

the Court of Appeal (Cozens-Hardy, M.R., Barnes, P.P.D., and Kennedy, L.J.) affirmed his decision, and declined to overrule the case he had followed.

COPYRIGHT—AGREEMENT FOR EXCLUSIVE PUBLICATION—AUTHOR AND PUBLISHER—ASSIGNMENT OF COPYRIGHT—COPYRIGHT ACT, 1842 (5-6 VICT. c. 45) ss. 2, 13.

Re Jude (1907) 1 Ch. 651 was an appeal from the decision of Kekewich, J. (1906) 2 Ch. 595 (noted ante p. 248), and the Court of Appeal (Lord Alverstone, C.J., and Moulton and Buckley, L.J.J.) have affirmed his decision.

ANCIENT LIGHTS—EASEMENT—ALTERATION OF DOMINANT TENEMENT—INCREASED BURDEN ON SERVIENT TENEMENT—DESTRUCTION OF EASEMENT—ACTION FOR DECLARATION THAT TENEMENT IS NOT SUBJECT TO EASEMENT.

In *Ankerson v. Connelly* (1907) 1 Ch. 678 the Court of Appeal (Cozens-Hardy, M.R., and Barnes, P.P.D., and Kennedy, L.J.) have affirmed the judgment of Warrington, J. (1906) 2 Ch. 544 (noted ante p. 54), but have not adopted all his reasons.

MORTGAGE OF PROCEEDS OF SALE OF LAND—PAYMENT INTO COURT—RIGHTS OF MORTGAGEES IN FUND IN COURT—REAL PROPERTY LIMITATION ACT, 1833 (3-4 WM. IV. c. 27) s. 34—REAL PROPERTY LIMITATION ACT, 1874 (37-38 VICT. c. 57) s. 8—(R.S.O. c. 72, s. 1(b))—(R.S.O. c. 133, s. 23).

In *re Hazeldine* (1907) 1 Ch. 686, disposes of an important question under the Real Property Limitation Act (see R.S.O. c. 72, s. 1(b) and R.S.O. c. 133, s. 23). Certain persons who were entitled to a beneficial interest in lands vested in trustees with power to sell in 1889 mortgaged their shares in the land and in the proceeds thereof to the Union Deposit Bank. They also mortgaged their interest in the same property to other persons; the lands were sold by the trustees, and in consequence of the conflicting claims of the various mortgagees the shares of the mortgagors in the proceeds were in 1896 paid into Court. No payment or acknowledgment of right had since been given by the mortgagors to the bank, and the mortgagors now applied for payment out of the money to them, contending that the claim of the bank both on the covenant and as against the land was barred