

kind are rare, but the decision does not appear to be altogether satisfactory, but whichever way it was determined, it was bound to involve a hardship on an innocent person.

PRACTICE—FOREIGN CORPORATION—CARRYING ON BUSINESS WITHIN THE JURISDICTION—SERVICE OF WRIT WITHIN THE JURISDICTION—AGENT'S OFFICE—HEAD OFFICER—RULE 55—(ONT. RULE 147).

*Saccharin Corporation v. Chemische Fabrik & Co.* (1911) 2 K.B. 516. In this case the defendants were a foreign corporation, having a sole agent for the United Kingdom, who rented an office in London, and was paid by commission on orders obtained by him for the defendants' goods. The agent had also authority to enter into contracts for sale on the defendants' behalf, without first transmitting them to the defendants. Deliveries of goods sold by the agent were made out of goods of defendant lying at wharves in London, and in other cases out of a stock of defendants' goods kept at the agent's office. Goods so delivered were paid for by cheques sent to the agent. In these circumstances the Court of Appeal (Williams, Moulton, and Farwell, L.JJ.), held that the defendants were carrying on business within the jurisdiction, and a writ of summons served on the London agent was a good service on the defendants, he being for the purposes of service a head officer of the defendants; and the decision of Bray, J., to the contrary was reversed.

PRACTICE—DISCOVERY—MALICIOUS PROSECUTION—INQUIRY AS TO INFORMATION ON WHICH DEFENDANT COMMENCED PROSECUTION.

*Maass v. Gas Light & Coke Co.* (1911) 2 K.B. 543, although involving merely a point of practice, was evidently regarded one of great importance inasmuch as no less than the entire Bench of the Court of Appeal sat to hear the appeal from the order of Ridley, J., disallowing certain interrogatories for the purpose of discovery. The action was for malicious prosecution of the plaintiff by the defendants for stealing gas, of which offence the plaintiff had been acquitted. The plaintiff delivered the following interrogatories for discovery. (4) What information, if any, had you that induced you to prosecute the plaintiff for stealing gas? What steps, if any, had you taken before commencing the prosecution to ascertain whether the charge was