

Divisional Court.] MCEACHERN v. GORDON. [April 24.  
*Judgment debtor—Examination of, after assignment for benefit of creditors.*

The making of an assignment for the benefit of creditors does not deprive a judgment creditor of his right to examine a judgment debtor for the purpose of getting a *ca sa* even if perhaps it may in some cases furnish a reason why an order for such examination should not be made.

Judgment of the County Court of Elgin affirmed.

*Gibbons, Q.C.*, for the appeal. *Armour, Q.C.*, and *W. L. McInnes* contra.

Meredith, C.J.] DOUGALL v. HUTTON. [April 25.  
*Local judge—Jurisdiction—Injunction—Rules 46, 47.*

An appeal by the defendant from an order made by one of the local judges for the County of Essex restraining the defendant until the trial from carrying on the business of a grocer in the City of Windsor in alleged breach of a covenant with the plaintiff.

*J. H. Moss*, for the defendant, contended that, although the solicitors for both parties resided in the County of Essex, the local judge had no jurisdiction to grant an injunction for more than eight days, citing *Kohles v. Costello*, 32 C.L.J. 129 (decided on the 31st January, 1896, under the Rule then in force, 42 A 1419).

*R. U. Macpherson* for the plaintiff.

MEREDITH, C.J., held that the local judge had power to grant the injunction till the trial, *Kohles v. Costello* being no longer applicable, owing to changes made in the arrangement of the rules; see rules 46 and 47 of the present Consolidated Rules.

Meredith, C.J.] HODGE v. HALLAMORE. [April 28.  
*Appeal—Lis pendens—Refusal to vacate—R.S.O. c. 51, s. 99.*

No appeal lies, by virtue of s. 99 of the Judicature Act, R.S.O. c. 51, or otherwise, from an order of a master or judge dismissing a motion made under s. 98 for an order vacating a certificate of *lis pendens*.

*W. R. Riddell* for the plaintiff. *J. R. Roaf* for the defendants.

### Flotsam and Jetsam.

"Are you the defendant in this case?" asked the judge, sharply. "No, suh," answered the mild-eyed prisoner. "I has a lawyer hired to do de defendin'. I's de man dat done stole de ahticles."—*Washington Star*.