

tent starch" was originally given to it by Fulton & Co. They sold their business to the plaintiffs, and the plaintiffs lawfully continued to use the name of Glenfield, though their starch was no longer made at Glenfield. No one else had now a right to use the name "Glenfield starch," at any rate in such a way as to induce people to believe that his starch was the plaintiffs'. The defendant was minded to establish a starch manufactory at Glenfield, and he had a right to do so. The place Glenfield was not tabooed to all the world except the plaintiffs as a place for the manufacture of starch. Currie & Co. were young beginners in the business; they seemed to have had a good reason for establishing themselves at Glenfield; they had a perfect right to do so, and, having done this, they printed at the bottom of their label these words, "Currie & Co., starch and corn flour manufacturers, Glenfield." That was a simple statement of an absolute and undeniable fact. No doubt a man might tell the truth in a way calculated to deceive, and the question therefore was, whether in the use of this word "Glenfield" there was enough to lead an ordinary buyer to suppose that he was buying the plaintiffs' starch. There were two classes of buyers—those who could read and those who could not. There was nothing in the defendant's label calculated to mislead those who could read. To those who could not read no doubt the packets were strikingly similar, and if the case came out that the blue wrapper, the green label, and the style of figures were taken the one from the other, there would be very good ground for supporting the injunction. But it appeared that the blue wrapper, the green label, and the style of figures were common to all starch manufacturers, and there could, therefore, in the use of them be nothing to deceive. To a person, therefore, not able to read, there would, in the fact that the word "Glenfield" occurred in this way at the bottom of the defendant's labels, be nothing to make the thing appear to be the same as that of the plaintiffs. Under these circumstances his Lordship was of opinion that the plaintiffs had not made out their case that there was such a similarity of the defendants' labels to the plaintiffs' that an ordinary buyer, lettered or unlettered, could be deceived. There was, in fact, a marked distinction between the two labels. His Lordship had no doubt that the defendant had used the word "Glenfield" with the intention of getting part of the reputation which had become attached to that word—viz., the reputation which arose from the starch being manufactured at that place. His starch was manufactured there, and he had a right to get that reputation. No fraud had been made out, and fraud was the only ground on which such a suit as this could be sustained. The intent to pass off goods as those of another maker was the essence of the thing. The injunction must therefore be dissolved.

GRAND TRUNK.—The following is a comparative statement of the traffic for week ending July 9th:—

Week ending July 9, 1870	\$148,500
" " 1869	145,980
" " 1868	123,970
" " 1867	110,820

—Russia is the only country in the world which now approaches the United States in the extent of railroads being built. Unlike the United States, however, it is obliged to import most of its rails. The Cleveland and Tyne district alone, in England, are said to have orders from Russia, to the amount of £3,000,000 for railway materials of all kinds. The Northeastern District is producing railroad material at the rate of 1,700,000 tons a year, and increasing its furnaces, so great is the demand for railroads in construction on the continent of Europe.

—A meeting was held in Guelph last week, for the purpose of forming a gas company for that town; \$10,000 of the stock was subscribed at the meeting; \$16,000 will be required to furnish all the necessary apparatus to supply 100 consumers.

BRITISH AMERICA ASSURANCE COMPANY.

THE Thirty-sixth Annual Court of Proprietors of this Institution was held on Monday, the 1st instant, as prescribed by the Act of Incorporation, when the following gentlemen were elected for the ensuing year, viz:—

GEORGE PERCEVAL RIDOUT, Esq., of Toronto.
PETER PATERSON, Esq., of Scarborough.
E. H. RUTHERFORD, Esq., of Toronto.
HON. WM. CAYLEY, " "
HON. G. W. ALLAN, " "
GEORGE J. BOYD, Esq., " "
T. C. STREET, Esq., M.P.P., of Clark Hill.
PELEG HOWLAND, Esq., of Toronto.
A. JOSEPH, Esq., of Quebec.

At a meeting of the Board this day, the undermentioned were unanimously re-chosen for the respective offices:—

Governor—G. P. RIDOUT, Esq.
Deputy Governor—PETER PATERSON, Esq.

TRUSTEES.

E. RUTHERFORD, Esq.; HON. WM. CAYLEY.
G. J. BOYD, Esq.

By order of the Board,

T. W. BIRCHALL,
Manager,
Per JOHN EVANS, Accountant.

British America Assurance Office,
Toronto, 2nd Aug. 1870.

Northern Railway of Canada.

THE usual Half-yearly Meeting of the Proprietors of the Company will be held in their offices, Brock Street, on WEDNESDAY, THE 10TH DAY OF AUGUST NEXT.

At 12 o'clock, Noon.

By order,

THO. HAMILTON,
Secretary.

Toronto, 27th July, 1870.

Dominion Bank.

THE Provisional Directors of the Dominion Bank, at the urgent request of many of their friends, have decided to proceed at once with the organization of the Institution.

Stock Books can be seen, as well as further subscriptions of stock made, at the offices of Messrs. PELLATT & OSLER, or

Messrs. CAMPBELL & CASSELS,
King Street, Toronto,

And Messrs. ROSS, LAUDER & MULLOCK,
Masonic Hall, Toronto,

And at the office of

WILLIAM SACHE, ESQ.,
Montreal.

WILLIAM MULLOCK,
Secretary to the Provisional Board.
Toronto, July 15, 1870. 49



Government House, Ottawa.

Wednesday, 22nd day of June, 1870.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

ON the Report of the Commissioner of Customs, dated 21st June, 1870, and approved by the Honorable the Minister of Customs, and under the provisions of the 22nd Section of the Act 23 Vic., Cap. 9, His Excellency in Council has been pleased to authorize and doth hereby authorize the Minister of Customs in any or all cases in which it may be shown that British or Canadian Vessels navigating the Inland Waters of Canada, and frequenting American Ports, are charged with lower fees or tonnage duties than are charged on American Vessels frequenting Canadian Ports above Montreal, to reduce the said fees or tonnage dues so payable on the entry and clearance of all Vessels, whether British or American, at Canadian Ports in the Inland Waters aforesaid, to the standard of such fees or tonnage duties as are actually charged on Canadian Vessels on entering or clearing at American Ports.

WM. H. LEE,
Clerk Privy Council.

Grand Trunk Railway.

TRAINS arrive and depart as follows at and from Toronto:

EAST.				
	a.m.	a.m.	p.m.	p.m.
Depart	5.37	6.37	5.37	7.07
Arrive	9.37	10.37	10.37	9.07
WEST.				
	a.m.	a.m.	p.m.	p.m.
Depart	7.30	11.40	3.45	10.37
Arrive	5.30	12.50	5.20	9.05

Northern Railway.

	a.m.	p.m.
Depart	7.00	4.00
Arrive	10.35	9.10

Trains leave Brock Street Station 15 minutes later.

Mercantile.

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Division Street, Cobourg

L. Coffee & Co.

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Parson Bros.,

PETROLEUM Refiners, and Wholesale dealers in Lamps, Chimneys, etc. Waterrooms 51 Front St. Refinery cor. River and Don Sts., Toronto.

Childs & Hamilton.

MANUFACTURERS and Wholesale Dealers in Boots and Shoes, No. 7 Wellington Street East, Toronto, Ontario. 28

John Fiske & Co.

ROCK OIL and Commission Merchants, Wellington Street East, Toronto, Ont.

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