

REPORTS OF CASES
IN THE
COURT OF ERROR AND APPEAL.

[*Before the Hon. Sir J. B. Robinson, Bart., Chief Justice; the Hon. W. H. Draper, C. B., C. J., C. P.; the Hon. Vice-Chancellor Estlin; the Hon. Mr. Justice Burns; the Hon. Vice-Chancellor Spragge; the Hon. Mr. Justice Richards, and the Hon. Mr. Justice Hagarty.*]

ON AN APPEAL FROM A DECREE OF THE COURT OF CHANCERY.

Between JAMES A. HENDERSON, HENRY SMITH, the
younger, DANIEL BRYANT, GEORGE BRYANT, 1862.
JAMES BRYANT, CHARLES EDWARD CLARK, ^{24 June,}
JOHN RICHARD CLARK, WESLEY MCRORY, ^{1861, and 26}
JOHN MCRORY, LEWIS BARCLAY, and JAMES ^{June, 1862.}
GRAVES, *Appellants*, and GEORGE OLIVER
GRAVES, *Respondent*.

*Attorney and client—Trustee and cestui que trust—Constructive notice
—Purchase for value without notice.*

An attorney in the prosecution of suits to recover an estate for the heir-at-law, who is supposed to be A., buys in a paramount title for the heir-at-law, and subsequently conveys the estate to A., the supposed heir, who sells and conveys to divers purchasers. On a bill filed by B., the real heir, against the attorney and A., and the purchasers from them, the court—in this respect affirming the decree below, as reported in 6 Grant, p. 306—adjudged them to be trustees for B., although it appeared that the ancestor had long before his death conveyed away all his interest in the lands for value —[Sir J. B. ROBINSON, Bart., C. J., dissenting,]—but some of such