

his having obtained a license under this Act," (*"bien qu'il ait eu une licence sous l'autorité de cet Acte."*)

In 1874, by the then amending Act, (*Que. 37 Vic., c. 3, s. 1*) all the words relative to place of sale were struck out of section 2 of the Act of 1870; so that it has ever since stood, as simply imposing its penalties on the act done by any one anywhere, whether on land or water.

In February, 1875, by a further amending Act, (*Que. 38 Vic., c. 5, s. 7*) a sub-section was added to section 34 of the Act of 1870, to the effect that such owner, master, or person in charge, allowing sale of liquor "on board of such steamboat or vessel while it remains at any port or stopping place, wharf or other place of discharge," shall incur the penalty of \$40,—as before provided by that section, with regard to the vessel at winter quarters; the English version closing with the words, "whether they have a license under this Act or not;" and the French version, with words closely following those of the older sub-section, as already quoted, "*bien qu'il ait eu une licence sous l'autorité du présent Acte.*"

In December, 1875, by a still further amending Act (*Que., 39 Vic., c. 6, ss. 20 and 21*), the penalties under section 2 of the Act of 1870 were raised—the one from \$50 to \$75, the other from \$25 to \$35; and the penalty under section 6 of the same Act was raised from \$50 to \$75.

The petitioner contends that the true reading of the subsection thus added in February, 1875, to section 34 of the Act of 1870, is that given by the English version, and that the subsection therefore operates an indirect repeal of section 6 (as so amended) in respect of the case of liquor sold on board a vessel while at a "port or stopping place, wharf or other place of discharge," limiting its operation, in fact, to the case of a vessel without license and at the moment of the sale actually under way.

I cannot take this view. My duty, where the two versions of an Act differ in sense, is to do my best to gather from them the true intent and meaning of the Legislature. In this instance, I am satisfied that such true intent and meaning are to be found in the language of the French version; and that the English, in so far as it varies from the French, must be held for a mere mistranslation. The French version alone fits in with the context of the Act as

amended—as also with the history of the amendments of the Act, taken as a whole. The English version, so viewed, is a *non sens*—a reading the Legislature cannot have intended. Even had the French run with it, I must have seriously doubted as to their sufficiency, together, to control the concurrent sense of sections 2 and 6. As it is, I have no doubt. The \$75 penalty, established by those sections as amended in December, 1875, is the penalty settled by law for this case.

The petitioner fails, therefore, to make out a case for the issue of the writ, and can take nothing by his petition.

S. W. Foster and W. W. Lynch for petitioner.
E. Racicot for the revenue officer.

CURRENT EVENTS

ENGLAND.

THE SUITS AGAINST THE JUDGES.—The *Times* announces the end of a persevering litigant. On Jan. 12, in the Supreme Court, when the case of *Cobbett v. Lopes*—one of the numerous actions brought by Cobbett against various Judges for supposed misconduct with regard to the claimant in the Tichborne case—was called, Mr. Muir Mackenzie, for the defendant, mentioned the fact that Mr. Cobbett, on his way to the Court that morning, had fallen down dead suddenly in the lobby of the House of Lords. The case was postponed.

The London *Telegraph* says of the deceased (a son of the historian):—"The name of this aged and eccentric gentleman, for many years past has been a kind of household word in Westminster Hall, owing to his persistency in bringing futile actions and pestering the Judges with trivial applications, and on Saturday he was making his way through the central lobby of the House of Parliament, toward one of the Lords' committee rooms, where he was bent on prosecuting an appeal before the Lords Justices in the phantom action of '*Cobbett v. Lopes*,' when he was seen to stagger and fall. Assistance was promptly rendered, but it was in vain. He had died on the scene which for many years had been his field of battle. In the Queen's Bench and the Common Pleas, in the Exchequer and the now defunct Bail Court, the contentious William Cobbett's more contentious son,