

the assault as merely a technical one, and only intended to make an order that the appellant should pay the costs; but the appellant preferred to be fined in order that he might take the opinion of the Court on the point. He cited *Thompson v. Phenev* (1 Dowl., 441).

The LORD CHIEF JUSTICE, in giving judgment, said that this was a very trumpety case, and he could not help regretting that the Magistrates had not dismissed the information. The Justices wished to make an order merely that the appellant should pay the costs, but they could only do that if they made an order against him, and his Lordship could well understand that the appellant objected to any such order. The Magistrates convicted the appellant, and the Court had to consider whether there was any evidence justifying that conviction. If the only judgment of the Magistrates had been that the amount of touching was unnecessary, and that it amounted to an assault, the Court would have been in a difficulty; but in His Lordship's opinion that was not the way the Magistrates dealt with the case. The Magistrates considered that because there was an alternative mode of service the touching of the respondent was unnecessary. They had established a test which was not a right one. In some circumstances it might be that dropping a writ or order in the presence of a person would be good service; in other circumstances it might not; but where a person refused to peruse the document, and thus left it open for him to say that he did not know what it was, there was ground for the argument that the service might not be good. In this case, as the appellant had before him the respondent, whom he was entitled to serve personally, and who would not receive the document, it seemed to His Lordship that the touching the respondent was not unnecessary. There was no evidence that the appellant touched the respondent further than was necessary to bring the document home to him; it was equivalent to doing that which Mr. Dodson admitted would be good—namely, placing the document on the respondent's shoulder. As the Magistrates had convicted the appellant because they thought the respondent need not have been touched at all, they proceeded upon a wrong ground. The appeal would be allowed, and the conviction quashed.

Mr. JUSTICE PICKFORD and Mr. JUSTICE AVORY agreed.

[Solicitors—Morris and Bristow, agents for F. P. Sutherly, Chelmsford; Arthur Wrinch, agent for Leighton and Pre ty, Ipswich.]

## EXTRACTS FROM NEW ZEALAND GAZETTE.

(From *Gazette*, 1911, pages 988, 989, and 992.)

### *Regulations for Deer-shooting, Ashburton Acclimatization District.*

ISLINGTON, Governor.

IN exercise of the powers vested in me by the Animals Protection Act, 1908 (hereinafter called "the said Act"), I, John Poynder Dickson-Poynder, Baron Islington, the Governor of the Dominion of New Zealand, do hereby make the following regulations prescribing the deer-shooting season in the Ashburton Acclimatization District, and the conditions affecting the same, and also the form of license and the fee payable therefor.

#### REGULATIONS.

1. RED-deer stags may be taken or killed within the Ashburton Acclimatization District from the 1st day of April, 1911, to the 20th day of May, 1911 (both days inclusive).

2. Licenses to take or kill such deer may be issued by the Postmaster at Ashburton, upon the recommendation of the secretary of the Ashburton Acclimatization Society, on payment of a license fee of £4, in the form prescribed in the Schedule hereto, and subject to the said Act and these regulations. The number of such licenses to be issued by the said Postmaster shall not exceed three: Provided that not more than one such license shall be issued to the same person.

3. No licensee shall take or kill more than two stags, and no stag shall be killed carrying antlers with less than eight points. Ball cartridge only to be used: Provided that no metal-patched or metal-cased bullet shall be used for killing such deer.

4. No hind or fawn shall be taken or killed on any pretext whatever; and no licensee shall allow any dog to accompany either himself or any attendant he may have with him.

5. Nothing herein contained shall extend to authorizing any person to sell any deer or portion thereof.

6. All regulations as to deer "tags" in force within the said district shall be strictly adhered to by each licensee.

7. Any person committing a breach of any of these regulations shall be liable, on conviction, to a fine not exceeding £20.

#### SCHEDULE.

No.

#### *License to take or kill Game (Deer).*

£ \_\_\_\_\_, of \_\_\_\_\_, having this day paid the sum \_\_\_\_\_, is hereby authorized to take or kill deer (stags), of not less than \_\_\_\_\_ points, within the Ashburton Acclimatization District, from the \_\_\_\_\_ day of \_\_\_\_\_, 1911, to the \_\_\_\_\_ day of \_\_\_\_\_, 1911 (both days inclusive), subject to the provisions of the Animals Protection Act, 1908, and all regulations thereunder in force within the said district.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1911.

.....  
Postmaster.

As witness the hand of His Excellency the Governor, this thirteenth day of March, one thousand nine hundred and eleven.

D. BUDDO,  
Minister of Internal Affairs.

### *Regulations for Deer-shooting, Canterbury Acclimatization District.*

ISLINGTON, Governor.

IN exercise of the powers vested in me by the Animals Protection Act, 1908 (hereinafter called "the said Act"), I, John Poynder Dickson-Poynder, Baron Islington, the Governor of the Dominion of New Zealand, do hereby make the following regulations prescribing the deer-shooting season in the Canterbury Acclimatization District, and the conditions affecting the same, and also the form of license and the fee payable therefor.

#### REGULATIONS.

1. RED-DEER stags may be taken or killed within the Canterbury Acclimatization District from the 1st day of April, 1911, to the 20th day of May, 1911 (both days inclusive).

2. Licenses to take or kill such deer may be issued by the Chief Postmaster at Christchurch, upon the recommendation of the secretary of the Canterbury Acclimatization Society, on payment of a license fee of £4, in the form prescribed in the Schedule hereto, and subject to the said Act and these regulations. The number of such licenses to be issued by the said Chief Postmaster shall not exceed eight: Provided that not more than one such license shall be issued to the same person.

3. No licensee shall take or kill more than two stags, and no stag shall be killed carrying antlers with less than eight points. Ball cartridge only to be used: Provided that no metal-patched or metal-cased bullet shall be used for killing such deer.

4. No hind or fawn shall be taken or killed on any pretext whatever; and no licensee shall allow any dog to accompany either himself or any attendant he may have with him.

5. Nothing herein contained shall extend to authorizing any person to sell any deer or portion thereof.

6. All regulations as to deer "tags" in force within the said district shall be strictly adhered to by each licensee.

7. Any person committing a breach of any of these regulations shall be liable, on conviction, to a fine not exceeding £20.

#### SCHEDULE.

No.

#### *License to take or kill Game (Deer).*

£ \_\_\_\_\_, of \_\_\_\_\_, having this day paid the sum of \_\_\_\_\_, is hereby authorized to take or kill deer (stags), of not less than \_\_\_\_\_ points, within the Canterbury Acclimatization District, from the \_\_\_\_\_ day of \_\_\_\_\_, 1911, to the \_\_\_\_\_ day of \_\_\_\_\_, 1911 (both days inclusive), subject to the provisions of the Animals Protection Act, 1908, and all regulations thereunder in force within the said district.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1911.

.....  
Chief Postmaster.

As witness the hand of His Excellency the Governor, this thirteenth day of March, one thousand nine hundred and eleven.

D. BUDDO,  
Minister of Internal Affairs.