the Queen's Bench in *Allen* v. *Walker*, L. Rep. 5 Ex. 187, in 1879, by Martin, Channell and Cleasby, BB.), in a case in which the separate use was created by the parties in "derogation of the common law," *a fortiori* must it be right now when the separate use is made a necessary incident by the express declaration of the Legislature in a statute which has abrogated the common law. Nor can the fact that the statute has extended the rule of law from a few to a large number of cases affect the justice of the rule. In actual life there is not the least danger of the right being exercised in cases where it is not right that it should be exercised. Married women are not so anxious to drive away their husbands without cause as alarmist politicians seem to think, and in cases like that before the court it is eminently desirable that the husband should be treated in fact, as he is in law, as a stranger to his wife's separate property. At all events, the decision of the court may be taken to have overruled its *obiter dicta*, and carefully as each member of it guarded himself against laying down any general rule, yet the general rule is necessarily implied in, and forms, the only *ratio decidendi* of the particular decision.—London *Law Times*.

NOTES OF CASES.

COURT OF QUEEN'S BENCH.

MONTREAL, September 27, 1882.

DORION, C. J., MONK, RAMSAY, TESSIER, CROSS, JJ.

REGINA v. SUPRANI.

Receiving stolen goods—Continued offence.

The prisoner was indicted for feloniously receiving stolen goods, on a date stated in the indictment, and it was proved that the receiving of the property described extended over a considerable period, exceeding six months. Held, that the Crown was not bound to elect on which of the receivings it was intended to proceed against the accused.

The defendant, Suprani, having been convicted of feloniously receiving stolen goods, the following Case was reserved by the presiding Judge, Sir A. A. Dorion, C. J.:—

"The prisoner was tried before me at the Court of Queen's Bench, at Montreal (Crown side), on the 7th day of June instant, for having, on the 26th day of April, 1882, feloniously received stolen goods.

"The indictment is as follows, to wit:—

"The jurors for Our Lady the Queen, upon their oath, present that Jean Suprani and Marie Granelli, on the 26th day of April, in the year of our Lord, 1882, at the City of Montreal, in the District of Montreal, 188 3-12 dozen of silk handkerchiefs, 1 7-12 dozen of kid gloves, the whole of the value of $2,000, of the goods and chattels of Leslie James Skelton and Frederick Charles Skelton, partners in trade, before then feloniously stolen, feloniously did receive and have (they the said Jean Suprani and Marie Granelli, at the time when they so received the said goods and chattels as aforesaid, then well knowing the same to have been feloniously stolen).

"At the trial, the Crown proved that for a long period, extending from the latter part of the year 1880 to the 26th day of March, 1882, John Charles Verity, a clerk in the employ of Leslie James Skelton and Frederick Charles Skelton, doing business in Montreal under the name of Skelton Brothers, had, from time to time, stolen from his employers the handkerchiefs and part of the gloves mentioned in the indictment, and had sold them to the prisoner at from one-fourth to one-third of their value, and under circumstances which were such as to justify the jury in coming to the conclusion that the prisoner knew when he purchased these goods, that they had been stolen. The sales to the prisoner were made as often as once or twice a week during the above period.

"Part of the gloves and some of the handkerchiefs were identified as having been sold to the prisoner in the latter part of December, 1880, and a few of the other handkerchiefs, of the value of $25 or $30, were identified as having been sold to him in the month of March, 1882.

"The evidence as to the sale of the remaining handkerchiefs was general, and did not specify any particular occasion on which any portion of them were sold.

"After the evidence for the Crown had been closed, the defence applied to the Court to order the prosecution to elect on which of the offences it was intended to proceed against the accused, and that such offences should not exceed three in the space of six months.

"I ruled that the Crown was not bound to elect, and that the prisoner was bound to pro-