

Where the ship was built in Scotland, and certain repairs were effected on her way out to the British Columbia coast, the balance of convenience if in favour of trying any disputes concerning those repairs at the place where the ship is, rather than at the place where she was built.

*Bond*, for plaintiff. *Davis*, K.C., for defendant.

Irving, J.] ATTORNEY-GENERAL *v.* RUFFNER. [Jan. 9.

*Costs—Action by Attorney-General—Payment of costs by relator or Attorney-General—18 & 19 Vict. c. 90, (Imp.), whether in force in British Columbia.*

In an action by the Attorney-General at the relation of a private individual, the Crown sues as *parens patriæ*, and the only object of inserting the name of the relator in the proceedings is to make him responsible for costs.

The Act, 18 & 19 Vict. c. 90 (Imperial), is not in force in British Columbia, and the machinery by which the Act is to be marked out could not be applied here.

*A. D. Taylor*, for Attorney-General. *Bloomfield*, for relator. *Peters*, K.C., and *Belyea*, K.C., for defendant *Ruffner*. *Bodwell*, K.C., for defendant *Blunck*.

Full Court.] [Jan. 21.

EMPIRE MANUFACTURING CO. *v.* LEVY.

*Discovery—Affidavit—Documents not disclosed in—Further affidavit—Marginal rule 237.*

In an action on a guarantee, plaintiffs applied for an affidavit of documents which was filed. This, however, not being considered sufficient, application was made for further information.

*Held*, affirming the order of *FORIN*, Co. J., *IRVING*, J., dissenting, that under marginal rule 237 of the County Court Rules, there is discretionary power in the judge to order further discovery if it is deemed that discovery already made is unsatisfactory or insufficient.

*Per MARTIN*, J.—The order appealed from is supportable to shew, by the production of the ordinary business books of the