a special direction to that effect from the solicitor, and that a general order to that effect was not sufficient to make such reports privileged. The Master said that no authority was cited for this proposition, which seemed to go further than any decided case. The decision in the analogous case of Swaisland v. Grand Trunk R.W. Co., ante 960, seemed to approve of the claim of privilege made as in the present case: see p. 962.—The second schedule, shewing documents at one time in the defendants' possession, mentioned only reports of the engineer and conductor of the train on which the plaintiff's husband was killed, "made for the purpose of obtaining necessary details for information of the Board of Railway Commissioners, under sec. 292 of the Railway Act, and subsequently destroyed." Section 292(2) says that the Board "may declare any such information so given to be privileged." There was nothing in the material to shew whether any such declaration, either general or special, has been made by the Board. Counsel for the defendants seemed to think that, if this had not been done, then the reports could be seen at the office of the Board. In any case, he conceded that the engineer or the conductor, or both if necessary, and if still in the service of the defendants, could be examined for discovery, when they would have to make full disclosure as to their knowledge, recollection, information, and belief as to the cause of the fatal accident in question. The Master said that this would give the plaintiff all that could be of any service at this stage. Motion dismissed, but with costs to the plaintiff in the cause, as the first affidavit was admittedly irregular. A. Ogden, for the plaintiff. Frank McCarthy, for the defendants.

RAWLINGS v. TOMIKO MILLS LIMITED—BRITTON, J.—MAY 30.

Master and Servant—Injury to Servant—Negligence—Findings of Trial Judge]—Action for damages for personal injuries sustained by the plaintiff while working for the defendants, piling lumber in a mill-yard. The lumber was being transported from one place to another upon a car running on a tramway. Lumber was precipitated from the car upon the plaintiff, and he was badly injured. There were charges of negligence and contributory negligence. BRITTON, J., who tried the action without a jury, at North Bay, reviewed the evidence, in a written opinion of some length, and stated his conclusion that the injury was due to a mere accident, not necessarily attributable to