

an alleged infringement of copyright. The appellant published a monthly railway time table compiled from the tables published by the railways. His book comprised about 40 pp., of which four were devoted to tables of circular tours. He complained that the respondent, instead of going to common and public sources for materials, had substantially copied his book, and thus took advantage of his skill and labour in condensing into a small space a huge mass of information, and had also copied his circular tour information. The House of Lords (Lords Herschell, L.C., and Watson, Ashbourne, and Shand) reversed the Scotch court, which had refused the injunction as to the circular tours, but affirmed it in its refusal of an injunction as to the time tables, as the books were not, by any means, identical, and no substantial appropriation of the appellant's work was shown.

RULES HAVING FORCE OF STATUTE—EFFECT OF.

Institute of Patent Agents v. Lockwood, (1894) A.C. 347; 6 R. Aug. 9, may be briefly referred to for the discussion it contains as to the effect of Rules made under a statutory power, and which, by the statute, are declared after publication as prescribed to have the force of a statute. The House of Lords (Lords Herschell, L.C., and Watson, Morris, and Russell), Lord Morris dissenting, reversed the Scotch court, holding that after such Rules have been made and published as prescribed their validity could not, as long as they remained in force, be questioned in a court of law. In this case the Rules in question imposed the payment of fees for certain proceedings, and it was contended that the Rule was void, because this was the assumption of a right to impose a tax which had not been delegated; but this was considered not to be taxation, but within the powers conferred by the statute on the Rule-making body. Where, under such circumstances, a Rule differs in effect from the express provisions of the statute authorizing it to be made, it would seem that the statute must govern.

RAILWAY COMPANY—NEGLIGENCE—ROBBERY OF PASSENGER BY FELLOW-PASSENGERS
—REFUSAL TO DETAIN TRAIN—OVERCROWDING OF CARRIAGE—DAMAGES,
REMOVEDNESS OF.

Cobb v. Great Western Ry. Co., (1894) A.C. 419; 6 R. July 29, when before the Court of Appeal, was referred to *ante* vol. 29, pp. 239, 286. The case practically went off on a demurrer to the