

## Province of Manitoba.

### KING'S BENCH.

Macdonald, J.]

THE KING v. PEPPER.

[Oct. 22.

*Criminal law—Summary conviction—Vagrancy—Prostitute not giving a satisfactory account of herself—Habeas corpus.*

An information under paragraph (i) of s. 238 of Crim. Code, charging the accused with being a common prostitute or night walker not giving a satisfactory account of herself and being thereby a loose, idle and disorderly person and a vagrant, is not sufficient without also alleging that she had been asked to give an account of herself, and no criminal offence is stated without such allegation.

A conviction on a plea of guilty to such charge does not sufficiently disclose any criminal offence and the accused will be entitled to be released upon habeas corpus from imprisonment under a sentence following such conviction.

*Regina v. Levecque*, 30 U.C.Q.B. 509, and *King v. Harris*, 13 Can Cr. Cas. 393, followed.

*Hagel*, for the prisoner. *Whitla*, for the Crown.

Metcalfe, J.]

ADAMS v. WOODS.

[Oct. 29.

*Liquor license—Local option—Petition of twenty-five per cent. of resident electors—Detaching signatures from heading of petitions and pasting them below the signatures on another petition—Injunction to prevent submission of by-law.*

A number of petitions to the council of the municipality asking for the passage of a local option by-law under s. 62 of the Liquor License Act, R.S.M. 1902, c. 101, as re-enacted by s. 2 of c. 31 of 9 Edw. VII., were signed by persons aggregating more than twenty-five per cent. of the resident electors whose names appeared in the last revised municipal voters' list, but before being handed to the clerk, the printed headings of all but one of the petitions were cut off, and the rest of the sheets of paper containing only the signatures pasted successfully below the