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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 attor-  
ney 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 mean-  
ing 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 pass-  
ing 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 dis-  
tinguish them from those of the plaintiffs. It  
will be noticed that the plaintiffs had not regis-  
tered 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 pub-  
lished. 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 ac-  
companied 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 mea-  
sures 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 con-  
ferring 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 condi-  
tions the regular  $\frac{1}{4}$  per cent. quarterly dividend  
of the Minnesota Iron Co., due on the 15th  
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