

by means of a contract which the prosecutor was induced to make by false pretence of the prisoner; therefore the mere fact that the money was obtained by means of a contract does not seem to prevent the operation of the law on the ground that the money was obtained equally by the false pretence as by the contract.

R. v. Gardner, 7 Cox C.C. 136, which followed *R. v. Abbott*, 1 Den. C.C. 273, and cannot be said to overrule it, because two Judges were parties to the two decisions, was clearly decided on the ground that there was no continuing false pretence, and therefore, although at first sight the two cases seem a little out of harmony, when the facts are looked at it is not so. Per Coleridge, J., in *R. v. Moreton* (1913), 8 Cr. App. R. 214. In the last mentioned case, Coleridge, J., added: "*R. v. Martin*, L.R. 1 C.C.R. 56, 36 L.J.M.C. 20, leaves the law in no doubt; it was held there that the fact that the goods are obtained under a contract does not make the goods so obtained goods not obtained by a false pretence, if the false pretence is a continuing one and operates on the mind of the person supplying the goods." *R. v. Moreton* (1913), 8 Cr. App. R., 214, at p. 217.

The false pretence alleged in a Nova Scotia case was by representing himself to be the owner of a vessel, whereas at the time he had transferred ownership to another person who had again transferred to defendant's wife. The representation to the prosecutor that he was owner was made some three or four months before and was by appending the style "Owner" to his signature to a letter in relation to another matter:—*Held*, that the pretence was too remote to warrant a conviction. And that the term "Owner" has no definite meaning in law, and does not mean "registered owner" of a ship. *Regina v. Harty*, 31 N.S.R. 272, 2 Can. Cr. Cas. 103; and see *R. v. Brady*, 26 U.C.Q.B. 13.

"Obtaining money or property by false pretences" is an extradition crime within the meaning of the Extradition Act and the extradition arrangement between Great Britain and the United States of America. *Re F. H. Martin* (No. 2), 2 Terr. L.R. 304, 8 Can. Cr. Cas. 326.

Bench and Bar

JUDICIAL APPOINTMENTS.

Hon. John Alexander Mathieson, of the City of Charlottetown, New Brunswick, K.C., to be Chief Justice of the Supreme Court of Judicature of Prince Edward Island, vice Hon. Sir Wilfred Sullivan, resigned. (June 13, 1917.)