The Legal News.

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An Indian criminal prosecution which has excited some attention, the trial of the mahunt of Tripati, who was prosecuted for stealing the treasure of the temple of which he was the head, and convicted and sentenced to three years' imprisonment, has brought to notice the fact that some of his counsel withdrew from the case because their fees were not paid. The Chief Justice of the Madras High Court to which the case had been appealed, adverted to this circumstance in severe terms, remarking that while such a course could be justified in civil cases, it could not be defended in criminal matters, and he added that he would deal with a barrister guilty of such an act as he deserved, whatever might be the practice of the local bar. The *American Law Review*, noticing this case, says:—"We had always understood that the reason why a surgeon cannot receive a patent of nobility in England is that he *takes pay directly* for his services, the custom of the patient being to leave a guinea on the mantel-piece for him to pick up when he goes out, and the 'high-falutin' theory being that he who touches lucre for professional or humane work can never be ennobled. Whereas the barrister does not touch the lucre; it never comes to him in the way of contract; he cannot sue for it; it is in some gentle way slipped into his coat-tail pocket, just as the tip is slipped into the hand of the bowing and over-complimentary hotel waiter. In America, we have, for the most part, done away with this antiquated nonsense, and the rendition of professional services stands on the footing of the rendition of mere work and labor, or any other species of valuable services. It is a matter of contract, and it is no dishonor to take money directly for it."

A curious example of the right of a corporation to be protected in the use of its name occurred recently. The celebrated wax works museum of Madam Tussaud is now conducted by a company styled "Madam Tussaud & Sons, Limited." There happened to be an individual named Louis Tussaud, and he or his associates conceived the idea of registering a new company under the name of "Louis Tussaud, Limited." The original company applied for an injunction to restrain the registrar of joint-stock companies from registering the new company. The case came before Mr. Justice Stirling, who held that although Louis Tussaud might open and carry on the wax work business in his own name, and might take in partners and trade under the name of "Louis Tussaud & Co., yet he could not confer on another person or company the right to use the name of Tussaud in connection with a business which he had never carried on, and in which he had no interest. The learned judge reasoned that, presumably, the object of the defendant and his proposed company was to induce the world to believe that the business to be carried on was that of the plaintiff company, or a branch of it; and he accordingly granted the injunction prayed for.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

LONDON, June 25, 1890.

PRESENT: — THE LORD CHANCELLOR, LORD BRAMWELL, SIR BARNES PEACOCK, SIR RICHARD COUCH.

LA BANQUE D'HOCHELAGA et al. v. MURRAY et al.

Letters patent—Obtained by fraud—Art. 1034, *C.C.P.*

HELD:—1. *Where the names of persons were inserted in the petition for letters patent without their consent or authority, and the declaration verifying the petition was false, that such letters patent were obtained by means of a fraudulent suggestion, and may be annulled by the Superior Court, as provided by Art.* 1034, *et seq. C.C.P.*

2. *Where letters patent incorporating a joint stock company are annulled as having been obtained by fraudulent suggestion, that they cannot be partially annulled as to some of the persons incorporated, but must be entirely annulled.*