

Committee of the Privy Council reiterates the opinion expressed in *Pictou v. Geldert*, (1893) A.C. 524 (see *ante* vol. 29, p. 740), to the effect that, although a municipality be under a statutory obligation to keep the highways within its limits in repair, yet it is not liable to be sued for damages resulting from its omission to do so in the absence of any statutory provision to that effect. In Ontario there is such a statutory provision: see Municipal Act, 1892, s. 531.

PATENT FOR IMPROVEMENTS IN OLD MACHINE—INFRINGEMENT.

The suit of *Brown v. Jackson*, (1895) A.C. 446, was a patent case in which the appeal was brought from the Supreme Court of Ceylon. The action was to restrain the alleged infringement of the plaintiff's patent, which was for improvements to an old and well-known machine. The alleged infringements had the same object as the plaintiff's improvements, but they effected it in a manner not strictly corresponding to the plaintiff's specification; and it was held by the Judicial Committee that the patentee must be limited strictly to the exact terms of his specification, and that there was consequently no infringement.

The Law Reports for September comprise (1895) 2 Q.B., pp. 329-443; (1895) P., pp. 285-300; (1895) 2 Ch., pp. 465-550; and (1895) A.C., pp. 457-541.

RAILWAY COMPANY—PASSENGER'S LUGGAGE—PERSONAL LUGGAGE OF SERVANT—PROPERTY OF MASTER IN SERVANT'S CUSTODY.

*Meux v. Great Eastern Ry. Co.*, (1895) 2 Q.B. 387, was an action against a railway company to recover damages for the loss of the plaintiff's property. The property in question consisted of the livery of the plaintiff's servant, which was in the custody of the servant, and formed part of his personal luggage while travelling as a passenger on the defendants' railway, and which had been destroyed owing to an act of misfeasance of the defendants' porter. The defendants sought to escape liability to the plaintiff on the ground that the contract made by the defendants was a personal contract with the plaintiff's servant, who alone had a right to sue; and that the plaintiff could not recover because the goods were not lawfully on the defendants' premises, and Mathew, J., dismissed the action on these grounds; but the Court of Appeal (Lord Esher, M.R., and Kay and Smith, L.JJ.) held