

## SERVANT.

the prisoners, ordered the clause in question to be inserted. Held, that the sentence was illegal, notwithstanding the 6 & 7 Wm. IV. c. 30, s. 2. *Regina v. Hartnett and Casey.* 302.

## SERVANT.

*See* EMBEZZLEMENT.

## SHANNON COMMISSION.

A certificate of the Shannon Navigation Commissioners ascertaining the sums repayable by a county, under 2 & 3 Viet. c. 61, s. 64, is not defective for stating that a particular sum is to be levied off one Barony, and for being silent as to the proportions to be levied off the other Baronies; and the Judge of Assize is authorized upon the refusal of the Grand Jury to present in pursuance of such a certificate, to make an order under section 65, directing the specific sum to be levied off that one Barony, and the residue rateably off the other Baronies. *Mayo Presentment, Shannon Commission.* 323.

## SHEEP STEALING.

An indictment for stealing sheep is supported by evidence of stealing ewes. *Regina v. Barran and Murphy.* 245.

## SHERIFF.

*See* ADJOURNED ASSIZES.

## SHOOTING AT.

1. The prisoner was convicted upon two indictments, one for shooting at A. with intent to kill him, and the other for shooting at B. with intent to kill him; the Jury finding that he intended to kill whichever the shot should strike, but not both. Held, that he was rightly convicted. *Ree v. Larkin.* 60.
2. An indictment charged the prisoner with shooting at M. B. with intent

## SPECIAL COMMISSION. 347

to maim and disable him, stating in one count that the gun was loaded with gun powder and leaden slugs, and in another count with gun powder and leaden shot. There was no evidence that any ball, slug, or shot had been found, or any wound inflicted; nor was it shown in what manner the gun had been loaded. The Judge told the Jury it was not necessary that they should be satisfied that the gun was loaded with slugs or shot, but that if they believed it was loaded with any substance calculated to act like slugs or shot, it was sufficient; and he left the case to the Jury, to say upon the circumstantial evidence whether it was so loaded. The Jury found the prisoner guilty. Held, that the conviction was right. *Regina v. Brady.* 257.

## SOLDIER.

*See* PERSONATING.

## SPECIAL COMMISSION.

1. A Commission to the going Judge of Assize for the trial of Admiralty offences, under the 23 & 24 Geo. III. c. 14, s. 4, is not a *Special Commission* within the meaning of the 4 Geo. IV. c. 43, s. 3. (6 & 7 Wm. IV. c. 116, s. 113.) *Cork Presentment.* 97.
2. Where on a trial at a Special Commission, the Jury could not agree, and after remaining a long time shut up, were discharged by the Court (no consent being given by the counsel on either side,) in consequence of the physician's report that a longer confinement would endanger the lives of some of them. Held, that they were properly so discharged, and that the prisoners were triable again; and that they might have been tried at the same Commission, if the Judge had thought proper. *Ree v. Barrett.* 103.