

officer in the discharge of his duties or who attempts to obstruct such officer, is liable to the same penalties as are imposed upon anyone who sells liquor without license.

Evidence

The law is very complete and distinct in its provisions as to what shall constitute evidence of sale or keeping for sale of liquor. It is the result of long experience and careful study, and closes up many of the loop-holes through which offenders have heretofore been able to escape from the penalty of their wrongdoing.

This finding of appliances for the sale of liquor is deemed prima facie evidence of sale. Proof of the actual payment of money is not necessary to secure a conviction if the facts set out are such as to satisfy the court that a transaction in the nature of a

sale took place or that liquor was about to be consumed, and consumption of liquor by some other person than the occupant of the premises, is evidence that the liquor was sold to such person. In all cases, the law is intended to secure reasonable and equitable enforcement of the law without obstruction by technicalities.

Witnesses Must Testify

Sections 115 and 116 of the Act give magistrates full power to command the attendance of witnesses, to require them to give evidence, and to punish them for contempt if they fail to do so.

Taken as a whole the enforcement provisions are very full and complete. In practical operation they have been found effective and are probably more so than is the case generally with the details of provisions for the carrying out of legislation.

Penalties

As has already been stated, when a Local Option by-law has been carried in a municipality, all the machinery and penalties provided for the sale of liquor without license, are still in operation, but are much more comprehensive in their operation than they were before.

Under Local Option, every kind of liquor-selling is selling without license, and punishable accordingly. Where Local Option by-laws have not been carried, license-holders who sell illegally are only liable to comparatively light punishment. Under Local Option all citizens are treated alike. Selling to a minor, selling on Sunday, selling to a drunken man, or selling in any other way, is really unlicensed

selling. Under license law there are small penalties for such offences when committed by a license-holder. Local Option provides one heavy penalty on all persons guilty of these offences, as well as on all persons who sell liquor in any way. That penalty is clearly set out in section 72 of the Act, which is as follows:

72. Any person who sells or harbors spirituous, fermented or manufactured liquors of any kind, or intoxicating liquors of any kind, without the license therefor by law required, shall for the first offence, on conviction thereof, forfeit and pay a penalty of not less than \$100 besides costs, and not more than \$200 besides costs; and in default of payment thereof he shall be imprisoned in the county gaol of the county in which the offence was