The Legal News.

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The facility with which laws are made and amended in Canada probably tends to induce forgetfulness of them when made. The proclamation constituting the "Bar of Ottawa" under 44-45 Vict. ch. 27, was issued, apparently, without any recollection of the more recent statute, 49-50 Vict. ch. 34, by which the organization of new sections of the bar is placed under the control of the General Council of the Bar of the Province, and which requires that there must be at least thirty advocates entered on the roll of the district.

Judge Daniels, of New York, has refused an application for naturalization, on the ground that the applicant was a man of bad habits. It appeared that the aspirant to citizenship was in the habit of using liquor too freely, and sometimes got drunk and beat his wife. The judge, however, held out the hope that a reform in the habits of the applicant might eventually secure the privilege. This is said to be an extremely rare case of exclusion, with the exception of the Chinese.

The *Boston Advertiser* contains an account of an interview with Mr. W. D. Howells, in which the American novelist explains his method of securing copyright in England. "Every instalment of a story is forwarded to the British publishers and put into type upon the other side. It is then published in pamphlet form simultaneously with its publication in *Harper's Magazine* in this country. To meet the requirements of law, at least twenty-five copies are printed, and a *bond fide* sale of at least one copy is made. This secures the copyright. The story is not published as a serial in an English magazine simultaneously with its appearance in *Harper's*, because the publishers of *Harper's* would hardly agree to that. When the story is completed, a duplicate set of plates is made by the British publishers, and forwarded to me, so that the book may be printed on either side of the water as may be desired, and it is covered by copyright in both countries."

In a recent case of *United States* v. *Denicke*, 36 Fed. Rep. 407, it was held that a decoy letter with a fictitious address, which therefore cannot be delivered, is not "intended to be conveyed by mail," within the meaning of the statute of embezzlement. Speer, J., said: "It seems to come most clearly within the decision of Judge Neuman in the case of *United States* v. *Rapp*, 30 Fed. Rep. 818. In that case a 'nixe'—that is, a letter addressed to a fictitious person, or to a place where there was no post-office—was placed in what is known as the 'nixe basket,' a receptacle for unmailable matter. This was to be forwarded to the dead-letter office. This was held by the court not to be mail matter within the meaning of sections 5467, 5469, of the Revised Statutes. In the English case of *Queen* v. *Gardner*, 1 Car. & K. 628, cited by Judge Neuman, the embezzlement of a decoy letter was held not stealing a post-letter within the statute; taking of the contents was held larceny. In the case of *Queen* v. *Rathbone*, 2 Moody Cr. Cas. 242, an inspector secretly put a letter prepared for the purpose, containing a sovereign, among some letters which a letter carrier, suspected of dishonesty, was about to sort. The letter carrier stole the sovereign. Mr. Baron Gurney held that he could not be convicted of stealing a post-letter, such letter not having been put in the post in the ordinary way, but was rightly convicted of larceny of the sovereign laid as the property of the postmaster general.

## SUPERIOR COURT.

MONTREAL, Oct. 19, 1888.

*Before* LORANGER, J.

LECLERC et al. v. SAUVÉ, and CARDINAL, Petitioner, and ST. AMOUR, *mis en cause.*

*Bailiff retaining from guardian current money seized.*

A voluntary guardian petitioned to have a sum of current money which was among the articles seized, placed under his guardianship by the bailiff, who was retaining it. The lat-