

Case No. 3,154.

COOK v. CONWAY.

[2 Cranch, C. C. 99.]<sup>1</sup>

Circuit Court, District of Columbia.

April Term, 1814.

ASSIGNMENT OF EXPECTANCY.

An assignment of "all the assignor's estate, and effects in possession, or which may accrue or become due and owing to him," will not transfer a mere possibility of a legacy.

Daniel Muse assigned his wife's legacy, after the death of R. Conway, the testator, to Cook; but before the testator's death he had assigned to E. Edwards and S. Downing; "all his estate and effects in possession, or which may accrue or, become due and owing to him."

THE COURT (FITZHUGH, Circuit Judge, absent) was of opinion that Cook was entitled to the legacy.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]