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### DECISIONS IN COMMERCIAL LAW.

BOSWELL v. PIPER.—The garnishees, an English insurance company, had an agent or attorney and a chief agency in Ontario, and service of process could be made upon such attorney for the purposes mentioned in the Ontario Insurance Corporations Act. Notwithstanding this, a Divisional Court held that the garnishees were not "within Ontario" within the meaning of rule of practice, permitting attachment of any amount for which any other person *who is in Ontario* is indebted to the judgment debtor.

REDDAWAY v. BANHAM.—This was an action to restrain the defendants from calling goods manufactured by them "camel-hair belting," on the ground that by doing so they were passing off their goods as goods manufactured by the plaintiffs. The goods in question were belts made of camel hair, and it appeared by the evidence that the plaintiff had for fourteen years manufactured camel-hair belting, and "camel-hair belting" was known in the trade as the belting made by the plaintiffs and no others. The defendants had recently begun the manufacture of a similar kind of belting, and had also called it camel-hair belting, and it was found by the jury that camel-hair belting was known as the distinguishing name of the goods made by the plaintiffs and no others, and that the defendants' goods were similarly named for the purpose of deceiving and did deceive purchasers into the belief that they were buying the plaintiffs' goods, and that the defendants did pass off their goods as those of the plaintiffs. 1 Q.B. 286 (note ante vol. 34, p. 201). The House of Lords agreed with the trial judge, holding that notwithstanding the description was literally true as applied to the defendants' goods, yet that the plaintiffs had by prior user acquired the name as a distinctive designation of the goods manufactured by them, that it could not be used by defendants as descriptive of their goods without at the same time adding thereto something to distinguish them from those of the plaintiffs. It will be noticed that the plaintiffs had not registered any industrial design or trade-mark.

### TRADE DISPUTES ACT.

What is known as the Conciliation Act of 1896, for the settlement of trade disputes by means of arbitration or other friendly means, has been passed in England, and is now published. Among its provisions are the following: That Boards of Conciliation and Arbitration, established either before or after the passing of the Act, may be registered by the Board of Trade. Applications to register must be accompanied by copies of the constitution, rules, by-laws, etc., of the board wishing to register; a register of such boards to be kept by the Board of Trade, to which periodical returns and reports must be supplied. Where a difference exists or is expected, the Board of Trade may (1) enquire into causes and circumstances; (2) take measures to bring the disputing parties together; (3) appoint a conciliator, and (4) may appoint an arbitrator. These are to report to the Board of Trade, and state terms of agreement if this be arrived at. Where boards do not exist, the representative of the Board of Trade may arrange for their establishment, after conferring with the employers and employed. It is required that annual reports be presented to Parliament by the Board of Trade.

—As a result of depressed financial conditions the regular 1½ per cent. quarterly dividend of the Minnesota Iron Co., due on the 15th inst., will be passed.

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