

guilty of negligence, and Bailhache, J., who tried the case, gave judgment in favour of the plaintiffs on the ground that the conditions on the back of the contract not having been approved by the Board of Trade, and being a variation of those on its face, were invalid; and his judgment was affirmed by the Court of Appeal (Williams and Kennedy, L.J., Buckley, L.J., dissenting).

NUISANCE—VARIOUS COMPANIES LAYING MAINS UNDER STREETS—
INJURY CAUSED TO MAINS OF ONE COMPANY BY BURSTING OF
THOSE OF ANOTHER—APPLICATION OF DOCTRINE OF *RYLANDS*
V. FLETCHER—STATUTE—TWO ACTS TO BE TAKEN AS ONE—
CONSTRUCTION.

Charing Cross Electricity Supply Co. v. Hydraulic Power Co. (1914), 3 K.B. 772. In this action, plaintiffs, an electricity supply company, and the defendants, an hydraulic power company, had under statutory powers laid their mains in the same street. The defendant company's mains burst without any negligence and injured the plaintiffs' mains, for which cause the action was brought. Scrutton, J., who tried the action, gave judgment for the plaintiffs—(1913), 3 K.B. 442—and his judgment was affirmed by the Court of Appeal (Lord Sumner, Kennedy, L.J., and Bray, J.) on the ground that the doctrine of *Rylands v. Fletcher* (1868), L.R. 3 H.L. 330, applied notwithstanding that the plaintiffs' land was occupied by licence and not under any right of property in the soil, and that in the absence of any statutory authorization of the nuisance the defendants were liable for the escape of the water from their mains. Part of the defendants' mains were laid under an Act which expressly exempted them from liability, and the rest were laid under Acts which contained no such exemption, and which declared that all of the Acts should "be read and construed together as one Act," and it was held that the effect of this provision was to take away the exemption which down to its passing the defendants had enjoyed under the former Act.

NOTICE OF APPEAL FROM JUSTICES—ACCEPTANCE OF SERVICE BY
SOLICITOR FOR RESPONDENT—"GIVING NOTICE OF SUCH
APPEAL TO THE OTHER PARTY."

Godman v. Crafton (1914), 3 K.B. 803. In this case a simple point of practice was involved. An order had been made on an appeal from a case stated by justices in the absence of any one representing the respondent, and the question was raised by the