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DECISIONS IN COMMERCIAL LAW.

Town of Trenton v. Dyer.-By the Ontario Assessment Act, provision is made for the preparation in every year by the clerk of each municipality of a "collector's roll" containing a statement of all assessments to be made for municipal purposes in the year; and for a similar roll with respect to taxes payable to the treasurer of the Province. Then follows the provision that "The clerk shall deliver the roll, certified under his hand, to the collector, on or before the first day of October." The Supreme Court of Canada held, affirming the decision of the Court of Appeal, that the provision as to delivery of the roll to the collector was imperative, and its non-delivery was a sufficient answer to a suit against the collector for failure to collect the taxes. Also, that such delivery was necessary in the case of the roll for municipal taxes provided for in the previous sections, as well as to that for Provincial taxes.

INJUNCTION GRANTED.

A trade-mark case which came up for trial in Toronto the other day is that of J. S. Hamilton & Co., wine-growers and merchants, Brantford and Pelee Island, against Michie & Co., Toronto, for using a trade-mark of the plaintiffs applied to a brand of their Canadian wines. Plaintiffs' attorney moved for an interim injunction restraining defendants from infringing the plaintiffs' registered trade-mark by using the word "St. Augustine," which has been applied to native Canadian wines manufactured by plaintiffs. These wines are specially used for church purposes, and the plaintiffs' trade-mark was registered in 1890. D. C. Ross for defendants, contra. By consent of the counsel, motion turned into a motion for judgment, and judgment granted declaring that defendants have infringed the plaintiffs' trade-mark, and for a perpetual injunction restraining further infringements. The defendants to pay the plaintiffs' costs of this action down to and including this judgment. The defendants to make an affidavit as to the quantity of the wine in question sold by them, and to serve a copy upon plaintiffs' solicitors, together with a tender in writing of such damages as they are willing to pay. If plaintiffs decline to take amount tendered, reference to Master in Ordinary to ascertain damages. Further directions and costs of reference (if any) reserved.

WORSE THAN JARNDYCE VERSUS JARNDYCE.

The statement of affairs of a Broadstairs bankrupt named Cook, reads very much like a quotation from "Bleak House." The unfortunate fellow seems to have suffered quite as badly as any of the hapless legatees in " Jarndyce vs. Jarndyce." He was unlucky enough to have a rich aunt, who left a will, and with it the germs of an expensive litigation behind her. Counsel advised Cook that he was to receive £2,500 under this will. The Irish Court of Chancery finally decided that Cook was only entitled to £625, and judgment was given him for that amount. Of course, six hundred is a big drop from twenty-five hundred, but still it is a comfortable little sum. But the costs had to be paid, and when all the pickings were done he eceived only £2 2s. The poor man had meanwhile borrowed £600 on the strength of his expectations, and had spent it. Hence his appearance in the Gazette.-London Daily News.

-John Power reached Stellarton, N.S., last Saturday, from his gold mine at Sutherland's River, bringing with him fifty-three ounces of he pure metal, which he says is the result of e ven days' crushing.

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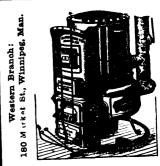
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