

THE
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No. 22

OCTOBER 15TH, 1907.

DIVISIONAL COURT.

FALLIS v. WILSON.

Fraudulent Conveyance—Ante-nuptial Marriage Settlement—Action by Execution Creditor to Set aside—Fraudulent Intent of Settlor—Knowledge of Intended Wife of Claim of Execution Creditor—Bona Fides—Absence of Knowledge of Fraudulent Purpose—Letter of Intended Wife Demanding Settlement.

Appeal by plaintiff from judgment of MABEE, J., ante 121.

B. N. Davis, for plaintiff.

C. J. Holman, K.C., for defendants Alice Emily Wilson and the trustees.

THE COURT (MEREDITH, C.J., MACMAHON, J., TEETZEL, J.), dismissed the appeal with costs.

CARTWRIGHT, MASTER.

OCTOBER 16TH, 1907.

CHAMBERS.

MOUNTJOY v. SAMELLS.

Pleading—Statement of Claim—Undue Extension of Indorsement of Writ of Summons—Inconsistent Cause of Action—Action to Set aside Will—Contract of Testator with Child—Property Wrongfully Obtained from Testator in his Lifetime—Amendment.

Motion by some of the defendants to strike out part of the statement of claim.