

PUBLIC PARK—SALE OF LITERATURE IN PUBLIC PARK—POWER OF COUNTY COUNCIL TO MAKE BY-LAWS RELATING TO SELLING OF ANY ARTICLE WITHOUT THEIR WRITTEN CONSENT—GENERAL BY-LAW PROHIBITING ALL SALES—MANDAMUS.

*The King v. London County Council* (1918) 1 K.B. 68. By statute the London County Council is empowered to make by-laws relating to the sale of articles in parks under its control. It passed a general by-law prohibiting all sales. The applicant in the present proceedings applied to the council for leave to sell certain literature in connection with a public meeting to be held in a park in aid of the blind. The Council relying on the by-law refused to consider the application whereupon the present proceedings for a mandamus to compel the Council to consider the application. A Divisional Court (Darling, Avory, and Sankey, JJ.) considered that the application was like an application for a license to sell liquor and must be governed by the like principle; that the Council had no power to pass a general law forbidding all sales, but was bound judicially to consider all applications that might be made for leave to sell articles. Considering the proneness of the G.P. to cast its literature to the dogs in parks and other public places and the consequent litter thereby produced, as anyone may see on a visit to the Queen's Park, Toronto, on a summer day, it is almost to be regretted that park authorities have not the general power that is denied them by this case.

PRACTICE—APPEAL—TIME FOR SETTING DOWN—PRODUCTION OF ORDER APPEALED FROM A CONDITION PRECEDENT TO ENTRY—RULE 872—(ONT. RULE 494).

*Lawson v. Financial News* (1918) 1 Ch. 1. The English Rule 872 (Ont. Rule 494), requires an appellant when entering an appeal to produce the judgment or order appealed from. The Registrar of the Court had, in pursuance of a custom which had prevailed, entered the appeal in this case without requiring the production of the order appealed from. On the appeal coming on for argument it was objected then the appeal was out of time by reason of the appellant's failure to comply with Rule 872 and the Court of Appeal (Eady, Warrington and Scrutton, L.JJ.) gave effect to the objection—but special leave was given.

COMPANY—MANAGING DIRECTOR'S REMUNERATION—COMMISSION ON NET PROFITS—EXCESS PROFITS TAX NOT TO BE DEDUCTED IN ASCERTAINING NET PROFITS.

*Fellows v. Corker* (1918) 1 Ch. 9. In this case the question at issue was the method to be pursued in calculating net profits