

FOREIGN JUDGMENT—CRIMINAL PROSECUTION FOR NEGLIGENCE—
CLAIM OF INJURED PERSON FOR DAMAGES—JUDGMENT FOR
CRIMINAL OFFENCE; AND AWARD OF DAMAGES TO INJURED PER-
SON—SEVERABLE JUDGMENT—PENAL LAW.

Ranlin v. Fischer (1911) 2 K.B. 93. It appears that according to French law, where a person is prosecuted for criminal negligence, the person injured may intervene in the proceedings and claim damages for the injury sustained, which claim is tried along with the criminal charge, and a judgment pronounced both as to the criminal offence, and the civil claim for damages. In the present case the defendant, an American lady, had recklessly galloped her horse in the Avenue du Bois de Boulogne, and had run into and seriously injured the plaintiff. The defendant had been prosecuted in the French court for the offence, and the plaintiff had made a claim for, and had been awarded damages for the injury he had sustained. This part of the judgment he now sued upon in this action. The defendant contended that as, under the well-settled rule of international law, that one country will not enforce the penal laws of another country the claim could not be enforced in England; but Hamilton, J., who tried the action, held that the judgment in question was severable and that an action might be maintained in England on that part of it which awarded damages.

ADMINISTRATION—CREDITOR OF DECEASED DEBTOR—APPEAL—
"PERSON AGGRIEVED"—(CON. RULE 358).

In re Kitson (1911) 2 K.B. 109. In this case the appellants had obtained an order for the administration of their deceased debtor's estate in the Chancery Division of the High Court. On the same day the respondents, who also claimed to be creditors of the deceased in respect of goods supplied by them after his death to his executrix who continued to carry on the deceased's business, presented a petition in bankruptcy on which an order was made for the administration of the deceased's estate in bankruptcy, and it was to set aside the latter order that the present appeal was brought and it was held by Phillimore and Horridge, JJ., that the appellants were persons aggrieved, and therefore entitled to appeal from the order in question—(see Con. Rule 358)—and also that the respondents were not in fact creditors of the deceased, and therefore that the court had no jurisdiction on their application to make an order to administer the estate in bankruptcy. The order appealed from was therefore vacated.