sufficiently complies with the requirement of registering by registering his newspaper, and need not register every article in it. The learned judge points out that the scope of registration of a copyright under the Act is not that there should always be complete registration of the publication in which there is copyright in order that persons may know what they may legitimately copy and what they cannot so copy. The Act itself contains provisions which he thinks make that clear, and he adds that it is well-known that registration is only necessary as a condition precedent to suing, and notorious that the almost universal practice of publishers is not to register until the eve of taking proceedings.

The second case went to the Court of Appeal probably because of the extreme plausibility of the point taken by the defendants' counsel. That point turned on the fact that the plaintiffs had registered three separate newspapers which they had supplied with the subject-matter pirated, and it was said that such a registration was not a registration of the plaintiffs as proprietors of the copyright, such as is required by the Copyright Act; and that what the plaintiffs claimed was a joint right, and what they had registered a separate right in the individual newspapers. Lord Justice Cotton's answer to this contention is: 'All that is required under section 18 of the Copyright Act, 1842, according to the opinion of the late Master of the Rolls in *Walter* v. *Howe*, which I think is correct, is that before a newspaper proprietor, having a right under that section, can sue, he must register his paper. He is not required to register the copyright in the work which has been prepared, in accordance with the terms of section 18, and in respect of which, therefore, he has the same right as if he were author and had the copyright; but he must register his paper, and that alone gives him a right to sue.' A reference to the terms of the judgment of the late Master of the Rolls hardly supports the view here taken of the *obiter dicta* of the late Master of the Rolls. Reliance must rather be placed on the reasoning of Lord Justice Cotton, which is as follows: 'What a newspaper proprietor gets under section 18 is this —If he enters into an agreement with anyone to have a work done for his paper on the terms therein contained, then he is entitled to the same right as if he were the author, or as if he had got the copyright assigned to him. In my opinion there is nothing in that section to prevent such an arrangement as has been made in this case. Three newspaper proprietors join together; they employ an author on the terms pointed out by section 18; and, that being so, they can in respect of their newspapers have the right of protecting the article and preventing others from infringing it.' These views, the learned judge points out, are not inconsistent with the opinion expressed by Lord St. Leonards in *Jeffreys* v. *Boosey*, 24 Law J. Rep. Exch. 81, as that was an attempt to give a right of copyright by assignment in respect of a fraction of the United Kingdom. Lord Justice Lindley prefaces his judgment, concurring with Lord Justice Cotton, in order to guard himself against deciding more than the question before the Court, by pointing out that it is important to bear in mind the admission which had been made—that is, these gazettes in some sense were original publications; that is to say, that the author, or the composer, as he is called in section 18, had bestowed some brain-work upon them, and they are not a mere collection of copies of public documents. Had it been otherwise the learned judge points out that there might have been some question arising upon the point; but there had been an abridgment, and mental work, and that amount of labour which entitles the author of it, or the composer of it—for he takes those two words to mean the same thing—to a copyright. The case must therefore be read to assume that, apart from any question of the rights of the Crown, copies of public documents, such as the *London Gazette*, are not an infringement of copyright, although they occupy the same ground as publications such as those owned by the plaintiffs.—*Law Journal.*

SUPERIOR COURT.

SHERBROOKE, June 28, 1889.

Coram BROOKS, J.

THE QUEEN at the instance of G. N. HODGE,