

dissolved. The purchasers of the lease now applied under the Trustee Relief Act, 1893—(see R.S.O. c. 336, s. 5) for the appointment of a new trustee and for vesting order. Warrington, J., made the order asked.

COMPANY—DEBENTURE HOLDERS' ACTION—RECEIVER AND MANAGER—ADVANCES TO RECEIVER—RECEIVER'S REMUNERATION—PRIORITY OF CLAIM OF RECEIVER.

*In re Gladsir Copper Mines Co., English E. M. Co. v. Gladsir Copper Mines Co.* (1906) 1 Ch. 365 was a debenture holders' action in which a receiver and manager had been appointed to carry on the business. For the purpose of carrying it on the receiver was from time to time authorized to borrow money which was secured by first charges on the assets. The money was advanced by the plaintiffs, and nothing was said in the orders authorizing such loans as to any reservation of the receiver's claim for remuneration and costs, but they expressly provided that the receiver was not to be personally liable for such loans. The receiver continued the business, which ultimately proved a failure and the assets of the concern were realized and proved insufficient to pay in full the receiver's remuneration and costs, and also the advances of the plaintiffs. Joyce, J., held, in these circumstances, that the receiver was entitled to priority of payment, though he thought it would have been otherwise if the advances had been made by a stranger to the litigation. The Court of Appeal (Williams, Stirling and Cozens-Hardy, L.J.J.,) affirmed his decision.

ADULTERATION—SAMPLE—PURCHASE FOR ANALYSIS—DIVISION OF SAMPLE—SALE OF FOOD & DRUGS ACT, 1875 (38 & 39 VICT. c. 63), s. 14—(R.S.C. c. 107, s. 9).

*In Lowery v. Hallard* (1906) 1 K.B. 398 a Divisional Court (Lord Alverstone, C.J., and Lawrance and Ridley, J.J.) held, on a case stated by magistrates, that where a sample of goods is taken for analysis under the Food & Drugs Act, 1875, s. 14 (R.S.C. c. 107, s. 9), each of the three parts into which the sample is required to be divided must be sufficient to admit of an analysis being made thereof.

DISCOVERY—EXAMINATION FOR DISCOVERY—DEFAMATION—LIBEL IN PERIODICAL—DEFENCE OF FAIR COMMENT—INFORMATION ON WHICH ALLEGED LIBEL FOUNDED—NAMES OF INFORMANTS.

*Plymouth Mutual Society v. Traders Publishing Association* (1906) 1 K.B. 403 was an action for libel contained in a periodical published by the defendants. The defence was fair comment.