

MEREDITH, C.J.C.P., at the conclusion of the argument, said that a magistrate has no power to determine how much or how little intoxicating liquor any one may have. Every one may have as much or as little as he or she sees fit if it has been lawfully obtained and is had in a lawful place for a lawful purpose.

Intoxicating liquor in transit, and under some other circumstances, may be seized by an officer if he believes that it is to be sold or kept for sale in contravention of the provisions of the Ontario Temperance Act; and, if a magistrate finds, upon a proper investigation, that it was intended that the liquor seized should be so sold or kept for sale, he may order that it be forfeited to His Majesty.

The quantity of the liquor may be circumstantial evidence of the purpose for which it is obtained; evidence of more or less weight according to all the other circumstances and evidence in the case.

If there is evidence, circumstantial or direct or both, upon which reasonable men could find that there is no reasonable doubt that the liquor was to be sold or kept for sale in contravention of the provisions of the Act, the order of the magistrate cannot be quashed in this Court.

In these cases there was such evidence, and therefore the applications to quash the forfeiture orders should be refused.

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ORDE, J.

OCTOBER 21ST, 1920.

RE COOPER AND KNOWLER.

*Dower—Conveyance of Land in Fee Simple—Habendum to Grantee for such Uses as he may Appoint and in Default of Appointment to Grantee his Heirs and Assigns—Rule in Shelley's Case—Legal Estate in Grantee—Wife's Right to Dower—Vendor and Purchaser—Right of Purchaser to Require Bar of Dower in Conveyance from Grantee—Attempt to Correct Conveyance—Absence of Wife—Authority of Previous Decision.*

ORDE, J., in a written memorandum, said that his attention has been drawn to the fact that his judgment in this matter, noted ante 27, was in conflict with that of Middleton, J., in *Re Osborne and Campbell* (1918), 15 O.W.N. 48. The latter case was not cited on the argument before the learned Judge; and, upon examining it, he could see no distinction between it and this case. The limitations were the same, and the only difference in