

This was an application to discharge a person, a British subject, who had been arrested for the purpose of extradition for crimes committed in France. By the extradition treaty of 1876 with France, a fugitive criminal may be apprehended under the warrant of a magistrate on such information or complaint, and such evidence or other such proceedings as would, in the opinion of the magistrate, justify the issue of a warrant if the alleged crime had been committed where the magistrate exercises jurisdiction; and it further provides that the accused shall be discharged as well in the United Kingdom as in France if within fourteen days a requisition shall not have been made for his surrender "by the diplomatic agent of his country." Under the Treaty each nation may allow the extradition of its own nationals. The accused, in the present case, was a British subject, and it was contended that he was entitled to be discharged because no requisition for his surrender had been made by the diplomatic agent of the United Kingdom; but a Divisional Court (Lord Alverstone, C.J., and Pickford, and Avory, J.J.), held that "the diplomatic agent" referred to in the Treaty meant the diplomatic agent of the country within whose jurisdiction the accused was when the crime charged against him was committed, and which demanded his requisition. The application for discharge therefore failed.

TRADE UNION—RESTRAINT OF TRADE—LEGALITY OF ASSOCIATION AT COMMON LAW—LEGAL AND ILLEGAL PURPOSES—SEVERABILITY OF PURPOSES OF ASSOCIATION—ACTION TO ENFORCE BENEFITS TO MEMBER—JURISDICTION—TRADE'S UNION ACT, 1871 (34-35 VICT. c. 31), s. 4—(R.S.C. c. 125, s. 4).

*Russell v. Amalgamated Society of Carpenters* (1912) A.C. 421. This was an appeal from the decision of the Court of Appeal (1910), 1 K.B. 506 (noted ante, vol. 46, p. 327). The action was brought by the widow and personal representative of a deceased carpenter who was a member of a Trade Union, against the Union to recover moneys representing a superannuation benefit to which the deceased was entitled at the time of his death. It was contended by the defendants that under the Trade Union Act, 1871 (34-35 Vict. c. 31), s. 4 (see R.S.C. c. 125, s. 4), the Court had no jurisdiction to entertain the action and the Court of Appeal so held, and the House of Lords (Lord Loreburn, L.C., and Lords Macnaghten, Atkinson, Shaw, Mersey, and Robson), have affirmed the decision though not for the