

defendants before it had been executed by the plaintiffs, or the price had been paid, and procured the defendants to place upon it the words, "certificate lodged," with the signature of the secretary. The object of these words was to satisfy purchasers of shares that the vendor had the shares in the company which he purported to sell. Acting upon the faith of this memorandum, the brokers, as agents for the plaintiffs, completed the purchase, and paid over the price. The defendants subsequently discovered that Lupton had no shares, and refused to register the transfer. This action was then brought against the company to recover the value of the shares. But although the facts were found as above, yet it was held the defendants were not liable; first, because the granting of the memorandum or certificate was *ultra vires* of the secretary, and second, because it was a representation as to the credit and ability of Lupton, and was void for not being under seal.

DENTISTS' ACT, 1878—ERASING NAME FROM DENTISTS' REGISTER—ERRONEOUS EXERCISE OF DISCRETION, LIABILITY FOR.

*Partridge v. the General Council of Medical Education*, 25 Q.B.D., 90, was an action brought by a dentist against the General Council of Medical Education to recover damages for having erroneously removed his name from the dentists' register. Under the Dentists' Act the Council were empowered to remove the name of a person who has been guilty of infamous or disgraceful conduct. The plaintiff had been registered as a dentist in respect of a diploma conferred upon him by the Royal College of Surgeons in Ireland. Such diploma was afterwards withdrawn, on the ground that the plaintiff had advertised his business, in breach of an undertaking not to do so, given by him when his diploma was granted. The defendants, on being informed of the withdrawal of the diploma, without calling for an explanation, removed his name from the register. An application for a mandamus to restore his name was made, and it was held that the defendants had acted erroneously, and the plaintiff's name was ordered to be restored to the register; but it was held by the Court of Appeal that the defendants, having a *quasi* judicial discretion, were not liable in damages, though they had exercised it erroneously, in the absence of *mala fides*.

COPYRIGHT—WORK OF ART—WHAT DRAWINGS MAY BE SUBJECT OF COPYRIGHT—ABSENCE OF ARTISTIC MERIT—AUTHOR.

*Kenrick v. Lawrence*, 25 Q.B.D., 99, was an action for infringement of copyright. The plaintiffs were a firm of printers. Jefferson, who was a member of the firm, conceived the idea of printing and publishing cards having a drawing thereon of a hand holding a pencil in the act of completing a cross within a square, with the view to such cards being used for the guidance of illiterate voters at elections in marking their ballot papers. Jefferson, being unable to draw, employed an artist in the service of the firm to make the required drawing, which the plaintiffs registered, and in the memorandum stated Jefferson to be the author of the drawing. Subsequently the defendants published similar cards. The hand was in a slightly different position, but the idea was taken from the plaintiffs' cards. Neither the plaintiffs' nor defendants' drawings were of any