

the aggrieved by the violation of the statute. In the latter case the term 'person' might justly be regarded as comprehending *every one affected by the injury; because the design of such enactment must be to give a remedy co-extensive with the mischief or grievance provided against. This consideration has no relation to positive penalties established as sanctioned of the law, and not intended to recompense individuals because of their particular injuries.*

"The language of the statute is to be particularly adhered to in the construction of penal laws, and, when it has a natural and plain meaning, an artificial or forced one is not to be adopted. (1 Bl. Com., 88; Dwarr. on Stat., 707, 711; Van Valkenburg *vs.* Torrey, 7 Cow., 252.) Courts will not give an *equitable construction to a penal law, even for the purpose of embracing cases within the mischief intended to be remedied.* (United States *vs.* Sheldon, 2 Wheat., 119; Myers *vs.* Foster, 6 Cow., 567; Daggett *vs.* State, 4 Conn., 61.) THEY SEDUOUSLY LIMIT THE ACTION OF PENAL STATUTES TO THE PRECISE CASES PRESCRIBED IN THEM, AND REJECT AN INTERPRETATION TENDING TO COMPREHEND MATTERS NOT NAMED BY THE LEGISLATURE, ALTHOUGH ANALOGOUS. The authorities cited are explicit to this point, and in unison with numerous others, English and American. (Cone *vs.* Bowles, 1 Salk., 205; Reniger *vs.* Fogossa, 1 Plow., 17; Fleming *vs.* Bailey, 5 E., 213.)

"The privilege or claiming, or enforcing, the penalty is one of statutory appointment, *and must be construed with like strictness.* In an action by husband and wife against executors to recover a penalty imposed by statute for not proving a will within a fixed period, one-half of the penalty being given to the plaintiff and the other to the legatees, and the wife being a legatee, it was held by the Supreme Court of Massachusetts, that the suit could not be maintained in the name of husband and wife, the action being a popular one, and there being no joint interest in the verdict. (Hill *vs.* Davis, 4 Mass., 137.) The doctrine was still more fully and explicitly declared in a later case in that court, in which it was held that *several persons could not unite in a qui tam action as informers*, the right to sue in such case resting upon the express provisions of the statute. (Vinton *vs.* Welsh, 9 Pick., 87.) When the penalty was given to *any person or persons*, a corporation aggregate cannot sue for it. (1 Kyd. on Corp., 218; The Weavers'