

vires. The important principle therefore seems to be established that the cases in which appeals may be had to the Supreme Court is a matter within the jurisdiction of the Dominion Parliament under s. 101 of the B. N. A. Act, 1867, and no provincial legislature can in any way curtail the right of appeal given by any Dominion statute.

POWERS OF PROVINCIAL LEGISLATURES—B. N. A. ACT, 1867, s. 92 (2)—ONTARIO SUCCESSION DUTY ACT (R.S.O. c. 24)—PROVINCIAL TAXATION—PROPERTY OUT OF PROVINCE—ULTRA VIRES.

Woodruff v. Attorney-General (1908) A.C. 508 is an appeal from the decision of the Ontario Court of Appeal in *Attorney-General v. Woodruff*, 15 O.L.R. 416, in which the Judicial Committee of the Privy Council (Lords Robertson, Atkinson and Collins, and Sir A. Wilson) have made a further contribution to our constitutional law. The action was brought by the Attorney-General of Ontario to recover succession duties on property of a deceased person which, at the time of his death, was situate outside the territorial limits of the province. The case was debated in the court below as turning on the effect of certain settlements made by the deceased of the property in question, and it was not until the present appeal that the point was taken that the local legislature had no power of taxation over property outside the province, and it was on this contention the case ultimately turned, their Lordships holding that under the B. N. A. Act (1867), s. 92 (2) the powers of taxation conferred on the local legislatures is strictly limited to "direct taxation within the province."

TRADE UNION—ACTIONABLE CONSPIRACY—RESOLUTION OF UNION CALLING A STRIKE—MISDIRECTION.

Jose v. Metallic Roofing Co. (1908) A.C. 514. This was an appeal from the decision of the Court of Appeal, 14 O.L.R. 156, in the case of *Metallic Roofing Co. v. Jose*. The action was brought against a trade union for conspiracy in inducing the plaintiff's workmen to strike, and for maliciously combining to injure the plaintiffs, and an injunction and damages were claimed. Certain questions were submitted to the jury and answered by them in favour of the plaintiffs and damages were assessed at \$7,500, but in charging the jury MacMahon, J., in the opinion of the Judicial Committee (Lords Robertson, Atkin-