

England. The other defendant, Butterworth & Co. (Canada), Limited, is a joint stock company, incorporated in England, having its head office for Canada at Winnipeg. Of the 1,000 shares issued by the company, Mr. Bond owns 999. The remaining share is owned by Mr. Bond's solicitor.

Prior to the year 1907, the defendants Butterworth & Co. were about to publish a work known as "Halsbury's Laws of England." This work is copyrighted and the copyright is owned by Butterworth & Co. That firm sent out circulars of advertisement by which the work is described as "The Laws of England, being a complete statement of the whole law of England, by the Right Honourable The Earl of Halsbury . . . in 18 to 20 volumes."

Some of these circulars were sent to Canada, with order forms attached, and inviting orders at the reduced rate of 21 shillings net, delivered. The Canada Law Book Co., having already had similar dealings with Butterworth & Co., opened a correspondence with a view to obtaining the exclusive right to sell this work in Canada and the United States.

On the 7th of March, 1907, the Canada Law Book Co. wrote Mr. Bond. The material parts of the letter are as follows:—

S. S. Bond, Esq.,
Messrs. Butterworth & Co.,
12 Bell Yard, Temple Bar,
London, England.

Dear Sirs,—When I was in England in July at you stated that you would communicate with me early after the first of the year in regard to Halsbury's Laws, as to the sole agency for this country and the United States.

On receipt of this letter please advise me by cable if you will accept our offer, which we now make, and which is on exactly the same terms and arrangements which I made with Green in regard to the Encyclopedia, second edition. We will undertake to purchase 300 sets within two years, paying you the sum of 7s. per volume, we to have the sole agency in Canada and the United States, and you to agree not to sell any copies in this country, and to notify the trade in London that they are not to sell in this territory.

Trusting to hear from you by cable on receipt of this letter, I am,
Yours very truly,

Canada Law Book Company, Limited,
R. R. Cromarty.