

venience for a change of venue to Rossland, this application was refused because a fair trial by jury could not be had there on account of the feeling among the mining classes. Defendant then applied for a change to Nelson where they contended a fair trial could be had, but plaintiffs filed affidavits to show that the feeling was the same as in Rossland. An order for the change to Nelson was made by Fern, Lo. J.

Held, on appeal, reversing the order, that although the expense of a trial at Nelson would be less than at Victoria still the venue should not be changed unless it was clear that an absolutely fair trial could be had.

A. C. Gall, for appellants. *S. S. Taylor*, K.C., for respondents.

Bole, Lo. J. S. C.]

IN RE LEE SAN.

[Jan. 14.

Chinese Immigration Act, 1900—Deportation of Chinaman refused admittance to United States—Habeas Corpus.

Application for habeas corpus.

Held, that where a Chinaman, who contracts with a transportation company for his passage from China through Canada to the United States, on the understanding that if he is refused admittance to the States he will be deported to China by the company, is refused admittance to the States and is being deported, he will not be granted his discharge on habeas corpus proceedings as the contract is not illegal and under the Chinese Immigration Act, 1900, deportation is proper.

E. A. Jenns for applicant. *R. L. Reid*, *F. W. Howay* and *D. G. Marshall* for other parties.

UNLICENSED CONVEYANCING.

The Bill prepared by the Special Committee of the Ontario Benchers on this subject, and known as "The Conveyancer's Act," was defeated on the motion for a second reading in the Ontario Legislature on April 7th inst. Whilst it is to be regretted that the proposed legislation, which was thought to be beneficial in its provisions both from a public and a professional standpoint, did not pass into law, the vote, however (36 for and 44 against) must be regarded as most encouraging. It is worthy of more than passing remark that the Premier, The Attorney-General, and the Minister of Education all voted for the Bill, which was introduced on the motion of Messrs. H. Carscallen, of Hamilton, and J. J. Foy, of Toronto.

The subject is a very difficult one, but it may fairly be said that this Bill, if it had carried, would have been perhaps the best solution of this vexatious and troublesome question; and it is to be hoped that Mr. W. D. McPherson, chairman of the Benchers' Special Committee, and the other