

Law Enforcement

The Liquor License Act—which, as has been shown, remains in force where Local Option By-laws have been carried—requires the appointment for each license district, of a Board of License Commissioners and a License Inspector, charged with the enforcement of the law and specifies their duties. A special section requires these officers to enforce the Canada Temperance Act, the Dunkin Act, or Local Option By-laws, where such laws are in force. The section requiring their appointment in places where licenses are not issued, comes after the Local Option sections and is as follows:

145. The Lieutenant-Governor-in-Council may, notwithstanding that any such by-law affects the whole or any part of any county or that the second part of the Canada Temperance Act is in force in the whole or part of any county, nominate a board of license commissioners of the number, and for the period mentioned in section 3 of this Act, and also an Inspector; and the said board and Inspector shall have discharge and exercise of all such powers and duties respectively for preventing the sale, traffic or disposal of liquor contrary to the said Acts or this Act as they respectively have or should perform under this Act.

The license law further authorizes the Government to appoint provincial officers in addition to the local license inspectors. The Government has done this and these officers have been very efficient in securing the enforcement of Local Option By-laws. They act under the following section:

127.—(1) The Lieutenant-Governor may appoint one or more Provincial officers whose duty it shall be to enforce the provisions of this Act, and especially those for the prevention of traffic in liquor by unlicensed houses.

Still further in addition to the regu-

lar license inspectors and the provincial officers, the council of a municipality in which a Local Option By-law is in force, may appoint a special officer to enforce the law. Their power to do so is contained in the following section:

127a. The council of any municipality in which any by-law passed under Section 141 of this Act or under any of the provisions mentioned in Section 142 of this Act, for prohibiting the sale of liquors by retail, is in force, may by by-law appoint an officer whose duty it shall be to enforce the provisions of this Act, and of any such prohibitory by-law within the municipality, and such council may by by-law provide for the payment of such officer or officers and for payment of any expenses incurred in such enforcement out of the general funds of the municipality, and every officer so appointed shall have within the municipality for which he is appointed, all the powers possessed by a Provincial officer appointed under Section 127 of this Act, and all the provisions of this Act applicable to any such Provincial officer shall apply as to any officer appointed under this section and acting within the municipality for which he is appointed in the same manner and to the same extent as if such municipal officer were expressly mentioned in such provisions.

Furthermore Section 128 gives the license commissioners authority with the approval of the Government, to appoint special enforcing officers. The Section reads as follows:

128. The license commissioners with the sanction of the Lieutenant-Governor in Council, may appoint one or more officers to enforce the provisions of this Act, and especially those for the prevention of traffic in liquor by unlicensed houses, and shall fix the security to be given by such officers for the efficient discharge of the duties of their office, and every such officer shall, within the license district for which he is appointed possess and discharge all the powers and duties of Provincial officers appoint-