

not within the Extradition Act, 1870 (33 & 34 Vict., c. 52), or the extradition treaty with France. The crime of which he was accused was known to French law as "faux," or "faux en ecritures de commerce"; in England it would come under the head of the statutory offence of falsification of accounts by a director, public officer, or member of a public company, and although the offence would not be forgery according to the English law, yet the Court (Lord Russell, C.J., and Wright and Kennedy, J.J.), held that the offence was a crime within both the French and English versions of the extradition treaty between France and England, and the Extradition Act, and the rule was accordingly discharged: and this decision seems, in effect, to support the opinion maintained by a writer in this journal, vol. 31, p. 594, as to the construction of the Canadian Extradition Act and treaties.

PRACTICE—PLEADING—DOCUMENT, STATEMENT OF ITS EFFECT—ACTION FOR RECOVERY OF LAND—ORD. XIX. R. 21 (ONT. RULE 406.)

*Darbyshire v. Leigh*, (1896) 1 Q.B. 554, is a decision of the Court of Appeal (Lord Esher, M.R., and Lopes and Rigby, L.J.J.) on a point of practice, involving the construction of Ord. xix., r. 21 (Ont. Rule 406.) The action was for recovery of land, and in the statement of claim the plaintiff, among other things, stated "By the will of the said Holt Leigh, made on 27 February, 1875, and duly proved July 18 of that year, the said Mary Taberner or Leigh became entitled to the said estates in fee in reversion on the determination of certain estates tail limited in the said will." The defendants moved in chambers to compel the plaintiff to amend the statement of claim by setting forth the precise words of the will by which she became entitled to the estates in fee in reversion, or in default that the paragraph above quoted should be set aside as embarrassing. The Master refused the application, but the Judge in Chambers reversed his decision. The Court of Appeal (Lord Esher, M.R., and Lopes and Rigby, L.J.J.) considered the statement of claim sufficient under Order xix., r. 21 (Ont. Rule 406), and restored the order of the Master.