

action. Without deciding whether the plaintiff, as mortgagee, would have been entitled to relief from the forfeiture, he held that as assignee of the lease from the trustee in bankruptcy he was clearly entitled to relief, and that the right to such relief was a chose in action which passed to the trustee, and he had power to assign it to the plaintiff.

INDUSTRIAL DESIGNS — REGISTRATION — INFRINGEMENT — PATENT DESIGNS AND TRADE MARKS ACT (46 & 47 VICT., c. 57) — (R.S.C., c. 63, s. 22) — IDEA UNDERLYING DESIGN NOT PROTECTED.

*Harper v. Wright*, (1895) 2 Ch. 593, was an action brought for the infringement of a registered design. The plaintiff's design in question was in the form of a church window of a particular style of architecture, with tracery above and below, which they applied to the sides of stoves sold under the name of the "Cathedral Stove." Defendants also sold similar stoves, to which they applied a similar design of a church window, with tracery above and below, but of an entirely different style of architecture from that of the plaintiff's stove, and the tracery above and below was different. The stoves bore a resemblance to each other. Kekewich, J., held that this did not constitute an infringement, that all that was protected by the registration was the actual design, and that the idea of applying that kind of ornamentation to stoves was not protected.

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## Reviews and Notices of Books.

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*Negligence in Law.* Being the second edition of Principles of the Law of Negligence, re-arranged and re-written by Thomas Beven, of the Inner Temple, Barrister-at-Law. 2 volumes. London: Stevens & Haynes, Law Publishers, 13 Bell Yard, Temple Bar, 1895.

Notwithstanding some defects in these volumes which we shall have occasion to refer to, the profession are greatly indebted to Mr. Beven for a second edition of his valuable work on the Law of Negligence.

As the author states in the preface, these volumes may be regarded as a second edition of his Principles of the Law of Negligence in so far as the subjects treated of in both books are the same; and the materials collected for the one have been used