

maintained, probably due to clauses being brought in at the last moment and not inserted in the place in which the careful draughtsman would have placed them.

The amendment of the County Courts Act, c. 21, appears to have suffered from some such cause. The Act provides for the rehearing of County Court actions where a judge has died before giving judgment, or has delayed giving judgment for more than six months. Probably, as originally drawn, the Act provided that in all cases the rehearing should take place before a Judge of the Supreme Court; but in its passage through the House it would look as if some member may have suggested that a Judge of a County Court might also be enabled to rehear such cases, and accordingly s. 44a provides that a Judge of a County Court may rehear but the rest of the Act merely provides for a Judge of the Supreme Court rehearing, and no provision is made whereby a case can be carried before a County Court Judge, as the only provision for setting such cases down for rehearing is at the Weekly Court in Toronto.

The amendment made to the Mechanics and Wage Earners Lien Act, by c. 29, is no doubt intended to obviate the defect which the recent case of *Miller Pressed Brick Co. v. Whalley*, 14 O.W.N. 27, disclosed: where a materialman failed to obtain a lien even on his own materials furnished because they were not placed on the land for which they were intended to be used, but no land adjacent thereto.

The giving different sections or sub-sections duplicate numbers, such as on p. 333, where two sections are numbered 536—and a like defect occurs elsewhere—is a difficulty perhaps hard to avoid where so many cooks have their hands in the pot.

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#### DAY LABOURERS.

In a country like ours where every man is more or less a "daily labourer" it is interesting to note the construction placed upon these words as used in a statute in England which entitles a traveller to a cheap fare on a tramway service run specially "for artisans, machinists and daily labourers." It appears that the person