

OFFENCES INDUCED BY POLICE OFFICERS.

her husband's feelings. A supplementary journey to Paris would undoubtedly have quite restored her health.

Moore v. Whitehaven Hematite Iron and Steel Co., in the Whitehaven county court, was an action of damages for the killing of an employé in a colliery, by the fall of masses of ice adhering to the sides of the shaft. Here it seems the "reaper death" made use of an icicle.—*Albany Law Journal*.

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"When we wish to overreach scoundrels who are at open war with society, every stratagem is allowable by which to effect their conviction, except endeavouring to provoke the commission of crime." This was the maxim of the famous French police spy Vidocq, but, though he flattered himself on never having outstepped the limitation it imposed, readers of even his own memoirs cannot but consider that in some of the incidents of his marvellous career he allowed himself to venture beyond the strict line of police duty. Of the nature of that duty he had been well informed by M. Henry, chief of the division of security in the prefecture of police, whose impressive advice is worth reproducing. "Remember well," said that excellent magistrate, "that the greatest scourge of society is he who urges another on to the commission of evil. Where there are no investigators to bad practices, they are committed only by the really hardened; because they alone are capable of conceiving and executing them. Weak beings may be drawn away and excited: to precipitate them into the abyss, it frequently requires no more than to call to your aid their passions or self-love; but he who avails himself of their weakness to procure their destruction, is more than a monster—he is the guilty one, and it is on his head that the sword of justice should fall. And to those engaged in the police, they had better remain for ever idle, than create matter for employment. The police is instituted as much to correct and punish malefactors, as to prevent their committing crimes; but on every occasion I would wish it to be understood, that we hold ourselves under greater

obligations to that person who prevents one crime, than to him who procures the punishment of many." In after years Vidocq himself found many tempters to crime among his own envious companions in the force; but, thanks to the advice and warning of M. Henry, he proved invulnerable.

Two recent cases, one of them English and the other American, will illustrate the legal effect of inducements to crime held out by police officers, and of their acting in concert with the criminals. In *Reg. v. Hancock and Baker* (38 L. T. N. S. 787), Hancock was indicted for stealing a cigar, the property of his master (Gabriel), and Baker was indicted for feloniously receiving it, knowing it to be stolen. Hancock pleaded guilty; and the facts appearing in evidence against Baker were as follows:—Gabriel, a cigar manufacturer, who had already missed some goods from his establishment, saw his shop boy appropriating a cigar, and thereupon sent for Reid, a detective. Reid searched Hancock, and having found a cigar in his pocket, and questioned him, marked it and returned it to him, in his [master's] presence, at the same time giving him five other cigars and instructions how to act. Hancock thereupon went, followed by Reid, to a place where Baker was at work, and gave the cigars to him. Hancock deposed that he had taken the first cigar because Baker had told him to get as many as he could, and promised to give him something for them. When Reid saw the cigars handed to Baker, he accosted him. Baker said, "I know you are a constable, and here they are," at the same time giving up the six cigars, one of them being the marked one; and Reid said, "You've incited this boy to rob his master, and received the cigars he has stolen." Beyond question, Reid himself had here incited Hancock to induce or enable Baker to commit the crime of receiving them; but the matter does not appear to have been the subject of any recorded judicial observation, nor are we prepared to say that in this instance the officer outstepped the line of propriety, but as illustrating how far the police may legitimately act in such matters, the case is worth noting in this aspect. Baker was convicted, and the question on which the case ultimately turned, on coming before the Court for Crown Cases Reserved, was as to whether or not the cigars were stolen property at the time they were received, the master and the policeman having acted in concert in supplying Hancock with them and