

On a case reserved for the opinion of the Court the minority opinion given by Allen, C.J., and Palmer, J., was that in order to complete the crime of obtaining property by false pretence, there must not only be the false pretence but an actual parting and intention to part with the property of the person imposed upon by the pretence; that the prosecutor here never intended to part with his property in the money and watch, and that the conviction should be quashed.

They were also of the opinion that as the prosecutor only expected to receive from the prisoner counterfeit notes which were of no value, it was extremely doubtful whether he could be said to have been defrauded because he received worthless goods of another kind. But it was held by the majority of the Court of six Judges that the prisoner was rightly found guilty, and that the conviction should be affirmed, *Regina v. Corey*, 22 N.B.R. 543.

On a charge of obtaining goods by false pretences by giving a bill of exchange due in seven weeks where some of the averments made were that the accused professed to be a man of financial strength and able in due time to meet the bill, it was held to be proper to admit in evidence for the prosecution the bank account of the accused and proof of the number of cheques on it being dishonoured during the time of the transaction. *R. v. Fryer* (1912), 7 Cr. App. R. 183.

Upon a trial for false pretences, it is competent, in order to prove intent, to shew that the accused made similar representations about the same time to other persons, and by means of such false representations obtained goods: Wharton, *Crim. Law*, 8th ed., sec. 1184; and other acts, part of the same system of fraud, may be put in evidence. *Reg. v. Francis*, 12 Cox C.C. 612, 43 L.J. Mag. Cas. N.S. 97, L.R. 2 C.C. 128; *R. v. Wyatt*, [1904] 1 K.B. 188; Tremear's Cr. Code, sec. 404.

If there is evidence of two persons acting together and one assents to a false representation made by the other as an inducement to a contract, such assent may amount to a false pretence by conduct. *R. v. Grosvenor* (1914), 10 Cr. App. R. 404.

A postmaster transmitted to defendant several post office orders, which defendant in connivance with him presented and got cashed. The orders were fraudulently issued as no moneys had been received by the postmaster for transmission to the defendant, and frauds to a large extent had been thus committed. Defendant was held properly convicted of having obtained these sums with intent to defraud. And, semble, that defendant might also have been properly convicted under another count of indictment charging him with having obtained the money by false pretences. *Regina v. Dessauer*, 21 U.C.Q.B. 231.

When in an indictment for obtaining by false pretences, one of the pretences alleged was that defendant was carrying on a