

court of law may be reproduced for popular sale, it does not follow that the advertisement of it should be permitted." This sort of thing is not an inherent privilege of citizenship.

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DEFAMATION: Publication of fiction purporting to be "news"—A libel without justification.—The circumstances of the case of *Snyder v. New York Press Co.*, 121 N.Y. Suppl. 944, were somewhat extraordinary. A short newspaper article was published to the effect that, upon the assurance of a process server that Mrs. Snyder was anxious to see him, the naïve Irish maid admitted him to the bathroom while she was in the bath tub; that the mistress screamed, but was nevertheless served with a subpoena; and that motion was made to have subpoena vacated on the ground that it was impossible for the process server to identify her under the circumstances. Defendant contended that the article was innocent, and belonged to the class generally recognized as having a "news value." The Appellate Division of the Supreme Court of New York held that it was difficult to perceive what news value it could have, and impossible to discover its literary value, and that if newspapers saw fit to give their readers fiction instead of news they did so at their peril. In the opinion of the court it was libelous, as holding plaintiff up to ridicule and lowering her character in the estimation of the community.

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A number of years before the late Chief Justice Melville W. Fuller was appointed to the United States Supreme Court, he presided, at the request of a Chicago coroner, at an inquest at which one of the jurors, after the usual swearing in, arose and pompously objected against service, alleging that he was the general manager of an important concern and was wasting valuable time by sitting as a juror at an inquest.

Judge Fuller, turning to the clerk, said: "Mr. Simpson, kindly hand me 'Jervis,' the authority on juries."

After consulting the book a moment, he turned to the unwilling juror:—

"Upon reference to 'Jervis' I find, sir, that no persons are exempt from service as jurors except idiots, imbeciles and lunatics. Now under which heading do *you* claim exemption?"