

the tablets had been analyzed and the analysis given in evidence, coupled with expert evidence to explain the operation of the ingredients. It is hardly conceivable that a drug which would have the result cautioned against would act in the beneficial way claimed for it in assisting nature.—ED. C.L.J.

Province of British Columbia.

SUPREME COURT.

Full Court.] HARRIS *v.* HARRIS. [March 3, 1901.

Debtor and creditor—Garnishee order—Claimant—Judge by consent trying issue summarily—Appeal—County Court—Garnishee proceedings—Practice.

Appeal from the decision of FORIN, Co. J. Plaintiffs in County Court proceedings issued several garnishee summonses, and subsequently in Supreme Court actions judgment creditors of the defendants in the County Court actions issued attaching orders against the same garnishees. The judgment creditors in the Supreme Court actions contended that the County Court garnishee summonses were nullities, as they were issued on an affidavit which did not comply with the statute, and all the interested parties agreed that the County Judge might decide the matter in a summary way. He held that the County Court plaintiffs were entitled to the money's garnished.

Held, on appeal, by the full Court, following *Eade v. Winsor & Son* (1878) 47 L.J.C.P. 584, that the County Judge was in effect an arbitrator, and no appeal lay from his decision.

Per DRAKE, J.:—(1) The affidavit leading to a garnishee summons must verify the plaintiff's cause of action, and a garnishee is entitled to question the validity of the proceedings at the hearing. (2) The defect in the affidavit was an irregularity only, and payment into Court by the garnishees was a waiver by them of their right to object. (3) The plaintiff may specify in one affidavit several debts proposed to be garnished. Appeal dismissed.

L. G. McPhillips, K.C., for appellant. *Davis*, K.C., for respondent

By some mistake in making up the calendar of our sheet almanac the date of the appointment of Chief Justice Armour to the Court of Appeal, and of Mr. Justice Falconbridge as Chief Justice of the King's Bench Division, on June 7, 1901, was omitted. This can be of no interest to those eminent judges, but we desire to correct the omission.