

Herderson, Co. J.]      REX v. THICKENS.      [Oct. 5.]

*Criminal law—Perjury—Crim. Code, s. 145—Crime alleged to have been committed on examination for discovery on a civil suit—Criminal Code.*

Motion in the County Court Judge's Criminal Court to quash a charge for perjury alleged to have been committed on an examination for discovery before the Registrar in a civil suit; heard before Henderson, Co. J., at Vancouver.

The accused having been charged with perjury committed on his examination for discovery before the Registrar in a civil suit, elected to take a speedy trial. On his election, his counsel took the objection that perjury could not be assigned on examination for discovery.

*Held*, that as every statement made upon oath by the person examined during his examination for discovery, forms part of his evidence at the trial, it is evidence given in a judicial proceeding within the meaning of section 145 of the Criminal Code.

*Wintermute*, for the Crown.. A. E. McPhillips, K.C., for accused.

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*The Living Age*, one of the very best of serials, giving, as it does, articles of varied interest, comes with unfailing regularity. Whoever makes the selections is thoroughly in sympathy with the needs of the literary public. The number for October 6 contains an article on the Powers of Darkness which will serve as a wholesome corrective of the complacency which is too often the character of current discussion, and in a measure supports the view of those who deny that the world is gradually getting better. He shows that the vices of the civilized world of the present day are strangely like those which preceded the fall of the Roman Empire. The number for October 13 opens with an article on the Triumph of the Russian Autocracy, which gives new thoughts on this engrossing subject.