

with intent to commit the crime and forming part of a series of acts which would constitute its actual commission if it were not interrupted." This definition was approved in *Rex v. Laitwood* (4 Crim. App. Rep. 248), and recently was again cited by the Crown. But obviously it tells us nothing. For assuming any series to be divisible into preparation, attempt, and accomplishment, the real difficulty is to determine exactly at what point in the series the interruption demarcates an attempt from mere preparation. Stephen's definition, as has been said before, would not prevent a conviction for forgery of one who purchased a bottle of ink and some paper.

The circumstances in *Rex v. Robinson*, the case before the Court of Criminal Appeal, were these: The appellant conceived a fraudulent scheme to make good his trade losses by first insuring at Lloyd's, and then pretending that robbers had broken into his premises, tied him up, and robbed him. A police officer, hearing his cries, broke in and found him partly tied up. The appellant had made no claim on the underwriters, and the police, dissatisfied with his story, had made a search and found the jewels alleged to have been stolen. The Court held that all this amounted to no more than preparation, and that there was no evidence of an attempt to obtain money by false pretences.

The Lord Chief Justice appears to have been pressed by the fact that the appellant had made no claim on the underwriters, and had taken no steps to communicate with them with the object of making a statement as to the "burglary"; and he alluded to the principle as stated by Baron Parke in *Re. v. Eagleton* (6 Cox C.C. 559)—viz., "acts remotely leading to the commission of the offence are not to be considered as attempts to commit it but acts immediately connected with it are." Neither this principle nor its application is clear. What is wanted is a test of the necessary degree of approximation towards commission. Mr. Justice Bray intimated in the recent case that the Crown was attempting to go further than in any previous case; but at least it can be said that the appellant had proceeded very much further than to commit a merely equivocal act or series of acts. The impress of his fraudulent intention was clearly stamped on