
REPORTS AND NOTES OF CASES.

England.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

Lords Macnaghten, Atkinson, Shaw and Mersey.] [Nov. 1, 1910.

BURREARD POWER CO. v. THE KING.

Constitutional law—Water rights—Railway belt of British Columbia—Dominion or provincial jurisdiction.

Appeal from the judgment of the Supreme Court of Canada affirming the decision of the Exchequer Court (see ante, vol. 46, p. 332). A grant was made to the appellants of certain water rights in the railway belt of British Columbia by the Commissioners purporting to act under the Statute of British Columbia in that behalf.

Held, that this grant was invalid in that these water rights were vested in the Dominion Government and not in the Province of British Columbia, consequently the Provincial Legislature could not deal with them.

Lafleur, K.C., and *Hamer Greenwood*, for appellants. *Newcombe*, K.C., and *Bateson*, K.C., for respondents.

Lords Macnaghten, Atkinson, Shaw and Mersey.] [Nov. 1, 1910.

STANDARD IDEAL CO. v. SANITARY MANUFACTURING CO.

Trade mark—"Standard."

Appeal from the judgment of the Court of King's Bench for Quebec which confirmed a decision of the Superior Court of that province. By the judgment of the Court of King's Bench the defendant was restrained from using the word "Standard" in connection with certain articles upon which that word was stamped or from advertising or from so describing his wares and merchandise. The plaintiff was an American corporation, the defendant a Canadian company.

Held, that the word "Standard" cannot properly be registered as the trade mark under the Canadian Trade Mark and Design Act of 1879.

Shepley, K.C., *Lafleur*, K.C., and *C. A. Pope*, for appellants. *Doherty*, K.C., and *Trihey*, for respondents.