

## An Act to amend the Canada Temperance Act.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Subsection 1 of section 100 of *The Canada Temperance Act*, chapter 106 of the Revised Statutes, is repealed and the following is substituted therefor :—

R.S.C., c. 106,  
s. 100 amend-  
ed.

“100. Every one who, by himself, his clerk, servant or agent exposes or keeps for sale, or directly or indirectly, on any pretense or by any device, sells or barter, or in consideration of the purchase of any other property, gives to any other person any intoxicating liquor, in violation of the second part of this Act shall, on summary conviction, be liable to a penalty, for the first offence of not less than fifty dollars or imprisonment for a term not exceeding two months with or without hard labour, and for the second offence to a fine of not less than one hundred dollars or imprisonment for four months with or without hard labour, and for the third and every subsequent offence, to imprisonment for a term not exceeding six months with or without hard labour.”

Punishment  
of sale, etc.,  
in violation  
of second part  
of this Act.

2. The section substituted for section 108 of the said Act by section 10 of chapter 34 of the statutes of 1888 is repealed, and the following is substituted therefor :—

New section  
108.

“108. Any one of the officers named in section 103 of this Act, if satisfied by information on the oath of a credible witness that there is reasonable ground for belief that intoxicating liquor is sold or being kept for sale contrary to the provisions of the second part of this Act, or of *The Temperance Act of 1864*, in any dwelling house, store, shop, warehouse, outhouse, garden, yard, croft, vessel or other place, may, in his discretion, grant to any constable or other peace officer a warrant under his hand by virtue whereof it shall be lawful for the person named in such warrant, at any time or times within ten days from the date thereof, to enter, by force if necessary, the dwelling house, store, shop, warehouse, outhouse, garden, croft, vessel or place named in the warrant, and every part thereof, or of the premises connected therewith, and to examine the same and search for intoxicating liquor therein ; and for such purpose such person may, with such assistance as he deems expedient, break open any door, lock or fastening of such premises or any part thereof, or of any closet, cupboard, box or other article likely to contain such liquor ; and in the event of any intoxicating liquor being found in any such

Search  
warrant.

Presumption,  
if liquor is  
found.