

REVIEW OF CURRENT ENGLISH CASES.

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VETERINARY SURGEON—USE OF DESCRIPTION BY UNQUALIFIED PERSON—DESCRIPTION OF PREMISES WHERE BUSINESS CARRIED ON—“CANINE SURGERY”—VETERINARY SURGEONS’ ACT, 1881 (44-45 VICT. c. 62), s. 17, s.s. 1.

Royal College of Veterinary Surgeons v. Kinnard (1914) 1 K.B. 92. In this case the defendant was prosecuted for having inscribed on a lamp over the entrance door to the premises where he carried on business, the words “A. E. Kinnard, Canine Surgery,” and on a brass plate on the wall of the premises, “Canine Surgery, A. E. Kinnard”—he not being a duly qualified veterinary surgeon. The Veterinary Surgeons’ Act, 1881, s. 17, provides that any unqualified person who “takes or uses . . . any name, title, addition, or description stating that he is a practitioner of veterinary surgery, or of any branch thereof or is specially qualified to practise the same,” shall be liable to a fine. It was contended that the words on the lamp, and brass plate, constituted a breach of the Act; but on a case stated by magistrates the Divisional Court (Ridley, Scrutton, and Bailhache, JJ.) held that they did not, because they referred not to the person but to the place where the business was carried on. The court appeared to think that *Royal College of Veterinary Surgeons v. Robinson* (1892), 1 Q.B. 557, where it was held that “Veterinary forge” applied to premises by an unqualified person was a breach of the Act, had been practically overruled by the Court of Appeal in *Bellerby v. Heyworth* (1909), 2 Ch. 23.

NOTICE TO BE AFFIXED TO FACTORY—PROOF OF CONTENTS—OMISSION TO GIVE NOTICE TO PRODUCE—SECONDARY EVIDENCE—EVIDENCE.

Owner v. Beehive Spinning Co. (1914) 1 K.B. 105. This was a case stated by justices, and turns on a point of practice. A prosecution was instituted against the defendants for breach of the provisions of the Factory & Workshop Act, 1901, which requires the owners of factories to post up a notice on their premises stating the times allowed for meals, and prohibits any woman or child, during the time allowed for meals, from being employed in the factory or workshop or being allowed to remain in a room in which a manufacturing process is then being carried