dispense d'âge, lui valut le titre de professeur et la chaire de code civil à la même Faculté. C'est dans cette chaire qu'il commença à se rendre célèbre en professant les cours qu'il devait plus tard publier. Cet ouvrage, qui fait autorité en jurisprudence, devait comprendre le commentaire de tout le code civil. Commencé en 1845, il fut arrêté en 1879 par suite de l'état de santé de M. Demolombe et repris depuis, sous sa direction, par M. Guillouard, professeur à Caen.

SUPREME COURT OF CANADA.

Ontario.]

OTTAWA, March 1, 1887.

BALL v. THE CROMPTON CORSET CO., et al.

Patent—Infringement of— Mechanical equivalent — Substitution of one material for another.

In a suit for the infringement of a patent, the alleged invention was the substitution in the manufacture of corsets of coiled wire springs, arranged in groups, and in continuous lengths, for India rubber springs previously so used. The advantage claimed by the substitution was that the metal was more durable, and was free from the inconvenience arising from the use of India rubber, caused by the heat from the wearer's body.

Held, affirming the judgment of the Court of Appeal for Ontario, (12 Ont. App. Rep. 738), Fournier and Henry, JJ., dissenting, that this was merely the substitution of one well known material, metal, for another equally well known material, India rubber, to produce the same result, on the same principle, in a more agreeable and useful manner, or a mere mechanical equivalent for the use of India rubber, and it is, consequently, void of invention and not the subject of a patent.

Appeal dismissed.

Cassels, Q.C., and *Akers*, for appellants.

McLellan, Q. C., and *Osler, Q. C.*, for respondents.

P. E. Island.]

OTTAWA, March 1, 1887.

SHERREN v. PEARSON.

Statute of limitations—Title to land—Possession for twenty years—Isolated acts of trespass —Not sufficient to effect ouster.

In an action of ejectment, the defence was that the land in question was a part of the defendant's lot, and, if not, that the defendant had had possession of it for over twenty years, and the plaintiff's title was, consequently, barred by the statute of limitations. In support of the latter contention, evidence was given of cutting lumber by the defendant and those through whom he claimed on the land, but these alleged acts of possession only extended back some seventeen years, with one exception, which was that of an uncle of the defendant who swore that he had cut every year for thirty-five years. The defendant, however, swore that this uncle had nothing to do with the land. The jury found for the plaintiff.

Held, affirming the judgment of the Supreme Court of Prince Edward Island, that these acts of cutting lumber were nothing more than isolated acts of trespass on wilderness land, which could not effect an ouster of the true owner and give the defendant a title under the statute of limitations.

Appeal dismissed.

Hodgson, Q.C., for the appellants.

Davies, Q.C., for the respondents.

Ontario.]

OTTAWA, March 14, 1887.

WHITING et al. v. HOVEY et al.

*Company—Directors of— Assignment of property by, for benefit of creditors—Ultra vires —Change of possession—R. S. O. ch.*119*— Description of property assigned.*

An assignment by the directors of a joint stock company of all the estate and property of the company to trustees for the benefit of the creditors of the company, is not *ultra vires* of such directors, and does not require special statutory authority or the formal assent of the whole body of shareholders.

Quære. Is such an assignment within the