
ROBERTSON *v.* LA COMMISSION DES LIQUEURS
DE QUEBEC

1932

*Oct. 27.

*Nov. 28.

ON APPEAL FROM THE COURT OF KING'S BENCH, APPEAL SIDE,
PROVINCE OF QUEBEC

*Penal law—Illegal conveying of liquors—Boat confiscated and later
stolen—Revendication by the owner*

APPEAL by the plaintiff appellant from the decision of the Court of King's Bench, appeal side, province of Quebec (1), affirming the judgment of the Superior Court, Bouffard J., and dismissing the appellant's action.

The action was brought by the appellant against the respondent to recover possession of a vessel which he alleged he owned and which was seized at the instance of the respondent when transporting alcohol contrary to the provisions of a provincial statute.

The trial judge held that the appellant had not established title to the vessel, and his judgment was affirmed by the appellate court.

On the appeal to this Court, after hearing argument of counsel, the Court reserved judgment, and on a subsequent day delivered judgment dismissing the appeal with costs, holding that, if the evidence did not establish who the real owners of the vessel were, it did establish that the appellant was not the real owner and that, consequently, his action must fail.

Appeal dismissed with costs.

Armand La Vergne K.C. and *Jos. La Vergne* for the appellant.

Charles Lanctot K.C. and *F. Choquette K.C.* for the respondent.

*PRESENT:—Rinfret, Lamont, Smith, Cannon and Crocket JJ.

(1) (1932) Q.R. 5 4 K.B. 10.