

has committed the corrupt practice or illegal act, and shall order him to pay to the person at whose instance the summons was issued the amount of the money penalty. Sub-section (2) of sec. 91 of the Liquor Act refers to the money penalties here spoken of, when it provides that the penalties shall be recovered in the same manner as penalties for the like offence are recoverable under the Ontario Election Act. Provision is made for such recovery by sub-secs. (13), (14), and (16) of sec. 188, and by secs. 195 and 196. Sub-section (10) of sec. 188 provides that if any punishment in addition to or instead of a money penalty is by law assigned to the commission of any offence of which such person has been found guilty, the Judges shall sentence the person so found guilty to undergo such punishment, and shall give all necessary directions in respect thereto. The punishment of imprisonment is thus made to follow upon the adjudication of guilt, and is brought into play by the direction in sub-sec. (4) of sec. 91 of the Liquor Act, that the procedure on the trial shall be the same as nearly as may be as on the trial of illegal acts under sec. 188 of the Ontario Election Act.

Therefore, while sub-sec. (2) deals with the recovery of the money penalties, sub-sec. (4) covers the case of punishment by imprisonment, and confers the jurisdiction to award it. And sub-sec (3) makes it the duty of the county Crown attorneys and district Crown attorneys to become the prosecutors and to take proceedings for the prosecution of the offender, involving the punishment by imprisonment, and also for the recovery of the money penalties by one or other of the modes prescribed for the recovery of such penalties.

The objection that the order of conviction does not shew on its face where the trial was held, and therefore does not shew jurisdiction, is disposed of by what has already been said as to the jurisdiction. The jurisdiction is to try at any place in Ontario, and it appears that the trial was held under the Act. The order shews that the offence was committed at the city of Toronto, and the prisoner is sentenced to be imprisoned in the common gaol of the county of York at the city of Toronto.

The fact that the order is intituled in the High Court of Justice is immaterial, and that objection fails. The objection that it does not shew the name of the informer also fails. The county Crown attorney of the county of York is clearly shewn to be the prosecutor. So as to the date, the trial proceeded on the day the order bears date, and a date seems to be material only when the time for conviction is limited by statute, and it is necessary that the date of the