

dence which showed that Poncet came to this country from Cayenne, an escaped forger; that he was in the United States Army for a few months, received the bounty and was discharged at Governor's Island for ignorance of English; that he then went to Bijoux hotel, where he lived last August. He was finally assisted by Mr. Windelscheffer, an actor in one of the theatres, and his wife, and a Mr. Hiland, a tailor in Third street, to return to France, taking passage in the Queen, in September. Mr. Hiland, on his examination, said that he had received a letter from Poncet, announcing a box of presents coming by express. This box was intercepted, and in it were found the watch and ornaments of the murdered judge. The commission, with the testimony, was formerly executed yesterday, and will be immediately returned to the court at Versailles.

Thus the proofs of a murder have been discovered. It could not have been done by the English or American system, which permit no such rigid examination of persons suspected of crime as is compulsory in France. Still we cannot acknowledge that the French system is the preferable one. Its effectiveness is but one of the compensations of despotism. And it is better that one murderer should escape, than that a thousand guiltless, though suspected men, should be put to the torture of a cross examination by a judge.—*N. Y. Transcript.*

ANOTHER POLICE BLUNDER.

At the Mildenhall petty sessions, a man was formally discharged from custody by the magistrates, under the following circumstances:—It appears that the metropolitan police had received information from the parish authorities of Mildenhall that a man, belonging to a neighbouring parish had left his wife and children chargeable to the Mildenhall Union, and that the delinquent was supposed to be somewhere in the metropolis. One of the force, from the description given, and the photograph furnished by the union authorities, suspected a certain carpenter, and at once apprehended the man at the shop where he was employed, on the charge of deserting his wife and family, and leaving them chargeable to Mildenhall Union. Protesting in vain his innocence, the young man was taken into custody, and on the following day conveyed to Mildenhall, but when brought face to face with his supposed wife it was apparent that the officer had committed a mistake, and had captured and brought seventy miles into the country the wrong man.

THE LAW & PRACTICE OF THE DIVISION COURTS.

(Continued from page 6)

(OMITTED UNDER THE HEAD TREATING OF "WHERE THE CAUSE OF ACTION ARISES," VOL. I. PAGE 153.)

In a recent case (*Sichel v. Borch*, 9 L. T. N. S. 657) the meaning of the terms "Cause

of action," was considered in the Court of Exchequer.

An inhabitant and native of Norway drew a bill of exchange there, endorsed it there, and posted it from thence to England, where it was received, accepted, and again endorsed. It was held, in an action by the endorsees against the drawer, the foreigner in Norway, that such a suit was not maintainable, as the whole cause of action, within the meaning of the C. L. P. Act, 1852, secs. 18 & 19, did not arise within the jurisdiction of the superior courts.

In giving judgment, Pollock, C. B., observed:—"The cause of action mentioned in secs. 18 and 19 means, in my judgment, the whole cause of action which has arisen within the jurisdiction, not the mere breach; that alone is not enough; for it is the contract complete which gives rise to that breach. The cause of action—that is the whole cause of action—was neither entirely in Norway nor in London; but it would be requisite to have the evidence of what took place at both. I am not satisfied, therefore, that the whole cause of action arose within the jurisdiction, and the statute does not, in my opinion, in this case apply."

A person ceases to have a domicile or dwell in a place the moment he abandons it without an intention of returning there, though he has not established a dwelling elsewhere (*Nutbrown's case*, 2 East. P. C. 496.) A prisoner, it was held, resides where the prison is (*Rex v. Salford*, 3 Magistrates Cases, 5), and in a case before the Judge of the London Sheriff's Court (2 C. C. C. 292), the defendant, who was a Dublin attorney, had been taken in execution in another suit and lodged in the Whitecross Street Prison, where he was served with the process of the County Court, he was held liable to the jurisdiction of the London Sheriff's Court. But a mere temporary imprisonment would probably not be held to constitute a dwelling within the meaning of the Division Court Act. (See 10 East. 25; *Rex v. Birmingham*, 14 East. 252; *Rex v. Ludlow*, 4 B. & Ald. 662.)

A corporation dwells at the principal office where its business is transacted, and it is wholly immaterial where the members of the company reside (*Taylor v. Crowland Gas Co.* 3 W. R. 368, and see *Brown v. L. & N. W. Railway*, 11 Weekly Rep. 884.)