

school. The Court (Wright and Bruce, JJ.) refused the application, both because they doubted whether the defendants had jurisdiction to decide the objection, and also because it appeared that the applicants had alternative and convenient and effectual remedies, either by proceeding under the Charitable Trusts Act, or by ordinary action against the defendants.

LANDLORD AND TENANT—DEMISED PREMISES OUT OF REPAIR—NEGLIGENCE—
LANDLORD, LIABILITY OF, FOR INJURY CAUSED THROUGH WANT OF REPAIR.

Lane v. Cox, (1897) 1 Q.B. 415, is a case somewhat similar to *Mehr v. McNab*, 24 O.R. 653. The defendant had let an unfurnished house, the stairs of which were in a dangerous condition; he was under no obligation to repair, or keep the premises in repair, and the plaintiff, a workman, at the request of the tenant was employed to carry some furniture in the house, and while so employed was injured through the stairs breaking down under him. The Court of Appeal, (Lord Esher, M.R., and Lopes and Rigby, L.JJ.) agreed with Lord Russell, C.J., that the defendant was not liable: See *Brown v. Toronto Hospital*, 23 O.R. 599, and *Miller v. Hancock*, (1893) 2 Q.B. 177, noted ante, vol. 29, p. 555.

PRACTICE—CONSOLIDATION OF ACTIONS—APPLICATION BY PLAINTIFF TO CONSOLIDATE ACTIONS—ORD. xlix., r. 8 (ONT. RULE 652).

In *Martin v. Martin*, (1897) 1 Q.B. 429, an application was made by the plaintiff to consolidate the action with certain other actions brought by him. It was contended that consolidation of actions can only be ordered on a defendant's application, but the Court of Appeal (Lord Esher, M.R., and Lopes and Chitty, L.JJ.) upheld the order of Cave, J., notwithstanding the wording of the Rule which seems to keep alive the practice prior to the Judicature Act on this point, the Court being of opinion that the object of the Rule being to save expense, it was proper to give it a broad and liberal construction.

ERRATA.—P. 282, 10th line from bottom, for "insurance" read "severance"; p. 320, 14th and 24th lines, for "rule 572" read "rule 57, sub-sec. 2."