

commoners unless they are personally raised to the peerage. I am not aware that either case has ever arisen, but I conceive there is nothing to hinder a King's son, not being a peer, from voting at an election or from being chosen to the House of Commons, and I conceive that if he committed a crime he would be tried by a jury. Mere precedence and titles have nothing to do with the matter, though probably a good deal of confusion arises from the very modern fashion—one might almost say the modern vulgarism—of calling all the children of King or Queen 'Princes' and 'Princesses.' As late as the time of George II. uncourtly Englishmen were still found who eschewed the foreign innovation, and who spoke of the Lady Caroline and the Lady Emily as their fathers had done before them." The intimation of a desire by Her Royal Highness Princess Patricia of Connaught to be known on her marriage as the Lady Patricia Ramsay is in itself a welcome return to the older practice.—*The Law Times*.

ARBITRARY WORD AS TRADEMARK.

An interesting discussion on this subject appeared as an annotation in a recent number of the Dominion Law Reports which we reproduce for our readers as follows:—

The questions already raised in the case there reported (*American Druggists Syndicate v. The Centaur Co.*) were the subject of annotation in the case of *Rubberset Co. v. Boeckh Bros. Co. Ltd.* (1919), 49 D.L.R. 13.

The most complete statement of the law with respect to the possibility of sustaining a trademark for the name of a new article is given by Fry, J., in *Linoleum Mfg. Co. v. Nairn* (1873), 7 Ch.D. 834, where he said, at p. 836: "In the first place, the plaintiffs have alleged, and Mr. Walton has sworn, that having invented a new substance, namely the solidified or oxidised oil, he gave to it the name of 'Linoleum,' and it does not appear that any other name has ever been given to this substance. It appears that the defendants are now minded to make, as it is admitted they may make that substance. I want to know what they are to call it? This is a question I have asked but I have received no answer; and for this simple reason that no answer could be given, except that they must invent a new name. I do not take that to be the law. I think that if 'Linoleum' means a substance which may be made by the defendants, the defendants may sell it by the name which that substance bears. But then it is said that although the substance bears this name, the name has always meant the manufacture of the plaintiffs. In a certain sense that is true. Anybody who knew the substance, and knew that the plaintiffs