

(e) *License laws, infractions of*—Probable cause for laying an information for a violation of a Liquor License Act exists where the defendant acted on reports of detectives employed to gather evidence for an organization formed to enforce the law. (k) So there is probable cause for a constable's arrest of the plaintiff on a charge of infringing a by-law requiring the payment of a license by transient traders, where, at the time of the arrest, he was writing down in his book orders from a tradesman on the house which he represented. (l) In an action for maliciously procuring the indictment of the plaintiff for "using the faculty of a badger of corn" without a license, the existence of probable cause is not shewn by the mere fact that the plaintiff acknowledged in his declaration that he did use the faculty. (m)

(f) *Obtaining money under false pretences*—There is probable cause for prosecuting a person for obtaining money under false pretences where he obtains a loan by false representations that the money was required to meet a note of the firm of which he was one, and that his partner was out of town, (n) or by a declaration that there is only one encumbrance on his property, there being really another, though the omission to mention the second mortgage was due to a mistake merely. (o)

(g) *Poisoning*—Probable cause for this charge is established where plaintiff was a woman working as defendant's cook, and he and his family, after eating a piece of meat cooked by her, exhibited symptoms of poisoning. (p)

(h) *Theft*—A person cannot justify accusing another of theft merely because the latter has possession of property which the latter believes to be his. (q) To warrant such a step, there must be other circumstances calculated to excite a reasonable suspicion that the accused is guilty of the crime. Illustrations of various additional facts which justify a prosecution are given below. (r) See also sec. 11, sub-sec. (d), note (f), and sub-sec. (e), note (j).

(k) *Anderson v. Bell* (1892) 24 Nov. Sc. 100.

(l) *Quebec v. Piche* (1884) 11 Que. L.R. (Q.B.) 249.

(m) *Jones v. Glavin* (1712) Gilbert's K.B. 185 (p. 108).

(n) *Chouan v. McCroyp* (1887) 3 Mont. L.R. (S.C.) 464.

(o) *Gottle v. Saunders* (1886) 3 Montr. L.R. (Q.B.) 208.

(p) *Tulley v. Corrie* (1867) 10 Cox C.C. 584 (per Cockburn, C.J.).

(q) *Colbert v. Hicks* (1886) 5 Ont. App. 571.

(r) *Chambers v. Taylor* (1598) Cro. Eliz. 900 [refusal to account for the possession]; *Reloquin v. Workman* (1879) 1 L.C. Leg. News (S.C.) 208 [falsely accounting for possession of goods and offering to sell them at a loss]; *Douglas v. Corbett* (1856) 6 El. & Bl. 611 [possession accounted for by a statement seemingly false]; *Wyllt v. White* (1860) 5 H. & N. 371 [selling new sacks to be converted into paper]; *Hales v. Marks* (1861) 7 H. & N. 56 [opportunity