

place" within the meaning of the Act, and declined to convict the respondent. The Court of Appeal (Lindley and Kay, L.J.J.) were, however, of opinion that he ought to have been convicted, and that the piece of ground in question was "a place" within the meaning of the Act: see *Regina v. Giles*, 26 O. R. 586; *Regina v. Osborne*, 27 O. R. 185.

CRIMINAL LAW—FALSE TELEGRAM—OBTAINING MONEY BY FORGED INSTRUMENT—
FORGED TELEGRAM—FORGERY ACT, 1861 (24 & 25 VICT., c. 98, s. 38 CR.
CODE, SS. 423, 424, 428, 429).

The *Queen v. Riley*, (1896) 1 Q. B. 309, was a prosecution for forgery under the following state of facts: The prisoner was a clerk in the telegraph department of a post office, and sent to a bookmaker a paper purporting to be a telegram offering to bet on a certain horse for a certain race. The telegraph business in England is under the control of the General Post Office, and the pretended telegram was made by the prisoner to appear as if it had been handed in at the receiving office prior to the race, and the bookmaker accepted and ultimately paid the amount won on that understanding. In reality the pretended telegram was a fictitious affair altogether, and had never been transmitted at all, but was drawn up and sent by the prisoner from the head office after the race had been won by the horse in question. The majority of the Court (Hawkins, Mathew and Wills, J.J.), held that the telegram was a forged instrument within the meaning of 24 & 25 Vict., c. 98, sec. 38 (see Cr. Code, sec. 423), but Lord Russell, C.J., and Williams, J., though agreeing that the telegram was a forgery at common law, doubted whether it was a forged "instrument" within the meaning of sec. 38. One other point was submitted for the opinion of the Court, namely, whether a prisoner by pleading guilty admits the facts appearing in the depositions. Hawkins, J., only gives an answer to that question, and he was of opinion that a plea of guilty only admits that the prisoner is guilty of the offence as charged in the indictment and nothing more.