RECEIVER—EQUITABLE EXECUTION—INJUNCTION.

In *Lloyd's Bank* v. *Medway Upper Navigation Co.* (1905) 2 K.B. 359 the plaintiffs applied for a summons for the appointment of a receiver of the tolls and rents arising from the navigation of a river to which the defendants were entitled. The affidavit shewed that the plaintiffs had recovered judgment against the defendants, and that the defendants had no goods and chattels out of which the money could be made, but were entitled to the rents and tolls in question. There was, however, no suggestion that there was any danger of the defendants parting with their rights pending the proceedings. Jelf, J., in granting the summons, included in it an interim injunction against the defendants receiving or alienating the rents or tolls until after the hearing of the application. On appeal from this part of the order the Court of Appeal (Collins, M.R., and Mathew and Cozens-Hardy, L.JJ.,) held that in the absence of any suggestion of any danger of the defendants parting with or incumbering their rights in the rents and tolls, the injunction should not have been granted, and it was accordingly dissolved.

ASSIGNMENT OF DEBT—CHOSE IN ACTION—MAINTENANCE—TRUST IN FAVOUR OF ASSIGNOR—COLLATERAL OBJECT IN TAKING ASSIGNMENT OF DEBT—JUDICATURE ACT 1873, S. 25, SUB-S. 6 (ONT. JUD. ACT, S. 58, SUB-S. 5).

Fitzroy v. *Cave* (1905) 2 K.B. 364 was a. action brought by the assignee of a number of debts due by the defendant to the plaintiff's assignors. The defendant was a co-director with the plaintiff of a joint stock company, and the plaintiff's object in getting the assignments was to put the defendant in bankruptcy and thereby oust him from his directorship: by the terms of the assignments any moneys received in respect of the debts assigned were to be paid by the plaintiff to the respective assignors. The defendant contended that the assignments were invalid, as savouring of maintenance, and Lawrance, J., with some doubt, so held, but the Court of Appeal (Collins, M.R., and Mathew and Cozens-Hardy, L.JJ.,) held that *Comfort* v. *Betts* (1891) 1 Q.B. 737 had in effect established the validity of such assignments and they allowed the appeal.