

In Ohio, the subject of chewing-gum has engaged the attention of the courts, and it has been decided (*Adams v. Heisel*, U.S. C.C., 31 Fed. Rep. 279) that a trade-mark cannot be obtained for the form of the sticks in which this article is made, nor for the peculiar shape and decorations of the boxes in which it is put up for the market, nor for the manner in which the gum is arranged in the boxes.

NEW PUBLICATION.

APPEAL CASES, with Notes and Definitions of the Civil and Criminal Law of the Province of Quebec. By the late THOMAS KENNEDY RAMSAY, Justice of the Court of Queen's Bench. Edited by C. H. Stephens, Advocate. — Montreal, A. Periard, Publisher.

The profession have reason to be thankful that Mr. Justice Ramsay lived to complete this important work, to which so many hours that might fairly have been given to much needed rest were laboriously devoted. Having had the privilege of spending a few vacation days with the author, about the time the digest was commenced, we are able to speak from personal observation of the unquenchable ardor with which the formidable task was planned, and undertaken, and we had numerous opportunities afterwards to observe the conscientiousness, the thoroughness, and the untiring industry with which it was prosecuted. It is now placed before the profession, and will stand as no inconsiderable monument of a notable figure in our judicial annals. The volumes of factums, over one hundred in number, many of them of colossal proportions, from which it was compiled, now form part of the collection of the editor of this journal, and we may take this opportunity to say that we shall be happy to give communication to members of the profession who desire to consult them. It should be remembered, to prevent disappointment, that Mr. Justice Ramsay undertook only to digest the cases in which he took part. There are several hundred cases omitted,—more particularly cases of recent years—which were decided while he was engaged in holding the

criminal terms of the Court, or otherwise absent. It would be superfluous to commend this work to the profession; the learning, ability, and experience of the lamented author are too well known to all our readers. It may be mentioned, however, that the editor has included a table of cases carried to the Supreme Court and Privy Council, and also the text of opinions of the Judicial Committee in cases which were appealed to England. The work is handsomely printed and bound, and will naturally find a welcome in the office of every lawyer, and the library of every member of the bench.

SUPREME COURT OF CANADA.

QUEBEC.]

THE CENTRAL VERMONT RAILWAY CO. v.
TOWN OF ST. JOHNS.

Railway bridge and railway track—Assessment of, Illegal—40 Vic. ch. 29, secs. 326 & 327—Injunction—Proper remedy—Extension of town limits to middle of a navigable river—Intra vires of local legislature—43 & 44 Vic. ch. 62 (P. Q.)

Held, (reversing the judgment of the Court of Queen's Bench, Montreal,) Fournier and Taschereau, JJ., dissenting, that the portion of the railway bridge built over the Richelieu river, and the railway track belonging to appellant's company within the limits of the town of St. Johns, are exempt from taxation under sections 326 & 327 of 40 Vic. ch. 29 (P. Q.)

2. That a warrant to levy rates upon such property for the years 1880-83 is illegal and void, and that writ of injunction is a proper remedy to enjoin the corporation to desist from all proceedings to enforce the same.

As to whether the clause in the Act of incorporation of the town of St. Johns, P. Q., extending the limits of said town to the middle of the Richelieu river, a navigable river, is *intra vires* of the legislature of the Province of Quebec, the Supreme Court of Canada affirmed the holding of the Court below that it was *intra vires*.

Appeal allowed with costs,
Church, Q.C., for appellant.
Robidoux, Q.C., for respondent.