

### Chancery Division.

MEREDITH, J.]

[March 16.

TENNANT v. GALLOW.

*Fraudulent preference—Voluntary transfer—Subsequent sale to innocent purchaser—Following proceeds thereof.*

An insolvent debtor, for the purpose of defeating the plaintiff's claim against him, by voluntary deed conveyed the equity of redemption in certain lands to another creditor, who, as previously arranged with the grantor, sold the property to an innocent purchaser, and applied the proceeds to payment of all encumbrances on the property, and all his own debts and those of certain other creditors of the grantor, and of a commission to himself in respect to the sale, and paid over the final balance to the grantor.

*Held*, that the plaintiffs had no right of action against the fraudulent grantee to recover any part of the purchase money.

*Masuret v. Stewart*, 22 O.R. 200, and *Cornish v. Clark*, L.R. 14 Eq. 184, distinguished.

*W. R. Riddell* for the plaintiff.

*Miller*, Q.C., for the defendant Gallow.

### Common Pleas Division.

Div'l Court.]

[Dec. 30, 1893.

BENJAMIN v. FAIRGRIEVE.

*Bills of exchange and promissory notes—Notes given for patent right—Endorsement of words, "Given for patent right"—Necessity for, as between maker and payee.*

At the time of the formation of the firm of F. & C., F. was indebted to the plaintiffs in his personal account, and, to induce C. to join in giving the firm notes therefor, F., at the plaintiff's suggestion, assigned to C. an half interest in a patent right held by him.

*Held*, under s-s. 4 of s. 30 of the Bills of Exchange Act, 53 Vict., c. 33 (D.), that the words "Given for a patent right" should have been written across the notes; and, in the absence thereof, the plaintiffs could not recover thereon.

*James Parkes and McKay* for the plaintiffs.

*Moss*, Q.C., and *Thompson* for the defendant.

Div'l Court ]

[Dec. 30, 1893.

GORDON v. DENISON ET AL.

*Criminal law—Warrant to compel attendance of witnesses.*

The plaintiff, a barrister, having been subpoenaed to give evidence for the prosecution in a criminal case before a police magistrate, attended at the time