

laws by which they had power to enact has long been settled by the highest authority. I have said that the second section of the amending Act of 1889 was an unnecessary precaution because the Interpretation Act in the third series of the Revised Statutes containing c. 159, contains the same provision in almost identical words. "Persons may include bodies politic and corporate as well as individuals." See also *Pharmaceutical Society of London v. L. & P. Supply Association*, 5 App. Cases, at p. 561.

I have endeavoured to show that the Stipendiary Magistrate of Halifax has jurisdiction to enquire into and adjudicate upon a charge of an alleged violation of the principal Act, and that the amendments mentioned do not affect that jurisdiction.

The charge is that this defendant corporation procured and hired persons to do servile work for them and in their interests on the Lord's Day. I think the Stipendiary Magistrate of Halifax has jurisdiction to adjudicate upon that charge, and that, consequently, this application should be refused with costs.

I am not sorry that I feel obliged to come to this conclusion. The Parliament of Canada has made no provision with a view to enforce abstinence from ordinary labour and occupation on the Sabbath, leaving the subject in case of Nova Scotia to be dealt with by the Local Legislature, and I should be sorry to see the sanction which our statute gives to the sacredness of the Sabbath withdrawn.

Prohibition granted.

McDonald, C.J.]

BAULD v. ROSS.

[Dec. 23, 1897.

*Registry law—Second deed—Last grantee having notice—Assent.*

In 1891 M. conveyed certain lands to P., by deed not recorded. In 1892 M. conveyed by deed the same property to C., P. having knowledge of and assenting to the execution of the deed to C. The second deed was recorded. Subsequently, the plaintiffs recovered judgment against M. and recorded the same. The Registry Act R.S.N.S. 5th series, c. 84, s. 21, provides that a judgment duly recorded shall bind the lands of the party against whom the judgment is recovered as effectually as a mortgage, and s. 18 provides that "deeds and mortgages of lands duly executed, but not registered, shall be void against any subsequent purchaser or mortgagee for valuable consideration who shall first register his deed or mortgage of such lands." The plaintiffs brought this action claiming a declaration that the deed from M. to C. was void as against plaintiffs, and that the legal title was in P., and that the lands were, under the Registry Act, bound by the judgment of plaintiffs. The action was tried before the Chief Justice at Baddeck, who

*Held*, that under the Registry Act and the facts in evidence the plaintiff's judgment did not become a lien on the property conveyed to C., and that the law as well as the equities were in favor of the defendants.

*D. McNeil*, for plaintiffs. *J. A. McDonald*, for defendants.