

trustees for the property taken possession of by the company. Bucknill, J., dismissed the action as frivolous and vexatious, and the Court of Appeal (Williams, Stirling and Moulton, L.JJ.,) affirmed the decision on the ground that the acts complained of were clearly acts of state which could not be called in question or inquired into in municipal Courts. Moulton, L.J., dissented, and, though agreeing with the rest of the Court as to the general principle, thought that an act of state might in its intention and effect sometimes be to modify and create rights as between the government and individuals who are, or are about to become subjects of the Crown, and in such cases the rights thus arising may be adjudicated upon by a municipal Court, and that in the present case the claim as to private property might be inquired into. Ultimately leave was given to the plaintiff to amend his statement of claim.

BILL OF SALE—REGISTRATION—APPARENT POSSESSION—BONA FIDE PURCHASE—EXECUTION CREDITOR—BILLS OF SALE ACT, 1878 (41 & 42 VICT. c. 31) s. 8—(R.S.O. c. 148, s. 2).

Hopkin v. Gudgeon (1906) 1 K.B. 690 was an interpleader issue. T. W. Gudgeon, the execution debtor, was in 1903 the owner of certain chattels the subject of the issue, and in that year sold them bonâ fide to a company by an agreement which was not registered. In 1904 the company bonâ fide sold them to the claimant also by an agreement which was not registered. T. W. Gudgeon always continued in possession of the chattels, and there was never any actual or continued change of possession, and while thus in his possession they were seized under an execution against T. W. Gudgeon under a judgment recovered in 1905 and they were claimed by the second vendee. The county court judge who tried the issue disallowed the claim of the claimant on the ground of the non-registration of the transfer to her, and the want of any change of possession; and the Divisional Court (Lord Alverstone, C.J., and Ridley and Darling, JJ.) affirmed his decision.

CRIMINAL LAW—CRUELTY TO ANIMALS—ONE ACT—SEVERAL ANIMALS CRUELLY TREATED AT SAME TIME—CRUELTY TO ANIMALS ACT, 1849 (12 & 13 VICT. c. 92) s. 2—(CR. CODE, s. 512(a)).

In *The King v. Cable* (1906) 1 K.B. 719 the defendant was convicted under the Cruelty to Animals Act 1849, s. 2 (see Cr.