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COPYRIGHT—INFRINGEMENT—RIGHT OF OWNER TO REBIND BOOK.—DOAN ET AL. V. AMERICAN BOOK CO., 105 Fed. 772.—A preliminary injunction restrained Doan et al., dealers in second-hand books, among other things from binding or rebinding any copies (second-hand or new) of various kinds of school-books copyrighted by the American Book Co. but purchased by Doan et al. Court held this injunction too broad.

The sale of the books by the appellee carried with it the ordinary incidents of ownership in personal property, including the right of alienation which could not be restrained by virtue of the copyright statutes. *Harrison v. Maynard*, 61 Fed. 689. If a person legally acquires the title to that which is the subject of letters patent, he may continue to use it until it is worn out, or he may repair it or improve it as he pleases, in the same manner as if it were property of any other kind. *Chaffee v. Belting Co.*, 22 How. 217. The opinion of the court was that although Doan et al. had the right to rebind and recover these books in exact similitude of the originals, still they were guilty of unfair competition and could be compelled to have the word "re-bound" or "re-covered" stamped upon the books in order to protect the American Book Co. and also the children who purchased the books.

EMINENT DOMAIN—PRIVATE PROPERTY—COMPENSATION.—PARKER ET AL. V. COMMONWEALTH, 59 N. E. 634 (Mass.).—Where the height of buildings on a small tract of land west of the State House in Boston was limited by statute to seventy feet, ostensibly for the purpose of preserving the view of this public structure on the eminence, held, that, since the statute did not expressly provide that compensation should be withheld, the owners of land on this tract were entitled to have their damages assessed.

This case is a remarkable illustration of the line between eminent domain and police power. Acts of the former are compensated; those of the latter are not. The commonwealth argued the latter, claiming that legislation for the aesthetic sense was as much a police regulation as that for protection from fire, citing *Att'y Gen'l v. Williams*, 174 Mass. 476; see also *Lewis on Eminent Domain* (Second Ed.), Sec. 156. But the tendency is rather to restrict acts of police power to preservation of life, health, and morals, and to class all other public appropriation of private property with eminent domain. 18 *Am. & Eng. Ency. of Law*, 742.

FOREIGN CORPORATIONS—SHARES OWNED BY RESIDENTS—UNIFORMITY OF TAXES.—BACON V. TAX COMMISSIONERS, 85 N. W. 307 (Mich.).—A statute provided that stock in foreign corporations belonging to inhabitants of Michigan should be taxed, but exempted stock in domestic corporations whose capital was taxed in Michigan. Under it a tax was levied on stock of the N. Y. Central, which is taxed on its capital stock in New York. Held, that such a statute does not violate the constitutional requirement of uniform taxation. Grant, J., dissenting.

Although the court expresses doubt of both the policy and the abstract justice of such double taxation, yet it was held a matter for the determination of the legislature within its discretion. The question involved is new in this State, but the decision is well supported, *Graham v. St. Joseph Tp.*, 67 Mich. 652; *Sturges v. Carter*, 114 U. S. 511. A strong dissenting opinion, however, points out a different rule in *Kimball v. Milford*, 54 N. H. 406; *People v. Commissioners of Taxes*, 4 Hun. (N. Y.) 595.