

FRAUDULENT CONVEYANCES—*Continued.*

14. An understanding that the grantor might redeem the property when his circumstances improved, will not vitiate a conveyance, in other respects unobjectionable. The only effect of such a reservation, being to convert an absolute conveyance into a mortgage, or make an unconditional, a conditional sale. *Ib.*
15. Upon a bill filed by an administrator to set aside a conveyance as fraudulent against the creditors of his intestate, charging that said conveyance was made at the request, and by order of the intestate, for the use and benefit of his wife and children. HELD—

That whatever may be the character of the conveyance, so far as the rights of the creditors are concerned, it is certainly against the party who caused it to be made, and his representatives. *Kinnemon vs. Miller*, 407.

See RECORDING OF MORTGAGES, 1. LIMITATIONS, 10, 13. EVIDENCE, 27, 28. VACATING OF DEEDS. INSOLVENT DEBTOR.

GENERAL RELIEF, PRAYER FOR.

1. Where the complainants, by their bill, asserted their title under the will of a testator, and claimed relief accordingly, and likewise stated every fact necessary to enable them to recover, as his personal representatives. It was HELD—

That under the prayer for general relief, they were entitled to recover, as the personal representatives of the testator, though they might not be so entitled, according to the specific prayer, or the precise character in which they present their claim. *Wootten vs. Burch*, 190.

GENERAL RULES, MAXIMS, AND PRINCIPLES OF LAW.

1. Where a sole executor is at the same time guardian, the law will adjudge his word's proportion of the estate to be in his hands, as guardian, after the expiration of the time fixed by law for the passage of the final account. *Lark vs. Linstead*, 162.
2. Lenders of money being less, under the pressure of circumstances, calculated to control the free exercise of judgment, than borrowers, may often be tempted to avail themselves of that advantage in order to attain inequitable bargains, the leaning of Courts of Equity is, therefore, against them, and presumptions are not made in their favor. *McDowell vs. Goldsmith*, 370.
3. A Court of Equity will sanction, when done, that which, upon application, it would have ordered to be done. *Murray vs. Feinour*, 419.
4. It may be laid down as a fundamental doctrine, that equity does not assist the recovery of a penalty, or forfeiture, or any thing in the nature of a forfeiture. *McKim vs. The White Hall Company*, 510.

GIFTS.

See DELIVERY, 1.

GIFTS FROM HUSBAND TO WIFE AFTER MARRIAGE.

- 1: It is clearly established, that Courts of Equity will uphold gifts from a husband to his wife after marriage, though such gifts are ordinarily void at law, and that the gift will, as against the husband, but not as