

on the 29th January, according to the rule expressed he would get out on the 28th February; so he would if he went to prison on the 30th January, or on the 31st, or on the 1st February. He would then have the benefit of an imprisonment shortened by the numbers of days wanting to make up the days which had elapsed in the month in which he was imprisoned at the time of his imprisonment. As the plaintiff was sent to prison on October 31st, there were thirty days wanting from the next month, and, as a consequence, the month did not expire until the 30th. Then the fourteen days did not begin until the first, and the plaintiff therefore was duly kept in prison until the 14th. I think the judgment should be affirmed.

BRETT, L. J. The expression of one calendar month is a legal and technical phrase to which we must give a legal and technical meaning. It does not, strictly speaking, mean any particular number of days, but one month according to the calendar. We must, therefore, look to the calendar in calculating it, and not count the days. Now, one month, according to the calendar, in my view, is one month from the day of the imprisonment until the corresponding numerical day of the next month less one. In some cases there is no corresponding numerical day in the next month, because it is a shorter month than the one in which the imprisonment begins. There the imprisonment is less than it otherwise would have been, and in favor of the prisoner it must end on the last day of the short month.

CORROON, L. J. I am of the same opinion. I think Denman, J., was right in dealing with this point as a matter of law. It was for the judge to say, on the meaning and construction of the sentence, what was "one calendar month." The plaintiff contends that he could not be imprisoned during the whole of one calendar month and one day of another month. The question then is, what is the meaning to be given to the term "one calendar month." I am of opinion, although difficulties and incongruities no doubt arise, that where there is a sentence of a calendar month's imprisonment not commencing on the first day of the month, you must consider it as expiring at twelve o'clock on the corresponding numerical day of the next month, and, if there are not enough days in the next month, in favor of the prisoner,

the sentence will expire on the last day of the month. The consequence is that he never gets a longer imprisonment than the number of the days in the month in which he is to be imprisoned, and sometimes will get a less number of days' imprisonment than the number of days to be found in the calendar month for which he was imprisoned.

Appeal dismissed.

CURRENT EVENTS.

ENGLAND.

CRIMINAL RETURNS OF LONDON.—The criminal returns for the year 1878 have just been published, giving the number of persons taken into custody during the year by the metropolitan police, and the results, with comparative statements, from 1831 to 1878 inclusive. It appears that 83,746 persons were taken into custody, and of these 57,038 were summarily convicted or held to bail, 23,167 were discharged by the magistrates, and 3,541 committed for trial. Of this last number, at the subsequent proceedings, 2,724 were convicted and sentenced, 703 were acquitted, and in 114 cases bills were not found, or the persons charged were not prosecuted. The total number of arrests for 1878 is far larger than in any year since 1831, the number of persons arrested in 1877 being 77,892, and in the year before 76,214. Of the 83,746 taken into custody last year 56,125 were males, and 27,624 females. Of these, 7,722 males and 4,999 females could neither read nor write; 46,085 males and 22,417 females could read and write imperfectly, or could read only; 2,220 males and 206 females could read and write well; while 95 males and 2 females were of superior instruction. By far the greatest number of offences come under the head of drink, for the return shows that 18,181 persons were taken into custody for being drunk and disorderly characters; while 16,227 were prosecuted for drunkenness. The return also gives the age, sex, crime and punishment of the offenders, with their trade or occupation.—*London Law Journal*.

UNITED STATES.

THE LATE MR. JOHN PROFFATT.—Mr. Proffatt, the editor of "American Decisions," of which series eleven volumes have been issued, died July 22nd, 1879. Mr. Proffatt was by birth an Englishman.