

TELEGRAPH—PLACING POSTS AND WIRES ON AND ACROSS PUBLIC  
STREETS—CONSENT OF BODY HAVING CONTROL OF STREET.

*Postmaster-General v. Hendon* (1914) 1 K.B. 564. The Court of Appeal (Cozens-Hardy, M.R., and Eady and Phillimore, L.JJ.) have affirmed the decision of the Railway and Canal Commissioners (1913), 3 K.B., 451 (noted *ante* vol. 49, p. 748), to the effect that where "the consent of the body having the control" of a street, is required for the placing of telegraph poles and wires in or across such street, an urban district council which is not liable to repair the street though within its territorial limits on which it was proposed to place telegraph posts, was not "the body having the control" thereof.

FALSE IMPRISONMENT—ARREST WITHOUT WARRANT BY PRIVATE  
INDIVIDUAL—FELONY FOR WHICH PLAINTIFF ARRESTED NOT  
COMMITTED—OTHER FELONIES COMMITTED BY PERSONS OTHER  
THAN PLAINTIFF—REASONABLE AND PROBABLE CAUSE.

*Walters v. Smith* (1914) 1 K.B. 595. This was an action for false imprisonment. The defendants were proprietors of a bookstore at a railway station of which the plaintiff was assistant manager. In 1912 on taking stock a deficiency was discovered which indicated that money or stock were being stolen. The defendants, acting on advice, set a trap by causing copies of a book called "Traffic" to be marked and delivered for sale at the station where the plaintiff was employed. An agent of the defendants thereafter went to a shop kept by the plaintiff and his wife where magazines and newspapers were sold to purchase a copy of "Traffic" and on a later day he called and one of the marked copies was sold to him in exchange for the price he then paid. The book had been taken on June 15, 1912, by the plaintiff from the bookstall without payment and without the knowledge of the manager or his assistants. It was also discovered that the plaintiff had acted in various respects in contravention of the practice regulating his employment by the defendants, which he was bound to observe and in particular that he, with his wife's assistance, was carrying on a business where newspapers, magazines and occasionally books were sold. These facts were reported to one of the members of the defendants' firm, who thereupon questioned the plaintiff and receiving unsatisfactory answers from him gave him into the custody of a police officer, honestly believing that the plaintiff had stolen the book "Traffic." The plaintiff was committed for trial and eventually tried for the offence, the defence being that in taking the book the plaintiff had no felonious intent, which the jury accepted,