

Macdonald, J.] **TRADERS BANK v. WRIGHT.** [April 6.
Fraudulent conveyance—Injunction against further transfer by grantee—Suit to set aside fraudulent conveyance commenced before judgment for debt obtained.

Held, that, if a creditor brings his action to recover a debt, and at the same time to set aside a fraudulent conveyance or transfer made by the debtor before recovery of judgment for the debt, he must sue on behalf of himself and other creditors; but that, if he does so, and makes out a sufficient case, he may have an injunction to prevent a further transfer of the property being made by the grantee or transferee, and also forbidding any further transfers of his property by the debtor, pending the trial of the action. The learned judge considered the circumstances in this case warranted the issue of such an injunction.

Minty, for plaintiff. *Mulock*, K.C., and *Armstrong*, for defendants.

Mathers, J.] **IN RE GREAT PRAIRIE INVESTMENT CO.** [April 10.
Winding-up Act—Application by liquidator to court for directions to proceed against directors for fraudulent acts.

The liquidator of the company, which was in process of voluntary winding up under the Manitoba Winding-up Act, R.S.M. 1902, c. 175, applied, under section 23 of the Act, for a direction as to whether or not proceedings should be taken against a number of former directors of the company to cancel certain shares of the capital stock which they had issued to themselves as bonus or promotion stock fully paid up, without payment of any kind, and to recover the dividends, to the amount of over \$62,000, which they had afterwards paid to themselves on said shares.

Held, that, whilst it was manifestly the duty of the liquidator to take appropriate proceedings to recover the money for the company, the question was not one "arising in the matter of the winding up" within the meaning of section 23, and that no order should be made or formal directions given.

T. R. Ferguson, for the liquidator. *Hoskin*, for shareholders.

Mathers, J.] **PULKABECK v. RUSSELL.** [April 15.
Registry Act—Purchase and dedication of land for a public highway by the municipality—Priority as against subsequent purchaser who registered his deed first.

In 1897 the defendant municipality purchased from the owner, one Boulton, a strip of land 22 yards wide through the