

EVIDENCE.

One of several defendants having deposed to a fact, which, if proved by proper testimony, would have tended to defeat the suit as against him as well as against his co-defendants, *quære*, whether his evidence is admissible on behalf of his co-defendants?

Simpson v. Smyth, 9.

See also "Maker and Indorser."

FIERI FACIAS.

(SALE OF EQUITY OF REDEMPTION UNDER.)

See "Equity of Redemption."

FREE ON BOARD.

The effect and meaning of the words "Free on Board" considered.

Coleman v. McDermott, 445.

GRANT FROM THE CROWN.

1. Where the Executive Government have examined into and considered the claims of opposing parties to lands leased from the Crown, with a claim of pre-emption, and have ultimately granted them to one of those parties, the Court of Chancery has not any authority, where no fraud appears in obtaining the grant, afterwards to declare the grantee of the Crown a trustee of any portion of such lands for the opposing party, on the ground that he had previously acquired an equitable interest therein. And *quære*, if even there had been fraud, whether the Court, under such circumstances, would have authority to interfere at the instance of the party who had opposed the grant.

Boulton v. Jeffrey, 111.

2. The Crown, by a patent in 1838, granted a parcel of land as containing 70 acres, being the easterly half of lot No. 30 in the 7th concession of the township of Albion; the metes and bounds being given as commencing at the south-east angle of the rear or east half of the lot, (such point being known and undisputed, and the Crown at the time owning all the land in that concession beyond that lot,) then on a course north $45^{\circ} 45'$ west 10 chains, *more or less*, to the allowance for road on the northern boundary of the township, (which was also well known and ascertained,) then south 74° , west 35 chains 50 links, *more or less*, to