

promote other companies, passed a resolution authorizing a cheque for £250, to be drawn in favour of Mr. Green, by way of loan on certain security. The cheque was drawn and handed to the company's solicitor, who gave it to Green without obtaining the security. The directors also passed another resolution authorizing the drawing of a cheque for £1000 to Green by way of loan on the security, *inter alia*, of a contract, the date of which, and the names of the parties to which, were left blank on the resolution. This cheque was also drawn and handed over by the solicitor of the company to Green, without the security being obtained. The £1000 was advanced to enable Green to bring out a company, the existence of which the directors considered would benefit their own company, and it was to the projected company the contract related. A judgment had been recovered against Green, but owing to his insolvency nothing could be realized thereon. Williams, J., held, under these circumstances, that the directors having exercised judgment and discretion were not liable for misfeasance or breach of trust. The learned judge appears to have come to this conclusion on the ground that the act of the solicitor in handing over the cheques without getting the security was done without the authority of the directors. Had they been parties to or concerned in his so doing, they would, in his judgment, have been liable.

WATERWORKS—EXERCISE OF STATUTORY POWERS—CONSTRUCTION OF WORKS UNAUTHORIZED BY STATUTE—INJUNCTION.

*Herron v. The Rathmines and Rathgar Improvement Commissioners*, (1892) A.C. 498, raised a very serious and important question involving, as Lord Halsbury, C., observed, a principle of construction of all private bill legislation. The defendants had procured the passage of an Act of Parliament empowering them to construct waterworks according to a certain specified plan, and for the purpose of constructing such works were empowered to interfere with the rights of private owners. In proceeding to construct the works in question, however, instead of following the plan laid down in the Act, they deviated therefrom in important particulars, and constructed a reservoir of a smaller size and placed an embankment in a different locality from that indicated in the statute. The plaintiffs, who were private owners who were affected by the defendants' works, brought the action to restrain the defendants