

(a) Whether employment for wages to perform duties which are in violation of the provisions of Rule 21a of s. 25 of the Inspection of Metalliferous Mines Act, 1901, constitutes an inducing or persuading within the meaning of Rule 21b of said amended Act?

(b) Whether the words "preceding section" in the third line of said Rule 21b apply to the matters referred to in Rule 21a?

(c) Whether the provisions of said Rule 21a apply at all unless both a direct-acting, geared, or indirect-acting hoisting engine, exceeding fifty horse power and a stationary engine or electric motor (exceeding fifty horse power) are operated in the same mine?

Held, answering the first two questions in the affirmative, that in construing a penal statute, the rule to be followed is that by which that sense of the words is to be adopted which best harmonizes with the context and promotes in the fullest manner the policy and object of the Legislature.

The paramount object, in construing penal as well as other statutes, is to ascertain the legislative intent; and the rule of strict construction is not violated by permitting the words to have their full meaning, or the more extensive of two meanings, when best effectuating the intention.

Semble, the phrase "machinery hereinafter mentioned" in Rule 21a of s. 25 of the Inspection of Metalliferous Mines Act, as enacted by c. 37 of 1901, means "any of the machinery hereinafter mentioned."

R. M. Macdonald, for plaintiff. *MacNeill*, K.C., for defendants.

Flotsam and Jetsam.

NOT COMMITTING HIMSELF.—In a Scottish Court recently an important witness failed to put in an appearance, and the judge indignantly demanded to know why he was not present. "It's his duty to be here. Where is he?" demanded his honour. The officer, with true Scotch cannyness, replied: "Weel, I'll no say for that—but he's dead."