

caught the other fish abundantly. The late Mr. Frank Thorpe Porter, an eminent Dublin police magistrate of the mid-Victorian period, in recording this anecdote, which had been communicated to him by the Clerk of the Crown, who was an eyewitness of the proceeding, adds humorously: "This incident might afford a useful, or perhaps it should be termed a convenient, suggestion to other judicial functionaries, especially on circuit, when there is a crowded dock."—*Law Times*.

CRIMINAL LAW.

RECOGNIZANCES AT COMMON LAW.

The important question as to the power of a criminal court to require a defendant to find securities to keep the peace was raised again this week before the Court of Criminal Appeal in *Rea v. Trueman* (ante, p. 187). Sec. 5 of the Libel Act, 1843, enacts that "if any person shall maliciously publish any defamatory libel, every such person, being convicted thereof, shall be liable to fine or imprisonment or both, as the court may award, such imprisonment not to exceed the term of one year." An appellant, convicted of publishing a defamatory libel, was sentenced to one year's imprisonment, and directed to find sureties to keep the peace for twelve months after the expiration of that sentence, and in default of his so doing was ordered to be imprisoned for twelve months. It is to be observed that the sentence of imprisonment was the maximum allowed by the section. It was contended on behalf of the appellant that there was no power to order him to find sureties in addition to the sentence of imprisonment, the failure to do which would entail another year's imprisonment, so that in effect the statutory limit of sentence might be exceeded. This contention did not prevail, for the court held that it was inherent in the court that it had power at common law to demand security for keeping the peace, in addition to awarding imprisonment. The power of the court in this respect was definitely settled in *Rea v. Hart*