

Que.] Brousseau v. The King. [Nov. 15, 1917.]

Criminal law—Counselling to commit offence—Crim. Code, sec. 69.

Everyone is guilty of an offence who counsels or procures another to commit it, whether the person so counselled actually commits the offence he is counselled to commit or not. Demanding money from a contractor for aid in securing contracts from a municipal corporation is counselling the contractor to commit the offence mentioned in sec. 69 of the Criminal Code. The criminal common law of England is still in force in Canada, except in so far as repealed either expressly or by implication.

Laflamme, K.C., for appellant.

Walsh, K.C., for respondent.

Man.] [Nov. 28, 1917.]

ARCHIEPISCOPALE CATHOLIQUE ROMAINE DE SAINT BONIFACE
v. TRANSCONA.

*Statute—Construction—Assessment—Rate—Value—Assessment Act,
R.S.M. (1913) c. 134 s. 29.*

The Manitoba Assessment Act, R.S.M. (1913) c. 134, s. 29, provides that "in cities, towns and villages all real and personal property may be assessed at less than actual value or in some uniform and equitable proportion of actual value, so that the rate of taxation shall fall equally upon the same."

Held, that this legislation does not authorise the assessment of property at more than its actual value.

Chrysler, K.C., for appellant.

W. F. Hull, for respondent.

Province of New Brunswick.

SUPREME COURT.

McKeown, C.J.K.B., White
and Barry, JJ.]

[37 D.L.R. 235.]

JOHN PALMER CO. v. PALMER-McLENNAN SHOE PACK CO.

1. Trademark—Surname—Secondary meaning.

A surname which has acquired a secondary meaning as a trademark cannot be used as a trademark by another person without the latter clearly distinguishing his goods.