

plaintiff and defendant, by which the plaintiff is said to have agreed to pay costs not lawfully chargeable before the defendant would consent to put the machinery of the criminal law in motion. It is contrary to the policy of the law that justices of peace should be allowed to make such bargains, and it would be a very shocking thing to allow them to prevail in a court of law. The defendant must as best he can, deal with the constable, but the plaintiff cannot be here considered as having any privity with the constable, and I give judgment against the defendant for \$9.50 and costs to be paid in fifteen days.

Province of Nova Scotia.

SUPREME COURT.

Full Court.]

QUEEN v. QUINN.

[Feb. 14.

Theft—Conviction of minor under age of 16—Form of convictions—Not necessary to state age or religion—Cr. Code s. 820—Words "shall be good and effective to all intents and purposes."

Defendant was convicted before the Stipendiary Magistrate of the City of Halifax of the offence of stealing the sum of \$30 and was sentenced to be imprisoned for the term of three years in the Halifax Industrial School, a reformatory for boys of the Protestant faith.

His discharge was sought upon habeas corpus on the grounds that the conviction did not shew that defendant was a Protestant or that he was under the age of 16 years.

Held, dismissing the application, that neither the age nor the religion of defendant had anything to do with the offence of which he was convicted, and that it was not necessary that they should be stated in the conviction.

The Code, s. 820, provides that "the justices before whom any party is summarily convicted of any offence hereinbefore mentioned may cause the conviction to be drawn up in the form U.U. in schedule one hereto, or in any other form to the same effect, and the conviction shall be good and effectual to all intents and purposes."

Held, that the intention no doubt was to dispense with recitals and averments in the particulars mentioned, and that the words "shall be good and effectual to all intents and purposes" might be regarded as the equivalent of a legislative declaration that it should not be necessary to refer in the conviction to the age of the party, or to the justice's opinion on that subject.

Held, that the power of determining the age or apparent age of the