

**ATTORNEY-GENERAL.**

1. Proceedings to forfeit charter—*Quo warranto*—Interests of public.]—The Attorney-General, acting in the interests of the public, may maintain action in the Supreme Court (or by *quo warranto* on the Crown side), to inquire into the compliance by defendants claiming to be organized as a railway company, under an Act of the Legislature, with the terms of the charter; and without showing any special public injury.

And tests of the existence of an interest in the public are furnished by the facts that the object of incorporation is to attain a matter of public convenience, and that the sovereign power of eminent domain has been delegated, and is liable to be illegally exercised.

And the Attorney-General may proceed independently of any relator.

Attorney-General v. Bergen, 29/135.

2. Delegation of functions by—1887, c. 66, s. 2.]—Power of prosecuting Attorney to prefer an indictment.

See CRIMINAL LAW, 22

**ATTORNEY, POWER OF.**

Excess of authority—Principal not bound.

See ASSIGNMENT, 10.

PRINCIPAL AND AGENT, 14.

**AUCTION.**

1. Inland Revenue Act.]—An auctioneer selling under its provisions is entitled to the notice of action therein provided.

See INLAND REVENUE, 2.

2. Sale of land.]—Encumbrances must be disclosed, otherwise the sale is voidable by purchaser.

See LAND, 2.

3. Misrepresentation by administrator acting as auctioneer on a sale of land. The deed set aside.

See DEED, 10.

**AWARD.**

See ARBITRATION AND AWARD.

**BAIL.**

1. Effect as a waiver—Attachment.]—One who furnishes security in the nature of an undertaking by a bank, to secure the release of a vessel attached under absconding debtor process loses his right afterwards to move to set aside the attachment. He should furnish special bail.

See ATTACHMENT, 7.

2. *Capias*.]—But one who furnishes bail to secure his release from custody under a *capias*, does not lose or waive his right to move to set aside the *capias*.

Craven v. Williamson, 31/256.

Orwitz v. McKay, 31/243.

3. Bond cancelled.]—The liabilities of the sureties cannot be restored. Ground for dismissing appeal.

See CAPIAS, 14.

4. Estreating recognizances.]—The proceeding must be had under the Crown Rules, and if notice is not given to the sureties as therein provided, the order is bad.

Queen v. Creelman, 25/404.

**BAILMENT.**

Goods shipped by railway.]—Liability of company as warehouseman after arrival at destination.

See RAILWAY, 9.

**BANKRUPTCY.**

See ASSIGNMENT, COMPANY, 33, INDIGENT DEBTOR, PROBATE COURT, 7.

**BANKS AND BANKING.**

1. Security on real estate.]—Defendant bank advanced a large sum of money for