

the Statute against fraudulent preferences. A point of practice was incidentally determined in the progress of the case. The bankrupt had been examined in bankruptcy, and he was made a party defendant to the present action as a trustee of the trust estates. The plaintiff proposed to read the bankrupt's examination in evidence without calling him as a witness, but the learned judge ruled that although what a trustee says or does in the exercise of his duty is evidence against his beneficiaries, yet what he says or does in other respects is not evidence. The examination was therefor held to be inadmissible as evidence against any of the other defendants.

MANDAMUS, ACTION FOR—STATUTORY REMEDY.

In *Peebles v. Oswaldtwistle* (1897), 1 Q.B., pp. 384-625, the Court of Appeal (Lord Esher, M.R., and Lopes and Chitty, L.JJ.), reversed the decision of Charles, J., granting a mandamus to compel the defendants (a municipal authority) to construct a sewer; being of opinion that that remedy was not open to the plaintiff, as a statutory remedy had been provided for such breach of duty, which it was incumbent on the plaintiff to pursue.

PROBATE—LIMITED ADMINISTRATION—GRANT TO STRANGER—IMMEDIATE GRANT NECESSARY.

In *the Goods of Suarez* (1897), P. 82, the next of kin of an intestate, were at the time of his death resident in Bolivia, where it took six weeks to communicate with them by telegram and four months by letter. This Court being satisfied that an immediate grant of administration was necessary for the preservation of the personal estate, made a general grant to a member of a firm of accountants with whom the books of the intestate's firm had been placed, upon justifying security being given, but such grant was limited until such time as the next of kin should apply for a full grant.

CONTEMPT OF COURT—INJUNCTION, BREACH OF—AIDING AND ABETTING BREACH OF INJUNCTION—COMMITTEAL—INTERFERING WITH COURSE OF JUSTICE.

*Seaward v. Paterson* (1897), 1 Ch. 545, is an instance of the danger a person incurs, even though not a party to an action, who connives at a breach of an injunction of which he has