

It was proved that the defendant brought 46 bottles of intoxicating liquor into the county. This was against the prohibition of sec. 117 (c) (as enacted by 7 & 8 Edw. VII. ch. 71); but the defendant contended that he was saved by sec. 117 (2), which provides that (c) shall not apply to any intoxicating liquor sent, shipped, brought or carried to any person for his personal or family use. This saving clause does not cover the case of one bringing into the county liquor not to any one, but for himself. Moreover, the magistrate was not bound, believing part of the defendant's evidence, to believe the remainder: *Rex v. Van Norman* (1909), 19 O.L.R. 447. Considering the large quantity of liquor, the secret manner in which it was brought from the station to the house, and all the other facts, the magistrate had the right to find as he did. The order to destroy naturally and properly followed such a conviction: sec. 137.

Even if the search-warrant had been quashed, the conviction and destruction order would not have been affected.

Motion refused with costs.

RIDDELL, J., IN CHAMBERS.

MAY 8TH, 1916.

*REX v. BEDFORD.

Canada Temperance Act—Search-warrant—Grounds for Suspicion—Keeping Intoxicating Liquor for Sale—Evidence—Conviction—Police Magistrate—Jurisdiction.

Motion by the defendant to quash a search-warrant and a Police Magistrate's conviction for unlawfully keeping intoxicating liquor for sale in the defendant's hotel in the town of Goderich, contrary to the provisions of Part II. of the Canada Temperance Act, there in force.

Loftus E. Dancey, for the defendant.

J. R. Cartwright, K.C., for the Attorney-General.

RIDDELL, J., in a written opinion, said that several of the grounds taken were the same as those taken in *Rex v. Swarts*, ante; and, for reasons set out in that case, these grounds were insufficient.

The sworn information upon which the search-warrant was issued stated as the reasons for suspicion "that the deponent knows that intoxicating liquor is being brought to the said hotel, and