

## REVIEW OF CURRENT ENGLISH CASES.

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### POST NUPTIAL SETTLEMENT—WANT OF CONSIDERATION—PURCHASER FOR VALUE—INSOLVENCY—FRAUD ON CREDITORS.

*In re Macdonald* (1920) 1 K.B. 205. This is a bankruptcy case which is deserving of attention. By an ante nuptial settlement made in 1900 the debtor settled certain property upon trust (*inter alia*) for himself for life. In 1913 by an arrangement with his wife the income from the trust property was thenceforward paid to her. In March, 1914, they agreed to separate and, in order to secure the wife the continued payment of the income, in March, 1915, the husband surrendered to his wife his interest under the marriage settlement and gave her power of appointment which might act in derogation of the husband's ultimate reversion in the trust property. There was no agreement that the wife should take no proceedings against the debtor—and though the wife testified that she had no knowledge that the husband was not at the time of the surrender able, apart from the trust property, to pay his debts in full, yet there was no evidence that he was in fact so able. In July, 1917, the husband committed an act of bankruptcy and his trustee in bankruptcy now claimed the trust property to the exclusion of the wife. In these circumstances Horridge, J., held that the surrender to the wife was without consideration and was the mere substitution of a voluntary settlement for a voluntary allowance to the wife which was void as against the trustee so far as was necessary for the payment of the husband's debts and the cost of the bankruptcy.

### CRIMINAL LAW—CHARGE OF MURDER—DEFENCE INVOLVING IMPUTATIONS ON DECEASED—CROSS-EXAMINATION OF PRISONER AS TO OTHER OFFENCES—ADMISSIBILITY OF EVIDENCE—CRIMINAL EVIDENCE ACT, 1908 (61-62 VICT. c. 36) s. 1—(CANADA EVIDENCE ACT, R.S.C. c.145, s. 5 (2)).

*The King v. Biggin* (1920) 1 K.B. 213. This was an appeal from a conviction for manslaughter, on the ground of the improper admission of evidence. The appellant was charged with murder, and as a witness in his own behalf he stated that the deceased had made improper overtures to him and that he had killed him in self defence. Questions were addressed to him in cross-examination which had no relevance to the charge of murder, but which tended to shew that the appellant had previously committed