

Their Lordships (Lord Halsbury, L.C., Lord Watson, Lord Bramwell, Lord Fitzgerald, and Lord Macnaghten), without deciding that the publication of an accurate report of a judgment is necessarily privileged, held that it was too late for the appellant to dispute that the judgment published by the respondents fairly stated the effect of the evidence, and on that ground dismissed the appeal.

Appeal dismissed.

#### CROWN CASES RESERVED.

LONDON, May 11, 1889.

REGINA V. GORDON.

*False Pretences—Money Lender—Promissory Note for 100l. obtained on Representation that 100l. would be Advanced—False Representation of Existing Fact.*

This was a case reserved by Lord Coleridge, C.J.

The prosecutor (Brown), a farmer, seeing an advertisement in a county paper that prisoner was prepared to lend money on advantageous terms, applied to him for a loan of 100l. for two years. The prisoner agreed to lend this sum upon the prosecutor and his son signing a document promising to pay 100l. in two years, by quarterly instalments. The prisoner charged a fee of 10s. 6d. for the expense of going over to the farm to look at the stock. The prosecutor and his son signed the promissory note and handed it to the prisoner, who gave them not 100l., but 60l. in exchange, telling them that 40l. was the charge he made for the advance. Upon this the prosecutor sought to return the 60l. Ultimately an indictment containing five counts was preferred against the prisoner—the first for obtaining 10s. 6d. by false pretences; the second for obtaining the promissory note for 100l. by false pretences; and the fourth for inducing the prosecutor and his son to make the promissory note for 100l. by the false pretence that the prisoner was prepared to pay them or one of them 100l. The third and fifth counts were abandoned; but the jury found the prisoner guilty upon the others.

*Lockwood, Q.C., and Harington*, for the prisoner, contended that there had been no false representation of an existing fact.

*Amphlett*, for the prosecution, was not called upon to argue.

The Court (Lord Coleridge, C.J., Mathew, J., Wills, J., Cave, J., and Grantham, J.) held that the prisoner had induced the prosecutor to believe that he would give him 100l. upon his signing the note, and that the prisoner had never intended to do so; that by pretending that the 100l. was ready to be handed to the prosecutor upon his signing the note, the prisoner had made a false representation of an existing fact. The conviction could accordingly be maintained upon the fourth count of the indictment.

Conviction affirmed.

#### CROWN CASES RESERVED.

LONDON, May 11, 1889.

REGINA V. TOLSON.

*Bigamy—Bond fide and Reasonable Belief in Death of Husband or Wife—24 & 25 Vict. c. 100, s. 57.*

Case stated by STEPHEN, J.

The prisoner was married on Sept. 11, 1880.

On December 13, 1881, her husband deserted her. She and her father made inquiries about him, and learned from his elder brother and from general report that he had been lost in a vessel bound for America which went down with all hands on board.

On January 10, 1887, she went through the ceremony of marriage with another man.

In December, 1887, her first husband returned from America.

The learned judge directed the jury that a belief in good faith and on reasonable grounds that her husband was dead, was not a defence to an indictment for bigamy.

The jury convicted the prisoner, stating in answer to a question from the learned judge, that she in good faith and on reasonable grounds, believed her husband to be dead at the time of her second marriage.

*Henry* for the prisoner.

No counsel appeared for the prosecution.

Their Lordships (Lord Coleridge, C.J., Hawkins, J., Stephen, J., Cave, J., Day, J., Smith, J., Wills, J., Grantham, J., Charles,