

"Dans une autre cause de *Collins vs London General Omnibus Company*, jugée en 1893, et rapportée au 68 *L. T.*, p. 831, il s'agissait d'une action en dommages résultant d'un accident. Un cheval vicieux avait causé l'accident, et un passager qui se trouvait à bord de l'omnibus, et qui avait été blessé dans l'accident, avait poursuivi la compagnie en dommages alléguant négligence de la part du conducteur de l'omnibus.

"Celui-ci avait, le lendemain de l'accident, fait un rapport circonstancié à la compagnie. Sur demande de produire ce rapport, la compagnie prétendit qu'il était un document privilégié, alléguant :

"That it had been made or had come into existence for the use of the company's solicitor in this action, and as evidence and information as to how evidence could be obtained, and otherwise for the use of the said solicitor to enable him to conduct the defence in this action, and to advise the defendant company in reference thereto, and that it had been made under the actual direction of the defendant's solicitor, and for no purpose other than for his use in anticipation of litigation, and in the conduct of this action."

"Held that, though there was at the time of the making of the report no action begun or even threatened, the circumstances of the case were such as to raise a high probability, amounting almost to a certainty, that litigation would ensue, and that the report having come into existence in view of litigation reasonably apprehended, for the purpose of being laid before the defendant's professional adviser, was privileged from inspection by the other side."

"Ce jugement, comme on le voit, est basé sur celui de *The Southwark and Vauxhall Water Co vs Quick*,