

important, and the publication altogether is one which may often be consulted with advantage.

FEDERAL GOVERNMENT IN CANADA. By JOHN G. Bourinot, D.C.L. Baltimore: N. Murray, Publication Agent.

This important work by the learned Clerk of the House of Commons in Canada, is issued in the seventh series of the Johns Hopkins University Studies in Historical and Political Science, edited by Mr. H. B. Adams. The book comprises four lectures, read last May before Trinity University, Toronto: I. Historical outline of political development. II. General features of the Federal System. III. The Government and the Parliament. IV. The Provincial Governments and Legislatures. We cannot do more at present than direct the attention of our readers to the appearance of this extremely interesting treatise. At a later period we may have an opportunity of recurring to it. The book, it may be stated, is indexed, and is printed in the neat and substantial style of the Johns Hopkins University publications.

#### JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

LONDON, July 27, 1889.

*Present:* THE LORD CHANCELLOR, LORD HOBHOUSE, LORD MACNAGHTEN, SIR RICHARD COUCH.

GILMOUR et al. (defendants), Appellants, and MAUROIT (petitioner), Respondent.

GILMOUR et al. & ALLAIRE.

*Location ticket*—*Right of holder to interim injunction to restrain trespassers from cutting timber*—*Disputed title.*

*HELD:*—(Affirming the judgment of the Court of Queen's Bench, Montreal, M. L. R., 3 Q. B. 449):

1. That a location ticket issued by the Crown Lands Agent acting for and on behalf of the Government of the Province of Quebec, is, in effect, a promise of sale of the lands to which it applies, subject to the fulfilment on the part of the locatee of the conditions on which it is granted, and gives the locatee

*absolute possession of such lands, and all the rights of action against trespassers, which he might exercise if he held such lands under a patent from the Crown.*

2. That the holder of such location ticket was entitled to an interim injunction, to restrain lessees of Crown Timber limits under a license from the Commissioner of Crown Lands for the Province, from cutting timber on the lands held under the location ticket previously granted, until the question of title should be determined by the Courts.
3. The Court, as a general rule, will not decide a question of title upon a writ of injunction, more especially when there is a third party interested (here the Government of Quebec) who is not a party in the cause.

These appeals were from judgments of the Court of Queen's Bench, Montreal, Sept. 23rd, 1887. For full report of the judgment delivered by the Court below, see Montreal Law Reports, 3 Q. B. 449-485.

The judgment of their lordships was delivered by

LORD HOBHOUSE:—

*Gilmour and others v. Mauroit.*

In this case the Superior Court issued an order enjoining the defendants, who are the now appellants, to discontinue and cease all lumbering and other works in connection therewith on certain lots of land in the possession of the complainant, who is the now respondent.

The defendants appealed to the Court of Queen's Bench, who issued the order now appealed from. It is in the following terms:—

"Considering that the respondent has established that on the 21st day of April, 1886, he has obtained from the Crown Lands Agent, acting for and on behalf of the Government of the Province of Quebec, a location ticket for lots numbers 62 and 63 in the sixth range of the township of Egan, in the district of Ottawa, and had possession of the said lots of land when the act of trespass complained of by him was committed by the appellants;

"And considering that, by the license granted by the appellants to cut timber on the lands therein described, all lots or parts of lots for which a patent or a location ticket had previously been granted were excluded from the operation of the said license;