

due ; Held, that the Grand Jury were not bound to present for the deficiency, under s. 145 of the 6 & 7 Wm. IV. c. 116, and that the Judge on their refusal was not bound to make an order under s. 179 of that Act.—*Semble*, that the Crown is not within s. 145 of the 6 & 7 Wm. IV. c. 116. *Tyrone Presentment.* 224

2. A Collector of Grand Jury Cess having proved a defaulter, the Grand Jury sued the Treasurer in the Court of Exchequer, where the Court gave judgment for the defendant, holding that it was the duty of the Grand Jury, and not of the Treasurer, to take care that the Collector should give sufficient security. The Grand Jury afterwards made a Presentment for the deficient sum, to be levied off the County, and paid to the Treasurer, he having debited himself conditionally with that amount. Held, that the Presentment was legal. *Queen's County Presentment.* 231

TRIAL.

After the prisoner had been given in charge, it appeared that the prosecutrix, a child of four years of age, did not sufficiently understand the nature of an oath; and it was admitted on the part of the Crown, that there was no other evidence to sustain the case. Held, that the prisoner was entitled to an acquittal. *Regina v. Oulaghan.* 270

UNLAWFUL OATHS.

1. On a conviction for administering an unlawful oath, the prisoner may be sentenced to hard labour and imprisonment, by virtue of the 51 Geo. III. c. 63, s. 2.—*Quære*, whether to support an indictment under the 50 Geo. III. c. 102, s. 1, for administering an unlawful oath, it must be proved that the country was in a state of disturbance? *Rev v. Noonan.* 108

2. An indictment under the 27 Geo. III. c. 15, s. 6, for administering an unlawful oath, is supported by evidence that the prisoner compelled the prosecutor to swear "that he would give up his land to A. B." *Rev v. Adams and Langton.* 135

UTTERING.

1. Where the prisoner was present at a sale of goods by the prosecutor to a third person, (who was introduced by the prisoner to the prosecutor as a purchaser,) and took up a Bank Note given by that person in payment, saying that it was good, and that he would make it good, and desired the prosecutor to write his (prisoner's) name upon it; the note proving a forgery ; Held, that there was sufficient evidence of uttering by the prisoner. *Rev v. Cushlan.* 113.
2. *Semble*, that reading out a document, although the party refuses to show it, is a sufficient uttering. *Regina v. Green,* 282.

VAGRANTS.

Held, by eleven Judges, that the Vagrant Acts (6 Ann c. 11, 9 Geo. II. c. 6, 11 & 12 Geo. III. c. 30, and 31 Geo. III. c. 44,) apply to the several counties in Ireland, and not to the county and city of Dublin alone. Held also, by six Judges to five, that those Acts apply to women as well as men. *Meath Presentment.* 289

*See* DESERTER.

VARIANCE.

1. The informations, warrant of committal, and indictment, stated an offence committed on Monday the 12th. In the course of the trial it became necessary to fix the precise date of the offence, which was proved to be Monday the 5th. Held, that a conviction under these circumstances was legal. *Rev v. Jones.* 72
2. An indictment for sending to the Lord Lieutenant a false recommen-