

forthwith erects a screen blocking out the windows. Eleven months after the erection the screen falls, or for some other reason ceases to exclude the light, so that X. enjoys light for a month. Then suppose Y. again erects the screen which stands for less than a year. Suppose, further, that the screen is erected annually for twenty years, but at no time effectually excludes the light for a consecutive twelve months. After twenty years from the erection of the windows can X. claim the right to light under the statute?

On the *prima facie* construction of these two sections X.'s right is absolute and indefeasible. If it be held that he has not enjoyed the light without interruption, then clearly a meaning is given to the word "interruption" which the 4th section expressly declares is not to be given. On the other hand, to hold that X. has enjoyed light for twenty years under the statute, when, in fact, he has only enjoyed light for a few months during that period, seems to us a startling conclusion. Strange to say, this difficulty has never been satisfactorily disposed of by the courts, although the anomaly has been commented upon on more than one occasion: see, e.g., per Mr. Justice Brett in *Glover v. Coleman*, 31 L.T. Rep. 684, L. Rep. 10 C.P. 108, at p. 116.

There are many other anomalies in the law of light to which we might draw the reader's attention, but space does not admit of our dealing with them. For one of recent creation we would refer him to the decision of the Court of Appeal in the case of *Griffith v. Richard Clay and Sons, Limited*, 106 L.T. Rep. 963, (1912), 2 Ch. 291, where it was held, in effect, that the measure of damages in light cases for the infringement of light may be increased by the accident of the dominant owner possessing adjacent land other than the dominant tenement—a proposition wholly inconsistent with general easement law.

The law of light becomes less satisfactory as it becomes more complicated. Although we are generally sceptical with regard to the benefits of codifying Acts, we must admit that the time has come when some attempt ought to be made to rid this important branch of our law of some of the worst of its anomalies, and this, it would appear, can only be done by legislation.—*Law Times*.