

CORRESPONDENCE.

a want of uniformity in the references to authorities, which a critical eye would notice at once, though it is of no practical importance; and in some other respects, as in the construction of some sentences, in the punctuation, &c., the proof-reading is not equal to the matter. We question whether there is not more room for doubt as to the duty of an official assignee, when called upon to give up an estate under section 30, than the editor in his note would seem to think. In the first note to section 61, it would be well to refer, in addition to the case there cited, to *Re Thomas*, 16 Gr. 196, *In re Smith*, 4 P. R. 89, *Thomas v. Hall*, 6 P. R. 172, and to the remarks in this journal in vol. 8, p. 206.

We have no hesitation in recommending this work as a valuable addition to a lawyer's library, whilst the merchants will doubtless largely avail themselves of the information it contains. The general appearance of the book is in every way creditable to the publishers, who, with the editor, must have exercised great energy in getting it out so well and so promptly.

CORRESPONDENCE.

Naturalisation—Right to Vote.

TO THE EDITORS OF THE LAW JOURNAL.

DEAR SIRS.—Will you kindly answer the following queries in the next number of the LAW JOURNAL?

A emigrated many years ago from Ireland to the United States, became naturalised, and voted there. While he was thus an American citizen, his son B was born, became of age, and voted as an American citizen. In 1870 A and B removed to Canada, and have since taken no steps to divest themselves of their American citizenship. At a late parliamentary election here, both A and B voted, having both been sworn. Had either or both a right to vote, and are they not both American citizens?—I am, &c.,

INQUIRER.

[The English Alien Act of 1870, (33 Vict. cap. 14, sec. 6) provides that any British subject who has at any time before, or may at any time after the passing of the Act, when in any foreign state, voluntarily become naturalised in such state, he shall

from and after the time of his so having become naturalised in such state, be deemed to have ceased to be a British subject, and be regarded as an alien, unless, within two years after the passing of the Act, such person makes a declaration that he is desirous of remaining a British subject. This Act was held to apply to John Mitchell, the member for Tipperary, who, being a British subject, became naturalised in the United States in 1853, and did not make the necessary declaration within two years after the passing of the Act of 1870. He was held to be an alien. See *Tipperary case*, 3 O'M. & H. 19. By section 10 clause 3 of the same Act, the child of a British subject so becoming an alien, who during infancy becomes a resident of such foreign state, and has according to its laws become naturalised therein, shall be deemed an alien. We think, therefore, that both A and B were aliens, unless re-naturalised under the Canada Acts, and had no right to vote.—Eds. L. J.]

DOWER.

TO THE EDITOR OF THE LAW JOURNAL.

A gave to B, his son, 100 acres. A died, leaving his son B executor. B died, leaving wife (C) and two small children, aged two and four, and no will; C administered, and therefore became administratrix to A's executor. One of B's children died, and a week or two after the other died, the widow being in possession.

Can C (widow) claim to hold by descent from last of B's children, the land having come to her husband as gift from B's father, A? If not, would she have anything more than her one-third dower since B's death? B died about fifteen years ago; would C then have to account to B's legal representatives (three brothers and two sisters) for the overplus, annual two-third profits of estate?

If C has only dower, can B's brothers and sisters dispose legally of their interest after setting off C's one-third as required by law? Finally, what claim has B upon the estate?—I am, &c., S.

[It is not within our province to answer questions of no general interest; but we follow the example of legal journals in England in publishing the questions, to be answered through our columns by such person as may desire to do so.—Eds. L. J.]