

PRINCIPAL, &c.

county into two ridings by proclamation under the 6 & 7 Wm. IV. c. 116, s. 176, presentments for the north riding, founded on contracts entered into after the division, were by mistake passed at the assizes for the south riding; held, that the Judge of Assize had no power to rectify the mistake by ordering the presentments to be levied on the north riding. *Tipperary Presentment.* 310

And see the different heads.

PRINCIPAL AND ACCESSARY

See POISONING, 2.

PRINTING.

A contract to perform the printing work of a county for one year is warranted by the 6 & 7 Wm. IV. c. 116, s. 47. *Tipperary Presentment.* 254

PRISON.

See GAOL, MEDICAL OFFICERS.

PRIVILEGED COMMUNICATION.

On the trial of an indictment for forging an accountable receipt, a witness proved that the prisoner, with whose family he had been acquainted, had handed him the document, and requested him to institute proceedings upon it; this the witness refused to do, but kept the document, and delivered it to a third person to be shown to the party whose name was forged; after which the witness returned it to the prisoner. The prisoner being convicted, held, that the conviction was wrong, on the ground that the communication between the witness and the defendant was privileged. *Regina v. Donagher.* 241.

PROMISSORY NOTES.

Where a statute made the stealing of a promissory note larceny, and a

RECEIVER. 345

subsequent statute provided for the punishment of receivers of stolen "goods or chattels;" Held, that promissory notes were "goods," within the meaning of the latter Act. *Rex v. Crone.* 47

PROSECUTORS.

1. The Clerk of the Crown is not of right entitled to the fees of 2s. 2d. & 6s. 8d. for searches in the Crown office, and copies of informations, as part of the expenses of prosecution under a Judge's order, unless in cases where the copies were actually furnished, and were necessary. *In re Prosecutors' Expenses, Leinster Circuit.* 41
2. The Judge has a discretion in ordering the expenses of prosecutors to be paid to them. *Ibid.* Where the bills are ignored, no order can be made for a prosecutor's expenses, under 55 Geo. III. c. 91, s. 1. *Prosecutors' Expenses, Co. Kilkenny.* 42

RECEIVER.

1. The receiver of a stolen promissory note was indicted for a substantive felony under the 9 Geo. IV. c. 55, s. 47, and a witness for the crown proved that he (witness,) had stolen the note; but it appeared on his cross examination that he had been tried for the larceny and acquitted, a fact of which the Judge had judicial knowledge. Held, that the acquittal of the principal was not conclusive evidence of his innocence, but that the Judge was right in leaving to the jury the fact of the acquittal, together with the witness's averment of the theft. *Rex v. McCue.* 120
2. An indictment for receiving stolen pigs in Londonderry is supported by evidence that the pigs were first brought to the prisoner in Donegal, and afterwards sold by him, slaughtered, in Londonderry. *Rex v. Connor.* 120