

SOLICITOR AND CLIENT—SOLICITOR DISCHARGED BY CLIENT ACTING
FOR OPPOSITE PARTY—INJUNCTION.

Raknsen v. Ellis (1912), 1 Ch. 831. In this case the plaintiff had employed the defendants, a firm of solicitors, to act for him in reference to a claim he had against his employers for alleged wrongful dismissal. Subsequently the dispute was referred to arbitration and the plaintiff discharged the plaintiffs and employed another solicitor to act for him, whereupon the opposite party employed the defendants as their solicitor in the arbitration proceedings and the plaintiff thereupon brought the present action claiming an injunction to restrain the defendants from acting as solicitors for the opposite party in the arbitration proceedings. Warrington, J., granted the injunction, but the Court of Appeal (Cozens-Hardy, M.R., and Moulton, and Buckley, L.J.J.), reversed his decision holding that when the client discharges his solicitor, there is no universal rule that the solicitor cannot act for his opponent, but that each case must depend on its own circumstances and though the client is entitled to be protected from his former solicitor disclosing to his adversary any confidential communications made to him in the course of his employment; yet the mere fact that he had formerly been in his employment, was, on his discharge, no bar to his accepting the retainer of his adversary, even in the same matter. Moulton, L.J., makes some observations on the fact that while one member of the firm had acted for the plaintiff it was another member of the firm who had had no previous knowledge of the matter who was acting for the plaintiff's adversary; which was a circumstance which appeared to satisfy him that no mischief would come of it to the plaintiff.

EMPLOYERS' LIABILITY ACT—NOTICE OF ACCIDENT—TWELVE
MONTHS' DELAY—EMPLOYER PREJUDICED IN DEFENCE—"MIS-
TAKE OR OTHER REASONABLE CAUSE"—LATENT INJURY—
WORKMEN'S COMPENSATION ACT, 1906 (8 EDW. VII. C. 58)
SEC. 2 (1)—R.S.O. C. 160, SS. 13, 14.

In *Egerton v. Moore* (1912) 2 K.B. 308, the plaintiff sought to recover compensation against his employer under the Workmen's Compensation Act, 1906 (6 Edw. VII. c. 58). The injury occurred on July 21, 1910, when the plaintiff, who was a navvy, fell into a trench. After ten minutes' rest he was able to resume work but on the next day and for a few days afterwards he was unable to work and so informed the defendant to