

CANADA / JUDGMENT

Dupont v. R.

[1978] 1 SCR 1017**COURT**

Supreme Court of Canada

DECIDED

23 November 1977

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Dupont v. R. Collection Supreme Court Judgments Date 1977-11-23 Report

[1978] 1 SCR 1017 Judges Laskin, Bora; Martland, Ronald; Ritchie, Roland Almon; Spence, Wishart Flett; Pigeon, Louis-Philippe; Dickson, Robert George Brian; Beetz, Jean; Estey, Willard Zebedee; Pratte, Yves On appeal from Alberta Subjects Criminal law Decision Content Supreme Court of Canada Dupont v. R., [1978] 1 S.C.R. 1017 Date: 1977-11-23 Lucien Dupont Appellant; and Her Majesty The Queen Respondent. 1977: November 23. Present: Laskin C.J. and Martland, Ritchie, Spence, Pigeon, Dickson, Beetz, Estey and Pratte JJ. ON APPEAL FROM THE SUPREME COURT OF ALBERTA, APPELLATE DIVISION Criminal law—Charges of wilfully placing poison in such position that it might easily be consumed by cattle—Trial judge concluding “wilfully” involved evil intent—Misdirection—Criminal Code, R.S.C. 1970, c. C-34, ss. 386(1), 400 (b). APPEAL from a judgment of the Supreme Court of Alberta, Appellate Division, setting aside the appellant’s acquittal and ordering a new trial on charges of endangering cattle, contrary to s. 400(b) of the Criminal Code. Appeal dismissed. L.L. Ross, for the appellant. P.S. Chrumka, Q.C., for the respondent. The judgment of the Court was delivered orally by THE CHIEF JUSTICE—We do not need to hear you, Mr. Chrumka. We agree with the Alberta Appellate Division and this appeal is accordingly dismissed. Judgment accordingly. Solicitors for the appellant: M. Harradence & Co., Calgary. Solicitor for the respondent: P.S. Chrumka, Calgary.

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