

The author proceeds, speaking specially of the interpretation of *penal* laws:

"Their *language*, properly given its full meaning, must, at least by that meaning, *expressly* include the case; and in ascertaining that meaning the court cannot go *beyond the plain meaning of the words and phraseology* employed, in search of an intention not certainly implied in them."

The author proceeds (p. 455):

"In other words, whilst a case may come within the purview of a remedial statute, unless its *language*, properly construed, excludes it, it is excluded from the reach of a criminal statute, unless the *language* includes it." (Citing *State v. Powers*, 36 Conn., 77.)

The author proceeds—

"Unless the proper meaning of the *language* of the statute brings a case within its *letter*, the rule of a strict construction forbids the court to create *a crime or penalty by construction*, and requires it to avoid the same by construction."

To this the author cites—

69 Indiana, 199.

25 N. J. Law, 522.

4 Philadelphia, 138.

The author again proceeds:

"And although the court may be unable to *conceive any reason why the case in question should have been omitted*, and considers it *highly improbable that an omission was intended*," (citing *U. S. v. Wiltberger*, 5 Wheaton, 105, *supra*,) "*it is not at liberty to extend the enactment to cases not included within the clear and obvious import of the language.*" (Citing here the same case of *Wiltberger*, *supra*; also, *U. S. v. Ragsdale*, Hemstead, 497; *State v. Peters*, 37 La. Annual, 730.)