

Council (Lords Watson and Hobhouse, and Sir R. Couch) have found no difficulty in reversing the judgment. The notice of the deed to McCarthy was considered to be notice of the equitable title under which the plaintiff claimed, notwithstanding the misrecitals in that instrument, and it was held that the plaintiffs were not precluded by the misrecital of facts in that deed from showing the true state of facts. The plaintiff's action was therefore dismissed with costs, and the defendants' counter-claim for a conveyance of the legal estate was upheld. One passage from the judgment on p. 593 seems to put the case in a nut shell—"the plaintiff had express notice that the defendants were transferees of Dulcimore's interest, whatever it might be, and an erroneous recital of her earlier title does not preclude her grantee from showing what interest really passed by her grant."

PROVINCIAL LEGISLATURE, JURISDICTION OF—IMMUNITIES OF MEMBERS OF PROVINCIAL ASSEMBLY—ORDER FOR IMPRISONMENT—REV. STAT. NOVA SCOTIA, 5TH SERIES, C. 3—(R.S.O., C. 11, SS. 40, 48).

Fielding v. Thomas (1896), A.C. 600, is a case on constitutional law, affecting the power of a provincial legislature to commit for breach of privilege and contempt in disobeying an order to attend before the House in reference to a libel reflecting on its members. The plaintiff, who had been imprisoned under such circumstances by order of the Legislative Assembly of Nova Scotia, brought the present action against certain members of the House who were present and voted in favor of the order for the plaintiff's arrest. The plaintiff recovered a verdict for \$200 at the trial of the action for which judgment was directed to be entered, and which the Supreme Court of Nova Scotia refused to set aside, and from that decision the present appeal was brought. The Privy Council (Lords Halsbury, L.C., and Herschell, Watson, Macnaghten, Morris and Davey, and Sir R. Couch) reversed the judgment appealed from, and dismissed the action, holding that, although according to previous decisions of the Privy Council, it is not competent for a provincial legislature to confer on itself the privileges of the House of Commons