

SOLICITOR, UNQUALIFIED PERSON ACTING AS—CONTEMPT OF COURT—COUNTY COURT, POWER OF, TO COMMIT—SOLICITORS' ACT, 1860 (23 & 24 VICT., C. 127), s. 26—(R.S.O., c. 147, s. 26).

In *The Queen v. Judge of Brompton C.C.*, (1893) 2 Q.B. 195, a Divisional Court (Lord Coleridge, C.J., and Cave, J.) determined that a judge of a County Court has no power under the Solicitors' Act, 1860, s. 26 (see R.S.O., c. 147, s. 26), to commit summarily an unqualified person doing business in the court as a solicitor for contempt of court. The decision proceeds on the ground that contempts of a County Court, except those specified in the statute creating the County Courts, cannot be punished summarily, but only by indictment. The decision would seem to apply to the County Courts of Ontario, whose power to punish for contempt seems to be similarly limited. See R.S.O., c. 47, s. 33.

BILL OF EXCHANGE—BILL PAYABLE "TO—ORDER"—BILLS OF EXCHANGE ACT, 1882 (45 & 46 VICT., C. 61), ss. 3, 5, 7, 55—(53 VICT. (D.), C. 33, ss. 3, 5, 7, 55).

*Chamberlain v. Young*, (1891) 2 Q.B. 206, is a decision of the Court of Appeal (Lord Esher, M.R., and Bowen and Kay, L.JJ.), reversing the judgment of Lawrence, J., and holding that a bill of exchange payable "to—order" is in effect a bill payable to "my order," i.e., the order of the drawer; and having been indorsed by the drawer, it was a valid bill of exchange. It is possible that the result would have been different had the instrument read "pay to—or order."

LANDLORD AND TENANT—COVENANT BY LESSEE "TO REPAIR, UPHOLD, AND MAINTAIN" DEMISED PREMISES—INHERENT DEFECT IN PREMISES.

In *Lister v. Lane*, (1893) 2 Q.B. 212, the Court of Appeal (Lord Esher, M.R., and Kay, L.J.) held, that under a covenant by a lessee "to repair, uphold, and maintain" the demised premises there is no obligation on the lessee to rebuild premises which, in consequence of an inherent defect in their original construction, and through lapse of time, fall into ruin during the term. In the present case, owing to the building being erected on a defective foundation, a wall bulged, and the building was condemned by the district surveyor as a dangerous structure, and was pulled down. The house was at least one hundred years old;