the defendant, having failed to object to the jurisdiction, there was a judicial issue pending, in which a false oath, on a matter pertinent to that issue, would be perjury.

So much for the case of *R.* v. *Millard*, 17 Jurist, 400.

The case of *R.* v. *Shaw*, 34 L. J., M. C., 169, was a reserved Crown case. The facts are that, on a written report, made by a policeman to his superintendent, and placed before a magistrate, to the effect that the beershop of one S. K. had been open, between 3 and 5 p. m., on a Sunday, that magistrate issued a summons, ordering that S. K. should appear and answer that charge. S. K. appeared, took no objection to the want of a *written* complaint, pleaded not guilty. On the trial, the prisoner *Shaw* swore that he had not been in that beershop, between 3 and 5 o'clock of that afternoon. There was, therefore, a pending issue in that case. It was, therefore, *held:*

"That production of further proof of an in-
"formation, *as the basis* of the summons, was
"not necessary on the trial of the prisoner,
"as the *magistrates had jurisdiction*, on S. K.
"appearing before them, to convict him of
"the charge, though there had been *no* in-
"formation or summons."

So much for the case of *R.* v. *Shaw*, 34 L. J., M. C., 169.

In the case, not of *Ex parte Bedringham*, but of *The Queen* v. *The Inhabitants of Bedringham*, it was an appeal, to the Quarter Sessions, from an "order" of two Justices of the Peace, made upon a written COMPLAINT *on oath* of John Smith, of the parish of *Bedringham*, one of the overseers of the poor of that parish, for the removal of the PAUPERS, Peter Quantril, his wife and children, from that parish to *Earsham*, another parish in the same county. On evidence, before the Quarter sessions, that the paupers had never obtained a settlement (that is to say, a settled domicile) in *Earsham*, the order was quashed, *not*, on the ground of an *insufficient* complaint, but, on the ground that the settlement of the paupers in question had always been in the parish of *Bedringham*. On a reserved case, by the Chairman of the Quarter Sessions, as to the validity of the judgment of that Court, one of the reserved questions was:

"Whether there had been a *sufficient com-*
"*plaint* to give the magistrates jurisdiction to
"make the order."

The Court of Queen's Bench, composed of LORD DENMAN, CH. J., and PATTESON, WILLIAMS and WIGHTMAN, JJ. held that the complaint *was* sufficient.

"LORD DENMAN, CH. J. It appears to me
"that the sessions have decided rightly on
"both the questions, which we have to con-
"sider. The first is, whether there was a
"*sufficient complaint* to the removing justices.
"I think there was; it was made *by the au-*
"*thority of all the parish-overseers of the poor.*"

Thus it appears that, even in the case of these helpless paupers, who had not a word to say in the matter, *complaint* was necessary.

So much for the case of *R.* v. *Bedringham* (and not *Ex parte Bedringham*), 5 Q. B. 653.

In the case *Ex parte Perham*, 29 L. J., M. C., 33 to 35, *there was* a sworn written complaint. The objections taken were not as to the absence of an information in writing and on oath, but that the offence charged in the conviction was different from that laid in the sworn to information. The difference was as to the *threats*, used as a *means* of intimidation of workmen. The Exchequer Court, agreeing with the Court of Queen's Bench, rejected an application for *Habeas Corpus*, made on behalf of *Perham*, which the Court of Queen's Bench (29 L. J., M. C., 31) had already rejected, on the ground that the offence, being that of an attempt to intimidate, a *variance*, as to the means of intimidation used, was *immaterial*. There is not, in that report, the least indication, on the part of either of the courts, that an information in writing is unnecessary.

In the case of *Turner et al.* appellants, and *The Postmaster General*, respondent, (34 L. J., M. C., 10), the accused were arrested, on a charge of having set fire to letters in a pillar letter-box. There had been no previous complaint of any sort; the attorneys of the accused *cross-examined* the witnesses for the prosecution; and when the case had been closed, the evidence clearly showing the prisoners' guilt, the attorneys for the prisoners *objected* that there had been *no preceding complaint*. The Justices overruled that objection; their attorneys then argued the case on its merits. The Justices in petty sessions found the prisoners guilty.

In rejecting the appeal of the prisoners from that conviction, it was stated by

"Cockburn, Ch. J. There must be judg-
"ment for the Crown. The case was fairly
"heard upon the merits, with the assent of
"the attorneys, who appeared for the appel-
"lants. They could not have asked for any-
"thing more than that the charge should be
"made as a misdemeanor, and that the
"evidence should be taken in support of that
"charge; but they did not even do that; and
"they assented to the charge being gone into.
"The facts, which were found, were the
"same; the statute, under which the charge
"arose was the same; and the only question
"that arose upon this—was that the charge
"was for a *misdemeanor*, instead of a *felony*,
"as it was originally supposed to be. The
"attorneys appeared to the charge of mis-
"demeanor, cross-examined the witnesses
"and took their chance of getting a decision
"in their favor. After doing this, they *cannot*
"*object* that the Justices had no jurisdiction
"to convict the appellants on the ground
"suggested."