBER.

By order

A. MURRAY,
Manager.

1st Dec., 1870.

The Agricultural

Mutual Assurance Association of Canada.

HEAD OFFICE..... LONDON, ONT.
A purely Mutual—Purely Farmers' Company.
Capital, 1st January, 1870..... \$228,773 95
Cash and Cash Items..... \$76,874 66
With 32,322 Members.

THIS, the only "Fire Mutual" that has invested with the Dominion Government, in compliance with the Insurance Law of Canada, continues to do the largest Farmers' business in Ontario, having last year issued 11,141 Policies, and a large increase has taken place in the business for the first five months of 1870. Its rates are as low as any well established company in the Dominion, and lower than those of a great many. For insurance, apply to any of the Agents, or address the Secretary, London, Ont.

N. B.—The "Agricultural" is now establishing Agencies portions of the Province of Quebec.

Dominion Bank.

THE amount of Capital Stock required by the Charter of this bank having now been subscribed, the Shareholders are hereby notified that the Provisional Directors have decided on making

A CALL OF TWENTY-FIVE PER CENT.

ON THE AMOUNT SUBSCRIBED,

which said call is payable at the

HEAD OFFICE OF THE BANK OF TORONTO

or at the office of MESSRS. PELLATT & OSLER
Toronto, or their Agents,

ON AND AFTER THIS DATE.

For further particulars, apply to the undersigned:—

JAMES AUSTIN,
PELEG HOWLAND,
JAMES HOLDEN,
JOSEPH H. MEAD,
SAMUEL NORSHEIMER,
FRANK SMITH,
JOHN WORTHINGTON.

Provisional Directors.

Or to

R. H. BETHUNE,
Cashier.

PELLATT & OSLER,
Brokers.

Toronto, 21st Nov. 1870.

Great Western Railway of Canada.

The Directors of the Great Western Railway of Canada
invite

TENDERS

For the construction of a Branch Line of Railway from

HARRISBURG TO BRANTFORD,

SEVEN MILES.

PLANS AND SPECIFICATIONS

Will be on exhibition at the Office of the Chief Engineer
Geo. Lowe Reid, Esq., Hamilton, on and after 1st Decem-
ber.

All Tenders must be in the hands of the undersigned
by ten o'clock on the

MORNING OF THE 15th DECEMBER,

Sealed, and marked "Tenders for Construction of Brant-
ford Branch Line."

JOSEPH PRICE,
Treasurer, &c,

Chief Offices, Hamilton, Ont.,
24th November, 1870.

Insolvent Acts of 1864 and 1865, and Insolvent Act of 1869.

CANADA, } IN THE COUNTY COURT OF
Province of Ontario, }
County of York. } THE COUNTY OF YORK.

In the matter of JAMES ALEXANDER McLELLAN,
an Insolvent.

ON WEDNESDAY, the FOURTH day of JANUARY
next, the undersigned will apply to the Judge of the
said Court for a discharge under the said Act or Acts.
JAMES ALEXANDER McLELLAN.
Toronto 2nd December, 1870.

New York Life Report.

A SUPPLY RECEIVED AT THIS OFFICE.

Price, in paper, by mail, post-paid..... 80 60
In cloth (green and gold) post-paid..... 2 25

THIS IS AN INDISPENSABLE BOOK TO LIFE
AGENTS.

Grand Trunk Railway.

TRAINS arrive and depart as follows at and from
Toronto

	EAST.			
	a.m.	p.m.	p.m.	p.m.
Depart.....	5.37	12.07	5.37	7.07
Arrive.....	9.37	11.07	6.57	11.07

	WEST.			
	a.m.	a.m.	p.m.	p.m.
Depart.....	7.30	11.10	3.45	7.00
Arrive.....	5.30	10.05	12.50	5.20

Northern Railway.

Depart.....	a.m.	p.m.
	7.00	4.00
Arrive.....	10.35	9.10

Trains leave Brock Street Station 15 minutes later.



Government House, Ottawa,

10th day of November, 1870.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN
COUNCIL.

WHEREAS it has been represented to His Excellency, that the Public convenience would be promoted if the Out-Ports of St. Armand, Rousses Point, which are situated in closer proximity to the Port of St. John's, than to that of Montreal, with which they are now connected, were detached from the last mentioned Port and placed under the survey of the Port of St. John's; His Excellency on the recommendation of the Hon. the Minister of Customs, and under and in pursuance of the 8th section of the Act 31st Victoria, Chapter 6, intituled: "An Act respecting the Customs," has been pleased to Order, and it is hereby Ordered, that on from and after the First day of December next the Out-Ports of St. Armand and Rousses Point shall be, and they are hereby respectively detached from the Port of Montreal and placed under the Survey of the Port of St. John's in the Province of Quebec.

WM. H. LEE,

Clerk Privy Council,
Canada.



Government House, Ottawa.

18TH DAY OF NOVEMBER, 1870.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN
COUNCIL.

ON the recommendation of the Honorable the Minister of Customs and under the authority given by the Act of the Parliament of Canada, 31 Vic., Cap. 6, intituled "An Act respecting the Customs," the provisions of which have by Order in Council of this day been declared to be applicable to the Province of Manitoba. His Excellency has been pleased to Order: And it is hereby Ordered that the Town of Winnipeg in the said Province shall be, and the same is hereby constituted and appointed a Port of Entry and a Warehousing Port, and that North Pembina shall be and the same is hereby constituted and appointed an out-port of Customs and placed under the survey of the Port of Winnipeg.

WM. H. LEE,
Clerk Privy Council,
Canada.

Insolvent Act of 1869.

CANADA: } IN THE COUNTY COURT OF THE
Province of Ontario, }
County of Ontario. } COUNTY OF ONTARIO.

IN THE MATTER OF JOHN KESTIVEN, AN IN-
SOLVENT.

ON the Twenty-first day of December next, the under-
signed will apply to the Judge of the said Court for a
discharge under the said Act.

Dated at Toronto this 17th day of November, A.D. 70.
OSLER, MOSS & FOSTER,
Attorneys ad litem for the said John Kesteven

Insolvent Act of 1869.

In the matter of ANDREW RUTHERFORD, an Insolvent

A final dividend sheet has been prepared, open to objec-
tion, until the 15th day of DECEMBER, 1870, after
which dividend will be paid.

JOHN KERR, Official Assignee.
Toronto, Nov. 24th, 1870.