

Province of British Columbia.

SUPREME COURT.

Clement, J.] TIMMS *v.* TIMMS. [Dec. 28, 1909.

Divorce—Petition by wife—Omission to aver non-collusion—No appearance by respondent—Service of notice of subsequent proceedings.

In the affidavit filed by the petitioner for a judicial separation it was not alleged that there was no collusion or connivance between the parties.

Held, 1. That such allegation is a positive statutory requirement preliminary to the issue of a citation.

2. Where the respondent has been served with a citation and has not appeared, service of notice of subsequent proceedings in the cause is not necessary.

Brydone Jack, for petitioner. No one for respondent.

Book Reviews.

The law relating to public officers having executive authority in the United Kingdom. By A. W. CHASTER, Barrister-at-law. London: Butterworth & Co., 11 and 12 Bell Yard, Temple Bar. 1909.

This is an enquiry into the limits of the authority of public officers in their executive capacity and their liability and the remedies for breach or excess of such authority.

In 1886 a digest of cases was published under the title of *Executive Officers*, and the present work, in an extended and elaborate form, claims to be a complete record of the common and statutory law on the subject. As might be supposed, it deals most exclusively with the law relating to such officers under the statute law of the United Kingdom, and it is only where such statutes are similar to ours that the authorities and the statement of law therein related thereto are of help in this country. These observations have special application to Parts I. and II. of the work. Part III. is more general in its character, and is an excellent summary of the authorities on the subject of the liability of public officers, (1) under warrants and orders of Supreme Court