RIPARIAN RIGHTS—RAILWAY COMPANY—EXPROPRIATION OF LANDS—RIGHT OF ACTION.

In *North Shore Railway Co.* v. *Prior*, 14 App. Cas., 612, the Judicial Committee on appeal from the Supreme Court of Canada, discuss the rights of riparian proprietors, along whose river frontage a railway company constructs an embankment for its railway without making compensation, and holds that the company in question were liable to damages to the riparian proprietors, and that the making of openings through the embankment was no answer to the claim for indemnity—and following *Parkdale* v. *West*, 12 App. Cas., 602, that as the company had not taken the steps necessary under the statute to vest in them the power to do the thing for which compensation would have been payable under the Act, the parties injured were entitled to sue for damages and for the removal of the obstruction, and that, if the removal of the obstruction was not ordered, damages for a permanent injury to the land would be recoverable.

PRACTICE—SPECIAL LEAVE TO APPEAL FROM THE SUPREME COURT OF CANADA.

The only case which remains to be noted is *Montreal* v. *Seminaire de St. Sulpice*, 14, App. Cas. 660, in which an application was made to the Privy Council for special leave to appeal from a decision of the Supreme Court of Canada—exempting the respondents from the payment of a tax specially assessed by the appellant corporation. This their Lordships refused to grant, because the exemption was allowed under a statute which did not appear to have been erroneously construed, and although the case was of great public interest and raised an important question of law, yet there did not appear to be any sufficient doubt as to the correctness of the decision complained of to justify leave being granted.

The Law Reports for January comprise 24 Q.B.D., pp. 1-140: 15 P.D., pp. 1-15, and 43 Chy.D, pp. 1-98.

CHARGE UPON THE LAND—LOCAL IMPROVEMENTS—STATUTE OF LIMITATIONS (37 & 38 VICT., C. 57) S. 8 (R.S.O., C. 111, S. 23).

Hornsey v. *Monarch Investment Society*, 24 Q.B.D., 1, deserves attention. By statute certain paving expenses, which had been incurred by a municipal body, were made a charge upon the premises in respect of which they were incurred. The Court of Appeal (Lord Esher, M.R., and Lindley and Lopes, L.JJ.), affirming the Divisional Court (23 Q.B.D., 149) held, that these expenses became a charge upon the completion of the works, and that the period of limitation in respect of such charge under the Real Property Limitation Act (37 & 38 Vict., c.57) s. 8, (R.S.O., c. 111, s. 23) began to run from that date, and not from the date of the apportionment of such expenses among the frontagers. It was contended that the words "present right to receive the same" in this statute are equivalent to "present right to enforce payment of the same," but it was pointed out by the Court that such a construction would put it in the power of the municipal body to delay the application of the Statute of Limitations to any time they pleased; and that notwithstanding no apportionment had been made, they had a present right to