

word "therefore," and as the inquisition disclosed the facts on which the conclusion was based, and those facts were insufficient to support it, the inquisition might properly be quashed as being bad on its face.

JUSTICES—SEARCH WARRANT—INFORMATION—(CR. CODE, s. 569).

*Jones v. German*, (1897) 1 Q.B. 374, is an appeal from the decision of Lord Russell, C.J., (1896) 2 Q.B. 418, noted ante, p. 102; and the Court of Appeal (Lord Esher, M.R., and Lopes and Rigby, L.JJ.) have affirmed that decision.

MUNICIPAL LAW—BREACH OF BY-LAW—MASTER AND SERVANT—MASTER, LIABILITY OF, TO PENALTY FOR BREACH OF BY-LAW BY HIS SERVANT.

*Collman v. Mills*, (1897) 1 Q.B. 396, is a case on the same lines as *Commissioner of Police v. Cortman*, (1896) 1 Q.B. 655, noted ante vol. 32, p. 508. In the present case the by-law in question was made under statutory power for the regulation of slaughter houses, and the breach consisted in the defendant's servant having, contrary to the defendant's orders, and the provisions of the by-law, slaughtered a sheep in the pound and in sight of other animals. Wills, J., while pointing out that it is a principle of common law that a person cannot be made criminally responsible for acts done by his servant without his knowledge or consent, and that as a rule by-laws cannot be validly made which are repugnant to the common law, except in pursuance of an express statutory power: yet he goes on to show that there is a well recognized distinction between things criminal in themselves—that is, things morally wrong—and things made criminal and prohibited under a penalty simply for the public good; and that even apart from that consideration the statutory powers were sufficient to authorize the making of the by-law in question, and that being the case it must receive a natural construction and the defendant must be held responsible not only for his own acts, but also for the acts of his servants, as otherwise the legislation would be useless. Wright, J., also points out that there is no obligation upon a person to come under the by-law and take out a license; and that if he does take one he must see that the conditions are obeyed by his servants as well as himself.