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ASSIGNEES AT LAW.

Case of Robinson vs. Empey in Court of Appeals.

Case of Robinson vs. Empey in Court of Appeals.

The case of Robinson vs. Empey occupied the Court of Appeals yesterday afternoon. This is an appeal by Mr. Frederick Empey against a decision of the chief justice in an action brought by the assignee of the estate of Hammond & Brosch, grocers, against the former assignee, Mr. Empey. Mr. Empey beld a chattel mortgage for about \$3,000 on the stock in trade and book debts of Hammond & Bissen, and when that firm assigned he was appointed receiver. Among the assets of the firm were a number of book debts taken over from prior owners of the business. After acting as assignee for a short time the creditors met and removed Mr. Empey and appointed Mr. Robinson assignee in his place. Mr. Empey had then collected some \$1,245 on the book debts referred to and this money has paid to himself on account of his chattel mortgage. Mr. Robinson sued to recover this amount and the chief justice allowed the action on the grounds that the book debts mentioned in the chattel mortgage did not include those taken over from the prior owners of the business.

This is the chief point in the appeal, argument in which was not concluded when the court aligourned until today. Mr. J. A. Macdonald appears for the appellant and Mr. McNeill for the respondent.

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