

about to run and inviting persons to bet, and betting with them. The backer was required in each case to pay the money for which he backed the horse to the defendant, and received in return a ticket bearing the names of the defendant and of the odds laid. If the horse won the defendant paid back to the backer his stake, and the odds won. If it lost the defendant retained the stake. The defendant had no control over the management of the inclosure. On a case stated by justices, the Court (Hawkins, Cave, Wills, Wright and Kennedy, JJ.), were unanimous that the inclosure was "a place" within the meaning of the Betting Act, 1853, which forbids "a house, office, room or other place" being opened, or kept or used by the owner, or any person using the same, for the purpose of betting with persons resorting thereto (see Cr. Code, s. 197), and of s. 3 of the Act, which imposes a punishment on persons using any "house, room, office or other place for the purpose of betting. It was contended that the doctrine of ejusdem generis applied to the construction of this Act, and that the words "other place" in the Act in question could not apply to an open inclosure, but must be one of the like character, as a house, room or office; but in answer to that argument Hawkins, J., who delivered the judgment of the Court, said "this rule of construction must be controlled by another equally general one, that Acts of Parliament ought, like wills or other documents, to be construed so as to carry out the object sought to be accomplished by them, so far as it can be collected from the language employed"; and came to the conclusion from the wording of the Act and a careful review of the authorities that the doctrine did not apply in the present case. It would seem, however, that betting under such circumstances in Canada, on the race course of an incorporated association, would not be an offence under the Cr. Code: see s. 204, s.s. 2.

*McInaney v. Hildreth*, (1897) 1 Q.B. 600, turns upon a somewhat similar question. In this case the question was whether a vacant plot of land, surrounded by buildings and hoardings, and occasionally used for shows, and known as "The Pit Heap," and to which on the day in question the public had