

LANDLORD AND TENANT—AGRICULTURAL LAND—IMPLIED DUTY OF
TENANT TO CULTIVATE—BREACH OF DUTY BY TENANT—
MEASURE OF DAMAGES.

Williams v. Lewis (1915) 3 K.B. 493. This was an action by a landlord against a tenant of agricultural land to recover damages for breach of duty by tenant to cultivate the demised premises. The lease was by parol, and there were no special stipulations as to cultivation. The plaintiff claimed that the defendant had neglected to cultivate the land in a proper manner. Bray, J., who tried the action, held that the defendant's common law duty, when unaffected by any express agreement, is to cultivate the land in a good and husbandlike manner according to the custom of the country, but that he is not further bound to deliver up the land at the end of the tenancy in a clean and proper condition, properly tilled and manured, nor is he necessarily bound or entitled to leave the land in the same condition as when he took it, provided he has down to the end of his time continued to farm in a good and husbandlike manner according to the custom of the country. Where that duty has been neglected, the measure of damages is the amount of the injury to the reversion occasioned by the breach, and that is to be ascertained by estimating the loss of rent probably occasioned thereby.

ATTACHMENT OF DEBT—"DEBT"—FEES PAYABLE BY NATIONAL
INSURANCE COMMITTEE TO PANEL DOCTOR.

O'Driscoll v. Manchester Insurance Committee (1915) 3 K.B. 499. The Court of Appeal (Eady, Phillimore and Bankes, JJ.) have affirmed the decision of Rowlatt, J. (1915) 1 K.B. 811 (noted ante vol. 51, p. 325), to the effect that the fees payable to a panel doctor under the Insurance Act are attachable.

MALICIOUS PROSECUTION—REASONABLE AND PROBABLE CAUSE—
CORROBORATION—QUESTION FOR JURY—QUESTION FOR JUDGE
—FIAT OF ATTORNEY-GENERAL.

Bradshaw v. Waterlow (1915) 3 K.B. 527. This was an action for malicious prosecution, which had been instituted by the defendant against the plaintiff on the evidence of one who admitted himself to be an accomplice. The prosecution had been instituted on the fiat of the Attorney-General, and it was not shewn that the facts had not been fairly laid before him. The plaintiff contended that the plaintiff was not justified in prosecuting without corroborative evidence strictly implicating the plaintiff.