

the prohibited area. The recipient of the letter who was not in fact the debtor, as a result of the correspondence which ensued, purchased the debt, and for his services to both parties in the matter the defendant received payment. Eve, J., thought this was a carrying on business within the prescribed area contrary to the agreement and granted an interim injunction, but the Court of Appeal (Cozens-Hardy, M.R., and Moulton and Buckley, L.J.J.) held that it was not, and dissolved the injunction. Buckley, L.J., remarks that, according to the construction Eve, J., put on the agreement, if a solicitor in London wrote to Toronto to demand payment of a debt, he would be carrying on business at Toronto which he thought an extravagant and absurd proposition.

COMPANY—DIRECTORS—QUALIFICATION SHARES HELD BY DIRECTORS IN TRUST FOR PROMOTERS—MISFEASANCE—DAMAGE.

*In re London & South Western Canal* (1911) 1 Ch. 346. This was an application in a winding-up proceeding to make certain directors of the company liable in respect of their qualification shares for which they had paid no consideration, and which some held as a gift from, and others as, trustees for, the promoter. By the English Companies Act the first directors of a company appear to be bound to acquire their qualification shares by purchase from the company, and Eady, J., held that their acquisition from the promoter, either as a gift from, or in trust for him, was a misfeasance on the part of the directors, for which they were liable to the company for the value of the shares which would have been received by the company, had the shares been acquired from it; and as it appeared that some shares had been sold at par, each director was held liable for the full amount of his qualification shares at their par value.

WILL—GIFT TO COLLATERALS—DEATH OF DONEE BEFORE TESTATOR—ATTEMPT TO INCLUDE REPRESENTATIVES OF DONEE PREDECEASING TESTATOR LEAVING ISSUE—WILLS ACT, 1837 (1 VICT. c. 26), s. 33—(10 EDW. VII. c. 57, s. 37 (ONT.)).

*In re Gresley, Willoughby v. Drummond* (1911) 1 Ch. 358. A testatrix, in the exercise of a general testamentary power, appointed a trust fund to a class of collaterals who should be living at the period of distribution, and attempted to include in the class the issue of members of the class who should predecease her