

of the execution creditor was settled. The sheriff's man was thereupon withdrawn. The proposed sale was then completed on 12th July, to the claimants Bagshawes, Limited, and they took delivery of the property in dispute. On the 13th July the sheriff's officer again took possession of the goods under Deacon's fi. fa. The Court of Appeal (Smith and Chitty, L.JJ.) affirmed the judgment of Ridley, J., in favour of the claimant's, holding that on the evidence the sheriff must be taken to have abandoned the seizure, that the question of abandonment is one of fact, and the evidence in the case showed that the sheriff had withdrawn because the debtor had represented that it would be inconvenient to have him in possession, pending the contemplated sale, and he must therefore be taken to have abandoned the seizure to enable the sale to be completed.

DISCOVERY—SHIP'S PAPERS—MARINE INSURANCE.

In *China Traders' Ins. Co. v. Royal Exchange Ins. Co.* (1898) 2 Q.B. 187, the Court of Appeal (Smith, Chitty, and Williams, L.JJ.) overruled Mathew, J., on a point of practice. The action was on a policy of marine re-insurance, in which the defendants applied for discovery of the ship's papers, which Matthew, J., refused, but which the Court of Appeal held they were entitled to.

SOLICITOR'S LIEN—ADMINISTRATION ACTION—DOCUMENTS IN SOLICITOR'S POSSESSION BEFORE ACTION—THIRD PARTIES, RIGHT OF, TO PRODUCTION OF DOCUMENTS.

In *re Hawkes, Ackerman v. Lockhart* (1898) 2 Ch. 1, a solicitor of executors who were parties to an administration action, had documents relating to the estate which had come into his possession before action commenced. Third parties interested in the estate applied to have the documents produced for the purpose of the administration proceedings; the solicitor resisted the application, alleging a lien on the documents for his costs. The fact that the documents had come into the solicitor's possession before action was relied on, as taking the case out of the ordinary rule, that documents required for the purpose of an administration action in which