equally divided. The two judges in favor of the discharge of the prisoner came to that conclusion because they considered that the prisoner had merely written down his own false statement—and although false it was not forgery. It was his own figures that he altered. He did not put off an account made out by another, as the act of that other person, after he had himself altered it. Judge Patterson, p. 74, says:—"In no aspect of the "evidence does it strike me that the prisoner "can be taken to have put forward the entries "in the book as the act of any one but him-"self."

The present case is much stronger than the *Hall* case. It was the Baltimore Bank account that the accused altered and then put off as the correct account of that bank. This account purported to be the act of the Baltimore Bank, by which a pecuniary obligation had been increased, and by the alteration of which the Baltimore Bank might be bound, affected and injured in its property. This account was receivable in evidence in a Court of Justice, and was an instrument upon which a suit in law for the recovery of the money acknowledged to be due therein might be predicated.

I think I have said enough and quoted a sufficient number of cases to answer the eighth and ninth objections of the defence.

The tenth ground urged by them is that the account cannot be considered an accountable receipt. The answer to this is also in my previous remarks and the cases cited.

The defence, in claiming want of felonious intent on the part of the accused in making these alterations, have cited Bishop's Crim. Law, vol. 1, § 227, where the author says:—"There is only one criterion by which the "guilt of men is to be tested, it is whether "the mind is criminal. Criminal law relates "only to crime; and neither in philosophi-"cal speculation, nor in religious or moral "sentiment, would any people in any age al-"low that a man should be deemed guilty "unless his mind were so. It is, therefore, "a principle of our legal system, as probably "of every other, that the essence of an offence "is the wrongful intent, without which it can-"not exist. We find this doctrine laid down "not only in the adjudged cases, but in va-"rious ancient maxims; such as *actus non "facit reum nisi mens sit rea*, 'The act itself "'does not make a man guilty unless his in-"'tention were so.' *Actus invito factus non "est meus actus*, an act done by me against my "will is not my act'." This, no doubt, is a sound doctrine on general principles. But all cases cannot be decided by that rule; and the same author, at paragraph 248, says: "Thus "the law presumes that every person intends "to do what he does; and intends the "natural, necessary and even probable "consequences of his act. Of course, "the presumption of an intent to do the "act is always open to be rebutted; "but this intent being established, the "deduction, that the consequences were "also intended, is generally, not always, "conclusive..... One, for example, who "intentionally utters a forged instrument, is "conclusively presumed to intend a fraud on "the person whose name is forged." Arch-"bold's Crim. Evid. p. 220 says: "The inten-"tion is not capable of positive proof; it can "only be implied from overt acts, and every "man is supposed to intend the necessary "and reasonable consequences of his own "acts. Therefore, if it cannot be implied from "the facts and circumstances which together "with it constitute the offence, other acts of "the defendant from which it can be implied "to the satisfaction of the jury must be "proved at the trial." On page 221, Archbold again says: "There are some cases in "which the intent is inferred as a necessary "conclusion from the act alone as, if a man "knowingly utter a forged instrument as a "genuine one, the intent to defraud the "party to whom he utters it is a necessary "inference." *Rex* v. *Lyon* is a case cited by the defence to show that it is necessary that the forged instrument must be a complete one. This case is found in 2nd vol. of Leach's "Crown Law Cases." There the instrument forged was a receipt or scrip not filled with the name of the subscriber to some stock. It was held by Justice Grose that the writing was a perfect nullity, nothing more than waste paper, just as much as if the sum had been omitted. It is not a parallel case to the present one.

The account altered in this case is com-