

The foregoing observations appear to suggest that the matter is one replete with difficulties, and that the latest decision reported on the subject is not at all likely to be the last.—*Law Times*.

CONVICTION OF PALMISTS.

Several recent prosecutions of "professional palmists," and in particular, a case heard before the magistrate at the Marylebone Police Court on the 4th inst., illustrates what is the gist of the offence pretending to tell fortunes by palmistry. The defendant was charged with "pretending or professing to tell fortunes by palmistry with intent to deceive." It was urged on his behalf that there was no evidence of intention to deceive, but the learned magistrate held that it was immaterial to prove that intention, as palmistry imported a deception. He was probably following a dictum of Mr. Justice Denman in *Penny v. Hanson*, 56 L.T. Rep. 235; 18 Q.B. Div. 478. In that case the defendant was convicted of pretending to tell fortunes with intent to deceive by means of astrology, and there was no evidence to shew whether or not he believed in the truth of his profession. Mr. Justice Denman held that the mere fact of professing to tell fortunes by astrology was evidence of an intention to deceive, in that nowadays no sane man believes in such a power. That case left open the question whether the mere pretending or professing to tell fortunes was an offence, without averring intention to deceive. The Vagrancy Act, 1824, s. 4, which creates the offence, enacts that "Every person pretending or professing to tell fortunes, or using any subtle craft, means, or device, by palmistry or otherwise, to deceive and impose on any of His Majesty's subjects . . . shall be deemed a rogue and vagabond. . . ." In *Reg. v. Entwistle* (80 L. T. Rep. 657; (1899) 1 Q.B. 846, the Divisional Court upheld a conviction for "unlawfully pretending to tell fortunes, contrary to the form of the statute." The defendant had professed to tell fortunes by means of palmistry, and, upon conviction, moved the court for a certiorari to quash the same on the ground that the alleged offence was not within the above section of the Vagrancy Act,