

indulged in with the impunity that most persons imagine: that which is sometimes called "a shave," "a 'cute trick," "a knowing dodge," may bring a dishonest man within the grasp of the criminal law, and send him to the Penitentiary.

In broad terms, it may be stated that any false statement of an existing fact, fraudulently made for the purpose of obtaining money or property, and by which money or property is obtained, and the owner tricked and imposed on, is a crime of the description referred to.

Thus where the secretary of an O. F. Lodge falsely pretended to one of the members that he owed the society more than in truth he did owe, and obtained money thereby, he was held to be properly convicted of the crime of obtaining money under false pretence. A man who writes a begging letter, making false representations to his condition and character, by means of which the party receiving the letter is imposed upon, and money is obtained, is guilty of a false pretence within the statute. An individual passed off a "flash" note as a Bank of England note on a person unable to read, and obtained from him in exchange five pigs and £1 2s. 6d. change: he was held to be guilty of a false pretence. And a person who fraudulently offers a £1 bank note as a note for £5, and gets it changed upon that representation, may be convicted for obtaining money by false pretence, although the party to whom it was passed could read, and the note upon the face of it afforded clearly the means of detecting the fraud.

We must postpone the continuance of this article till next number, having filled our allotted space in the present one.

HEARING FEES—CONFESSIONS.

In our last issue we answered the question of a Division Court Clerk, as to whether it is "correct in practice, at the time of entering confessions in court, to affix to the proceedings a stamp for 'hearing undefended cases,' " by saying, that we considered such a stamp to be necessary. Circumstances then prevented a fuller explanation of our views, which we now give.

We believe that many persons misconceive this matter, which may perhaps partly arise from the practice of the higher courts, which is in its nature essentially different. In those courts the entry is made by the clerk, without

the necessity for judicial interposition; whereas in Division Courts the judge must be satisfied, before judgment, first, of the execution of the confession before the clerk or bailiff; second, that the officer taking it receives nothing but his lawful fees for so doing; and, third, that he has no interest in the demand sought to be recovered. We think, therefore, that when the confession, with an affidavit (if there be one) or proof *visá voce* of due execution, as required by the statute, is submitted to the judge for his order, the case is *heard* by him, and he thereupon passes judgment, fixing the time in which payment is to be made. This is the proper time to affix the stamp for the hearing. A stamp for the order would also be required, if it were not for the special exception in the statute.

SELECTIONS.

MAGISTERIAL CURIOSITIES.

Two rather curious cases came before the London police courts last week. In one of them a person was taken into custody on a charge of stealing a bracelet from Lady Honoria Cadogan, and she employed an attorney to defend her, who duly appeared in court, but his client was not in the dock. It was stated, without contradiction, that persons under charge are sometimes detained several hours at the police station before they are placed in the dock, and it has been suggested that this is done for the purpose of enabling the police to hold a preliminary court of inquiry of their own, and that persons are illegally detained in order to afford the opportunity of completing the cases against them. A messenger was despatched to Vine-street Station for the purpose of ascertaining why the prisoner was not forthcoming. On his return he informed the magistrate that the prisoner was certainly in custody at the station, but that "there was at present no charge against her." Here is a British subject absolutely detained in custody at the police station on the sole authority of the police, whilst the magistrate whose duty alone it is to remand or discharge a prisoner, if there are grounds for either course, is actually sitting in court to inquire into all such cases, and yet the police authorities detain the prisoner in custody, without having, upon their own showing, any case against her that would justify them in bringing her before the magistrate. Mr. Tyrwhitt no doubt censured the illegal proceeding, but added, "perhaps it may turn out that the present cause is one of loose practice rather than of system," and the magistrate remarked that the person detaining the prisoner would be liable to an action for damages. An action against a police constable is a very poor sat-