

direct the sheriff to withdraw. What has the execution creditor to do with the goods, if he cannot possibly get anything out of them? That is another plain case.—The third case is somewhat more difficult. When it is difficult to say whether the security is sufficient to pay off the secured creditor or not, what is the right course to take? The proper course in such a case is for the court to say, ‘Unless the execution creditor will guarantee the secured creditor against loss by sale we will not order the sale,’” and the case coming within the third class and the execution creditor, and another claimant refusing to redeem or give the required guarantee, an order for sale was reversed.

**CRIMINAL LAW**—OBTAINING CREDIT BY FRAUD—FALSE PRETENCES—(CR. CODE, ss 358, 359).

In *The Queen v. Jones* (1898) 1 Q.B. 119, the Court for Crown Cases Reserved (Lord Russell, C.J., and Wright, Kennedy, Darling and Channell, JJ.) were called on to determine whether the act of going into a restaurant with only a half-penny and ordering and consuming a four shilling meal was a criminal offence, and if so to what category it belonged. The Court held that it was a criminal offence, but that it was not obtaining goods by false pretences, as no representation was made by the prisoner, and that the offence was obtaining credit by fraud within the meaning of the Debtors Act, 1869, s. 13. The Criminal Code does not appear to include any similar provision and it would seem that such an act as was in question in this case would not be indictable in Canada.

**MASTER AND SERVANT**—CUSTOM—REASONABLENESS—NOTICE TO DETERMINE SERVICE AT END OF FIRST MONTH.

*Moult v. Halliday* (1898) 1 Q.B. 125 is a decision of Hawkins and Channell, JJ., on appeal from a County Court, in which those learned judges determined that there is no recognized custom with regard to the hiring of domestic servants, which enables either party to terminate the service at the end of the first month on giving a fortnight's notice; but that if such a custom were proved it would be reasonable, and would be given effect to by the Court. The Court