

2. A resident of Vermont made a promissory note. The payee lived and died in Massachusetts, and administration was there granted on his estate. *Held*, that the administrator might sue on the note in Vermont without taking out administration there; because, as the debt was due and payable in Massachusetts, it could not be assets in Vermont, and therefore there was no ground for granting administration in that State.—*Purple v. Whithed*, 49 Vt. 187.

Exemplary Damages.—See *Damages*, 2.

Expert.—See *Witness*, 1.

Feræ Naturæ. See *Animal*.

Ferry.—See *Injunction*, 2.

Fire.—See *Proximate Cause*.

Fire Insurance.—See *Insurance (Fire)*.

Fixture.—1. Platform scales on a farm, fastened to sills laid on a brick wall set in the ground, *held*, to pass by a mortgage of the farm.—*Arnold v. Crowder*, 81 Ill. 56.

2. As between a mortgagee and an execution creditor, rolling-stock of a railroad company mortgaged with the road is part of the realty.—*Williamson v. New Jersey Southern R. R. Co.*, 28 N. J. Eq. 277.

See *Covenant*.

Forbearance.—See *Consideration*.

Foreign Attachment.—1. A railroad company mortgaged its property and income to secure payment of its bonds; and, by the terms of the mortgage, remained in possession until default. *Held*, that its earnings, while so in possession, might be reached by process of foreign attachment in a suit against it.—*Mississippi Valley & Western Ry. Co., v. United States Express Co.*, 81 Ill. 534.

2. But where a receiver is in possession of a railroad, a creditor of the railroad company cannot attach its earnings in the hands of one of its debtors; and if he does so, without leave of the court by which the receiver is appointed, he is guilty of a contempt.—*Richards v. The People*, 81 Ill. 551.

3. Money taken by an officer from the person of a prisoner arrested for crime, is attachable in the officer's hands in a civil action against the prisoner.—*Reifnyder v. Lee*, 44 Iowa, 101.

Fraud.—See *Corporation*, 2; *Divorce*; *Evidence*, 8; *Executor*, 2.

Fraudulent Conveyance.—1. The plaintiff in an action of tort is not, before judgment, a

creditor of the defendant, and cannot impeach a conveyance by the latter as made to delay or defraud him.—*Hill v. Bowman*, 35 Mich. 191.

2. A. conveyed to B. land on which a crop was growing; the crop was afterwards taken on execution against A., and B. replevied it. *Held*, that the defendant in the action of replevin might show that the conveyance to B. was made to defraud A.'s creditors.—*Pierce v. Hill*, 35 Mich. 194.

See *Executor*, 3.

Game.—Where a statute forbids the catching of rabbits with ferrets by any person, except on premises owned by him, one who so hunts on premises not owned by him is not protected by having the owner's license, if he does not act as the owner's agent.—*Hart v. The State*, 29 Ohio St. 666.

Garnishment.—See *Foreign Attachment*.

Homicide.—See *Evidence*, 1, 3.

Husband and Wife.—A trustee for his wife and others, having converted to his own use part of the trust fund, was removed. *Held*, that this was not a reduction to possession of the wife's share; and, therefore, that her share of other money received by the succeeding trustee was not liable to make up the loss of the other *cestuis que trust*.—*Jones v. Randel*, 2 Del. Ch. 637.

See *Devise*, 2; *Divorce*; *Evidence*, 7; *Will*.

[To be continued.]

GENERAL NOTES.

The following anecdote is told of Sir John Holker, the English Attorney General:—As Sir John was entering the House recently, he saw a stranger standing in the corridor, inquiring after a member. The member in question happened to be a friend of Sir John's, and desirous of obliging him, he said to the stranger, "Come along, I'll get you in." The stranger followed, and Sir John passed him into the speaker's gallery. As he turned to go away, the man held out his hand, and before the Attorney-General quite realized his position, he found he was the possessor of sixpence. Sir John was very proud of the coin, and showed it to his colleagues on the Treasury Bench, affirming that it was the most really earned sixpence he possessed.