

CROWN CASES RESERVED.

False Pretences—Intent.—The crime of obtaining goods by false pretences is complete, although, at the time when the prisoner made the pretence and obtained the goods, he intended to pay for them when it should be in his power to do so. In this case the jury found, in answer to questions put by the Deputy Recorder of the city of Chester, (where the case was tried), that the prisoner's statement, that one Moss wanted some carpets, was false to his knowledge; that the prisoner made the statement to induce the prosecutrix to part with the carpets; that the prosecutrix was induced to part with the carpets by reason of such false pretence; and that the prisoner, at the time he made the pretence and obtained the carpets, intended to pay the prosecutrix the price of them, when it should be in his power to do so. The question for the Court was whether, upon the facts above stated, and the finding of the jury, a verdict of guilty ought to have been entered. The judges were all of opinion that the conviction must be affirmed. *Regina v. Naylor*, 1 C. C. 4.

Threat to accuse of an infamous crime—Intent.—The prisoner threatened A's father that he would accuse A. of having committed an abominable offence upon a mare, for the purpose of putting off the mare and forcing the father, under terror of the threatened charge, to buy and pay for her at the prisoner's price.—*Held*, that the prisoner was guilty of threatening to accuse, with intent to extort money, within the meaning of the 24 & 25 Vict. c. 96, s. 47. *Regina v. Redman*, 1 C. C. 12.

Receiving—Delivery by Owner.—Four thieves stole goods from the custody of a railway company, and afterwards sent them in a parcel by the same company's line addressed to the prisoner. During the transit the theft was discovered; and, on the arrival of the parcel at the station for its delivery, a policeman in the employ of the company opened it, and then returned it to the porter whose duty it was to deliver it, with instructions to keep it until further orders. On the following day the policeman directed the porter to take the parcel to its address, when it was received by the prisoner, who was afterwards convicted of

receiving the goods knowing them to be stolen, upon an indictment which laid the property in the goods in the railway company:—*Held*, by Martin, B., and Keating, and Lush, JJ., (*dissentientibus*, Erle, C. J., and Mellor, J.,) that the goods had got back into the possession of the owner, so as to be no longer stolen goods, and that the conviction was wrong. *Regina v. Schmidt*, 1 C. C. 15.

Disorderly House.—The defendants, as master and mistress, resided in a house to which men and women resorted for the purpose of prostitution, but no indecency or disorderly conduct was perceptible from the exterior of the house:—*Held*, that the defendants were guilty of keeping a disorderly house. *Regina v. Rice and Wilton*, 1 C. C. 21.

PROBATE AND DIVORCE.

Costs—Unsuccessful Opposition to Will.—The Court refused to condemn, in costs, a next of kin, who had unsuccessfully opposed a will upon information given to him by one of the attesting witnesses, the testator's medical attendant, to the effect that when the will was read over, the testator signified his approval of it by gesture only, and that he (the medical attendant) could not swear that the testator was of a sound mind. *Tippett v. Tippett*, P. & D. 54.

Will—Revocation—Two partly inconsistent Wills admitted to Probate.—If a subsequent testamentary paper is only partly inconsistent with one of an earlier date, the latter instrument is only revoked as to those parts where it is inconsistent, and both of the papers are entitled to probate. The following passage from Mr. Justice Williams' book on Executors was cited in support of the judgment: "The mere fact of making a subsequent testamentary paper, does not work a total revocation of a prior one, unless the latter expressly, or in effect, revoke the former, or the two be incapable of standing together; for though it be a maxim, as Swinburne says, that no man can die with two testaments, yet any number of instruments, whatever be their relative date, or in whatever form they may be, (so as they be all clearly testamentary,) may be admitted to probate, as together containing the last will of the deceased. And if a subsequent testa-