

shut up to one or other of such remedies. In addition to the usual injunction against further infringements, he granted an order for delivery up on oath of the copies in the defendant's possession, and awarded damages to the amount of £42, although the defendant's sales had resulted in a net loss of 5s 6d.

PUBLIC OFFICER—TRESPASS—LIABILITY OF SERVANTS OF CROWN—PREROGATIVE—AMENDMENT.

In *Raleigh v. Goschen* (1898) 1 Ch. 73, Romer, J., lays down the law respecting the liability of officers of the Crown for wrongful acts committed by them or their subordinates by their authority. The action was brought against the Lords of the Admiralty in their official character, to establish as against them that they were not entitled to enter upon or expropriate by compulsory purchase, certain lands of the plaintiff, for the purpose of erecting thereon a training college for navel cadets, and claiming damages for alleged trespass, and an injunction to restrain further trespasses. The learned judge holds that such an action will not lie against officers of the Crown in their official capacity. That the Crown cannot be sued in tort, neither can its officers in their official character.—But he also holds that the alleged authority of an executive department of the government is no justification for a trespass: but only those who actually commit or authorize the trespass are liable; and therefore the chief of a department is not liable for the acts of subordinates unless he actually authorizes them. Under these circumstances it was held that the action was not maintainable, and the plaintiffs then desired to amend so as to convert the action into one against the defendants individually; but the learned judge refused the amendment which would entirely change the character of the action; the dismissal, however, was without prejudice to any further action the plaintiff might bring against the defendants individually.

VOLUNTARY DEED—CONSTRUCTION—RECITAL—ESTOPPEL—APPOINTMENT—SUBSEQUENT ACQUISITION OF ESTATE BY GRANTOR.

Lovett v. Lovett (1898) 1 Ch. 82, was an action by a grantor in a voluntary deed, for the purpose of obtaining a declaration of the Court that a subsequently acquired interest had not