

third parties are interested must be produced, notwithstanding a solicitor's lien thereon, but the Court of Appeal (Lindley, M.R., and Rigby and Williams, L.JJ.) agreed with Kekewich, J., that that circumstance did not affect the right of the third parties to production, and it was accordingly ordered, and the solicitor was ordered to pay the costs of the application and appeal.

DOMICIL—INTERNATIONAL LAW—MARRIAGE—MATRIMONIAL. DOMICIL—CHANGE OF DOMICIL—MOVABLE GOODS—FRENCH LAW—COMMUNITY OF GOODS.

In re De Nicols, De Nicols v. Curlier (1898) 2 Ch. 60, the Court of Appeal (Lindley, M.R., and Rigby and Collins, L.JJ.) have reversed the decision of Kekewich, J., (1898) 1 Ch. 403 (noted ante, p. 374), holding that by reason of the change of domicile after marriage, the law of the matrimonial domicile of the parties ceased to govern their rights in the movable goods of the spouses, and as, at the time of the husband's death, the parties were domiciled in England, the law of England governed the rights of the parties in unsettled movable property, and that the whole of the husband's personal estate was effectually disposed of by his will. The decision of the House of Lords in *Lashley v. Hog*, 4 Pat. 581 was considered to govern the case.

ARBITRATION—STAYING PROCEEDINGS—STEP IN THE PROCEEDINGS—APPLICATION TO STAY PROCEEDINGS—TIME—ARBITRATION ACT, 1889 (52 & 53 VICT. C. 49) s. 4—(R.S.O. C. 62, s. 6.)

In *Zalinoff v. Hammond* (1898) 2 Q.B. 92, an application was made by a defendant to stay the action on the ground that the plaintiff had agreed to refer the matters in question to arbitration. Under the Arbitration Act, 1889, s. 4 (see R.S.O. c. 62, s. 6.) such an application is required to be made by a defendant at any time after appearance, but before delivering pleadings, or taking any other steps in the proceedings. The defendant in the present case had filed affidavits in answer to a motion by the plaintiff for a receiver, but this was held by Stirling, J., not to be a step in the proceedings within the meaning of the section.