

PRACTICE—DISCOVERY—AFFIDAVIT OF DOCUMENTS—PRIVILEGE—
DOCUMENTS COMING INTO EXISTENCE FOR PURPOSE OF LEGAL
ADVISER AND TO ENABLE HIM TO CONDUCT DEFENCE.

In *Birmingham and M. & M. Omnibus Co. v. London and N.W. Ry.* (1913), 3 K.B. 850, a question of practice is dealt with. In an affidavit of documents, the defendant objected to produce certain documents as privileged, on the ground that they had come into existence after litigation was in contemplation, and in view of such litigation, and for the purpose of obtaining and furnishing for the defendant's solicitor evidence and information which could not be obtained otherwise, and to enable him to conduct the defence. The English Rules enable the court or judge to inspect documents, which are alleged to be privileged, and, after inspection of the documents in question, the documents were found to be privileged, and the Court of Appeal (Williams, and Buckley, L.JJ.) refused to order their production, and laid down that it is not necessary, in an affidavit claiming privilege on that ground for the deponent, to state that the documents were obtained "solely" or "merely" or "primarily" for the solicitor, it is enough that they were obtained for the solicitor, as materials upon which professional advice could be taken in proceedings pending, threatened, or anticipated.

SOLICITOR AND CLIENT—BILL OF COSTS—PARTY AND PARTY COSTS
TAXED AND PAID—BILL FOR SOLICITOR AND CLIENT COSTS.

In *re Osborne* (1913) 3 K.B. 862. In this case the question was whether a bill of costs between solicitor and client should properly include the costs between party and party which had been taxed and paid. The Court of Appeal (Williams and Buckley, L.JJ.) held, affirming Channel, J., that it should.

ILLEGITIMATE CHILD—MAINTENANCE—PROOF OF PARENTAGE—
CORROBORATIVE EVIDENCE—CONVICTION OF PUTATIVE FATHER
—(1 GEO. V. c. 36, s. 2 (ONT.)).

Mash v. Darley (1914) 1 K.B. 1. This was an application against the putative father of an illegitimate child to compel him to pay for its maintenance. The English Act provides that on such application the uncorroborated evidence of the mother as to the parentage of the child is insufficient (see 1 Geo. V. c. 36, s. 2 (Ont.)). In corroboration of the mother's evidence, proof was given of the trial and conviction of the alleged father for