

ground leased, and were not "buildings and erections" within the meaning of the proviso.

Appeal dismissed with costs.

Laidlaw, Q. C., for appellant.

Robinson, Q. C., & *McDonald, Q. C.*, for respondent.

QUEEN'S BENCH DIVISION.

LONDON, 18 May, 1896.

DICKINS (APPELLANT) v. GILL (RESPONDENT).—31 L. J. 342.

Criminal law—Possession of die for making fictitious stamp—Lawful excuse.

Case stated by the chief metropolitan police magistrate.

An information was exhibited by the appellant (an officer of Inland Revenue) against the respondent under section 7, subsection (c), of the Post Office (Protection) Act, 1884, for having in his possession on June 8, 1895, a certain die and instrument for making a fictitious stamp. It was proved that the die was received by the respondent from one Van Hoytema, who had received it from the continent of Europe, and that the respondent had ordered such die to be made for him for use in illustrating the philatelist's supplement of the *Bazaar*, the *Exchange and Mart* newspaper, and that it had been made and delivered accordingly. With the die a representation of a 2½d. Cape of Good Hope stamp could be produced. It was, however, proved to the satisfaction of the magistrate that the only purpose for which he had ordered and had in his possession the said die was for making upon the pages of an illustrated stamp catalogue or newspaper illustrations in black and white, and not in colours, of the Cape of Good Hope stamp in question, and that such illustrations were intended to appear thereon, together with illustrations of other stamps, and that such catalogues were intended for sale only to stamp collectors and others, and as part of a newspaper published for the instruction and amusement of readers of and persons buying such paper. It was contended on behalf of the appellant that the possession of the said die or instrument without license or authority from the Crown was a contravention of the statute, and that the purpose for which the respondent had the die in his possession did not constitute a law-