

DIARY FOR MAY.

1. Tuesday.... Supreme Court of Canada sits.
2. Wednesday.. Battle of Cut Knife Creek, 1885. J. A. Boyd, 4th Chancellor, 1881.
3. Thursday.... Ascension Day. Law School closes.
4. Friday..... Mr. Justice Henry died, 1778.
6. Sunday..... Sunday after Ascension Day. Lord Brougham died, 1868, aged 90.
8. Tuesday.... Ct. of Appeal sits. Gen. Sess. and Co. Ct. sittings for trial in York. Exam. for Certificate of Fitness (last).
9. Wednesday.. Examination for Call (last).
12. Saturday.... Battle of Batoche, 1885.
13. Sunday..... Whitsunday.
14. Monday.... First illustrated newspaper, 1842.
18. Friday..... Montreal founded, 1642.
20. Sunday..... Trinity Sunday.
21. Monday.... Easter Term begins. Convocation meets. Confederation proclaimed, 1867.
22. Tuesday.... Earl of Dufferin, Governor-General, 1872.
24. Thursday.... Corpus Christi. Queen Victoria born, 1819.
25. Friday..... Convocation meets. Princess Helena born, 1846.
27. Sunday..... 1st Sunday after Trinity. Habeas Corpus Act passed, 1679. Battle of Fort George, 1813.
28. Monday.... Hon. G. A. Kirkpatrick, Lieut.-Governor, Ontario, 1892.
29. Tuesday.... Battle of Sackett's Harbour, 1813.

Notes of Canadian Cases.

SUPREME COURT OF JUDICATURE FOR ONTARIO.

HIGH COURT OF JUSTICE.

Queen's Bench Division.

Div'l Court.]

BALL v. TENNANT.

[March 3.]

Assignments and preferences—R.S.O., c. 124, s. 4—Assignment for benefit of creditors—Several property of partners—Covenant of indemnity—Creditors—Execution of assignment by.

An assignment under R.S.O., c. 124, for the general benefit of creditors, made by the members of a trading partnership, in the words mentioned in s. 4, vests in the assignee all the properties of each of the partners, several as well as joint, including a covenant to indemnify one of the partners against a mortgage, which covenant vests under the term "property."

Where such an assignment has been acted upon by the creditors, it is not open to the objection, even if made by an execution creditor, that no creditor executed it.

Cooper. Dixon, 10 A.R. 50, distinguished.

N. F. Davidson for the plaintiffs.

R. V. Macpherson for the defendant.