

On objection at trial that the original note being paid by the renewal, the property became vested in and the ownership passed to the makers, or, if not, the endorsement to the bank constituted an equitable assignment and the bank was the only party who could have legally made the seizure.

Objection sustained, and prisoner acquitted.

*Secord*, Q.C., for the Crown.

*Mackenzie*, for the prisoner.

RICHARDSON, J. }  
In Chambers.

[March 24.

ARNOLD *v.* BOURGEOIS, FOURINARD SCHOOL DISTRICT, GARNISHEE.

*Garnishing party resident in another judicial district*—"Judicature Ordinance," ss. 4, 368.

Plaintiff, having obtained judgment against defendant, served a Garnishee summons on the Fourinard School District, which is situated in another judicial district, i.e., Saskatchewan. Upon motion by plaintiff to strike out appearance entered by garnishees and for judgment against them, defendant and garnishees appeared and contended that as the garnished school district was in another judicial district, there was no jurisdiction to make the order asked for, relying on sec. 4 of the "Judicature Ordinance": "Suits shall be entered, and unless otherwise ordered, tried in the Court holden in the judicial district where the cause of action arose, or in which the defendant, or one of several defendants, resides or carries on business at the time the action is brought."

*Held*, that a School District is a "person" who can be garnished under sec. 368 of the "Judicature Ordinance," and that garnishee proceedings do not come under sec. 4 of same ordinance.

Order made striking out appearance entered by garnishees and for judgment for plaintiff against garnishees for amount of primary judgment and costs, but order not to issue till April 10th, and not then if meanwhile garnishees shall have complied with the ordinance and paid costs.

*Robson*, for plaintiff.

*Secord*, Q.C. for defendant.

*Johnstone*, for garnishee.

RICHARDSON, J. }  
In Chambers.

March 24.

SIMPSON *v.* PHILLIPS, LATHAM, GARNISHEE.

*Garnishee summons—Defective affidavit*—"Judicature Ordinance," s. 368.

Plaintiff, having obtained judgment against defendant and garnished Latham, obtained a Chamber summons calling on defendant and garnishee to show cause why judgment should not be entered for plaintiff against garnishee for amount of primary judgment and costs.

Upon return of the summons, for garnishee and defendant it was con-