

HIGHWAY—OBSTRUCTION — NOT ALLOWING FREE PASSAGE FOR OVERTAKING VEHICLE—HIGHWAYS ACT (1835), 5-6 W. 4, c. 50), s. 78—(2 GEO. V. c. 47, ss. 3-5, ONT.).

Nuttall v. Pickering (1913), 1 K.B. 14. The English Highway Act, s. 78, makes it an offence for the driver of a vehicle not to keep it on the left side of a road for the purpose of allowing free passage for other vehicles: (see 2 Geo. V. c. 47, ss. 3-5 Ont.). The defendant was driving a heavily loaded vehicle so far beyond the centre that a motor vehicle overtaking him could not pass on the proper side and he signalled to the driver of the motor to pass him on the wrong side, which he did without delay or inconvenience, there being no other traffic on the road. The defendant was prosecuted for a breach of the Highway Act, s. 78, and convicted, but the Divisional Court (Lord Alverstone, C.J., and Channell, and Avory, JJ.), set aside the conviction. The gist of the offence is not allowing the free passage of other vehicles, and that, in the circumstances of this case the Court held did not take place.

PATENT—PATENT AGENT — DESCRIPTION OF UNREGISTERED PERSON.

Graham v. Tanner (1913), 1 K.B. 17. The English Patents and Designs Act, 1907 (7 Edw. VII. c. 29), s. 84, provides that a person shall not be entitled to describe himself as a patent agent unless he is registered as a patent agent. The defendant, who was not registered as a patent agent, issued a circular in which his firm were described as "experts and engineers" and in which it was stated that the firm were prepared to do the class of work which is usually done by patent agents, but the circular did not, in terms, state that the firm were patent agents. The defendant was prosecuted for having committed a breach of the Act, but the charge was dismissed and the Divisional Court (Lord Alverstone, C.J., and Channell, and Avory, JJ.), held rightly so, though the Chief Justice said he came to that conclusion with great regret.

LANDLORD AND TENANT—COVENANT TO REPAIR—BREACH OF COVENANT—WASTE—RELIEF AGAINST FORFEITURE—CONVERSION OF BUILDING FROM CHAPEL TO THEATRE—REINSTATEMENT OF BUILDING—CONVEYANCING ACT, 1881 (44-45 VICT. c. 41), s. 14 (2, 3).

Hyman v. Rose (1912) A.C. 623, is another case in which the House of Lords (Lord Loreburn, L.C., and Lords Macnaghten,