tion of nullity of marriage, and it was held that as the marriage was voidable and not void, the petitioner had acquired an American domicil, that the American court had jurisdiction to dissolve the marriage, and there being no longer a marriage in existence, the English court had no jurisdiction. On the authority of *Harvey* v. *Farnie*, 8 App. Cas. 43, the President determined that the marriage, though it took place in England, was *prima facie* an American marriage, because the husband was domiciled in the United States.

FRIVOLOUS APPLICATIONS, FORM OF ORDER TO PREVENT.

In *Grepe* v. *Loam*, 37 Chy. D. 168, the Court of Appeal settled a form of order dismissing a frivolous application, and to prevent any such application being renewed without the leave of the Court.

PRACTICE—INTERIM INJUNCTION TO RESTRAIN LIBEL.

The case of *Liverpool Household Stores Association* v. *Smith*, 37 Chy. D. 170, is an instructive case on the principles on which the court will exercise its jurisdiction to grant *interim* injunctions to restrain the publication of libels. The plaintiffs were a joint stock company formed for the purpose of carrying on co-operative stores. Certain anonymous letters having been published in a newspaper reflecting on the credit and solvency of the company, this action was brought against the publisher of the newspaper to restrain the further publication of similar articles reflecting unfavourably on the company, and this was a motion for an *interim* injunction. But Kekewich, J., to whom the application was made, refused it, because he considered it would be difficult to frame any injunction which would express the object of the Court and at the same time avoid prejudicing the question at the trial: and on appeal, the Court of Appeal (Cotton and Lopes, L.JJ.) affirmed his decision. Cotton, L.J., says, at p. 183:

"In no case do I find an injunction granted such as is asked for here, an injunction as regards future publication of statements coming under such an indefinite description. Supposing we were to grant the injunction against 'libellous' letters, then it would have to be decided, on motion to commit, whether what was published was libellous or not, and that would be a most inconvenient course to be adopted."

And Lopes, L.J., says: "It is clear that since the Judicature Act the Court has power to restrain the publication of libellous or slanderous matter, if it is immediately calculated to injure the person or trade of any one against whom it is directed, but whether the jurisdiction should be exercised or not is a matter for the discretion of the Court."

PRACTICE—DISCOVERY.

Fennessy v. *Clark*, 37 Chy. D. 184, was an action to restrain the sale of goods under an alleged infringement of the plaintiff's trade mark, and claiming damages for false representations by defendant, that his goods were goods of the plaintiff's manufacture, or in the alternative, an account of the profits, and in which it had been ordered that the issues of fact should be tried by a special jury before a