

Case No. 14,152.

TRAVERS v. RAMSAY.

{3 Cranch, C. C. 354.}¹

Circuit Court, District of Columbia. Dec. Term, 1828.

FRAUDULENT CONVEYANCE—POSSESSION—BILL OF SALE.

1. If the vendor and vendee of chattels live together in the same house, the possession will be presumed to be and remain in the vendor until the contrary is shown.

2. An absolute bill of sale of chattels is void as to creditors if the possession does not accompany and follow the deed.

Replevin [by John Travers against R. T. Ramsay].
Defence under an execution upon a judgment against George Travers, the plaintiff's father; and that the bill of sale from the father was void as to creditors, because the possession remained with the father. The evidence was that the son, the plaintiff, lived in the same house with the father, and that no change of possession took place in consequence of the bill of sale.

R. S. Coxe, for plaintiff.

THE COURT (THRUSTON, Circuit Judge, absent), instructed the jury that if the possession remained with the grantor, the deed was void as to creditors; and that if the title was in the father, the possession should be presumed to be in him also, at the time of the deed, unless the contrary should appear.

Verdict for the defendant

¹ [Reported by Hon. William Cranch, Chief Judge.]

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