

murder, though at the time of the act one of them was at such a distance as to be out of view, if the murder is in furtherance of the common design.

Every person entering into a conspiracy on common design already formed, is deemed in law a party to all acts done by any of the other parties, before or afterwards, in furtherance of the common design.

A combination of two or more persons, by concerted action, to accomplish some purpose not in itself criminal or unlawful, by criminal or unlawful means, is a conspiracy.

One may become a partaker in a conspiracy by joining the others while it is being executed. As soon as the union of wills for the unlawful purpose is perfected the offence of conspiracy is complete.

He who influences people's minds and induces them by violent means to accomplish an illegal object, is himself a rioter, though he take no part in the riot.

Even though there be no special motive against the person slain, nor deliberate intention to hurt him, yet, if the act was committed in the prosecution of the original purpose, which was unlawful, the whole party will be involved in the guilt of him who dealt the blow.

MURDER RESULTING FROM COMMON UNLAWFUL DESIGN.—The grand jury of Barbour county, Alabama, found a true bill against J. W., S. S., and five others, charging them with murdering M. C., by shooting him with a pistol. At the trial on December 4th, 1886, S. S. was sentenced to be hanged, and J. W. to the penitentiary for forty years. The evidence tended to show that the defendants conspired together to assault or beat deceased, and for that purpose repaired to his house in the night time, and that while some of the defendants were trying to take a gun from him, S. S. shot and killed him. During the happening of these events some of the defendants were watching at the gate, some were in the yard, and others in the house.

The Supreme Court of the State held that, if the defendants entered into a conspiracy to assault and beat, or kill the deceased, each is responsible for everything done by his confederates which follows incidentally in the execution of the common design, as one of its probable and natural consequences; and if, in pursuance of such common design, one of the defendants kills deceased, in his own house, and not in self defence, the others being near at hand, all would be guilty of murder.—*Criminal Law Magazine*.

LARCENY.—From the same publication we learn that the Supreme Court of Alabama decided an appeal in which the main question was whether the acts admitted constituted a larceny. The defendants, farm labourers, who were hired to pick cotton at a certain price per hundred pounds, entered a cotton-house and removed some cotton with the intent to place it with some that they had picked, and which had not been weighed. The court held that this taking, being with the intent of depriving the owner of property, and placing it where the