

that the two claims could not be joined, the claim as owner of the reversion not arising in reference to the estate of which he was executor. The plaintiff was therefore put to his election as to which of the causes of action he would proceed with.

COPYRIGHT—MUSICAL WORK—GRAMOPHONE RECORDS—RECORDS MADE BEFORE COMMENCEMENT OF ACT—SALE AFTER COMMENCEMENT OF ACT—INFRINGEMENT—COPYRIGHT ACT, 1911 (1-2 GEO. V. c. 46), ss. 1-2, 19, 24.

Monckton v. Pathé Freres, etc. (1914) 1 K.B. 395. This was an action to recover damages for the infringement of plaintiff's copyright in a musical composition. The work in question was composed and published prior to the passing of the Copyright Act, 1911. The defendants also, prior to the Act, made gramophone records of the work in Belgium. After the Act took effect they imported these records into England and there sold them, which was the infringement complained of. Phillimore, J., who tried the action, held that the plaintiffs could not recover, but the Court of Appeal (Williams, Buckley, and Kennedy, L.JJ.) reversed his decision.

CRIMINAL LAW—UNLAWFUL CARNAL KNOWLEDGE OF GIRL UNDER SIXTEEN—EVIDENCE OF PREVIOUS OFFENCE AGAINST THE SAME GIRL—PREVIOUS OFFENCE MORE THAN SIX MONTHS BEFORE COMMENCEMENT OF PROSECUTION.

The King v. Shellmaker (1914) 1 K.B. 414. This was a prosecution for unlawfully and carnally knowing a girl under sixteen within six months of the commencement of the prosecution, under a statute which provides that no prosecution for this offence shall be commenced more than six months after its commission. Evidence was admitted at the trial which shewed that the accused had had connection with the girl more than six months previous to the commencement of the prosecution, and the question was raised whether such evidence was properly admissible. The Court of Criminal Appeal (Isaacs, C.J., Channell, Bray, Avory, and Lush, J.J.) held that it was, and that it could not be rejected either on the ground of its shewing that the accused had been guilty of other offences than that with which he was charged, and was, therefore, likely to commit the crime charged against him; or on the ground that the alleged other offences took place more than six months prior to the commencement of the prosecution, the court observing that the limitation, as to time for prosecuting, did not affect the law of evidence.