

UNSOOUND MEAT—GUILTY KNOWLEDGE—R.S.O., c. 205, s. 99.

In *Blaker v. Tillstone*, (1894) 1 Q.B. 345, the defendant was convicted of having on his premises unsound meat, but there was no evidence that he knew that it was unsound, and the case was reserved by the justices on the point whether a guilty knowledge was essential. Lord Coleridge, C.J., and Day, J., were of opinion that it was not, and opposed the conviction. (See R.S.O., c. 205, s. 99, s-s. 2.)

CRIMINAL LAW—THEFT—PRODUCTION OF ALLEGED STOLEN PROPERTY BY PURCHASER UNDER DUCES TECUM—DETENTION OF PROPERTY FOR PURPOSE OF TRIAL IN FOREIGN STATE.

The Queen v. Lushington, (1894) 1 Q.B. 420, was an application to quash a magistrate's order for the detention of property alleged to have been stolen, produced before him under a *duces tecum* by the applicant, who claimed to be a purchaser. The magistrate had committed the accused to prison to await extradition to France, and orally directed a constable to take charge of the property in order that it might be produced at the trial in France, and it was this direction which it was sought to quash. Wright and Kennedy, JJ., held that the magistrate was *functus officio* as soon as he committed the prisoner, and that his direction as to the care of the property was extra-judicial, and therefore they had no jurisdiction to interfere; but even if they had jurisdiction, they considered the applicant was not entitled to any relief, as his possessory title (if any) to the goods had been lawfully divested when they passed out of his possession under the subpoena *duces tecum*. Wright, J., suggested that the applicant's proper remedy was to bring an action against the person in whose custody the goods were, and claim an injunction against parting with them until the trial.

PRACTICE—SPECIALLY INDORSED WRIT—ACTION ON CHEQUE—AFFIDAVIT FOR JUDGMENT UNDER ORD. XIV., R. 1 (ONT. RULE 739).

May v. Chidley, (1894) 1 Q.B. 451, was an application for judgment on a specially indorsed writ under Ord. xiv., r. 1 (Ont. Rule 739). The action was brought on a cheque, and the indorsement alleged notice of dishonour to the drawer, but the