

THE IRISH CRIME BILL.

This bill, according to the *Solicitors' Journal*, shows that the measure is to a very large extent a repetition of former enactments, the chief novelties being the "anti boycotting clauses." These provide punishment for "intimidation," for "rioting," for "within six months after execution of a writ of possession of any house or land, taking possession of such house or land without the consent of the owner," and for membership in any "unlawful association." An "unlawful association" is defined as "an association formed for carrying on operations (a) for the commission of crimes, or (b) for encouraging or aiding persons to commit crimes;" "crimes" including "any offence against this Act." The clauses empowering the Lord Lieutenant to issue a special commission to any three judges to try certain crimes without the assistance of a jury, though not without precedent, go beyond the prior enactments *in pari materia*.

NOTES OF CASES.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

June 20, 1882.

Before SIR BARNES PEACOCK, SIR MONTAGUE E. SMITH, SIR ROBERT P. COLLIER, SIR JAMES HANNEN, SIR RICHARD COUCH.

THE QUEEN *v.* BELLEAU *et al.*, & E. CONTRA.

Debentures issued by Trustees of Quebec Turnpike Roads—Liability of the late Province of Canada to pay principal and interest of debentures.

PER CURIAM. This is a petition of right against the Crown, by the holders of certain debentures issued by "the Trustees of the Quebec turnpike roads," for payment of the principal and interest of their debentures.

No question has been raised as to the form in which the suppliants seek to have the question in dispute determined, which is, whether the late Province of Canada was liable to pay the principal and interest of the debentures sued on. By "The British North America Act, 1867," the debts and liabilities of each province existing at the union were transferred to the Dominion of Canada, and it was conceded by the Crown that if the debentures created a debt on the part

of the province, the suppliants are entitled to a decision in their favour.

The debentures purport on their face to be and were in fact issued under the authority of an Act of Parliament of the Province of Canada (16 Vict., c. 235), entitled "An Act to authorise the Trustees of the Quebec turnpike roads to issue debentures to a certain amount, and to place certain roads under their control."

The debentures are in form of certificates by the Trustees, that under the authority of the said Act there had been borrowed and received from the holder a certain sum bearing interest from the date of the certificate, which sum was reimbursable to the holder or bearer on a day named.

The Act, after reciting that it was expedient to extend the provisions of a certain Ordinance (4 Vict. c. 17) to certain roads other than those to which they then extended, and to such further improvements through the Trustees of the roads established under the said Ordinance, and that in order to construction and completion of the roads then undertaken by the Trustees, it was expedient to provide for the raising of the necessary funds by the issue of debentures by the said Trustees, enacted that the provisions of the said Ordinance, and the provisions of all Acts and Statutes in force amending the said Ordinance, and the powers of the Trustees appointed under the said Ordinance, should extend or apply to the roads in the said Act mentioned, in the same manner as if the said roads had been mentioned and described in the said Ordinance.

By the 2nd and subsequent sections down to and inclusive of the 6th, the Trustees were required to execute certain works, and were authorized to execute others, and the roads are enumerated to which the provisions of the Ordinance were to be extended.

By the 7th section it is enacted that, in order to make the completion of certain roads described in a previous Act, and the making of the various improvements above mentioned, "it should be lawful for the Trustees to raise "by loan a sum not exceeding 30,000*l.* currency, "and this loan and the debentures which shall "be issued to effect the same and all other matters having reference to the said loan, shall "be subject to the provisions of the Ordinance above cited with respect to the loan authorized under it."