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The act 48 Vict., ch. 21 (Quebec), which was assented to May 9, 1885, makes some changes with respect to Reviews. It enacts:—

1. The following paragraph is added to article 494 of the Code of Civil Procedure of Lower Canada, as replaced by the act 34 Victoria, chapter 4.

"4. From all judgments concerning municipal corporations and municipal offices, on proceedings taken in virtue of chapter 10 of title second of book second of the second part of this code."

2. Article 497 of the said Code is repealed and replaced by the following:

"497. This review cannot be obtained, until the party demanding it has deposited in the office of the prothonotary of the Court which rendered the judgment, and within eight days from the date of such judgment a sum of twenty dollars, if the amount of the suit does not exceed four hundred dollars, or of forty dollars if the amount of the suit exceed four hundred dollars, if the review is taken in virtue of paragraph 4 of article 494, or if it be a real action; together with an additional sum of three dollars for making up and transmitting the record, when the judgment has been rendered elsewhere than in the cities of Quebec and Montreal.

The amount thus deposited is intended to pay the costs of the review incurred by the opposite party if the court should grant them, if not, it is returned to the party by whom it was deposited."

"3. The following article is added after article 500 of the said Code:

"500a. Cases instituted in virtue of paragraph 4 of article 494 have precedence over all other cases."

4. The act 45 Vict., chap. 33 is repealed.

5. This act shall come into force on the day of its sanction.

The decision of Mr. Justice Papineau in *Bessette v. Howard* is noted in the present issue, not because of any novelty in the prin-

ciple laid down, but because the judgment has been widely represented in the press as one which held barbed wire fences to be illegal. As these fences are very extensively constructed throughout the country, a decision condemning them in general terms would have considerable importance. Our report of *Bessette v. Howard*, which, we may remark, has been approved by the learned judge presiding, goes no further than to hold that a person who uses a barbed wire fence about his land is responsible for damages arising from bad construction. It is always difficult to ascertain the precise facts in a case where the evidence is entirely oral, but we understand that in this case the learned judge considered that the wires were too loose and too far apart, and that a mare pasturing in an adjoining field was thus induced to pass through, and sustained injuries in the act of passing.

An international question was initiated lately at Philadelphia. A Captain Hutter arrived at that city from Austria, and anchored at Christian Street wharf. Complaint was made that he was conducting himself in a disorderly way, and a warrant was sworn out for his arrest. When an officer attempted to serve the writ the captain declared that the officer had no authority to be upon his vessel, and had him forcibly ejected. The outcome was at once reported to the Court, whereupon Officer Barlow was given a bench warrant and directed to take Captain Hutter into custody. The chief of police and fifty patrolmen were sent to see that he was protected. When Barlow and the policemen arrived at the wharf Captain Hutter and his seamen were in readiness to receive them, armed with pistols and swords. Officer Barlow was flung overboard, some of the policemen were cut and bruised, but the victory was with the Americans, and the captain was marched to the bar of the Court. Captain Hutter was required to enter security to appear for trial. The trial resulted in his acquittal. Upon the captain's arrival in his own country he made complaint to the Austrian authorities, claiming that he was not amenable to the United States authorities, but had the right to be heard by the Austrian Consul. The complaint having been trans-