Jenkins, 18 Q.B.D., 451, because it was virtually setting up the *jus tertii* of the mortgagee; but it was held by Mathew and Wills, JJ., that the case was distinguishable from *Richards* v. *Jenkins*, because the claimant had a substantial interest in the goods, viz., all the property in them which was not vested in the mortgagee, whereas in *Richards* v. *Jenkins* the claimant had no title whatever to the goods.

PRACTICE—INTERPLEADER—SHARES—CHOSE IN ACTION—ORD. LVII., R. I. (ONT. RULE 1141).

Robinson v. *Jenkins*, 24 Q.B.D., 275, was an appeal from Lord Coleridge, C.J., and Mathew, J., staying proceedings pending the trial of an interpleader issue, under the following circumstances. The plaintiff, claiming to be the registered proprietor of certain shares in a joint stock company, employed the defendants as brokers to sell the shares for him, and for that purpose delivered to them the certificate of ownership and a transfer of the shares from himself to the defendants. He alleged that he had rescinded the employment, and claimed that the defendants did not return the documents, and the action was brought for a declaration that the plaintiff was entitled to the shares, and to compel the defendants to return the certificate and transfer. The defendants, on the other hand, applied for an interpleader order, on the ground that they claimed no interest in the shares, but that the same were claimed from them by one Bebro, and that they expected to be sued by him for their recovery. The Court of Appeal (Lord Esher, M.R., and Fry, L.J.) were of opinion that the interpleader order had been rightly granted, that although Bebro's claim was to the shares, yet that his claim must be taken to be to everything necessary for their enjoyment, which would include the documents, and they were also of opinion that in any case a *chose in action* is a chattel within the meaning of Rule lvii., r. 1 (Ont. Rule 1141), and therefore the subject of interpleader.

PRACTICE—ATTACHMENT OF DEBTS—DIVIDEND PAYABLE BY OFFICIAL RECEIVER IN BANKRUPTCY—DEBT ATTACHABLE—ORD. V., R. 1, (ONT. RULE 622.)

In *Prout* v. *Gregory*, 24 Q.B.D., 281, a Divisional Court of the Q.B. Division (Lord Coleridge, C.J., and Mathew, J.) determined that a dividend payable by an official receiver in bankruptcy is not a debt which can be attached within Ord. xlv., r. 1 (Ont. Rule 622). We may observe, however, that the Ont. Rule 622 is wider in its terms than the English rule, and permits debts or demands to be attached which could be reached by means of equitable execution. Such a demand as the one in question could no doubt be reached by equitable execution, and therefore in Ontario might be attached.

HABEAS CORPUS—ISSUE OF WRIT AGAINST A PERSON WHO HAS NO LONGER THE CUSTODY OF THE PERSON DETAINED—ILLEGALLY PARTING WITH THE CUSTODY OF INFANT—IMPOSSIBILITY OF OBEYING WRIT.

In the case of the *Queen* v. *Barnardo* (Gossage's case), 24 Q.B.D., 283, the veteran philanthropist, Dr. Barnardo, is again the somewhat unwilling means whereby the Court of Appeal is enabled to throw light on the law of *Habeas Corpus*.