

accordingly gave judgment for the defendant with costs up to the date of payment into Court less the costs of the plaintiffs up to that date. The plaintiffs appealed, on the ground that the referee ought not to have treated the payment into Court as properly made because the defendants did not specify particularly how much of the £100 was paid in respect of each of the plaintiffs' claims but the Divisional Court (Darling and Phillimore, JJ.) held that the payment was regular, and if plaintiffs felt embarrassed by it, their remedy was to obtain particulars of the payment.

CRIMINAL LAW—SUMMARY JURISDICTION—"COMPLAINT BY OR ON BEHALF OF PARTY AGGRIEVED"—OFFENCE AGAINST PERSON—INJURED PARTLY DISABLED FROM ACTING.

In *Pickering v. Willoughby* (1907) 2 K.B. 296 the Divisional Court (Lord Alverstone, C.J., and Darling and Phillimore, JJ.) held that where a person is unlawfully assaulted and beaten, and is so old and infirm and so much under the control of the assailant as to be unable to institute or authorize proceedings for the prosecution of the offender, an information laid by a relative of the injured person in respect of the assault is a complaint "on behalf of the party aggrieved" within a statute authorizing justices to exercise jurisdiction on complaint made "by or on behalf of the party aggrieved"; and that the assailant had been properly convicted on such information.

ELECTION PETITION—BALLOT PAPER—MARKING BALLOT—POSITION OF VOTER'S MARK.

In *Pontardawe Rural District Election* (1907) 2 K.B. 313 the Divisional Court (Ridley and Phillimore, JJ.) held that a ballot paper is not rendered void under the Ballot Act, 1872, because the voter has placed his mark thereon outside the ruled compartments on the paper intended to receive the voter's mark; provided that the name is opposite the name of a candidate, so as to leave no doubt for whom the voter intended to vote.

TRESPASS—DAMAGES—REMOTENESS—FOWLS STRAYING ON HIGHWAY—DAMAGE TO BICYCLIST—LIABILITY OF OWNER.

*Hadwell v. Righton* (1907) 2 K.B. 345. This was an action brought by the plaintiff to recover damages from the defendant