

REVIEW OF CURRENT ENGLISH CASES.

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**ILLEGITIMACY—CORROBORATION—EVIDENCE OF OPPORTUNITY—
35-36 VICT. c. 65, s. 4—(R.S.O. c. 154, s. 2 (2)).**

Burbury v. Jackson (1917) 1 K.B. 16. This was an application against the putative father of an illegitimate child, and the sole question was whether proof of the defendant having had an opportunity for illegitimate intercourse with the complainant was sufficient corroboration under 35-36 Vict. c. 65, s. 4. (see R.S.O., c. 154, s. 2 (2)), and it was held by a Divisional Court (Lord Reading, C.J., and Ridley, and Low, JJ.) that it was not.

**CRIMINAL LAW—EVIDENCE OF ACCOMPLICE—CORROBORATION—
CROSS-EXAMINATION OF PRISONER AS TO ANOTHER OFFENCE—
CRIMINAL EVIDENCE ACT, 1898 (61-62 VICT. c. 36) s. 1—
(R.S.C. c. 145, s. 5).**

The King v. Kennebury (1917) 1 K.B. 25. This was a prosecution for forgery of a will, and on the trial two accomplices were called as witnesses for the prosecution who deposed that the will was forged by the accused, in pursuance of a scheme whereby they were to endeavour fraudulently to obtain an advance from third parties to a legatee named in the will on the faith of his legacy; and they also deposed that one of them was to be named legatee and the executor, and that the accused told them he objected to being named executor, because he had forged a will under a similar scheme some years before, on which occasion he played the part of the executor, and that if he did it again he might be suspected. The accused gave evidence in his own defence and denied the accomplice's statement as to the earlier forgery. In cross-examination counsel went into details as to the earlier forgery and asked questions tending to shew that he had committed it. The question raised before the Court of Criminal Appeal (Lord Reading, C.J., and Darling, and Avory, JJ.) was whether the cross-examination was rightly made, and admitted, and the Court held that it was, and that it might afford corroboration of the evidence of the accomplices, and consequently it was relevant to the issue being tried, and was not open to objection under the Criminal Evidence Act, 1898, s. 1, (see R.S.C. c. 145, s. 5).