

PATENT—CLAIM OF PRINCIPLE—SPECIFICATION OF PRINCIPLE
TO BE CLEARLY MADE.

Ridd Milking Machine Co. v. Simplex Milking Machine Co. (1916) A.C. 550. This was an appeal from the Court of Appeal of New Zealand. The action was for the alleged infringement of a patent. The plaintiffs claimed that their patent covered not merely apparatus, but a principle. The Court below dismissed the action, on the ground of want of novelty, and the Judicial Committee of the Privy Council (Lord Buckmaster, L.C., and Lords Loreburn and Shaw and Sir A. Channell) dismissed the appeal on the ground that where a principle is claimed by a patentee, it must be clearly and specifically claimed in his specification, which had not been done by the appellants.

CANADA—PROVINCIAL TAXATION—ASSESSMENT—DOMINION LANDS
—LESSEE OF CROWN—B.N.A. ACT 1867 (30 VICT. C. 3)
s. 125.

Smith v. Vermillion Hills (1916) A.C. 569. By the B.N.A. Act 1867, s. 125, it is provided that no lands or property belonging to Canada, or any province shall be liable to taxation. The appellant in this case was a lessee of certain Dominion lands, and was assessed under Provincial Statutes of Saskatchewan, in which statutes land is defined as including, for the purposes of the Act, any estate or interest therein. The appellant contended these Acts were *ultra vires*, as being in conflict with the B.N.A. Act, s. 125, and an interference with the Dominion's rights in the land, as the appellant's lease provided that it should not be assigned without leave. The Judicial Committee of the Privy Council (Lord Buckmaster, L.C., and Lords Haldane, Atkinson, Shaw, and Parmoor) affirmed the decision of the Supreme Court of Canada, holding that the Statutes could be read as imposing the tax upon the appellant's interest in the lands, and should be so read, to make them consistent with s. 125 of the B.N.A. Act.

CANADA—LEGISLATIVE AUTHORITY—WORK DECLARED BY STATUTE
TO BE FOR GENERAL ADVANTAGE OF CANADA—REPEAL OF
ACT—B.N.A. ACT 1867 (30 VICT. C. 3) s. 91 (29), s. 92 (10e).

Hamilton Grimsby & B. Ry. Co. v. Attorney-General for Ontario (1916) A.C. 583. This was an appeal from the Appellate Division of the Supreme Court of Ontario. The question in controversy was as to the jurisdiction of the Ontario Municipal & Railway Board over a railway in Ontario which had been declared by the