

Imperial statutes in force in England; (4) References to unrepealed English statutes applying to Canada; (5) Citations from English text-books; (6) Forms of indictments; (7) Changes, extensions and additions to the law made by the new criminal code.

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A recent decision by the English Queen's Bench Division (June 7), in *Bowyer v. The Percy Supper Club*, will oblige proprietary clubs in England to apply for licenses to sell liquors. The company in this case was incorporated under the Companies Acts, and carried on the business of a proprietary club for its own profit. There was the usual book of rules, and on the first page was a memorandum to the effect that, the club being proprietary, neither members nor committee incurred any liability whatever beyond their annual subscription. The company did not hold any license authorizing them to sell any kind of alcoholic liquor. On a prosecution for selling spirits, etc., by retail without a license, the magistrate found that the club was a *bonâ fide* club, and carried on for the profit of the company, and that the profit from the sale went to the company. The magistrate refused to convict on the ground that the supplying of alcoholic liquor to a member of a genuine proprietary club was not a sale within the meaning of the Excise Acts. The Court (Mathew and Wright, JJ.) held on the facts proved that the supplying the alcoholic drink clearly amounted to a sale within the meaning of the Licensing Acts. The liquor belonged to the company, and the members of the club had no interest in it. It might be that a proprietary club could be so carried on as to give the members a proprietary interest in the alcoholic liquor of the club; and in such a case the supplying them with liquor might not amount to a sale within the meaning of the Licensing Acts. That was not so here. The case was sent back to the magistrate with an intimation that in the opinion of the Court the facts proved constituted a sale within the meaning of the Licensing Acts.