sovereign was stolen, Mr. Justice Stephen was equally positive that it was not. Mr. Justice Cave further complicated matters by throwing out a suggestion that the cabman might have committed the statutory offence called larceny by a bailee. In the result the Lord Chief Justice announced that the Bench was so seriously divided in opinion that there must be a further argument before the full court—that is the whole Queen's Bench Division."

Accordingly a re-argument took place before the thirteen judges, when the majority were of opinion that the conviction was right.

A somewhat similar case is *Reg. v. Macdonald*, in which the question was whether a minor, who had purported to enter into a contract for the hiring and purchase of furniture, and who had sold it before he paid all the instalments, could be convicted of larceny. In this case also a majority of the judges confirmed the conviction.

*The Law Journal* (*Eng.*) sides with the minority, and it seems to have much authority in favor of its contention.

Roscoe's definition of larceny, as modified by a suggestion of Sir James Stephen, and in this form adopted by Mr. Harris, is as follows:—"The wilfully wrongful taking possession of the goods of another with intent to deprive the owner of his property in them." This definition will be of no further service, for it is quite clear that there did not exist any wrongful intent—nor indeed any wrongful taking.

But for the statute relating to bailees, it was believed that there was no case in which a person having wrongfully converted to his own use that which he had come into possession of innocently could be convicted of larceny. *Harris, 212.* It was thought that there must exist the *animo furandi* at the time of taking.

For example, where A went to a shop and said that C wanted some shawls to look at. The shopkeeper gave the shawls to A, and A converted them to his own use. This is larceny if the design of so converting was present when