

Fortunately the labor attending any such step is materially lightened by the labors of the revisers of the Imperial statutes; but it must be remembered that this revision has no legal effect in Ontario, and that, so far as this Province is concerned, it may be found that not a few ancient English statutes which have been repealed upon the recommendation of the Imperial Commissioners for the revision of the Statutes, are still in force in Ontario. The labor of learning the Statute Law, so far as the Dominion and Provincial statutes are concerned, is materially facilitated by a periodical revision of the statutes, and what is now needed is the publication of a volume containing the Imperial statutes which are in force in Ontario. We commend this subject to the serious consideration of the Ontario Government, and believe that its accomplishment will prove a boon, particularly to the legal profession, and indirectly to the public at large. It is a step which it appears to us has been already too long delayed.

COMMENTS ON CURRENT ENGLISH DECISIONS.

The Law Reports for August comprise 25 Q.B.D., pp. 193-328; 15 P.D., pp. 133-148; 44 Chy.D., pp. 329-502; and 15 App. Cas., pp. 249-309.

NEGLIGENCE—MASTER AND SERVANT—EMPLOYERS' LIABILITY ACT, 1880 (43 & 44 VICT., c. 42), s. 1, s-s. 3 (R.S.O., c. 141, s. 3, s-s. 4).

In *Snowden v. Baynes*, 25 Q.B.D., 193, the Court of Appeal (Lord Esher, M.R., and Fry and Lopes, L.JJ.) unanimously affirmed the decision of the Divisional Court, 24 Q.B.D., 568, noted *ante* p. 296, on the ground that Sellick, under whose directions the plaintiff had acted, had no authority from the defendant to give directions to the plaintiff, and consequently there was no evidence of any order being given by any one to the plaintiff which he was bound to obey, within the meaning of s. 1, s-s. 3 (R.S.O., c. 141, s. 3, s-s. 4).

PRACTICE—PRODUCTION OF DOCUMENTS BY PERSONS NOT PARTIES—ORD. XXXVII. R. 7—(ONT. RULE 580).

In *Elder v. Carter*, 25 Q.B.D., 194, the Court of Appeal (Lindley and Bowen, L.JJ.) were of opinion that under Ord. xxxvii., r. 7 (see Ont. Rule 580), the Court could not properly order a person not a party to the proceedings, to produce documents, merely for the purpose of discovery, but only for the purpose of a pending trial, hearing, or application, or in order to carry out or complete an order which has already been obtained. In other words, unless the party is entitled to the production of such document at the moment the order is made, it ought not to be granted. Lindley, L.J., was of opinion that if the rule purported to give the right of discovery as against strangers to the action, it would be *ultra vires*.