
REPORTS AND NOTES OF CASES.

England.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

Present: Earl of Halsbury, Lord Macnaghten, Lord Dunedin,
Lord Atkinson, Sir Arthur Wilson, Sir Alfred Wills.

[July 18.]

HARSHA v. UNITED STATES OF AMERICA.

Extradition—Defect of proof on original enquiry—Discharge on habeas corpus—Enquiry before new extradition commissioner—Validity of.

Held, affirming the judgment of the High Court of Justice of Ontario, Chancery Division (11 O.L.R. 457), that s. 5 of the Habeas Corpus Act is no bar to the production of further evidence on a new prosecution of an accused person after his discharge of habeas corpus by a competent Court for deficiency of proof on the first enquiry.

Held, also, controverting the opinion of the Chancery Division, that an extradition matter comes within the purview of the section in question equally with the case of an offence charged to have been connected in the home jurisdiction.

J. B. MacKenzie (with him, *J. W. F. Beaumont*), for Harsha.
No one contra.

Dominion of Canada.

EXCHEQUER COURT.

Burbidge, J.]

[Oct. 29.]

MACDONALD v. THE KING.

Public work—Negligence—Canals—Natural channels of rivers—Distinction between public property and public works.

The natural channels of the St. Lawrence River, which lie between the canals, are not public works unless made so by statute, or unless something has been done to give them the character of public works.