

title could have been acquired by possession. In these circumstances Joyce, J., was of the opinion that, on the evidence, a lost grant of a right of way over the road in question ought to be presumed, and he dismissed the action; and his decision was affirmed by the Court of Appeal (Cozens-Hardy, M.R., and Moulton and Farwell, L.JJ.)

HIGHWAY — DEDICATION — PRESUMPTION — DISUSED TRAMWAY — RAILWAY COMPANY — CAPACITY TO DEDICATE HIGHWAY — COSTS.

*Coats v. Herefordshire* (1909) 2 Ch. 579 may be briefly noticed for the fact that the Court of Appeal (of whom the court was composed is not stated) have affirmed the judgment of Eve, J., that a railway company, being owners of a disused strip of land alongside a highway, may by non-user themselves, and by suffering the public to use it as part of the highway, effectually dedicate such strip as a highway. The plaintiffs, however, having succeeded as to part of the land in question, were ordered to pay only five-sixths of the costs.

LANDLORD AND TENANT — LEASE AT RACK RENT — COVENANT BY LESSOR TO PAY TAXES — SUB-LEASE AT A PROFIT — INCREASE OF TAXES CONSEQUENT ON SUB-LEASE — LIABILITY OF LESSOR.

*Salaman v. Holford* (1909) 2 Ch. 602. In this case the Court of Appeal (Cozens-Hardy, M.R., Moulton and Farwell, L.JJ.) have affirmed the decision of Neville, J. (1909) 2 Ch. 64 (noted ante, vol. 45, p. 596). The facts, it may be remembered, being, that the plaintiff had let to one Singer certain premises at a rack rent, and had covenanted with Singer to pay all rates and taxes then or thereafter payable in respect of the premises. Singer, with the plaintiff's consent, sub-let the premises at a profit, and in consequence thereof the rates and taxes were increased, and the question was whether the plaintiff was liable for such increased taxes. Neville, J., held that he was, and the Court of Appeal now say that he was right.

BREWERY COMPANY — MORTGAGE TO SECURE DEBENTURES — MORTGAGE OF LICENSED PREMISES — REFUSAL OF LICENSE — COMPENSATION MONEY.

*In re Bentley's Yorkshire Breweries* (1909) 2 Ch. 609. A summary application was made to the court on behalf of trustees