restore it or pay for it, the taking would amount to a felony; but if there was a *bona fide* hiring and a real intention of returning it at that time, the subsequent conversion of it could not be a felony." See also Pear's case and Charles Wood's case, id. The principle is more briefly stated, id. 665: "If it be proved that there was no trespass or felonious intent in taking the goods no subsequent conversion of them can amount to a felony." Wisconsin Supreme Court, April, 4, 1883. *Hill* v. *State of Wisconsin*, Opinion by Orton, J.

SUPREME COURT DECISIONS.

To the Editor of the LEGAL NEWS:

SIR,—Uniformity of jurisprudence was desired and no doubt looked for in the creation of the Supreme Court, primarily of course in so much of the general law as was applicable to all the Provinces.

With regard to the peculiar systems of each separate Province, it could be only hoped for through a careful study by the judges of that Court of the systems prevailing in each Province and a reasonable deference to the opinions of experienced judges in the administration of these systems in the respective Provinces. The experience of the past develops points of weakness in the system adopted for our Supreme Court.

A case comes up for decision from the Province of Ontario involving a most important principle of law applicable to all the Provinces. The judges of the Supreme Court find themselves equally divided in opinion. The original judgment is in consequence confirmed. A similar case comes up from the Province of Quebec, decided in quite the opposite sense, and on the same division of opinion of the judges of the Supreme Court, the original judgment in the last mentioned case is also confirmed. The result is, one jurisprudence for Ontario and the opposite of it for Quebec.

Now this palpable anomaly might be quite the reverse of what it seems if its action was to support the law peculiar to any particular one of the Provinces, as for instance our own Province of Quebec where the civil law system, founded on the Roman law, prevails in contradistinction to the common law of England introduced into other of the Provinces. But let us see what takes place in practice in this last class of cases. A case comes up from Quebec depending for its decision on the law peculiar to that Province. It has perhaps all the judges of that Province who could sit, in its favor, or, it may be, with one exception as has happened lately. The judgment is upset in the Supreme Court by a bare majority out of five, that majority perhaps composed of judges taken from the other Provinces, or perhaps including one judge from Quebec. It can scarcely be expected that confidence can be inspired by such decisions. One precaution the Supreme Court itself might take in such cases which is, never to decide any such without having a full court of six judges, and to see that in the number the two appointed from the Province of Quebec were included. The importance of these points must be acknowledged by all observers.

C.

GENERAL NOTES.

It would seem that the law is already stringent enough against inn-keepers, but in *White* v. *Smith*, 15 Vroom, 105, they are held to be insurers of the persons of their guests against kidnapping! It is there said: "By the common law, an inn-keeper is bound to receive a guest and the goods he brings with him in the ordinary way, and is liable for their value in case they be stolen."—*Albany Law Journal.*

Two recent cases before the Court of Claims, *Von Hoffman* v. *The United States*, and *The Manhattan Savings Institution* v. *The same*, involved an important question. Certain coupon bonds of the United States, known as Five-Twenties, on their face payable July 1, 1885, had been "called" for redemption by the Secretary of the Treasury, in conformity with their terms and statutes in that behalf, and had become redeemable under these calls, when they were stolen from the Savings Institution, and afterwards bought for full value, in entire good faith, with due care and without notice, by Von Hoffman. The sole question was, whether these bonds which, in the absence of a call for redemption, did not mature until 1885, did, by reason of the call, become overdue paper, which Von Hoffman took subject to any defects of title, and to the paramount rights of the true owner. In an opinion of great clearness, Chief Justice Drake distinguishes this class of bonds, redeemable before their face maturity at the maker's pleasure, from ordinary commercial paper, whose date of payment is absolute upon its face, and reaches the conclusion that the bonds in question did, in law, mature on the day when the holders had the right, in pursuance of the Secretary's call, to receive payment; and that whoever bought the bonds thereafter took them as overdue paper, with only such title as the vendor had, and liable to have such title disputed and successfully impeached.—*American Law Review.*