

benefit, a subsequent purchaser could not raise doubts as to jurisdiction, when upon the face of the proceedings the statute authorizing the sale appeared to have been followed.

*Calvert v. Godfrey*, 6 Beav. 97, considered and distinguished. *Blean v. Blean*, 693.

2. *Sale at undervalue—Purchaser for value without notice—Advance by wife to husband without any contract for repayment.*—L. F. D. being owner of certain valuable property, mortgaged it for \$700, became of unsound mind and was confined in an asylum. During his confinement M. A. D., his second wife, procured S., the holder of the mortgage, to sell under the power of sale, and the property was sold for \$900 to E. R., sister of M. A. D. Two years after E. R. sold the property to M. E. B. for \$5,000, and a mortgage for \$4,000 unpaid purchase money was taken to M. A. D.

In an action by L. F. D., his next friend, to set aside the sale or for an account, it was

*Held*, on the evidence that the property was sold at a great undervalue under the power of sale, and that E. R. was the agent of M. A. D., but that as M. E. B. was a purchaser of value without notice, the sale must stand, but an account of the proceeds was ordered against M. A. D.

During the trial M. A. D. obtained leave to amend, and claimed to be allowed a sum of \$1,500, which she alleged she had given to her husband, the plaintiff, as a loan, and which was employed in the purchase of the property and the building thereon.

*Held*, that as no contract for repayment was shewn, no security being taken and no attempt having

been made to collect the amount, although many years had passed, the transaction could not be treated as a loan, and the wife could not recover or be allowed the amount so claimed. *Dufresne v. Dufresne et al.*, 773.

See SPECIFIC PERFORMANCE — WILL, 4.

## VENUE.

*Local venue—Abolition by Judicature Act—Vexatious Actions Act, R. S. O. ch. 73—O. J. A., Rule 254.*—*Held*, that the effect of Rule 254 of the Ontario Judicature Act is to abolish all local venues as well as those made so by statute as at the common law, except actions of ejectment.—*Legacy v. Pitcher et al.*, 620.

## VERDICT.

*Of jury for defendant—Setting aside and delivering judgment for plaintiff.*—See STATUTES OF FRAUDS, 1.

*Addendum to.*—See MEDICAL PRACTITIONER.

## WAREHOUSEMEN.

*Administration—Banks—Warehouse receipts—Warehousemen taking possession of goods—Creditors without execution—Estoppel—Rights of personal representative—Corroborative evidence—43 Vic. ch. 22, sec. 7 (D.)*—In proceedings taken in the Master's Office to administer the estate of M. which was insolvent, the M. and D. banks brought in their claims as creditors. Other creditors opposed these claims on the