

MUNICIPAL ENGINEERS, CONTRACTORS, AND MATERIALS.

patent. The infringement was alleged to consist principally in the manufacture and use of a gully made of sections, circular in form, having an outlet to the sewer and a square top, with opening on the side, and a manhole cover. The defence brought several witnesses, but each in turn admitted that in certain respects the gulleys were identical with the plaintiff's. Counsel for the defence argued that his clients acted in good faith, having seen the letters patent granted for the Colas gully and that, therefore, they were not to blame. The law, however, is very clear on this point and holds the user of an infringement liable as well as the manufacturer. His Honor Mr. Justice Tait said that the infringement was proven beyond a doubt, and he would grant a perpetual injunction against the manufacture or use of the Colas gully. He would not be very hard in regard to damages, as he believed the defendants acted in good faith. He would condemn them to pay \$35 and the costs of the case. This he deemed sufficient to protect Mr. St. George.

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HAMILTON, ONT., Oct. 17, 1893.

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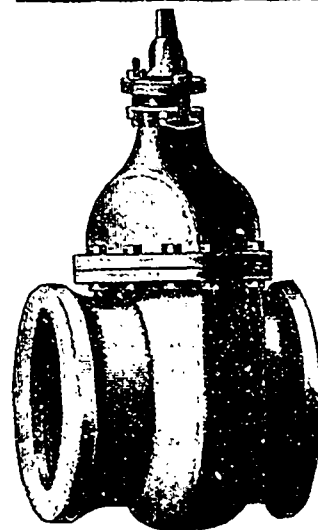
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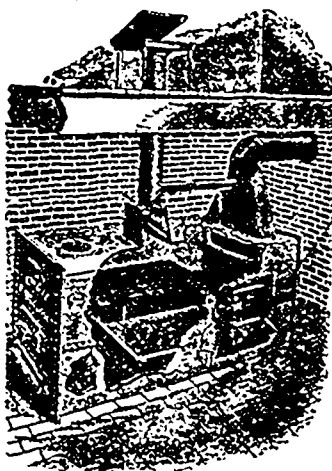
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