

for telephonic communication, the parties formulating that demand intended to purchase all the patented instruments owned by the Bell Telephone Company, who were then proprietors of more than a dozen different patents. Reason and justice force on the conclusion that the proof adduced against Bell's patent, without mention of other patents, applies only to that patent which was on trial in the case in which that proof was produced and cannot be accepted, in that round-about way, as sufficient to destroy the other patents, because they happen to be owned by the Bell Telephone Company of Canada. These several patents acquired by the Bell Company are all for the purpose of telephonic communications; they all make use of the same elements; but they are distinct combinations, and have a right to stand as separate inventions. This is a fundamental principle in patents in all countries, there being everywhere a great many patents of combinations for an occasional one for an entirely new art or mechanism. Therefore the voidance of one patent for telephones does not by any means entail the voidance of another patent for telephones, because they stand as distinct combinations. Bell's patent was declared null and void by the Minister of Agriculture, because there was ample proof of importation, in forbidden time, having taken place to the notable detriment of home labor, and because there was sufficient proof of refusal to sell, which amounted to non-manufacture; while in this, Edison's case, there is no such proof as applied to any one of the three Edison's patents. The efforts to prove that there was not, for more than two years, any instrument made according to patent No. 8,026, that the instruments executed by Mr. Foster were not the distinct articles patented in patents 9,922 9,923, as well as the alleged illegal stamping of the articles produced, have no bearing upon the points at issue. A patentee is within the meaning of the law, in regard of his obligation to manufacture, when he has kept himself ready either to furnish the patented article or to sell the right of using, though, may be, not one single specimen of the article has been produced, and he may have voided his patent by refusal to sell,

although his patents were in general use. In this case there is absence of the proof without which no patent should be considered forfeited. Therefore, Thomas Alva Edison's patents No. 8,026, for telephonic communication, No. 9,922, for improvements in telephone, and No. 9,923, for improvements in telephones and circuits, have not become null and void under the provisions of section 28th of "The Patent Act of 1872."

INSOLVENT NOTICES, ETC.

(Quebec Official Gazette, Jan. 16.)

Judicial Abandonments.

Joseph Chartrand, merchant, Montreal. Jan. 9.
Venance Paiement, trader, Montreal. Jan. 7.
Benjamin A. Benoit, furniture dealer. Saint Hyacinthe. Jan. 8.

Curators Appointed.

Edward C. McKay, hotel-keeper, Gould.—H. A. Odell, curator, Dec. 10.
Anselme Plamondon, dist. of Richelieu.—Kent & Turcotte, Montreal, joint curators, Jan. 11.
Bradley Bradlow, St. Albans, Vt.—William Cassils, Montreal, curator, Jan. 9.
Joseph Bergeron, St. Hyacinthe.—A. Turcotte, Montreal, curator, Jan. 5.
J. B. H. Sénécal et al., Montreal.—Kent & Turcotte, Montreal, joint curator, Jan. 14.
N. Mathurin, Montreal.—Kent & Turcotte, Montreal, joint curator, Jan. 13.

Dividend Sheets.

George Galarneau, Montreal. 1st div. open to objection until Feb. 2. Kent & Turcotte, Montreal, curator.

Sale in Insolvency.

Herménégilde Toussignant, Ste. Philomène de Fortierville. Sale of lands in parish of Ste. Philomène de Fortierville, 11 a.m., March 3, at church door of the parish.

Action en séparation de biens.

Dame Exite Gagnon vs. Joseph Michaud, merchant, Fraserville, district of Kamouraska.

DANGER OF ABRIDGING THE LONG VACATION.—We very much regret to hear that the first advocate of the English Bar has paid the penalty of violating the first law of health, and been ordered to relinquish work for some weeks. Mr. Charles Russel "stayed up" during the Long Vacation. He was canvassing a metropolitan constituency, he was waging war against the impurities of the river Lea, he was fighting for Stead, Jarrett & Co. in the police court and the Old Bailey, and was much at chambers. The result is, that he is ordered to take his vacation when the sittings are in full swing. People talk about abridging the Long Vacation. Such a step would cause a fatal deterioration among judges and the Bar.—*Law Times* (London)