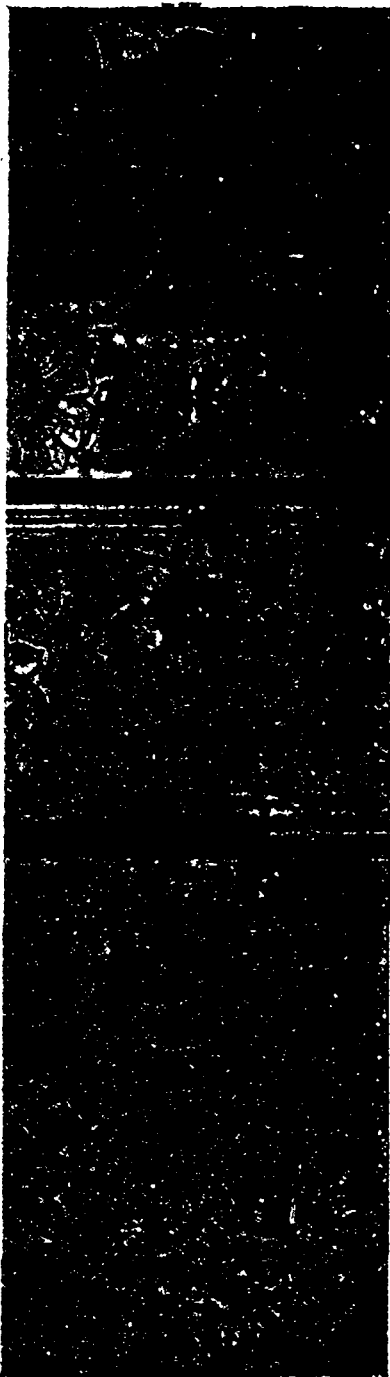


A NEAT WALL PAPER DESIGN.

WE show this month another of M. Staunton & Co's leading designs, No 1000, in their present season's collection, for which they are receiving very satisfactory orders.

It is shown in several effective colorings



in both gold and white blank grade. Dealers who have not yet bought should be sure to have it on their orders.

WALL PAPER.

BOOKS AND NOTIONS has received a half-dozen colored plates, representing a few of the leading patterns of wall paper shown for the spring trade by J. C. Watson & Co., of Montreal. These pat-

terns are all in stock and can be ordered for immediate shipment. They are of a high grade and certainly worthy of attention. Five of them were exhibited at the World's Fair, where this firm were successful in winning a medal. The Chrysanthomum treatment is a beautiful thing, and is a large pattern, as is the St. Joseph's Lily treatment. The Louis XVI. treatment was illustrated in this journal some time ago. The Louis XIII. and Empire treatments are excellent designs and have rich effects.

A small dealer can keep these on hand, and, if he cannot afford to carry stock, he can show these plates to his customers and make sales therefrom. The colors and patterns are shown in their full and true effect, and the dealer would be safe in taking orders from such exact reproductions.

UNFAIR COMPETITION.

UNFAIR competition in business may be defined in general terms, for present purposes, as consisting of any device or trick whereby one manufacturer's or dealer's goods are palmed off in the market as and for the goods of another, in fraud of the public and of the persons whose goods are so displaced; the most usual of such devices being the simulation of labels, the imitation of another's style of putting up goods, and the reproduction of the form, color and general appearance of his packages. An attempt to enumerate all such devices would be as futile as an effort to catalogue all the expedients that fraud can employ.

Within recent years a distinction has been taken in the authorities between this class of controversies and technical trade mark cases. The principles common to trade mark law, as thus narrowed, and to the subject of unfair competition in business are also applicable to competition in other kinds of business besides the sale of articles of merchandise. The correspondencies between the two classes of cases are more numerous than their differences. The object and purpose of the law is, first, to secure to him who has been instrumental in bringing into market a superior article of merchandise, the fruit of his industry and skill, and, secondly, to protect the community from impositions. In each instance the underlying principle is that one man is not to sell his own goods under pretense that they are the goods of another; and the violation of another's rights pirates upon the good will of that other's friends and customers, or the patrons of his trade and business, by sailing under his flag without his authority or his consent.

There is this difference, however: The law of trade mark is designed to protect primarily a property right, and as incidental thereto gives redress for the injuries resulting from invasions of the right, a distinct technical trade mark being in itself evidence, when wrongfully used, of an illegal act:

while the jurisdiction exercised over cases of unfair competition in business is grounded in the prevention of fraud. Where no trade mark has been infringed or involved, courts of equity have granted injunctions on more than one occasion against the use upon goods of certain marks, labels, wrappers, showcards, etc., when the evident design of such use was to deceive the public by concealing the true origin of the goods and making it appear that they were the product of some other manufacturer of established reputation, thereby depriving the latter of a portion of the patronage that would otherwise go to him. This is what the Supreme Court of Tennessee says in a late case where the whole subject is exhaustively considered.

Illustrations of the practical application of this doctrine are found in many cases. Where, for example, a firm which sold goods in a peculiar form of package, peculiarly marked, and another merchant at first put up his goods in a precisely similar manner, but after the beginning of suit discontinued the firm name and inserted his own, an injunction was granted restraining him from using packages similar to those of the other firm. It has been said that the principle in these cases is this: *That no man has the right to sell his own goods as the goods of another.* But the same principle may be expressed in a different form by saying that no man has a right to dress himself in colors or adopt the bare symbols to which he had a peculiar or exclusive right, and thereby personate another person for the purpose of inducing the public to suppose either that he is connected with or selling the manufacture of such other person while he is really selling his own. If the general effect is such as to deceive an ordinary observer, having no cause to use more than ordinary caution, being acquainted with the first manufacturer's package and label and never having seen his competitor's package and label and not expecting to see it, so that he must be, on seeing the latter, misled into thinking it is what he has known as the former's, that is sufficient to entitle the former to an injunction. A party is not compelled to file his bill at once, but may lie by until sufficient time shall elapse to enable him to gather the requisite proof.—Ex.

Rev. Father Lacasse has written a book entitled "In the Camp of the Enemy," and the French-Canadian poet, Louis Frechette, is insulted at some remarks in it concerning himself. Since Louis began to think for himself he has been regarded by the clergy as a dangerous man.

A publisher's circular from New York contains the information that G. Mercer Adam, for so many years the friend and factotum of Prof. Goldwin Smith, will publish a book entitled "Sandow on Physical Culture." Mr. Adam is the author of "Toronto Called Back," and many Canadian school books, and has written on every conceivable subject, but the post of historiologist to a strong man is a new one to him.