

and acquitted him. At the trial of the present action it was admitted that the plaintiff had not stolen the book, but had taken it away with the intention of subsequently accounting or paying for it and no imputation rested upon him in connection with the transaction. Isaacs, C.J., who tried the action found that the defendants had reasonable and probable cause for suspecting the plaintiff of having stolen the money and books other than the book "Traffic" when they gave the plaintiff into custody for stealing the book "Traffic," but that they did not cause his arrest for those other thefts, but only for that of which they considered they had clear evidence, and they were influenced in giving him into custody because of their suspicion of his having been guilty of other thefts, whereas, but for that, they might merely have summoned him, or perhaps not prosecuted him at all. The jury acquitted the defendants of malice. In this state of facts the learned Chief Justice held that the plaintiff was entitled to recover because in order to justify an arrest by a private individual it is necessary to be shown that the crime, for which the arrest was made, was actually committed, and that a private individual cannot justify an arrest as a police officer may, merely on the ground of suspicion that a crime has been committed. Judgment was therefore given for the plaintiff for the damages assessed by the jury with costs except as to the issue of malicious prosecution which the plaintiff was ordered to pay.

MOTION TO QUASH CONVICTION—BIAS OF JUSTICES—SUFFICIENCY OF AFFIDAVIT—KNOWLEDGE OF FACTS DISQUALIFYING.

*The King v. Williams* (1914) 1 K.B. 608. This was a motion for a certiorari for the purpose of quashing a conviction; the ground relied on was that one of the magistrates who tried the case was disqualified. It did not appear by the affidavit of the applicant in support of the motion that any objection to the competence of the court was taken at the hearing, nor did it state that at the date of the hearing the applicant was ignorant of the facts alleged to disqualify one of the justices. In these circumstances the Divisional Court (Channell, Rowlatt and Atkin, JJ.) held that the writ was not grantable *ex debito justitiæ*, and that on the facts, in the proper exercise of judicial discretion, the writ should be refused.

COPYRIGHT—ADVERTISEMENT—TRANSLATION FROM FOREIGN LANGUAGE.—RIGHT OF TRANSLATOR TO COPYRIGHT INNOCENT INFRINGER—COPYRIGHT ACT, 1911 (1 & 2 GEO. V. c. 46), ss. 1, 5, 8.

*Byrne v. Statist Company* (1914) 1 K.B. 622. This is a somewhat curious case arising under the Copyright Act, 1911 (1 & 2