
 ENGLISH CASES.

 EDITORIAL REVIEW OF CURRENT ENGLISH
 DECISIONS.

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MASTER AND SERVANT--FALSE IMPRISONMENT BY SERVANT--MASTER'S LIABILITY OF, FOR ACT OF SERVANT--IMPLIED AUTHORITY--MANAGER.

Hanson v. Waller (1901) 1 Q.B. 390, was an action to recover damages for an alleged false imprisonment which took place under the following circumstances. The plaintiff was delivering mineral water in the cellar of a public house which belonged to the defendant, but was under the management of one Mosely, who, under a mistaken belief that the plaintiff was stealing whiskey from the premises, gave him into custody, but on the plaintiff being brought to the station Mosely admitted he had been mistaken, and the plaintiff was at once discharged. The defendant visited the public house daily, but took no part in its management. The Judge of the County Court in which the action was brought, held that there was no evidence from which an implied authority to Mosely could be inferred, and he gave judgment for the defendant, and this decision was upheld by the Divisional Court (Kennedy and Darling, J.J.), that Court being of opinion that the act was not necessary for the protection of the master's property as there was no evidence that whiskey had gone, or that any could be recovered by prompt arrest of the plaintiff, and that as the master visited the premises daily it was not necessary for Mosely to take such a step without first consulting him, and that under the circumstances there was no implied authority from the defendant to Mosely to cause the arrest.

FACTORIES' ACT--FACTORY--VENTILATION--DUST--NEGLECT TO COMPLY WITH DIRECTION OF INSPECTOR--EVIDENCE OF INJURY--FACTORY ACT, 1878 (41 & 42 VICT., c. 16), s. 36--(R.S.O. c. 256, ss. 15, 16).

In *Hoare v. Ritchie* (1901) 1 Q.B. 434, the defendants, the proprietors of a factory, had been notified by the Factory Inspector to provide a fan to carry off dust generated therein and liable to be inhaled by the workers--and, having neglected to comply with the direction, he was prosecuted for breach of the Act, and the question stated by the magistrate was whether upon