

## CANADA.

**CONSTITUTIONAL QUESTIONS BEFORE THE SUPREME COURT.**—Several constitutional cases involving the rights of the Provinces have recently been before the Supreme Court. During the present term, the Hon. Mr. Mowat, the Attorney-General for Ontario, made a suggestion to the Court, that their Lordships should notify such Provinces as expressed a desire to be notified whenever constitutional cases involving their rights were likely to come before the Court. For instance, that very day an important case involving the rights of the various Provinces for all time to come was before the Court as part of a private case. He added that the Superior Courts of the Province of Ontario notified him on such occasions. He frequently found that a conference with the counsel supporting the Provincial side of the case answered all necessary purposes in the public interest, and therefore he was seldom necessitated to appear in person. He merely asked the Court to do so as a matter of courtesy. Several Judges commented favourably on the proposition, and while no formal decision was given, it may be expected that the Court will in future notify both the Federal and Provincial authorities when such cases are likely to arise.

## UNITED STATES.

**A BURIAL CASE.**—In the case of *Coppers* in the Supreme Court of New York, a peremptory mandamus was issued directing the trustees of a Catholic Cemetery to permit the burial of the deceased who had purchased a lot and paid the money, but had no other evidence of title except the receipt for the money. The objections to the burial were that the deceased was not a Catholic and was a Free Mason.

**TRADE MARKS.**—The United States Supreme Court has pronounced the trade-mark act unconstitutional and invalid in three cases. The court held that a trade mark does not come within the description of an invention or discovery, nor that of a literary production, as it does not involve the element of originality, nor depend upon novelty, but is simply founded on priority of appropriation. So far too as the act contemplates the establishment of universal systems of trade-mark registration, without regard to the character of the trade or the

locality of the owner, the court pronounced the act in excess of congressional power.

**LEGAL BUSINESS.**—The *Chicago Legal News* says:—"The courts were never more active than this fall, in disposing of business and clearing up old matters. General business is increasing, and lawyers begin to feel the effects of it. There never was a more mistaken notion than that the lawyers' harvest is in hard times. When people are making money easily they part with it freely, and are more willing to pay an attorney his honest dues than they are when times are hard."

## GENERAL NOTES.

**THE OBSTINATE DISSENTIENT.**—In one of the Western States a case was tried, and at its termination the judge charged the jury, and they retired for consultation. Hour after hour passed and no verdict was brought in. The judge's dinner hour arrived, and he became hungry and impatient. Upon inquiry he learned that one obstinate jurymen was holding out against eleven. That he could not stand, and he ordered the twelve men to be brought before him. He told them that in his charge to them, he had so plainly stated the case and the law that the verdict ought to be unanimous, and the man who permitted his individual opinion to weigh against the judgment of eleven men of wisdom was unfit and disqualified ever again to act in the capacity of jurymen. At the end of this excited harangue a little, squeaky voice came from one of the jurymen. He said, "Judge, will your honor allow me to say a word?" Permission being given, he added: "May it please your honor, I am the only man on your side."

**BARON PLATT** delighted to sit in solitary grandeur at *Nisi Prius*, and upon the trial of prisoners; and both these duties he performed with singular ability, his good common sense and thorough knowledge of the world often making up for the want of any niceties of legal distinction, and rendering him always a favorite with the jury. Like many others he was very severe on witnesses who would not "speak out." "What are you?" roared he to a burly witness six feet high, who spoke with the voice of a maiden of bashful fifteen. "I am a butcher, my lord," replied the witness in a whisper. "Then if you are a butcher, man," thundered Platt, "speak like a butcher, can't you?"—*Leisure Hour*.