

said, "I also have been struck by the waste of time occasioned by the growing practice of citing American authorities." The fact of the matter is, there is too much case law and too little of the arguing out of a case on principle. At the same time in this country, our circumstances being more nearly akin to those of our neighbors than they are in England, American authorities are often very useful in many branches of the law, and this is especially so in view of the fact that, owing to the multitude of citable authorities in the United States, their best judges often decide cases more on principle than on precedent.

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We had occasion recently to refer to the subject of *animus furandi* in reference to the case of *Wragge v. Ashwell*, 16 Q.B.D. 190 (see ante, pp. 52, 215), where the prisoner asked the prosecutor for the loan of a shilling, and by mistake was handed a sovereign. The prisoner received it, believing it to be a shilling, but shortly afterwards, discovering the mistake, appropriated the sovereign to his own use. Another case of a similar character (*Joucs v. State*) has been decided by the Supreme Court of Georgia. The facts were that a child was entrusted with a twenty-dollar gold piece, for the purpose of going to the market and buying a chicken, and returning with it and the change. The owner of the coin supposed it was a silver dollar, and the child was ignorant of its real value. After the chicken was purchased at the price of twenty-five cents, the child gave the vendor the coin. He said, "Do you want me to change all this money," to which she replied, "It is a dollar." He again examined the piece, and apparently assented to her statement as to its value, knowing, however, that it was a gold, not silver piece, and he returned in change seventy-five cents. The question arose whether it was larceny, or cheating or swindling. The man was indicted for and convicted of the latter offence. The Court held that up to the time the child parted with the coin there was no dishonesty practised, and he was rightly in possession of it; and that his fraudulent conduct began when he ascertained that the