

the University Press, Oxford,' or 'The Pitt Press, Cambridge,' as the case may be.

Proceedings under the Acts of 1799 and 1839 for penalties are not to be commenced except in the name of the Attorney or Solicitor-General in England or the Lord Advocate in Scotland (*k*).

The provisions of the Acts of 1869 and 1881 do not exclude the proof of publication by modes other than those permitted by the statutes.

Where the affidavit of a proprietor under 38 Geo. III. c. 78 (rep.), described the proprietor's residence to be in 'Red Lion Street, St. Ann's Square,' and on the paper it was described as in 'St. Ann's Square'; Tenterden, C.J., held that as the party was not excluded from other proof of publication, if he relied on the statutory proof he must bring himself within the statute, and that the discrepancy was fatal (*l*). In moving for a criminal information a prosecutor was not bound to adopt the statutory proof, but if he adopted any other, the publication must have been shewn by some direct proof (*m*).

(*k*) 2 & 3 Vict. c. 12, s. 4, and 9 & 10 Vict. c. 33, s. 1, re-enacted in 32 & 33 Vict. c. 24, s. 1, sched. ii.

(*l*) Murray v. Souther, 6 Bing. 414, cit.

(*m*) R. v. Baldwin, 8 A. & E. 168; and see Watts v. Fraser, 7 A. & E. 223; R. v. Stanger, L. R. 6 Q.B. 3521; R. v. Pearce, Peake, 75.

END OF VOL. I