

tiffs claimed to recover the amount of the cheque from the defendants on the ground of a conversion of the cheque by them in England. The defendants claimed that they were protected by s. 60 of the Bills of Exchange Act, 1882, which provides that "where a bill payable to order on demand is drawn on a banker and the banker on whom it is drawn pays the bill in good faith in the ordinary course of business, it is not incumbent on the banker to show that the indorsement of the payee or any subsequent indorsement was made by or under the authority of the person whose indorsement it purports to be, and the banker is deemed to have paid the bill in due course, although such indorsement has been forged or made without authority"—a provision, we may remark, which does not appear in the Dominion Act (see, however, s. 59). They also claimed to be protected from liability by ss. 80, 82, which are similar to ss. 79, 81, of the Dominion Bills of Exchange Act, but Collins, J., held that the Paris branch and the London branch were not two, but practically one and the same bank, and that in any case s. 82 did not apply, because the man who presented the cheque to the Paris branch was not a customer of that branch according to *Matthews v. Brown*, 10 R. 266, and though he does not in terms say so, it would seem that he considered s. 80 afforded the defendants no protection, because the payment of the cheque was not made to a banker, but in effect to the person presenting it at the Paris branch: and though the transaction was carried out between the two branches through the medium of the post, he held that as soon as the cheque arrived in England it was governed by the English law, and the presentation of it at the defendants' London office amounted to a conversion which rendered the defendants liable to the plaintiffs for the full amount of cheque; and he gave judgment accordingly.

CRIMINAL LAW—PROSECUTION—CONSENT IN WRITING TO INSTITUTION OF PROSECUTION.

*Thorpe v. Priestnall*, (1897) 1 Q.B. 159, is an instance of the strictness with which a law affecting the liberty of the subject must be carried out. By an Act of Parliament it was pro-