course with the men. That is not what the provision of the Code under which the prisoner was charged is aimed at; nor what, according to the fair meaning of the provision, it makes an offence. One who merely provides the means by which men and women who are desirous of having carnal intercourse can conveniently gratify their desires, does not, in any fair meaning of the word, "procure" the women to have that intercourse with the men.

The first question being answered in the negative, it was unnecessary to answer the others.

MAGEE and FERGUSON, JJ.A., agreed with MEREDITH, C.J.O.

CLUTE, J., read a judgment in which he discussed the third question and concluded that the conviction was bad for uncertainty and for having charged in one count more offences than one, and that it could not be amended. He was, therefore, of opinion that the conviction should be quashed.

HODGINS, J.A., read a dissenting judgment. He was of opinion that the conviction should be affirmed.

Conviction quashed (HODGINS, J.A., *dissenting*).

FIRST DIVISIONAL COURT. JULY 15TH, 1918.

GORDON v. GORDON.

Husband and Wife—Separation Deed—Construction—Allowance to Wife—Cesser—Act "Entitling" Husband to Divorce—Adultery—Appeal—Authority of Previous Decision.

Appeal by the defendant from the judgment of the County Court of the County of Hastings, in favour of the plaintiff, a wife living apart from her husband, in an action against her husband to recover $679.43, the aggregate of overdue payments under a separation deed.

The appeal was heard by MEREDITH, C.J.O., MACLAREN, MAGEE, and HODGINS, JJ.A., and MIDDLETON, J.

George Wilkie, for the appellant.

W. C. Mikel, K.C., for the plaintiff, respondent.