

Province of British Columbia.**SUPREME COURT.**

Clement, J.]

[March 2.]

CITY OF FERNIE *v.* CROW'S NEST PASS, LIGHT & POWER CO.*Municipal law—Trades licenses—By-law, registration of, B.C. Stat. (1906) c. 32, s. 8d.*

A municipal by-law, providing for the imposition of a license "for every six months," was passed and registered on the 18th of September, and the time limited for the expiration of the first license thereunder was fixed for the 15th of the ensuing January. There was no provision made for the period of time between the passage of the by-law and the 15th of January.

Held, that a conviction of defendant company for carrying on business, on or about the 4th of December intervening, without having taken out a license under the by-law, was bad, in that section 1 of the by-law could apply only to a six months' license for which a six months' fee had been paid.

Held, further, that the copy of the by-law deposited for registration, having impressed upon it the seal of the municipality that was sufficient, and that it was not necessary to affix the seal to the certificate of the municipal clerk authenticating the by-law.

W. A. Macdonald, K.C., for plaintiff. *S. S. Taylor*, K.C., for defendants.

Hunter, C. J.]

MACLEOD *v.* McLAUGHLIN.

[March 18.]

Jury, right of to return a general verdict.

Before the charge to the jury, council for plaintiff asked for a direction to the jury to return a general verdict. Council for defendant objected, and urged that the jury had a right to return a general verdict if they chose, but that they should not be directed to do so.

Held, in *Mayor and Burgesses of Devises v. Clark* (1835) 3 A. & E., 506, it is stated that the jury may stand on their rights to return a general verdict, but the modern view is that it is the right of either of the litigants to have a general verdict.

A. D. Taylor and *Garrett*, for plaintiff. *Davis*, K.C., and *W. J. Whiteside*, for defendant.