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## *RIGHTS OF ALIENS IN RELATION TO PROPERTY.*

Our English contemporary, the *Law Times*, has drawn attention to the change of law effected in England in 1870 whereby aliens were enabled to acquire, hold and transmit real estate in England as if they were natural-born British subjects.

This privilege had been conceded in Ontario as far back as November, 1849. Here, as in England, no distinction is made between alien friends and alien enemies.

In Ontario the statutory privilege is confined to real estate, but in some other provinces it extends alike to real and personal estate. Laws of this kind are based on the assumption that hospitality will not be abused, but in view of German methods it may perhaps be necessary to reconsider the matter. R.S.O. ch. 108, as we have observed, is confined to real estate, and as regards chattels, real and other personal property, the rights of aliens in Ontario would appear still to be governed by the Common Law.

This distinction of late years has perhaps not been observed, and many leases which have been made to aliens may probably have been forfeitable to the Crown.

Under the Common Law an alien merchant may take a lease only for the purpose of his trade or habitation, "and the privilege applied" only to the merchant himself if he leaves the country, the King, on "office found," may take the lease; and on the merchant's death it does not pass to his personal representatives, but apparently vests in the King. According to Lord Coke a lease to an alien enemy is forfeitable to the Crown even though the lessee be a merchant. An alien, not being a merchant, is not entitled to hold any leasehold except subject to forfeiture to the