

Bowen, L.JJ., in *Castellain v. Preston* (1883) 11 Q.B.D. 380, the plaintiffs were entitled to succeed, but that the defendants were entitled to deduct from the amount recovered from the third parties their reasonable expenses of recovering the same.

INTERPLEADER—EXECUTION—GOODS BELONGING NEITHER TO EXECUTION CREDITOR NOR CLAIMANT—MONEY PAID INTO COURT—DETERMINATION OF ISSUE IN FAVOUR OF EXECUTION CREDITOR—NOTICE BY CLAIMANT WHOSE RIGHTS ARE ADMITTED.

In *Wells v. Hughes* (1907) 2 K.B. 845, the Court of Appeal regretfully felt compelled to reverse what appeared to be an equitable decision of a Divisional Court (Ridley and Darling, JJ.), and yet for the reasons given by the Court of Appeal (Williams, Moulton and Buckley, L.JJ.), it is hard to see how any other result could follow. Goods were seized in execution, they were claimed by the District Loan Co. under a chattel mortgage made by the execution debtor. The sheriff applied for an interpleaded order, whereupon the Loan Co. paid into Court the amount of the judgment debt, costs and execution fee, to abide the result of an interpleader issue which was ordered to be tried between the execution creditor and the Loan Co. Afterwards a firm of Davies & Co. made a claim to part of the goods which had been seized by the sheriff as lessors under a hire purchase agreement. Notice of this claim was given to both the execution creditor and the Loan Co., and both parties refused to contest the claim. On the determination of the issue the execution creditor claimed to be paid the whole amount of the money in Court, but it was contended that a proportionate part of the money in Court as representing the goods claimed by Davies & Co. should be paid to them. This was so ordered in the County Court, and the decision was affirmed by the Divisional Court; but the Court of Appeal pointed out that what was paid into Court was not the value of the goods seized but merely the amount of the execution creditor's claim, and that his admission of Davies & Co.'s claim was immaterial, as the sheriff had withdrawn from possession.

CRIMINAL LAW—RIOT—WANTON INJURY TO PROPERTY BY BOYS.

*Field v. The Receiver of Metropolitan Police* (1907) 2 K.B. 853 was an action brought under an English statute to recover for damages done to the plaintiff's property in what was alleged