

## ENGLISH CASES.

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**EDITORIAL REVIEW OF CURRENT ENGLISH DECISIONS.**

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**PROSECUTION—LIMITING TIME FOR INSTITUTING PROCEEDINGS.**

*Brooks v. Bagshaw* (1904), 2 K.B. 798, was a prosecution under the sale of Foods and Drugs Act, 1899, in which the question was, whether the proceedings had been instituted within the time prescribed by the Act, viz., within twenty-eight days from the purchase of the alleged adulterated article. It appeared that the information was laid, and a summons taken out within the twenty-eight days, but the summons not having been served, it was allowed to drop, and a new summons was taken out on the same information, but after the time limit had expired. The Divisional Court (Lord Alverstone, C.J., and Kennedy, and Phillimore, JJ.) held that it was sufficient that the information was laid within the prescribed time, but that it was not necessary that the summons should be made returnable or be served within the twenty-eight days, and that it is competent to issue on the same information two or more summonses in succession, until the matter is adjudicated upon on the merits.

**JUDGMENT DEBT—CHARGING ORDER—INTEREST OF DEBTOR IN STOCK—1 & 2 VICT. c. 100, s. 14—3 & 4 VICT. c. 82, s. 1—(R.S.O. c. 334, ss. 21, 23.)**

In *Bolland v. Young* (1904), 2 K.B. 824, the plaintiff having recovered judgment against the defendant sought to obtain a charging order for the amount of the judgment against the defendant's share in an estate in which he was beneficially interested under the will of an American lady, who died in 1903, whereby she appointed two persons resident in England, trustees of all her moneys, bonds, securities and property in England, and directed the executors and trustees to collect and gather in all such residue of the estate in England, and to invest and re-invest it from time to time, and to accumulate the income for six years, and at the end of six years to apply the accumulated income in a certain way, and to divide the capital in three parts, one of which was to be paid to, and become the sole property of, the debtor. The funds subject to the trusts of the will had been invested in Transvaal Government stock which stood in the books of the Bank of England in the name of the trustees of the will.