

## The Legal News.

VOL. XII. MARCH 9, 1889. No. 10.

There appearing to be no prospect of the ratification of the Extradition Treaty, Mr. Weldon has introduced a bill in the Commons, which would authorize the Minister of Justice to issue his warrant for the surrender of fugitive offenders charged with any crime mentioned in the schedule annexed to the bill. This schedule is extremely comprehensive, including larceny, embezzlement, perjury, etc. The Imperial Parliament, probably, should make the first move in a matter like this, but there seems to be no urgent reason why one country should refuse to give up fugitive embezzlers and thieves merely because its neighbour will not reciprocate. A commission appointed ten years ago in England, and which included the late Lord Cockburn, Lord Blackburn, the present Master of the Rolls, and Mr. Justice Stephen, reported as follows:—"We would suggest that extradition treaties with other states, which appear to be practically of use only for the purpose of ensuring reciprocity, should no longer be held to be indispensable, and that, while the power in the Crown of entering into extradition treaties with other nations, as now existing by statute, should be still retained, statutory power should be given to the proper authorities to deliver up fugitive criminals whose surrender is asked for, irrespectively of the existence of any treaty between this country and the state against whose law the offence has been committed. It is as much to our advantage that such criminals should be punished, and that we should get rid of them, as it is to that of the foreign state that they should be brought within the reach of its law."

In fulfilment of the promise made in the speech from the Throne, the Minister of Justice has introduced a bill, containing 99 sections, relating to bills of exchange, cheques, and promissory notes. The bill is principally the codification of the existing law

relating to bills, cheques and promissory notes. The changes which are made in the law on these subjects are in the direction of making it uniform with the English statute law. The changes thus made will render our law similar to the English law, except in two or three unimportant particulars, the principal of which is the preservation of the present system of payment when the last day of grace falls on a Sunday or statutory holiday. Our existing provision is that in such a case, the bill or note shall be payable on the following day, while under the English statute it is payable the preceding day. In that respect, the bill proposes to continue the present system.

Hon. Mr. Abbott has introduced a short bill of three sections relating to bills of lading. The preamble sets out that "whereas by the custom of merchants, a bill of lading of goods being transferable by endorsement the property in the goods may thereby pass to the endorsee, but nevertheless all rights in respect of the contract contained in the bill of lading continue in the original shipper or owner, and it is expedient that such rights should pass with the property: And whereas it frequently happens that the goods in respect of which bills of lading purport to be signed have not been laden on board, and it is proper that such bills of lading in the hands of a *bona fide* holder for value should not be questioned by the master or other person signing the same, on the ground of the goods not having been laden as aforesaid." By the first section, "every consignee of goods named in a bill of lading, and every endorsee of a bill of lading to whom the property in the goods therein mentioned passes upon or by reason of such consignment or endorsement, shall have and be vested with all such rights of action and be subject to all such liabilities in respect of such goods as if the contract contained in the bill of lading had been made with himself." By sect. 2 certain rights are saved:—"Nothing in this Act contained shall prejudice or affect any right of stoppage *in transitu*, or any right of an unpaid vendor under the Civil Code of Lower Canada, or any right to claim freight against the original shipper or owner,