

MOTOR CAR—DRIVER EXCEEDING SPEED LIMIT—POLICE—WARNING GIVEN BY THIRD PERSON—WILFUL OBSTRUCTION OF CONSTABLE IN EXECUTION OF HIS DUTY—PREVENTION OF CRIMES AMENDMENT ACT, 1885 (48-49 VICT. c. 75) s. 2—(CR. CODE, ss. 168, 169).

*Betts v. Stevens* (1910) 1 K.B. 1 was a prosecution for obstructing a constable in the execution of his duty. The facts were that with a view to preventing motors from travelling at an excessive speed, certain police officers had measured a mile of a travelled road, and set a watch for observing the speed of motor cars driven along the road. The defendant with the object of preventing drivers from being caught, had, as they approached the measured mile at an illegal speed, signalled the drivers whereby they were informed that they were being watched, and thereupon they lowered their speed to a legal rate. The magistrates convicted the defendant, but stated a case for the opinion of a Divisional Court (Lord Alverstone, C.J., and Darling and Bucknill, JJ.), who affirmed the conviction. It is pointed out that a great deal depends on the apparent intention of giving such a warning. If it were given solely with the object of preventing the commission of an illegal act, it would not be unlawful; if, however, the apparent object of the warning is merely to induce the offender to suspend his illegal act only so long as there is danger of detection by the police, then the warning becomes an unlawful obstruction of the police in the execution of their duty.

CRIMINAL LAW—SERVANT'S CHARACTER—FALSE CHARACTER—VERBAL REPRESENTATION—CONSPIRACY—SERVANTS' CHARACTERS ACT, 1792 (32 GEO. III. c. 56), ss. 2, 3.

*The King v. Costello* (1910) 1 K.B. 28. This case was a prosecution under the Servants' Characters Act, 1792 (32 Geo. III. c. 56), for giving a servant a false character; and the principal question was, whether in order to come within the Act the character must be given in writing. The words of the Act are, "if any person or persons shall knowingly and wilfully pretend or falsely assert in writing," etc. The Divisional Court (Lord Alverstone, C.J., and Darling and Bucknill, JJ.) held that the words "in writing" only qualify the word "assert," and do not apply to the words "knowingly and wilfully pretend," and therefore that a false verbal representation as to a servant's character is within the Act. We may note that this Act seems