

The Legal News.

VOL. X. FEBRUARY 5, 1887. No. 6.

In the case of William Rauscher, the Supreme Court of the United States, on the 6th December last, affirmed the principle, that a person delivered up under the Extradition Treaty on a demand charging him with a specific offence mentioned in it, can only be tried, by the country to which he is delivered, for that specific offence, and he is exempt from trial for any other offence, until he has had an opportunity to return to the country of his asylum at the time of his extradition. Chief Justice Waite dissented.

Serjeant Ballantine, who died January 9, is best known to us as counsel for the Claimant in his great suit for the Tichborne baronetcy and estates in 1871. In 1875 Mr. Ballantine received a brief to defend a native prince in India, Mulhar Rao, the Gaekwar of Baroda, charged with an attempt to poison Col. Phayre, the British resident. On that occasion he received a retainer of five thousand guineas, which is one of the largest retainers ever handed to counsel. Mr. Ballantine's special gift was cross-examination. He was far from being a profound lawyer, but was unequalled in his own line. He earned large fees, but spent lavishly, and died poor.

The Earl of Idlesleigh, who died suddenly Jan. 12, was called to the bar in 1847. In the same year he was appointed Legal Secretary to the Board of Trade. In his youth he was private secretary to Mr. Gladstone. But after his succession to the family baronetcy as Sir Stafford Northcote, he held high offices under several Governments. In August 1886, he was Foreign Secretary in Lord Salisbury's administration, an office which he had resigned a few days only before his death.

The judgment in *Chavigny de la Chevrotière v. The City of Montreal*, which will be found

in the present issue, does not present the literary finish to which we have been accustomed in the productions of the Judicial Committee. It bears internal evidence of hasty dictation and lack of revision, not only typographical but grammatical errors being apparent. However, to compensate for this, their lordships, by an *obiter dictum*, gently "boom" our fair city, remarking that "Montreal in 1847 was a very different place" "from the Montreal of 1803, growing and "extending every day, and still growing and "becoming one of the most beautiful cities in the "world."

PUBLICATIONS.

Rapport de la Commission de Refonte des Statuts Généraux de la Province de Québec.

The eighth report of the Commissioners contains the fourth and last part of the Draft of Consolidation. The first portion of the report comprises laws which have some analogy with the dispositions of the Codes, but are not of a general and permanent character. The second portion comprises the amendments to the Codes. There are also lists of the Statutes in the C.S.C., the C.S.L.C., and the Acts passed since 1859 by Canada and the Province of Quebec.

Legal Sketches, by Alfred B. Major, Solicitor.—
Montreal, A. Periard.

This is a reproduction of papers which have appeared in various legal journals. Mr. Major states in the Preface that his "only "object has been to amuse an occasional "leisure hour." In this, we think, he has been fairly successful, for the sketches are readable and entertaining. We may refer, as examples, to two of them which have appeared in this journal—"At Assizes," 8 L. N. 373, and "A Writ of Elegit," 8 L. N. 318.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

LONDON, Nov. 16, 1886.

Before LORD FITZGERALD, LORD HOBHOUSE, SIR
BARNES PEACOCK, SIR RICHARD COUCH.
CHAVIGNY DE LA CHEVROTIERE V. LA CITE DE
MONTREAL.