Judgment Refuses Copyright To Advertising Agents' Copy

Mr. Justice Astbury, After Four-Day Hearing, Definitely Decided in Favor of Advertiser Against Agency Which Claimed Ownership

London.—A case of great importance to advertisers, advertising agents, and publishers has just been heard in the chancery division of the High Court of Justice. It concerned the point, which apparently had not been raised before in British law, whether copyright in an advertisement prepared by an advertising agency remained the property of the agency or was the property of its client, the advertiser.

The case in question was complicated and somewhat obscure, but the final decision of Mr. Justice Astbury, after a four-days' hearing, was definitely in favor of the client and against the agent, who had brought the action in the endeavor to obtain an injunction restraining both the advertiser and one of the London newspapers from using an advertisement the agent claimed to have prepared.

The agent had prepared an advertisement which his client had inserted in one of the London dailies and on which the agent received his usual commission. Subsequently, the client caused the advertisement to be inserted in another paper, acting directly and without the services of the agent. At this point the agent applied for an injunction prohibiting the further use of the advertisement, on the ground that it was a literary work and as such came within the Copyright Act, under which title would remain in the author, who appeared as plaintiff.

The decision held that no copyright existed so far as the agent was concerned, and that in employing the agent to prepare the advertisement, the advertiser and the agent had, in effect, contracted themselves out of the opyright Act. It further held that the agent's interest in the advertisement in question only existed so long as the advertiser continued to use the agent's services. As no contract existed by which the advertiser was bound to continue to use these services, and no copyright as applying to original literary work existed, the agent's application for an injunction against both his former client and the newspaper must fail.

It is assumed that the points of contention in the case can in future be clearly covered in the written agreement between agencies and clients, but in view of the delicate personal relations existing between such parties and of the fact that many firms frequently change their agents, the prospect is not a very pleasant one for the agencies.

Great "Hopper" Plague Over New South Wales

London—An "Evening News" dispatch from Sydney says the approach of a great plague of grasshoppers is reported from southern New South Wales. The advance guard of the insects was described as twenty miles wide, behind which are swarms extending ten miles, rapidly consuming what was an abundant grass crop. Fences in the area are draped with thousands of insects, while motorists passing through it reported that their radiators were clogged and their windshields covered.

Heavy Weather

SEAS ROUTED AUTO PASSENGERS

So high did the waves rise recently at Durban, South Africa, that passengers in passing motor cars were forced to abandon their vehicles and take to flight. Huge sea broke over the promenade.

Abd el Krim Passes Long Days As Exile Cultivating Garden

Ex-Sultan of Riff, Who Led Tribesmen in Revolt, Enjoys Placid Existence

Abd el Krim, onetime master of the Riff and the man whose hardy mountaineer tribesmen reached the very gates of Fez before they were hurled back by the French in one of the fierciest series of engagements since the World War, says "The London Daily Mail," is supporting his banishment at Saint Denis, in the Island of Reunion, in the Indian Ocean, with true Oriental patience.

"The Sultan of the Riff" took with him only two wives out of his numerous harem. They were his favorites, Fatima and Aicha. His other companions in exile are his brother, Si Mohammed, and his uncle Abdeslem, his mother and his sisters and the families of his brother and his uncle. During the long voyage from Casablanca, the chief port of Morocco, to Reunion, a son was born to him, so that he now has three sons.

Abel el Krim's brother discarded his Moorish attire as soon as the ship reached Marseilles, but Abd el Krim himself did not adopt European clothing until he reached Reunion. He is living in a country house rented specially to lodge him, and which has been somewhat hastily dubbed "the Chateau de Maurange." In reality the house has nothing of a castle about it, but consists of only a ground floor and a first floor, with a vegetable garden, an orchard and a meadow adjoining.

His first care was to furnish his new home as comfortably as possible and set his wives and his family at their ease. When he left Morocco he knew only the rudiments of the French language, but he has set himself to study it deeply, and to-day he speaks it as fluently as his brother, who is renowned as a good French scholar.

Abd el Krim's two elder children attend the local college every day. They speak the Chleuh dialect at home, but the rest of the time they converse fluently in French with their French playmates.

But though Abd el Krim now dresses in European clothes, he continues to observe the customs of his country, and the fullest freedom is allowed him in this respect. He has made the acquaintance of a large number of people on the island and he often passes long hours with his friends, the most intimate of whom is the lieutenant of gendarmerie.

The former Riff chieftain spends a great deal of his time cultivating his garden, which he is doing with no little success. His two wives, his mother and his two sisters take frequent walks in the country, but always dressed in their native costumes.

Runner Insures Legs For $50,000

Galt, Ont.—Cliff Bricker of Galt values his legs. One of Canada's chief hopes in the marathon race at the Olympics this year, Bricker has taken out a $50,000 insurance policy on his limbs as a precautionary measure. The policy covers Bricker for the loss of use of his feet, legs, knees or toes as well as in the event of amputation of any of these parts.

We recognize this year as 1928; the Mohammedans call it 1346; the Jews, 5688; the Japanese, 2587, and the Byzantine calendar says it is 7436. The chances really are that it is about 1,000,000,000.

Duchess Honors Irish Guards and St. Patrick

DUCHESS OF YORK PRESENTS SHAMROCKS TO GUARDS ON ST. PATRICK'S DAY

The Duchess of York presented shamrocks to the First Battalion of the Irish Guards at Chelsea barracks on St. Patrick's Day. This illustration shows the Duchess of York inspecting the Guards before the presentation.

Canada to Open Ships-to-Cities Air Mail Line

Planes Will Meet Liners on Arrival, Then Speed to Montreal and Toronto

May Link Winnipeg in 1929

Flyers Effective in Opening Northwest Territory

Montreal.—Plans have been completed by the Canadian Post Office Department for an extension of the air mail service connecting large cities, such as Montreal and Toronto, with the first land stop of trans-Atlantic liners. Tis winter tests have been proceeding for air mail service from St. John's and Halifax to Montreal. Last fall service was successfully maintained from St. John and Halifax to Montreal and between Rimouski and Montreal. The latter service is to be resumed and extended down the north shore of the St. Lawrence to Murray Bay and Anticosti Island.

A more important extension is to be inaugurated with the carriage of mail to and from ocean liners between Rimouski and Montreal and Toronto. The contract for the service to Toronto is to be awarded in the near future. It will give Toronto quick delivery of letter mail to and from Europe. If the Toronto service proves successful, in another year an extension of it as far west as Winnipeg will be made.

This last step, if it can be achieved, will go far toward establishing a regular transcontinental airways, across Canada. The actual need for such an airway at the present time is doubted by some business men who have given their unqualified support to the development of air lines covering territory north and south of the transcontinental railway system.

The airplane has proved an effective instrument in opening up territory in the northwest of Canada. The air operations through this district, which presented many handicaps to the pilot, and where forced landings were extremely dangerous, have been fairly successful.

The Western anada Airways operates a regular service from Winnipeg into the mining districts to the north. A fleet of Fokker Universal planes, delivered to the Winnipeg base this winter by Bernt Balchen, now maintains a regular service into this district.

Marian Talley, youthful singer, earned more than $300,000 in two years. Her notes, evidently, draw big interest.

Wheat Pool Based on Canadian Plan Progresses in Four Western States

Sioux Falls, S.D.—Plans are being pushed to a successful conclusion for the organization of a four-state wheat pool, with headquarters in South Dakota.

The plan is called one of the most ambitious ever undertaken by wheat growers of the United States, and encouragement for the movement was afforded by the great success of the Canadian wheat pool.

The program for the four-state pool, formulated by W. C. Allen, publisher of a South Dakota farm paper, provides for combining wheat growers of Montana, North Dakota, Minnesota and South Dakota.

It is pointed out that the territory to be included in the pool is one of the richest wheat producing areas in the Nation. It is stated that the new pool will be of much the same magnitude as the Canadian wheat pool, the influence of which already is being felt in the great marketing centers of the world.

With the headquarters of the four-state pool in South Dakota, in the center of the spring wheat section, the annual production of which totals over 300,000,000 bushels, it is hoped the new venture will gain impetus and increased support as the work of perfecting the organization proceeds.

As wheat pooling on a large scale has proven a success in Western Canada, those pushing the organization of the pool say there is no reason why the United States should lag behind Canada in adopting more efficient means of marketing wheat.

Refusal to Grant License May Stir Canadian Radio

Marine and Fisheries' Failure to Renew Permit Will Raise Question of Authority

Montreal.—Action of the radio branch of the Department of Marine and Fisheries in refusing to renew the radio licences previously granted to broadcasting stations operated by the International Bible Students' Association of Canada will probably raise the whole question of radio control and bring to the floor of the House of Commons for debate, it was stated here by Howard Ross, K. C., who, with Norman Heyd, barrister, interviewed officials of the radio branch on behalf of the Bible Students' Association.

The association operates broadcasting stations at Toronto, Saskatoon, Edmonton and Burnaby, B.C., putting on the air programs of music and lectures on religious subjects. When application was made recently for renewal of the broadcasting licenses the radio branch notified the association that further licenses will not be granted because the lectures in the past have contained religious matter of a controversial nature. Since that time the association has been taking action to determine whether the government has the right to control broadcasting in this way, and a petition has been circulated which will later be presented to the Prime Minister.

Commenting on the action of the radio branch, Mr. Ross said that the whole larger question of free speech is wrapped up in the present controversy. The Bible Students' Association admits that it is broadcasting controvsial matter, but it maintains that it has the right to do so in the same way that the newspapers have the right to discuss controversial matters in their editorial columns.

Mr. Ross pointed out that in England the government for a time refused to permit the discussion of controversial matters over the radio, but only a short time ago rescided the order in response to public demand that free speech be permitted over the radio, as from the public platform and in the press.

Ring Your Bell

"I don't need to advertise: I have been in business in this town for 30 years. Every man, woman and child here knows where I am and what I sell." The advertising salesman looked across the street and saw a church. He asked how long it had been built. The storekeeper replied that it had been there for half a century. "And yet they ring the church bell every Sunday morning," the advertising man remarked.

Teacher—"Tommy, you've not done a stroke of work this morning, and I've told you again and again that the devil finds work for idle hands to do." Tommy—"Yes'm." Teacher — "Now take your copybook and write that out 20 times."

New Type Fast Tanks

THE WHIPPETS ON PARADE

This isn't any tin-pan parade. It is the "march past" of the speedster model tanks which was an impressive feature of the military display at Tallinn.

Heeney Will Meet Tunney In Title Bout

Tex Richard Selects New Zealander for Championship Fight After 3-Cornered Conference

PERHAPS IN LONDON

Gene Tunney, heavyweight champion of the world, will defend his title against Tom Heeney, rugged ex-blacksmith of New Zealand, in July in a ring pitched somewhere in the United States or England, Tex Richard, owner and proprietor of pugilistic "Battles of the Century," announced officially at Miami Beach, Fla. And thereby hangs a tale.

After whittling away the traditional Rickardian ballyhoo, it appears that the best bet now available is that Tunney and Heeney will meet in a fifteen-round encouter at the Yankee Stadium in New York on the evening of Thursday, July 26.

Rickard's ambitious dreams of staging the Tunney-Heeney flight in London must be taken with a bucket or two of salt, according to experts. Tex has the mammoth Wembley Stadium on the outskirts of the world's largest city in mind as a possible site for the bout. John Mortimer, self-confessed discovered of Joe Beckett, who has an interest in Heeney, is studying the situation there now, as is Heeney himself in the course of a vacation in London.

Rickard Likes New Places

Rickard's method always has been to seek new, unexploited territory for each of his Battles of the Century.

"Never go back again to a place you've drawn a huge gate for a heavyweight championship fight," he has often declared. "New York should produce a gate of $1,500,000 for a Tunney title fight, but Chicago, which paid $2,700,000 for the second Tunney-Dempsey show, would not pay $800,000 for another one. Philadelphia, where Tunney won his title, might be worth $600,000 for a second trip. The next fight will be in virgin territory."

GOD OF FIRE ERUPTS

The volcano Krakattoa in the Sunda Strait, between Java and Sumatra, which recently became active after a long rest.

A Pirate Treasure

On Bailey Island, one of the 365 islands in Casco Bay and near Portland, Me., was found the only treasure supposed to have been buried by Captain Kidd. A man named John Wilson, who lived on the island seventy-five years ago, seeking the legendary treasure, dug up a copper kettle which had been buried deep in the ground. It contained $12,000 in Spanish gold. Although the search for other pirate treasure has been pursued along the coast for many years, only the Bailey Island find has rewarded the eager seekers of easy money.

Another proof of the new Ford's power is its ability to knock two hundred dollars off the price of other cars.

Our grandmothers kneaded and baked the household bread. Their granchildren find a better disposition of their time and hand labor. Our grandfathers fed horses three times a day, repaired harnesses and wagons, and received a small fraction of efficiency therefrom. Their grandchildren ride five times as fast, ten times as far, and feed their iron horses only as service is needed.