

Full Court.] *McKELVEY v. LE ROI MINING COMPANY.* [April 22.

Mines (Metalliferous) Inspection Act—Accident to miner caused by falling cage—Bulkhead—Statutory duty of owner to maintain—Practice.

Action for damages for personal injuries sustained by plaintiff, a miner, while working at the bottom of a shaft in the Le Roi mine. The cage or skip used for lowering and hoisting men fell and broke through the bulkhead or cage platform at the 800-foot level, and struck the plaintiff while working a few feet below.

Held, affirming *McCOLL*, C. J., that the cage or skip used for lowering and hoisting men is not "falling material" within the meaning of that term as used in r. 20 of s. 25 of the Metalliferous Mines Inspection Act, and the amendment of 1899 (c. 49, s. 12,) does not create any duty on the mine owner to provide protection from a falling cage.

A. H. MacNeill, K.C., for plaintiff. *C. R. Hamilton* for defendant.

Book Reviews.

Practical Legislation. The composition and language of Acts of Parliament and business documents, by Lord Thring, K.C.B., late Parliamentary Counsel: George N. Morang & Company, Limited, publishers.

In 1877 Lord Thring, then Sir Henry Thring, wrote the original of this treatise for the instruction of draftsmen in the office of the Parliamentary Counsel. The book was published by Her Majesty's Stationery Office, and passed out of print. A copy of it exists in the library at Osgoode Hall, from which more than one treasured manuscript copy has been made. Lord Thring is a master of the English language. He is a prince amongst draftsmen, a worthy successor of a long line beginning with Stephen Langton, whose hand penned the immortal phrases of Magna Charta. That keystone of English liberty says "No free man shall be taken or imprisoned, or be disseised of his freehold or liberties, or free customs, or be outlawed, or exiled, or any otherwise damaged, nor will we pass upon him, nor send upon him, but by lawful judgment of his peers, or by the law of the land." In that stipulation a master draftsman stated that supremacy of the fixed principles of the law over the will and power of the monarch, which has rendered the fanatical devotion of the English lawyers to their common law so justifiable.

In later years the mastery of English was lost by draftsmen. Here is a ridiculous instance of the lost art, "Every dog found trespassing on inclosed land unaccompanied by the registered owner of such dog or other