

water of the river, whereupon the Court of Appeal accepted the undertaking of the defendants to use their best endeavours to prevent any breach of the statutory provisions, the injunction was discharged (1910) 1 Ch. 48 (noted ante vol. 46, p. 93.) From this order the present appeal was brought; and the House of Lords (Lords Loreburn, Atkinson, Garrell and Robson), while holding that the Court had jurisdiction to rescind the injunction, yet thought it ought not to have done so on the limited undertaking given, for which the House directed the defendants to substitute an undertaking that the existing results as described in the report of the expert should in future be maintained by them; and the defendants were condemned in three-fourths of the costs of the appeal.

TELEGRAPH CABLES—TAXATION OF TELEGRAPH COMPANIES—COMPANY OWNING CABLES BUT NOT CARRYING ON BUSINESS.

*Commercial Cable Co. v. Attorney-General of Newfoundland* (1912) A.C. 820. The Commercial Cable Co. has telegraph cables landed on the island of Newfoundland, but by contract with the Government confirmed by provincial statute it is prohibited from competing with the Government and from receiving and transmitting business in Newfoundland, a prohibition which it has not transgressed. A provincial Act imposes taxation on all telegraph companies carrying on business in or from the island in respect of every cable (not exceeding five) landed thereon. The Government claimed to tax the plaintiffs' cables, which claim was allowed by the Colonial Supreme Court, but the Judicial Committee of the Privy Council (Lords Macnaghten, Atkinson and Shaw) held that the Act only applied to the cables of companies doing business, and that the plaintiffs were not doing business, and their cables were therefore exempt from taxation.

DOMINION LANDS ACT (R.S.C. 1886, c. 54)—ROAD ALLOWANCES—NORTH-WEST IRRIGATION ACT, 1898—INTERSECTION OF ROAD ALLOWANCES BY IRRIGATION CANALS—BRIDGING POINTS OF INTERSECTION.

*The King v. The Alberta Ry. Co.* (1912) A.C. 827. In this case the Judicial Committee of the Privy Council (Lord Haldane, L.C., and Lords Macnaghten, Dunedin and Atkinson) have reversed a judgment of the Supreme Court of Canada. The short point being this. The Alberta Railway Co. having power to construct irrigation works, under the North-west Irri-