Phillimore, J., had refused the application of the plaintiff for a charging order against the debtor's beneficial interest in the stock, but the Court of Appeal (Sterling and Mathew, L.JJ.) held that the latter had an interest in the stock which might be charged under the statutes 1 & 2 Vict. c. 110, s. 14, and 3 & 4 Vict. c. 82, s. 1 (R.S.O. c. 334, ss. 21, 23), and accordingly made the order as prayed.

SUBMISSION TO ARBITRATION—STAYING PROCEEDINGS—ARBITRATION ACT (52 & 53 VICT. c. 49), s. 4—(R.S.O. c. 62, s. 6).

In *Hodson* v. *Railway Passengers Assurance Co.* (1904), 2 K.B. 833, an application was made to stay proceedings, on the ground that the matters in question were by statute to be submitted to arbitration. The Railway Passengers Assurance Company's Act of 1864 provided that any question arising on a contract of insurance made by the defendant company should be referred to arbitration, and that if an action were brought it might be stayed; while this Act was in force the contract sued on was made, which contained a condition that any dispute arising thereon should be referred to arbitration. After the making of the contract the Act was repealed by a Consolidating Act which, however, provided that all contracts in force at the date of the repeal were to be valid and effectual as if the Consolidating Act had not been passed. Under these circumstances the Court of Appeal (Collins, M.R., and Stirling, L.J.) held that an order had been properly made by Phillimore, J., staying the actions, as the effect of the saving clause in the Consolidated Act was to leave in force a valid submission to arbitration within the meaning of the Arbitration Act, s. 4 (R.S.O. c. 62, s. 6), and, therefore, under that Act the Court had jurisdiction to stay the action.

SUMMARY JUDGMENT ON SPECIALLY INDORSED WRIT — ORDER XIV.—(ONT. RULE 603)—EXCESSIVE INTEREST.

Wells v. *Allott* (1904), 2 K.B. 842, was an application for a summary judgment under Order XIV. (Ont. Rule 603). The defendant set up that the rate of interest (which was equal to £105 per cent. per annum) was excessive and extortionate, against which he was entitled to relief under the Money Lenders Act 1900 (63 & 64 Vict. c. 51), s. 37. Phillimore, J., had given the plaintiff leave to sign judgment for the amount indorsed on the writ, but the Court of Appeal (Collins, M.R., and Cozens-Hardy, L.J.) set the order aside holding that such a defence ought not to be disposed of on summary application but that the action should go to trial in the ordinary way as to the excess claimed over and above the amount advanced, and simple inter-