

The present condition of the law therefore would seem to be as follows:—

(1) Where any person is found committing any of the offences specified in section 646, he may be arrested without warrant by any one whether peace officer or private person.

So also an arrest may be made without warrant under sections 648 and 649.

(2) If the criminal takes to flight to avoid arrest the officer is bound to prevent such escape, and, if necessary, may fire at the criminal while endeavouring to escape (section 41 *supra*).

(3) A private person may arrest, without warrant, in such cases, and may use force to prevent an escape by flight, but he may not use force likely to cause death or grievous bodily harm (section 42), therefore he may not use firearms.

(4) A peace officer may arrest without warrant anyone who has committed any of the offences mentioned in section 646, or any of the further offences mentioned in sections 647, 648, 649, and may, in such cases, stop a fleeing criminal, by shooting at him if that be necessary under the circumstances.

(5) But in no other case is anyone, whether officer or private person, justified in using firearms when a person to be arrested simply takes to flight.

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THE GRANTING OF CHARTERS.

A controversy has arisen in the party press in regard to the duty of the Secretary of State in granting letters patent under the Dominion Companies Act. This has been stirred up by the issue of letters patent at Ottawa to the Metropolitan Racing Association, Limited, and some new and rather startling legal doctrines are being evolved. Advocacy may sometimes seek to put a strain on legal interpretation, but for a dislocation of all its joints and sinews one may apparently look to the leader writer of a party organ.