

J.A. summary

Function of J.A. is not J.A. judges of facts etc.

Analysis of charges.

First Charge

definition of receiving offence - see 33 Lanyon & C

Elements. ① Proof of receiving Archbold 490

Principal from a competent witness but
it must not convict on his evidence
alone.

② The receiving

③ Guilty knowledge - Archbold 126

Recklessness in acquisition etc
or purchase at undervalue, NOT enough
Stone 1826

Suspicion NOT enough MMH 124
Quashing Ruling 117

All

Circumstances in which accused
acquired goods can be looked at
and may (if it so satisfied) be
sufficient ^{that goods were stolen} proof that at time he
received them he knew they were
stolen. But offence is

knowing the same to have been stolen
NOT suspecting - or he should have
known etc.

This knowledge must have been at time
of receiving - NOT later realization.

Great caution required here.

If goods NOT stolen how can possession
be improper.

No offence for thief in London to acquire
goods by purchase, gift, exchange etc.

A weak case on first charge does NOT
allow escape into a finding of guilty on all. Cg.

Is. of Joyce favorable because
it is an offence on real knowledge.

Elements of J.A. charge

+ Archbold 723 & 724
R v Brown & Mitchell Archbold 723

Second charge