

Case No. 16,174. UNITED STATES v. ROBERTSON.
[5 Cranch, C. C. 38.]¹

Circuit Court, District of Columbia.

Nov. Term, 1836.

LARCENY—FALSE PRETENCES.

It is not larceny in A to receive goods under a false pretence that the owner had sent him for them, although A appropriated them to his own use.

The defendant [John Robertson] went to B, who had sold a parcel of cigars to C, and pretended that C had sent for a box of them; upon which B delivered a box to the defendant, who sold it and gave a false account of the manner in which he had obtained it

THE COURT (nem. con.) was of opinion that it was not larceny. See Chit. Cr. Law, 907: 2 Buss. Crimes, 118; and Rosc. Cr. Ev. 493.

¹ [Reported by Hon. William Cranch, Chief Judge.]