of the writ had been served on one of the partners abroad; and the plaintiff on this service claimed to be entitled, on default of appearance, to sign judgment against the firm. This was refused by Cave and Grantham, JJ., and their decision was affirmed by the Court of Appeal (Lindley, Lopes, and Kay, L.JJ.), because the rules allowing service of partners by serving one of their number do not apply to foreign firms.

NUISANCE—SMELTING WORKS—RIGHT OF LOCAL BOARD TO ACT AS RELATORS IN RESPECT OF PUBLIC NUISANCE.

Attorney-General v. *Logan* (1891), 2 Q.B. 100, was an action by the Attorney-General upon the relation of a municipal corporation to abate a nuisance, and also by the relator for damages to the relator's park, in which questions of law were raised on the pleadings,—First, whether the municipal body could properly be relators; secondly, whether they were entitled to sue for damages occasioned by the alleged nuisance. As to the first point, the Court (Wills and V. Williams, JJ.) were of opinion that the case was one in which the Attorney-General was entitled to file an *ex officio* information, and that there was no difference between an information filed *ex officio* and a proceeding by relation, except as to costs, which, in the latter case, the relator assumes responsibility for. Furthermore, in the present case the local board, as the owners of a park, the trees and shrubs of which were injured by the alleged nuisance, were entitled to recover damages therefor. And although under the Public Health Act it was provided that nothing in that Act "should be construed to extend to . . . the smelting of ores and minerals, etc., so as to obstruct or interfere with any of such processes" —although the local board might not be able to take summary proceedings to abate nuisances arising from smelting ores and minerals, they nevertheless were not deprived of their common law remedy, as owners of property, to bring an action to recover damages for nuisance so occasioned.

STATUTE—CONSTRUCTION—PENALTY.

In *Barlow* v. *Terrett* (1891), 2 Q.B. 107, under a statute relating to the removal of nuisances, and which provided for the seizure and destruction of unsound meat exposed or deposited for sale, and imposed a penalty upon "the person to whom such meat belongs or did belong at the time of sale or exposure for sale, or in whose possession or on whose premises the same is found," the appellant was convicted as being the owner of unsound meat which had been deposited for sale, but which had not in fact been sold or exposed for sale. The Court (Day and Lawrance, JJ.) quashed the conviction, holding that there must be a sale or exposure for sale in order to warrant the infliction of the penalty; and that the loss of the meat was the only consequence where there had been neither an actual sale nor exposure for sale.

STATUTE—CONSTRUCTION—MEANING OF "LOPPING" TREES.

In *Unwin* v. *Hanson* (1891), 2 Q.B. 115, the sole question that had to be decided was the proper construction of a statute authorizing justices of the peace to direct trees growing near a highway to be "pruned or lopped." The trees