

Horridge, J., that where a person assigns a chose in action and subsequently becomes bankrupt, the chose in action remains in the "order and disposition" of the assignor until the assignee gives notice to the debtor of the assignment.

PRACTICE—PARTIES—ACTION OF DEBT AGAINST UNINCORPORATED SOCIETY—"PERSONS HAVING THE SAME INTEREST IN ONE CAUSE OR MATTER"—ORDER AUTHORIZING ONE OR MORE TO DEFEND ON BEHALF OF ALL—RULE 131—(ONT. RULE 75).

*Walker v. Sur* (1914) 2 K.B. 930. This was an action of debt against certain members of an unincorporated society whom the plaintiff claimed to sue on behalf of themselves and all other members of the Society. Bucknill, J., on the application of the plaintiff, made an order under Rule 131 (Ont. Rule 75) authorizing the defendants to defend on behalf of themselves and all other members of the society, the plaintiff undertaking in the event of his getting judgment not to take any proceedings on it out of the jurisdiction. On appeal by the defendants the Court of Appeal (Williams, Buckley, and Kennedy, L.JJ.) reversed the order of Williams, L.J., on the ground that it did not appear that the defendants selected to represent the body, which numbered 1,800, were in any way managers of the society, or persons who should reasonably be selected to represent it. The other members of the court seem to base their decision on the ground that an effective judgment for debt could not be properly granted against the defendants so as to bind all the members of the society, which was a fluctuating body.

PROBATE—WILL LEAVING LEGACY TO SOLICITOR BY WHOM IT WAS DRAWN—LEGACY TO EXECUTOR—CONDUCT LEADING TO INVESTIGATION—COSTS.

*Re Osment, Child v. Osment* (1914) P. 129. This was a probate action in which the defendants impeached the will propounded which contained legacies of large amounts to the executors, one of whom drew the will, and for which no explicit written instructions were produced. The will was upheld, but the court (Evans, P.P.D.) being of the opinion that the circumstances justified an investigation, ordered that the costs of all parties should be paid pro rata out of the legacies to the executors.