

P.P.D., however, determined that there was in effect a continuous partnership between the co-owners, and that the rule as to partnership accounts applied, and that they might be gone into without any limit of time, and that the Statute of Limitations did not apply as long as the partnership was continuous.

There seems to be no doubt that when a partnership has been dissolved, or has otherwise come to an end, that then the Statute of Limitations begins to run, and may in the course of time be a bar to an action for an account. More difficulty, however, arises in cases such as *Tooth v. Kittredge*, where, though the business of the partnership has come to an end, there has nevertheless been no settlement of accounts, and the partnership is still *de jure* existing. In such cases a Court of Equity may, as was pointed out by Stuart, V.C., in *Miller v. Miller*, *supra*, find evidence of acquiescence or other circumstances which, even though the Statute of Limitations be not applicable, might make it inequitable in the exercise of a sound judicial discretion to grant relief.

GEO. S. HOLMESTED.

CAUSERIE.

"If I chance to talk a little while forgive me."

— *Henry VIII.*, Act I. Scene 4.

Du Maurier's *Trilby* has at length planted her bare and beautiful foot in the halls of justice, and while she was created too late to go down to posterity in the annals of the Court of *Picpoudre*, yet the greater honour is accorded to this pedigereous being of finding immortality in the reports of the Court of Appeal. In *Holt & Co. v. Saunders, Green & Co.*, decided on the 16th of March, the plaintiffs brought action to restrain defendants from infringing their trade-mark, which consisted of the word "Trilby" in ordinary type, and was registered in class 38 for aprons, gloves, etc. The defendants applied to rectify the register by striking off this mark, and North, J., allowed the motion, being of opinion that sub-sections (a) and (b) were the only sub-sections of sec. 64 of the Patents, etc., Act, of 1888, which dealt with names, and