

cated on the reverse side of the centre leaf. In each case the leaves are connected together so as to form one integral sheet with vertical and transverse score lines enabling the invoices, etc., to be easily detached leaving the permanently retained page and folded margin with perforations to fit binders. The specifications of the patented device succinctly described and illustrated various forms of folding the sheets to secure its advantages. An action for infringement by the defendants manufacturing and selling sheets similar to the above described device was dismissed in the Exchequer Court. On appeal to the Supreme Court of Canada, it was

Held, affirming the judgment appealed from (10 Ex. C.R. 410) that there was neither subject matter nor novelty in the device claimed as an invention and consequently that it was not patentable.

Raney, for appellants. *Mignault*, K.C., and *Perron*, K.C., for respondent.

EXCHEQUER COURT.

Burbidge, J.]

MASSICOTTE v. THE KING.

[March 18.

Public Work—Negligence—Injury to person.

Upon a claim for damages by the widow of an employee of the Government, who was killed by the explosion of one of the boilers of a dredge, such accident being alleged to have been caused by the negligence of an officer or servant of the Crown while acting within the scope of his duties or employment, the registrar, acting as referee, found that the deceased met his death in an explosion which happened by reason of his own neglect of duty as watchman of the boilers on the dredge; and not by reason of the negligence of some fellow-servant, being an officer or servant of the Crown, as alleged. On appeal from the Registrar's finding on this question of fact, it was contended that as the type of boilers used on this dredge required constant and exacting care and watchfulness to see that sufficient water was maintained therein, and that any neglect of duty in that behalf was likely to lead to an explosion, the deceased's superior officers