

The Legal News.

VOL. X. APRIL 23, 1887. No. 17.

The judges who have been knighted are Matthew Crooks Cameron, Chief Justice Common Pleas, Ontario; Andrew Stuart, Chief Justice Superior Court, Quebec; Frederick Matthew Darley, Chief Justice of the Supreme Court of the Colony of New South Wales; and Eugène Pierre Jules Léclezio, Chief Judge of the Supreme Court of the Island of Mauritius.

The question upon which we published M. Allou's opinion last week, the right of husbands to open their wives' letters, has given rise to various opinions depending on the point of view of the writers. Alexandre Dumas says:—"It is impossible to hesitate for a moment with an answer to the question. The lawyers, in answering it in the affirmative, have been guided by simple common sense. A husband who doubts his wife, and who hesitates to open the letters which she receives, in order to enlighten himself, is an imbecile." M. de Pressensé, without going very deeply into the matter, says:—"It is difficult to give a very definite answer to this delicate question; but, at first sight, it seems to me that the husband should respect the secrets of his wife. . . . If the measure concerned only adulterous women, it might be defended; but are there only adulterous women in the world?" This does not really conflict with the opinion of M. Dumas. M^{de}. de la Peyrebrune adopts the lawyers' view. She says:—"The lawyers have been logical in holding that a husband has the right to open letters addressed to his wife. This is a consequence of the laws which restrain a woman's moral liberty after she is married. To deny the husband this right would be to deprive him of one of his prerogatives as legal guardian."

In *Chesapeake & Potomac Telephone Co. & Baltimore & Ohio Telegraph Co.*, the Maryland Court of Appeals held (Jan. 5, 1887),

that a telephone company, being bound by statute to receive dispatches from and for all telegraph companies, may not justify a discrimination in favor of a particular telegraph company by the fact that its contract with the company controlling the telephone patents requires it to do so. Alvey, J., said:—"The telegraph and telephone are important instruments of commerce, and their service, as such, has become indispensable to the commercial and business public. They are public vehicles of intelligence, and they who own or control them can no more refuse to perform impartially the functions that they have assumed to discharge than a railway company, as a common carrier, can rightfully refuse to perform its duty to the public. They may make and establish all reasonable and proper rules and regulations for the government of their offices and those who deal with them; but they have no power to discriminate, and while offering to serve some refuse to serve others. The law requires them to be impartial, and to serve all alike, upon compliance with their reasonable rules and regulations."

In commenting upon the gap or lack of connection between the law that is packed away in the text books and the practice of it in the courts, the New York *Daily Register* makes the following practical observations for the benefit of young practitioners:—"Every young lawyer will find great practical advantage in adopting some system in these post-graduate studies, which must be desultory enough at the best. He who would succeed in present business must study his cases well in preparation for trial, for argument, for advising, for drafting, whichever may be the duty. He who would succeed in future business should review his cases after they are over. The contest or the effort on the facts opens the mind to a larger view of the law; and he who would make his experience most profitable, and economize his time in future service, should look over the field after the battle has been fought, take down some books he had not time to look into before or had not thought of, or review again, in the light of fresh experience, those he had examined, and read