

SLANDER—CAUSE OF ACTION—WORDS IMPUTING MORAL MIS-
CONDUCT TO SCHOOLMASTER—ABSENCE OF SPECIAL DAMAGE—
WORDS NOT SPOKEN OF PLAINTIFF IN RELATION TO HIS CALLING.

Jones v. Jones (1916) A.C. 481. This was an appeal from the decision of the Court of Appeal (1916) 1 K.B. 351 (noted ante, vol. 52, p. 215). The action was for slander imputing immorality to the plaintiff, who was a schoolmaster. No special damage was proved, nor did it appear that the words were spoken in relation to the plaintiff's calling. The Court below held that, in the absence of the proof of special damage, the action would not lie; and the House of Lords (Lords Haldane, Sumner, Parmoor and Wrenbury) have now affirmed that decision.

NEGLIGENCE—OBSTRUCTION IN HIGHWAY—LEGALIZATION OF
OBSTRUCTION BY STATUTE—PUBLIC REGULATIONS AS TO
HIGHWAY.

Great Central Ry. v. Hewlett (1916) A.C. 511. This was an action by a cab driver against a railway company to recover damages for maintaining an obstruction in a public highway, by reason whereof the plaintiff's cab was injured. The obstruction in question consisted of a gate post which was erected without authority, and judicially found to be a nuisance; but, after this decision, the railway company procured an Act of Parliament authorizing them to maintain the post, and it was suffered by the company to remain as originally erected. In consequence of the war regulations as to lights at night, the plaintiff, owing to the want of light while driving his cab, collided with the post, and the cab suffered injury. The jury at the trial found a verdict for the plaintiff and Darling, J., gave judgment in his favour, which was affirmed by the Court of Appeal (Lord Reading, C.J., Warrington, L.J., and Scrutton, J.) but the House of Lords (Lords Parker, Sumner and Wrenbury) unanimously reversed the judgment, holding that after the Act of Parliament the post ceased to be an illegal obstruction of the highway; and that the omission to light the post was not due to the defendants' default, but to the public regulation forbidding its being done, for which the defendants were in no way answerable. We may note that the company forbore to ask for costs, or for the return of the £50 damages, being simply desirous of having their rights and duty defined.