

was produced and identified. It was apparent that he was not an innocent possessor of objectionable publications, but really a distributor thereof. The evidence justified the sentence imposed—two years' imprisonment at hard labour.

Dealing with further objections, the learned Judge held:—

(1) That the amended conviction shewed the magistrate's jurisdiction.

(2) That the expression used in the information, "prohibited literature," coupled with the references to the orders in council, sufficiently described the real offence: sec. 852 of the Criminal Code.

(3) The third objection was that no list was specified containing prohibited publications, nor was there any proof of the competency of the Censor to prohibit. The lists produced were, however, sufficient; the orders in council sufficiently designated the person authorised to prohibit; and the War Measures Act, 1914, justified the orders in council.

Motion dismissed with costs.

HODGINS, J. A., IN CHAMBERS.

DECEMBER 11TH, 1919.

**REX v. OLLIKKILA.*

Criminal Law—Having "Objectionable Matter" in Possession—Consolidated Orders respecting Censorship (May, 1918)—Orders I. and II.—Information Laid on Behalf of Attorney-General for Canada—Presumption—Conviction by Police Magistrate—Validity—Jurisdiction—Possession of Prohibited Publications—Certificate of Magistrate—Return—Rules (of 1908) 1279 et seq.—War Measures Act, 1914.

Motion to quash the conviction of the defendant, by the Police Magistrate for the City of Fort William, for the offence of having "prohibited literature" in his possession.

The amended conviction and all papers having been returned, pursuant to Rules (of 1908) 1279 et seq., since the 14th November, 1919 (see ante 163), the motion was renewed.

D. Campbell, for the defendant.

Peter White, K.C., for the Crown.

HODGINS, J.A., in a written judgment, set out the information, the amended conviction, and the certificate of the magistrate on