

continually asking for such sets, and some were from time to time supplied, bound and at a higher price. Mr. Cromarty from time to time unsuccessfully urged Butterworth & Co. to print a further edition on India paper. Some Canadians wrote direct to London to the defendant Butterworth & Co. for India paper sets, and Butterworth & Co. replied stating that they could not supply them, and referring such applicants to the plaintiffs, whom Butterworth & Co. said were their sole agents. Butterworth & Co. sent copies of such correspondence to the plaintiffs. Evidently there became an increasing demand for the India paper sets. On January 6th, 1911, Butterworth & Co. wrote, "but it would be too expensive to reprint from moulds specially for the purpose of making up the stock of India paper editions. Under the circumstances there is no other course than to wait until a later date when we may be able to reprint a thick paper edition." On January 18th, the plaintiffs wrote wanting a price on 100 sets India paper edition, and later got 2 sets. Butterworth & Co., on February 10th wrote saying they could not spare more, and saying further: "If we are so fortunate as to be able to reprint the India paper edition in a few years, then it will serve as an extra attraction to those few benighted people who have not taken up the work, supposing there are any such."

Before November 12th, 1912, Mr. Bond appears to have made up his mind to go into business in Canada himself, not only to sell Halsbury, but to sell other goods in competition with the plaintiff. It is true he formed a one-man company; but can I come to any conclusion other than that Bond and Butterworth & Co. and Butterworth & Co. (Canada), Ltd. are one and the same thing, and that the limited company was thought by Bond either better for business reasons or perhaps safer in case of litigation with the Canada Law Book Co.?

Notwithstanding his repeated assertions to Cromarty that there would be no India paper edition for years, in the face of those assertions, and under the circumstances, I think, while he was making those assertions, he was preparing such an edition