

## ENGLISH DECISIONS.

*Bankruptcy—Money paid to solicitor for defence of bankrupt on criminal charge—Refusal to order repayment.*

On the 10th of December, 1893, £275 was paid by a debtor to his solicitor for the purposes of his defence on a charge of murder, and on the 20th of December the debtor committed an act of bankruptcy, of which the solicitor, on the 21st of December, had notice. On the 20th of January a receiving order was made against the debtor, and an application was made by the trustee in bankruptcy to the Tunbridge Wells County Court, that the solicitor should be directed to return the money, or at least the balance after deducting disbursements made before the 21st of December, the date the solicitor had notice of the act of bankruptcy. Held, that by the terms of the agreement the money on payment became the solicitor's money; that under no circumstances could the solicitor have demanded more than £275 from the debtor, nor could he be compelled to refund any he had received, and that the agreement was perfectly *bona fide* and valid. Per Wright, J.: The defence of a man charged with murder was probably a matter for which the official receiver might have made the debtor an allowance under the Bankruptcy Rules, 1886, r. 325.—*Re Charlwood; Ex parte Cripps*, Q.B.D., in bankruptcy (Williams and Wright, JJ.), February 25th, L. T. 414; L.J. 147; W.N. 40; 10 T.R. 317.

---

*Bankruptcy—After acquired property—Trading while undischarged—Second bankruptcy—Rights of trustee under first and second bankruptcies—Bankruptcy Act, 1883, sect. 44.*

Where an undischarged bankrupt contracted debts and was again adjudicated bankrupt, the County Court judge directed the official receiver to divide the estate first among the creditors of the first bankruptcy, and if there was a surplus to divide that amongst the creditors of the second bankruptcy. Held, on appeal, that the property passed wholly to the trustees under the second bankruptcy to be administered by him without prejudice to the claim, if any, of the creditors in the first bankruptcy to rank for proof. The trustees under the first bankruptcy had intervened too late, because a perfect title had then