

British subject in one part of His Majesty's dominions, and at the same time, be an alien in other parts of His dominions. This is somewhat contrary to the view expressed in *Garvin v. Gibson*, 109 L.T. 444 where it was held that a British subject is a subject of the Empire and not of any particular locality of the Empire. In this case a natural born German subject left Germany in 1878 and went to reside in Australia where, in 1908, he took the oath of allegiance to His Majesty and was granted a certificate of naturalization under the Australian Naturalization Act, 1903, whereby he became entitled to all political and other rights, powers and privileges to which a natural born British subject is entitled in the Commonwealth. He subsequently became a resident in London, and was charged and convicted for that, being an alien, he had failed to furnish a registration officer the particulars required by the Aliens Restriction Act and his conviction was upheld by a Divisional Court, *Rex v. Francis* (1918), 1 K.B. 617. The present action was brought for the purpose of obtaining a declaration that he was no alien in England, but a liege subject of the King in all parts of His dominions. Astbury, J., who tried the action, dismissed it and the Court of Appeal (Lord Sterndale, M.R., and Warrington and Younger, L.JJ.) affirmed his decision that the Australian naturalization was ineffectual to give the plaintiff the status of a British subject in the United Kingdom. It may be remarked that by virtue of the Imperial Statute, 4-5 Geo. V., c. 17, overseas dominions of the Crown which choose to adopt that Act, may now, by naturalization, confer the rights of a British subject throughout the Empire. Canada has adopted the Act. See 4-5 Geo. V., c. 44, s. 8.

WILL—CONSTRUCTION—OPTION “TO OCCUPY AND ENJOY THE USE OF” A HOUSE AND FURNITURE—TENANCY FOR LIFE—RIGHT TO EXERCISE POWERS OF TENANT FOR LIFE—SETTLED LAND ACT, 1882 (45-46 VICT. c. 38) s. 58(1) (vi.), (R.S.O. c. 74, s. 33(1)(μ)).

*Re Gibbons, Gibbons v. Gibbons* (1920) 1 Ch. 372. This was an appeal from the judgment of Eve, J. (1919) 2 Ch. 99 (noted *ante* vol. 55, p. 349). The case turns upon the construction of a will whereby the testator, after providing for the upkeep of his house, grounds and furniture as a residence for his family until the youngest of his children should come of age, gave to his eldest as soon as that event happened the option of occupying using and enjoying the use of the house and furniture without payment of rent during his life, such option to be exercised by a written notice to the trustees within three months from the time when the right to exercise it arose. Subject to this similar options were given to