

committed, for a period of not less than three months, and he kept at hard labor, in the discretion of the convicting magistrate; and for a second or any subsequent offences such person shall, upon conviction, be imprisoned for a period of four months, to be kept at hard labor in the discretion of the convicting magistrate; and in the event of the imprisonment of any person upon several warrants of commitment under different convictions in pursuance of this Act, whether issued in default of distress for a penalty or otherwise, the terms of imprisonment under such warrants shall be consecutive and not concurrent.

The keeping of liquor for sale is also a violation of the law, whether such liquor is sold or not. It is an independent offence, forbidden by Section 50 of the License Act, already quoted, and a person convicted of it is punished by the penalties set out in Section 86, which reads as follows:

86. Any person who violates any other provision of this Act, in respect of which violation no other punishment is prescribed, shall for the first offence, on conviction thereof, forfeit and pay a penalty of not less than \$20, besides costs, and not more than \$50, besides costs; and in default of payment thereof he shall be imprisoned in the county gaol of the county in which the offence was committed for a period not exceeding one month, and may be kept at hard labor, in the discretion of the convicting magistrate; and for the second offence, on conviction thereof, such person shall forfeit and pay a penalty of not less than \$40, besides

costs, and not more than \$60, besides costs, and in default of payment thereof he shall be imprisoned in the county gaol of the county in which the offence was committed, for a period not exceeding two months, and may be kept at hard labor, in the discretion of the convicting magistrate; and for the third or subsequent offence, on conviction thereof, such person shall be imprisoned in such gaol for the period of three months, and may be kept at hard labor, in the discretion of the convicting magistrate.

Increased Penalties must be imposed

Formerly the Liquor License Act authorized the imposition of any number of first offence penalties. It contained a clause which said that any offence might be as for a first offence. The law now is particularly stringent in this regard, and information must be laid according to the facts in each case. The section of the Act containing the new provisions is 101a, and reads as follows:

101a. (1) Whenever a prosecution is brought against any person under this Act or The Liquor License Act for an offence of which he has been previously convicted and for which a different or greater penalty is imposed in the case of a second or any subsequent offence, it shall be the duty of the Inspector to prosecute as for a second or subsequent offence according to the fact.

(2) Any Inspector who knowingly or wilfully violates the provisions of this section shall incur a penalty of not less than \$20 nor more than \$50.

Technicalities

In some cases difficulties have been encountered in times past under Local Option legislation because of the quashing of by-laws upon some legal technicality after their having been approved of by the electors. Difficulties have also arisen in the work of enforcement be-

cause of mistakes made by magistrates and other officers in the use of the various legal forms, or by mistakes in other details, and convictions have been quashed, although law-breaking was clearly proved.

To remove these difficulties, the On-