

except in so far as their Lordships may have occasion to refer to the opinions which they have already expressed in discussing the seventh question.

Answers to Questions I. and II.—Their Lordships think it sufficient to refer to the opinion expressed by them in disposing of the seventh question.

Answer to Question III.—In the absence of conflicting legislation by the Parliament of Canada their Lordships are of opinion that the Provincial Legislatures would have jurisdiction to that effect if it were shown that the manufacture was carried on under such circumstances and conditions as to make its prohibition a merely local matter in the Province.

Answer to Question IV.—Their Lordships answer this question in the negative. It appears to them that the exercise by the Provincial Legislature of such jurisdiction, in the wide and general terms in which it is expressed, would probably trench upon the exclusive authority of the Dominion Parliament.

Answers to Questions V. and VI.—Their Lordships consider it unnecessary to give a categorical reply to either of these questions. Their opinion upon the points which the questions involve has been sufficiently explained in their answer to the seventh question.

Their Lordships will humbly advise Her Majesty to discharge the order of the Supreme Court of Canada, dated January 15, 1895, and to substitute therefor the several answers to the seven questions submitted by the Governor-General of Canada, which have been already indicated. There will be no costs of this appeal.

EXTRADITION CASES.

Some curious points have arisen in recent cases under the Fugitive Offenders and Extradition Acts. On March 18 Andrew Boyd was charged before Sir John Bridge with forgery in Canada. The alleged offence was committed in 1890, and it was contended that the claim of the Crown was settled in 1893 by a fine or forfeiture of 13,000 dollars under the Canadian Customs Acts; and that the sole remedy was under these Acts, and that the matter was already *res judicata*. In the result, Sir John Bridge was of opinion that the incriminated acts did not constitute an indictable offence, but a mere breach of certain regulations, and Boyd was discharged.

On March 12 one O'Brien was committed for extradition to the United States for larceny in Rhode Island. Under the old-fashioned and peculiar procedure of that State, he had been allowed to put in a plea of *nolo contendere* (long since forgotten, if ever used, in England, but equivalent to "Guilty"), and to be at large while awaiting sentence, which he preferred to await in England until returned by magisterial order.—*Law Journal (London)*.