

under the Public Health Act for the abatement of an alleged nuisance on the plaintiff's premises, which turned out to be unfounded. The question was whether such proceedings constituted a sufficient ground of damage to support the action. Horridge, J., who tried the action, held that such a prosecution was injurious to the plaintiff's reputation and constituted a good cause of action for malicious prosecution; following *Royson v. London South Tramways Co.* (1893), 2 Q.B. 304. See *ante* vol. 29, p. 708.

WORKMEN'S COMPENSATION FOR INJURIES ACT—FATAL ACCIDENTS ACT—RECOVERY UNDER WORKMEN'S COMPENSATION ACT A BAR TO SUBSEQUENT ACTION UNDER FATAL ACCIDENTS ACT.

Codling v. Moulem (1914) 2 K.B. 61. In this case it was held by Atkin, J., that where there has been a recovery against an employer under the Workmen's Compensation Act of 1906, that such recovery constitutes a bar to an action against the employer in respect of the same accident under the Fatal Accidents Act.

JUDGMENT DEBTOR—"COMPLETION OF EXECUTION"—PAYMENT DIRECT TO JUDGMENT CREDITOR—WITHDRAWAL OF SHERIFF—BANKRUPTCY OF DEBTOR.

In re Godding (1914) 2 K.B. 70. This, though a bankruptcy case, is deserving of attention as being a judicial decision as to what is meant by "the completion of execution." The facts were, that an execution had been placed in the Sheriff's hands and the debtor's goods were seized, but to avoid a sale the full amount directed to be levied and the Sheriff's charges were paid by the debtor to the judgment creditor's solicitors, whereupon the sheriff was directed to withdraw. Within eight days thereafter the debtor presented a petition in bankruptcy and submitted to a receiving order; and the question was whether there had been a completion of execution before the receiving order. Horridge, J., held that what had been done did not amount to "a completion of execution" within the meaning of the Bankruptcy Act and therefore that the creditor was liable to refund to the trustee the money received. See R.S.O., c. 134, s. 14.

CRIMINAL LAW — PLEADING — INDICTMENT — DUPLICITY — OBJECTION TO INDICTMENT AFTER PLEA OR VERDICT—CRIMINAL APPEAL ACT, 1907 (7 EDW. VII., c. 23), s. 4(1) 6—(R.S.C. c. 146, s. 1019).

The King v. Thompson (1914) 2 K.B. 99. The defendant in this case was indicted for incest. The indictment charged in one