

reasonable inference from the evidence; and that finding and his other findings of fact should not be reversed unless they were clearly wrong, which had not been shewn.

The appeal should be dismissed.

Appeal allowed (MEREDITH, C.J.O., dissenting).

FIRST DIVISIONAL COURT.

JULY 15TH, 1918.

***REX v. QUINN.**

Criminal Law—Procuring Girls for Unlawful Carnal Connection with Men—Criminal Code, sec. 216 (1) (a)—3 & 4 Geo. V. ch. 13, sec. 9—Evidence—"Procure"—Bringing Prostitutes and Men together — Corroboration — Indictment — Uncertainty — Duplicity.

Case stated by the Junior Judge of the County Court of the County of Carleton in respect of questions arising upon the trial of the defendant upon a charge of unlawfully procuring girls to have unlawful carnal connection with another person or persons within Canada, viz.: (1) Was there evidence of procuring? (2) Was the evidence of witnesses for the Crown corroborated? (3) Was the indictment bad for uncertainty or for having charged in one count more offences than one?

The case was heard by MEREDITH, C.J.O., MAGEE and HODGINS, JJ.A., CLUTE, J., and FERGUSON, J.A.

Gordon Henderson, for the defendant.

Edward Bayly, K.C., for the Crown.

MEREDITH, C.J.O., read a judgment in which he said that, in his opinion, the first question should be answered in the negative. In what the prisoner did he did not procure the girls, in respect of whom the charge against him was made, to have unlawful carnal connection with men, within the meaning of sec. 216, subsec. 1, cl. a, of the Criminal Code as enacted by (1913) 3 & 4 Geo. V. ch. 13, sec. 9. The prisoner was a cab-driver, and the girls were prostitutes. They were desirous of plying their trade, and there were men who were desirous of having carnal connection with them; and what the prisoner did was to drive the girls and men in his cab to a place where they could have and had carnal inter-