PROVINCE OF CANADA, }
LOWER CANADA }

In the Queen's Bench.

APPEAL SIDE.

JAMES HAGAN,

Appellant.

AND

RUGGLES WRIGHT,

Respondent.

APPELLANT'S CASE.

THE JUDGMENT appealed from was rendered by the [illegible] District of Ottawa on the first day of February, one thousand eight hundred and sixty, condemning the Appellant to pay the Respondent fifty pounds currency, interest and costs.

The Respondent's claim to the said sum of money as set forth in his declaration is briefly as follows.

He declares that by deed of assignment of the twenty-sixth day of March, one thousand eight hundred and fifty-one the Respondent Ruggles Wright transferred all his property, real and personal, to Messrs. James Gilmour, Hugh Allen, and Alexander Workman, in trust, for the benefit of his creditors.

The Trustees aforesaid, viz. Alexander Workman the Appellant and Attorney, sold to the Appellant by deed of sale of the twenty-first day of March, one thousand eight hundred and fifty-four, a portion of the real property aforesaid assigned to them for the payment of the Respondent's creditors for one hundred and seventy-five pounds currency, payable by the said deed to Alexander Workman one of the said Trustees or to his order.

The Trustees performed the trusts which the aforesaid deed was intended to [illegible] the Respondent's creditors [illegible] the [illegible] of the said deed.

[illegible] statement that the Respondent made [illegible] the Appellant the sum of [illegible] pounds aforesaid and over [illegible] and [illegible] and seventy-five pounds payable by the said deed on the first day of March [illegible] the said Alexander Workman and [illegible] payment of the debts and [illegible] the Respondent and [illegible] Trustees [illegible] law have or ought to have [illegible] Respondent.

[illegible] Respondent [illegible] paid and the said Trustees [illegible] of the [illegible] and [illegible] Workman [illegible] the Respondent [illegible] Alexander Workman [illegible] the Respondent [illegible] and that the said Trustees having [illegible] Sept. one thousand eight hundred and [illegible] said Trustees [illegible] the Trustees, and [illegible] seventy-seven [illegible] Respondent [illegible] aforesaid by the said First Deed [illegible].

The [illegible] Appellant [illegible] which it was urged.

That the sale of [illegible] Trustees to the Appellant [illegible] and the [illegible] under the said [illegible] Respondent [illegible] to Mr. Alexander Workman.

That [illegible] the Respondent [illegible] which [illegible] by the Appellant [illegible].

That [illegible] property debts, &c. which [illegible] Respondent [illegible] said First Deed which are set forth [illegible] said Trustees, whereas the [illegible] the Appellant [illegible] said First Deed, and [illegible] Respondent [illegible].