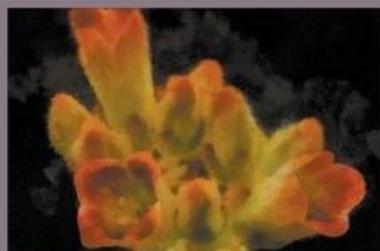


Ontario Weekly Reporter and Index-Digest Volume 18

Anonymous



ONTARIO WEEKLY
REPORTER AND INDEX-
DIGEST VOLUME 18



This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1911 edition. Excerpt: ...and notifying the parties when judgment would be delivered: see B. v. Quinn (1897), 28 O. R. 224 2 Can. Cr. Cas. 153 and vor.. 18 o.w.n. NO. 5-33 section 722 of the Criminal Code Crankshaw, 3rd ed., p. S31. Convictiouquashcd, with the usual protection to the magistrate, costs against informant. Order for payment out to the solicitor of the money paid in, as security for the application. DIVISIONAL COURT. lilancn 13TH, 1911. SPOTTON v. GILLARD. Bankruptcy and Insolvency--Ghuttel Mortgage---Ececuted Three Days before.11 ortgag/Or Asaigncd--Set Aside--Unjust Preference. Jameson, Co.C.J., held, that a chattel mortgage executed three days before mortgagor assigned was an unjust preference to defendant mortgagors, over other creditors, and gave judgment to plaintiff, assignee for benefit of creditors, setting aside the mortgage and declaring that defendants were only entitled to rank pro rata with and as ordinary creditors. Drvrsromu. Oovar aflirmed above judgment. An appeal by the defendants from a judgment of HIS HONOUR JUDGE Jameson, of the County Court of Wellington, pronounccd 3rd January, 1911. The plaintiff, as assignee for the benefit of creditors of William A. Dulmage, a retail grocer formerly carrying on business at the town of Harriston, brought action to set aside and declare void a chattel mortgage for \$448, given by the said Dulmage to the defendants, a firm of wholesale grocers carrying on business at the city of Hamilton, as an unjust preference, within the meaning of the Assignments and Preference Act, 10 Edw. VII. ch. 64, sec. 5 sub-sec. 2. It appears that for some time previous to the execution of the chattel mortgage the defendants had been supplying the mortgagor with goods in the ordinary course of trade and at...

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