

tract debts and the question whether duty was payable in Victoria depended on whether they were simple contract debts. The Judicial Committee of the Privy Council (Lords Macnaghten, Davey, Robertson and Lindley, Sir Lord North and Sir A. Wilson) held that as the transfer impeached was complete and bona fide though voluntary, the mere fact that it was made by the testator to avoid liability to duty was not sufficient to prove an intent to evade duty within the meaning of the Act which in the opinion of their Lordships strikes at colourable transactions only and that as regards the mortgage debts, they were to be regarded as simple contract debts, and assets in Victoria, and as such liable to duty.

PRACTICE—LEAVE TO APPEAL IN FORMA PAUPERIS.

Ponarima v. Arnmogam (1902) A.C. 561, was an application to the Judicial Committee for leave to appeal in forma pauperis from the Supreme Court of Ceylon. No provision was made by the Ceylon law for appeals in forma pauperis. It however appeared that as regarded the amount involved and the nature of the case it was proper to be appealed, leave was therefore granted as asked.

CANADIAN PATENT ACT—(R.S.C. c. 61) s. 8—55 & 56 VICT. c. 24, s. 1 (D.)—EXPIRY OF PATENT—"FOREIGN" PATENT.

Dominion Cotton Mills Co. v. General Engineering Co. (1902) A.C. 570, was an appeal from the Supreme Court of Canada and turned upon the construction of s. 8 of the Canadian Patent Act (R.S.C. c. 61) as amended by 55 & 56 Vict. c. 24, s. 1 (D.) in which the Judicial Committee (The Lord Chancellor and Lords Macnaghten, Davey, Robertson and Lindley,) overruled the judgment of the Supreme Court and restored that of Burbidge, J. By s. 8 as amended it is inter alia provided that "under any circumstances, if a foreign patent exists, the Canadian patent shall expire at the earliest date on which any foreign patent for the same invention expires." The short point was do the words "foreign patent" in this clause include a British patent? and Their Lordships hold that they do.

APPEAL—TESTAMENTARY CAPACITY—UNDUE INFLUENCE—FINDINGS OF FACTS.

Archambault v. Archambault (1902) A.C. 575, was an appeal from the King's Bench for Lower Canada. The action was to set