

The Legal News.

VOL. XI. SEPTEMBER 8, 1888. No. 36.

The law under which Pitcher has been convicted, bears testimony to the fact that Canada does not desire to harbour criminals. The law punishes the bringing of stolen property into Canada, the same as if the stealing had taken place in the country. This enactment supplies, to a small extent, the deficiency of the Extradition Treaty. Bank directors and others who are put to expense and inconvenience in attending to prove a case under the Canadian law, should bring their influence to bear to obtain the sanction of a more efficient Treaty, under which fugitives like Pitcher would be sent home for trial. In fact, if the Treaty were known to cover all such cases, there would be very few fugitive bank officers.

The *Law Journal* (London) relates a curious instance of the trouble in which a person may be involved by dispensing with competent legal assistance.

"Occasionally, the person who evades the clear duty of every man when in trouble about his property to consult a respectable solicitor, finds that he has made an expensive mistake. An illustration of this has just been supplied by an exhibitor at the Anglo-Danish Exhibition, who had a dispute with the manager of the 'space department,' as to the amount of rent due at the close of the exhibition. The exhibitor wanted his goods (show-cases, &c.) for exhibition elsewhere, but did not feel inclined to pay the full rent demanded, the Exhibition having been closed prematurely. The manager claiming a lien on the goods, the exhibitor went to a Police Court and invoked the aid of the sitting magistrate, who offered him a summons under section 40 of the Metropolitan Police Act, provided the value of the goods did not exceed 15*l*. This offer the exhibitor, who was all impatience to have his property transferred from South Kensington to some remote venue in Wales, jumped

at with celerity. Mark the result. The summons was heard, and on every question raised, the magistrate was in favour of the complainant, who not only got an order for immediate delivery of his property, but a substantial sum for his costs. Charmed, no doubt, by Mr. D'Eyncourt's urbanity and celerity, the exhibitor went away triumphant, and forthwith appeared outside the ruins of the exhibition with vans and horses to retake possession of his property, but to no purpose. To his horror he found that his adversary had outrun him in the race, for, when he returned next day to complain to his worship that the order of the Court was set at nought, he discovered that the defendant had paid into Court the full value of the goods, less the rent adjudged to be due, but plus the costs. It was in vain that he protested that he did not want the money and only wanted his property. The answer was the production of the order made on the summons, which was in the common form, and gave the defendant his election. 'I can do nothing more for you' was the valedictory remark of the learned magistrate, and the complainant had to content himself with the money in Court, and went away to reflect on the danger of playing with edged tools."

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

LONDON, July 14, 1888.

Present: LORD WATSON, SIR BARNES PEACOCK,
SIR RICHARD COUCH.

DUNN et al. (plaintiffs), Appellants; and
LARRAU (defendant), Respondent.

Identity of land sold—Possession—Prescription.
HELD: (affirming the judgment of the Court of Queen's Bench, Montreal, 7 Leg. News, 218), that the description of the property sold sufficiently identified it with the land in dispute, and that the respondent's possession during more than ten years gave him a perfect title.

The judgments in the Courts below will be found in 7 Leg. News, pp. 218—220.

LORD WATSON:—

The subject of controversy in this appeal is a parcel of land forming part of the 8th concession of the Seigneurie de Monnoir,