

FILING REPORTS—RECENT ENGLISH DECISIONS.

the report to be filed wherever the writ issued, and proceedings are deemed to be carried on there, though, as a matter of fact, they may be carried on hundreds of miles away.

For example, a writ may issue in Toronto, but the reference in the action may be directed to Sarnia or Cornwall, and all the substantial matters in litigation may be carried on in the office of the Master at one or other of those places, and yet according to the technical construction placed on the Rule, the proceedings are "carried on" in Toronto, and the report must be filed there.

But when an action is commenced by a motion in Chambers in Toronto, a still more curious result is reached. Assume the reference to be directed to Sarnia. Here we may have three offices to select from in which to file the report. There is the office of the Master in Chambers in Toronto, there is the office of the Master at Sarnia, and the office of the Local Registrar at Sarnia to choose between; but according to the judicial construction of the Rule in question, in neither of these offices would it be proper to file the report, because here another technical construction of the Rule comes in to play, and by analogy to actions commenced by writ, it is considered that such actions should be deemed to have been carried on at Toronto, and the report should be filed in the office where pleadings would have been filed if a writ had issued, and therefore, in such cases the report should be filed in the office of the Registrar, when the action is in the Queen's Bench or the Common Pleas Divisions, and in the office of the Clerk of Records and Writs when the action is in the Chancery Division; although in neither of these offices has any proceedings been actually "carried on."

Again there are cases where an action is commenced by writ issued by a Local Registrar, and a reference is directed to

the Master in the same county. In such cases the report must be filed in the office of the Local Registrar; but if an action is commenced by a motion in Chambers to the same Master, and he directs a reference to himself, the report in that case must be filed in the Master's own office.

No wonder with all these complications mistakes are constantly arising, and reports are being filed in the wrong office, and delay and expense is incurred in rectifying the mistakes. It is greatly to be wished that the judges may see their way at an early day to revert to the simpler practice of the Court of Chancery by rescinding Rule 599, and directing reports to be filed in all cases in the office of the Registrars of the Queen's Bench and Common Pleas Divisions; or the office of the Clerk of Records and Writs, according as the action is in the Queen's Bench, Common Pleas or Chancery Divisions.

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The Law Reports for June comprise 17 Q. B. D. pp. 1-138; 11 P. D. pp. 53-69; 32 Chy. D. pp. 1-246; 11 App. Cas. pp. 93-231.

ALIEN—PERSONS BORN IN HANOVER BEFORE ACCESSION OF QUEEN VICTORIA.

Proceeding first to the consideration of the cases in the Queen's Bench Division, the first to be noticed is *In re Stepney Election*, 17 Q. B. D. 54, which, although an election case touching the right of certain persons to vote, is yet of general interest as casting light on the law affecting aliens. The question for the Court was, whether certain persons born in Hanover before the accession of Queen Victoria to the throne of Great Britain, and while the King of England was also King of Hanover, continued to be British subjects after Her Majesty's accession, and the Court held that they did not; and, while fully accepting the actual decision in *Calvin's case*, Co. Rep. Part vii. p. 1, yet certain *dicta* in that case which favour the notion that