

The Legal News.

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Montreal is not the only place in which alternate growls are heard from the bar and the bench. The 24th October, on which legal business in England was to be resumed after the long vacation, fell on a Saturday, and there was a loud protest from the bar because some of the Courts postponed the opening until the following Monday. A little later we hear the growl responsive from the bench. At the commencement of the sitting of the Court at Guildhall on Nov. 3, a part-heard case was unexpectedly settled, and none of the parties in any subsequent case being present, the Court was obliged to adjourn. On resuming at 12 o'clock Mr. Justice Wills said that an hour and a half of the Court's time had been lost through parties whose cases were in the paper not being prepared to proceed.

In Germany the bar do not seem to enjoy the independence in the management of their own affairs, and particularly in regulating the conduct of their members, which they possess in most other countries. A Court of Honour was recently set in motion in Berlin, by a rescript of the Emperor, to consider the conduct of two barristers who appeared for the defence in a trial for murder. They were charged before this Court, composed apparently of members of the bar, with having accused the presiding judge of partiality, with having in an unjustifiable manner induced the prisoners to refuse any avowal of guilt, and with having abused the rights of defence. Of these charges the Court acquitted them. But there were other charges more singular and less defensible, viz., drinking champagne in open Court, and sending to the judge's house in an irregular manner for legal documents. These charges were declared proved, and the accused were reprimanded, while the barrister who had sent for the documents was fined 500 marks. The punishment may have been well deserved, but the initiation of proceedings by a rescript

of the Emperor is a curious feature of the case.

The fun-loving disposition of boys is not considered by the Supreme Judicial Court of Massachusetts a sufficient ground for imposing special obligations on other people. In *Daniels v. New York & N. E. R. Co.*, Sept. 3, 1891, the question was whether a railway company owning a turn-table situated on the company's land, about six hundred feet from two highways, and having upright guy-bars, was bound to keep it locked on the ground that it was an attractive object to children. It was urged that if a turn-table is of a dangerous nature when unlocked or unguarded, in a place resorted to by the public, and where children are wont to go and play, it is the duty of the railway company to keep it securely locked. The Court declined to sanction this doctrine, and held that a child injured while playing thereon could not recover. Some of the newspapers ask whether these judges were ever boys; but this does not seem to have much bearing upon the question whether a person trespassing, and receiving an injury as the result of his trespass, is in a position to claim damages.

NEW PUBLICATIONS.

CUSTODY OF INFANTS: A Treatise on the Law relating to the Custody of Infants, including Practice and Forms; by Lewis Hochheimer, of the Baltimore Bar. Second edition.—Harold B. Scrimger, Publisher, Baltimore.

The first edition of this work appeared in 1887, and formed an octavo volume of about 250 pages. The treatise has now been entirely re-written by the author, in a more concise form, numerous cases and much new matter have been added, and the work has been issued in a new form, the whole treatise, indices, etc., being comprised in 167 pages. The chapters treat of the following subjects. I. Infancy and guardianship. II. Chancery jurisdiction in matters of custody. III. Disposal of custody upon Habeas Corpus. IV. Procedure in Habeas Corpus cases. V. Probate and Testamentary guardians. VI. Disposal of custody in Divorce proceedings. VII. Illegitimate children. VIII. Appren-