

The learned Judge had no doubt that it was sufficient for the purpose intended. It would probably be better conveyancing if all four had been joined as appointors, appointing and conveying to two of them, but it was not essential here, whatever might be argued as to want of concurrence in the case of an appointment to a stranger. If united or concurrent action could be said to be necessary in any case, no such question could arise here, where all four joined in what was done, and all were estopped by their act.

If it were necessary to find other reasons, the rights and powers conferred by the deed should be construed distributively. It was not contemplated that, after the death of one, the others would be helpless, or that they should make a joint will.

There was no objection to the title upon the point raised. Costs were not asked, and there should be no order as to costs.

HODGINS, J. A., IN CHAMBERS.

DECEMBER 10TH, 1919.

*REX v. ZURA.

Criminal Law—Offence of Having Prohibited Publications in Possession—Publications in Enemy Language—Dominion Orders in Council—War Measures Act, 1914—Police Magistrate's Conviction—Amended Conviction—Criminal Code, sec. 1124—Information—Sufficiency—Presumption—Plea of "Guilty"—Criminal Code, secs. 852, 853, 855—Evidence Taken after Plea—Nature of Offence—Justification of Punishment Imposed—Jurisdiction of Magistrate—Description of Offence—Authority of Press Censor—List of Prohibited Publications.

Motion to quash the conviction of the defendant for the offence of having prohibited literature in his possession. The conviction was made by the Police Magistrate for the City of Fort William.

The motion was renewed upon a return made by the Police Magistrate: see *Rex v. Zura* (1919), ante 163.

D. Campbell, for the defendant.

Peter White, K.C., for the Crown.

HODGINS, J. A., in a written judgment, said that the magistrate had now made a formal return of all papers pursuant to the notice served on him under Rules (of 1908) 1279 et seq. He had amended the conviction by setting out two prohibited publications,