

steward, for the use of the members of the club. The steward was convicted for keeping liquor for sale, and the appeal Court confirmed the conviction.

In this case the liquor was kept in the house occupied by John McIsaacs, nor can there be any as to that of the defendant the evidence discloses, probably had the property in the liquor as well. There can be no question as to the liability of John McIsaac, nor can there be any as to that of the defendant. He says that he acted as steward on two or three occasions in place of his brother, and was so acting on the occasion in question. I do not say that in this case, if the liquor was clearly proven the property of the club, the defendant was not properly committed convicted. The decision of Mr. Russell, now Mr. Justice Russell, in *Rex v. Walsh*, 29 N. S. R. 521, has not, so far as I am aware of, been questioned. He convicted the steward of an incorporated club for selling liquor, the property of the club, to one of its members. It would seem from the evidence that the sole purpose of the "Highland Club" was to supply liquor to its members. It has all the earmarks of an illegal club, as stated by Daly in his *Club Law*, p. 98. However, it is unnecessary to discuss this phase of the question.

The conviction will be confirmed and the appeal dismissed with costs.

NOVA SCOTIA.

COUNTY COURT FOR DISTRICT No. 7. NOVEMBER 17TH, 1909.

REX v. MARGARET RYAN.

N. S. Liquor License Act—Infringement—Selling Liquor without License—Non-intoxicating Beverage—"Pilsener Beer"—Knowledge of Intoxicating Nature—Liability.

This was an appeal from the Stipendiary Magistrate, City of Sydney.

A. D. Gunn, for appellant.

Finlay McDonald, for informant.

FINLAYSON, Co.C.J.:—This is an appeal from a conviction against the defendant for keeping liquor for sale without a license contrary to the provisions of the Nova Scotia Liquor