

remembered that the action was brought under Lord Campbell's Act to recover damages for the death of the plaintiff's husband, who was killed whilst unloading a ship. The plaintiff had joined as defendants the shipbrokers, carrying on business in London, and also claimed to join as defendants the shipowners, who carried on business in Glasgow, as being necessary parties to an action brought against persons within the jurisdiction within the meaning of Ord. xi., r. 1 (g) (Ont. Rule 271 (g)); but the Court of Appeal was of opinion that no *prima facie* cause of action had been shown as against the person served within the jurisdiction, and therefore the case was not within the Rule. As Lindley, L.J., puts it: "I come to the conclusion that the brokers have been brought into the action simply to enable the plaintiff to bring the other defendants within the jurisdiction. It is not a *bona fide* case of an action properly brought against a person who has been served within the jurisdiction."

LANDLORD AND TENANT—LEASE—RE-ENTRY FOR FORFEITURE—RELIEF AGAINST FORFEITURE—PARTIES—C.L.P. ACT, 1860 (23 & 24 VICT., c. 126), s. 1—(R.S.O., c. 143, s. 20).

*Harc v. Elms*, (1893) 1 Q.B. 604, was an application by a mortgagee of a lease to be relieved from a forfeiture of the lease for non-payment of rent. The landlord had recovered judgment in ejectment against the tenants in possession, and the mortgagees of an under-lessee now applied, under the provisions of the C.L.P. Act, 1860, s. 1, to be relieved from the forfeiture. The application was resisted on the ground that the lessee had not been notified of the application. The Divisional Court (Day and Collins, JJ.) held the objection was well taken, because it was, in effect, sought to restore the lease, and reimpose a burden on the lessee, as to which he was entitled to be heard.

MASTER AND SERVANT—NEGLIGENCE—SERVANT LENT FOR PARTICULAR SERVICE—MASTER PARTING WITH CONTROL OF SERVANT—HIRER OF SERVANT OF ANOTHER, LIABILITY OF, FOR NEGLIGENCE OF SERVANT.

*Donovan v. Laing, Wharion & Down Construction Syndicate*, (1893) 1 Q.B. 629, was an action brought against a master for the negligence of a servant under the following circumstances: The defendants contracted to furnish to a firm of wharfingers engaged in unloading a ship a crane, and a man to take charge of, and to work it. The man in charge of the crane was under