

to Musgrave would have been illegal, his procuring the plaintiffs to indemnify him was not so, and that in any case the plaintiffs were in *pari delicto*. North, J., however, held that the transaction was illegal, and that the plaintiffs were in no way participators in the illegality and were therefore entitled to have the shares retransferred as they claimed.

SOLICITOR—AUTHORITY TO DEFEND—DEFENDANT COMPANY, DISSOLUTION OF, PENDENTE LITE—JUDGMENT AGAINST DISSOLVED COMPANY—ABATEMENT—COSTS, LIABILITY OF SOLICITOR FOR.

Salton v. New Beeston Cycle Co. (1900) 1 Ch. 43. After judgment had been recovered against the defendant company in this action, it was discovered that the company had been dissolved, and the judgment was consequently invalid. The plaintiff thereupon applied to set aside the proceedings subsequent to the dissolution, and to compel the solicitor who had continued to act for the defendant company after its dissolution, to pay the costs of the abortive proceedings. It appeared that the action was tried on 16th March, 1899, and judgment was given on the 23rd March, and that the company had been dissolved on 12th November, 1898. The solicitors for the defendant company were instructed to defend in February, 1898, the company being then in liquidation, and it was subsequently dissolved as the result of the liquidation proceedings. The solicitor had no knowledge of there having been a final meeting of the defendant company until the day of trial, and they took no steps then to find out whether the dissolution of the company had taken place. The solicitor contended that the judgment was valid notwithstanding the dissolution. Stirling, J. held that the judgment was invalid, but that the solicitors were not liable for costs incurred before they had notice of the final meeting, he however said that they were then negligent in not making the necessary inquiries to find out whether a dissolution of the company had taken place, and in consequence were liable for the costs subsequently incurred.

DEVOLUTION OF ESTATES—LAND TRANSFER ACT, 1897, (60 & 61 VICT., c. 65), s. 1, s. 2, SUB-S. 2; s. 24, SUB-S. 2—(R.S.O. c. 127, s. 4)—EXECUTORS.

In re Pawley & London and Provincial Bank (1900) 1 Ch. 58, was an application under the Vendors and Purchasers Act. After the passing of the Land Transfer Act 1897 (60 & 61 Vict., c. 65),