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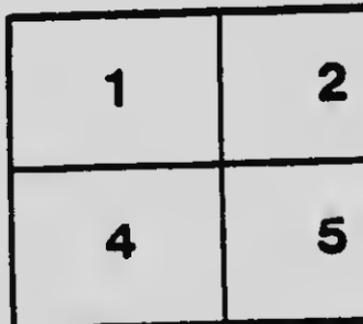
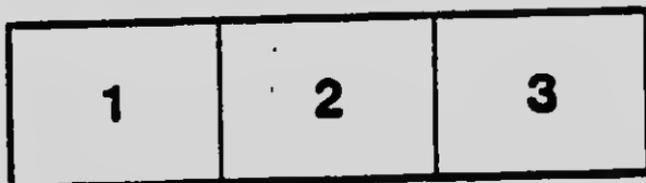
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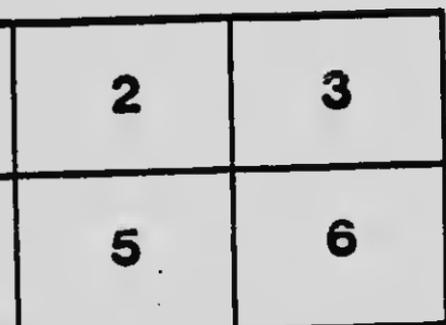
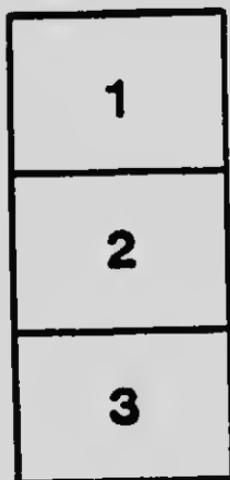
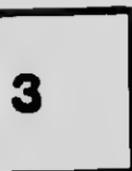
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MARK YOUR BALLOT THUS:

FORM A.

Are you in favour of bringing the "British Columbia Prohibition Act" into Force?	Yes	X
	No	

WORKERS' MANUAL PROHIBITION CAMPAIGN

[Private and Confidential for Prohibition workers only]

Published by the

PEOPLE'S PROHIBITION MOVEMENT

703 ROGERS BUILDING, VANCOUVER, B. C.

An organized force of 100 will accomplish more than 1000 unorganized workers.

A district is not organized unless it has a committee which is actually doing business along the lines suggested in this manual, or along better lines.

A committee in every district and a worker for every twenty voters will win the fight.

Keep this booklet in your pocket for reference.

It contains valuable information.

MARK YOUR BALLOT THUS:

FORM A.

Are you in favour of bringing the "British Columbia Prohibition Act" into force?	Yes	X
	No	

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(Important. Read the Act Carefully).



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THE CAMPAIGN

The purpose of our campaign is to secure the adoption of the British Columbia Prohibition Act to be voted on at the next general election.

To win we must organize and educate, and in order to do these two things we must have cash. Our campaign is, therefore, threefold: (1) a campaign for finances, (2) a campaign of organization, and (3) a campaign of education.

FINANCES

The necessary and unavoidable expenses to secure the enactment of the B. C. Prohibition Act will amount to at least \$35,000. This is the estimate made by the Finance Committee and comparing this estimated expense with the actual expense in Alberta and other Provinces as well as in some of the States to the South, we believe that the utmost economy must be practised in order to keep within the limit.

Of necessity we must use considerable space in the newspapers for which we must pay advertising rates. We must also distribute an enormous quantity of literature in pamphlet form covering every phase of the prohibition question. We must send out paid organizers. Ninety per cent of the work is done by voluntary service; the other ten per cent, however, cannot be covered in that way. We must pay for it. All this requires money.

Every district in the Province must share in this financial burden. The Central Finance Committee, consisting of Messrs. J. N. Harvey,

Chairman, W. H. Malkin, Chris Spencer, C. Woodward and W. H. Leckie, is composed of the strongest and ablest business men in the Province. This committee has formulated a plan of raising the finances. The money is being raised by voluntary subscription of any amount and by the sale of membership tickets in the People's Prohibition Movement. Details will be supplied upon application to the Financial Secretary, 703 Rogers Bldg., Vancouver, B. C.

ORGANIZATION

To reach 40,000 or 50,000 voters throughout the Province of British Columbia is a tremendous task, owing to the immense territory and scattered communities. No body of workers will do it without thorough organization. **A committee in every polling district with a worker for every twenty voters will do it.** This we must have.

DISTRICT AND LOCAL COMMITTEES

The convention in August, 1915, appointed an Organization Committee to "organize and conduct the campaign." This committee has formulated a plan of organization which has been worked out in detail in some parts of the Province. The Province has been divided into thirty-nine districts, the boundaries of which conform to those of the electoral districts. A central or district committee is to be organized in each one of these districts. Sub-district committees must then be formed in every one of these thirty-nine districts, taking in every town and community in the district. Officers of these sub-district committees automatically become members of the district committee; and that district committee, composed of these sub-

district officers with others, must be held accountable for the organization of the district, reporting to the central organization in Vancouver. Thus every community in the province will be linked up through the sub-district and district committees to the central organization. The practical organization for every electoral district or subdivision thereof consists of a President, Vice-President, Secretary and Treasurer (or a Secretary-Treasurer), together with a sufficient number of active workers to form a strong executive committee.

SUGGESTIONS AS TO COMMITTEE MEMBERS.

In selecting members for the committees it must be remembered that the most desirable person is not always the one who has been longest on the "dry" side. Positions in the campaign are not to be given as rewards for past services. What we are after is votes. Therefore, we must have on these committees the men and women who will be able to secure the most votes. It is often found that women can do better work than men, both in canvassing voters and in every other part of the work. The W.C.T.U. and church organizations, as well as the temperance organizations, should be taken full advantage of in order to obtain active workers. Four things should be kept in mind in selecting chairmen and other members of local committees. First: Their ability as leaders. Second: Their influence in the community, especially their influence with the conservative class whose votes must be won if the Prohibition Bill is to be carried. Third: Their knowledge of campaign and election affairs. Fourth: Their willingness to give time to this important work.

PLAN OF DIVIDING COMMITTEES.

The district and sub-district committees should be modeled after the central organization in Vancouver; that is, a main committee in each district and sub-district, and that subdivided into finance, editorial and publicity, and organization committees. In this way each branch of the work can be taken care of by a committee that will be held responsible for its department.

HOW TO HANDLE VOTERS' LIST.

When the various committees have been organized, the chairman or head of each committee should divide the voters' list up into blocks of twenty names each, with a view of placing each block in the hands of a worker who, where possible, is personally acquainted with the persons on his list as well as the locality in which they live. In this way it will be comparatively easy for the worker to handle a block of voters.

A sufficient number of voters' lists should be procured by the district organization so that they can be marked and checked in order that the district and sub-district officers may know how each voter on the list stands and whether he has been canvassed, etc.

CLASSIFICATION OF VOTERS

The district committees should see to it that every polling district is thoroughly canvassed. The plan is to canvass every person who has a right to vote, either approaching the voter personally or in some way finding out how he stands on this prohibition question—whether for, against or neutral. This information should be carefully recorded in the record book. If he is neutral or against, then his reasons, if any,

should be carefully considered and a record made for future use.

The central organization in Vancouver has prepared a form of card for keeping the names of the voters on. A district record book has also been prepared so that every voter on the list will be recorded, together with all details, such as his address, telephone number and other information.

WORK WITH THOSE NEUTRAL OR AGAINST.

The neutral voters should receive special consideration. From them our majority will be built up. Too much cannot be learned about them. What is their objection to prohibition? To what lodge or church do they belong? Where do they work? What are their business or social connections? Are their wives or sisters in favor of prohibition? Have they any close friends on our side? The more of this information that can be obtained the better. Then let each be approached in the wisest possible way. What we need is to have every shot aimed at a definite mark and hit it. Some of these neutral voters should be talked with personally or be handed a leaflet which deals with the question in a way calculated to meet the difficulty and arouse the interest of that particular person. Some should be approached through wives and friends. Some should receive personal letters, and all those voters who are neutral or opposed should be persuaded to subscribe for the Vancouver World for the period of the campaign. The World is the only metropolitan daily newspaper in British Columbia that is supporting prohibition.

The same procedure can be followed with those who are against prohibition.

PREPARATION FOR ELECTION DAY

Before election day a careful canvass should be made in order to secure all the available automobiles for service on the day of election so that the workers can be gotten out, as we need every vote in order to be sure of winning the fight. If a proper and efficient organization is effected we are absolutely sure to gain victory. Without this organization, no matter how strong the sentiment may be in our favor, we are altogether likely to lose. One hundred efficient organized workers will accomplish more than one thousand that are unorganized. **Organization wins victory.** Do not forget this. Some people have suggested that the sentiment for prohibition was so strong that organization work was unnecessary in British Columbia. This sort of thing is the most dangerous of all the ideas that may get abroad. It will require every ounce of strength and every bit of energy from all friends of prohibition in British Columbia to defeat the liquor interests.

The lists should be carefully marked with all information that may be necessary. A very plain red mark should designate the names of all those who though registered, are not entitled to vote. After these names may be recorded the reasons why they are not entitled to vote.

WORK ON ELECTION DAY

Polls open at 8 a.m. and close at 7 p.m. At least 15 minutes before 8 in the morning a good strong company of "dry" voters should be at each polling place, and should remain there and be on the alert until the polls close. Remember that we must look out for every vote cast at every polling place in the Province. When the polls open, a scrutineer

should be there to represent the People's Prohibition Movement, and the Committee on the outside should be ready to relieve the scrutineer and supplement his work in every legitimate and legal manner. The scrutineer should be furnished with a blank pad about 6 inches long. On it he should write the number and names of all those who vote. Sheets with these names on them can be torn from his pad from time to time and be given to the outside workers, whose duty it is to get the voters to the polls. These outside workers should have a complete list alphabetically arranged of all the "dry" voters in the polling district. On these lists should be entered all that information previously obtained, which will assist in getting out the vote. There should be a special list of the aged, crippled, sick and infirm, with the hour that it will be most convenient for each to vote, and proper conveyances must be provided to bring them to the polls. As the worker gets from the scrutineer the lists of those who have voted, he should mark on his own lists the names of all who have voted. Thus he can tell at a glance what "drys" have not voted. He, too, should have a blank pad smaller than that of the scrutineer's, on which he may write the names and addresses of such voters as he wishes to send after at any particular time.

By 7 p.m. the last name should be crossed off. Let your motto be for that day **"every dry vote in this district must be cast."**

Scrutineers and workers should have the lists prepared some days before the election, so that they can personally investigate and familiarize themselves with all the names on their lists, thus on election day they will be equipped to handle their work without delay or friction.

Workers in wet districts must not become discouraged and quit, because their district is giving a big majority against the Prohibition Bill. Remember this is a province-wide fight, and every vote saved for prohibition in a district which is overwhelmingly wet, helps the cause just as much as it would in a district that is three to one in favor of prohibition.

Every local committee should conduct a school for the workers and scrutineers a few weeks before election day, at which scrutineers and workers may be instructed in the law and how to do their work effectively.

SCRUTINEERS' AND WORKERS' INSTRUCTIONS.

For scrutineering work on election day, the ward and district lists can be cut up according to the alphabetical arrangement which the Returning Officer shall decide upon in fixing the various letterings in the different booths. Then get the lists divided and pasted on cardboard, convenient for every scrutineer in every polling booth to do his work. It is best to assume that only qualified voters will be admitted to the polling booths for this purpose. The best men in the district should be enrolled for this work. Professional and business men of experience, and men who have had previous experience as scrutineers and in checking voters' lists should be preferred. Scrutineers as far as possible should be placed in the polling station near which they reside in order that they may recognize the names and faces of voters. This is the best check on false voting.

A special booklet has been prepared for instruction of scrutineers. Every scrutineer should have a copy of this booklet and study it thoroughly.

EDUCATION

Under this heading must be included the whole propaganda which may be carried on for the purpose of influencing voters in favor of the Prohibition Bill. The editorial and publicity committees should have charge of this department and they should see to it that every voter in each district has had put into his hands the various pamphlets which are issued by the central organization in Vancouver. Not only this, but arguments should be advanced in every possible way to influence the voters in each district.

Debates and public meetings must be held at every opportunity. The local pastors and temperance organizations should co-operate. Every church and organization in each district should be asked to take an active part in the campaign. Young people's societies can be used to work in various ways such as distributing literature systematically, distributing invitations to public meetings, etc. Prominent speakers from the outside will tour the Province and great efforts should be made to have well attended meetings to hear what they have to say. Every meeting should be thrown open for questions and for arguments from our opponents. This, of course, will necessitate that those in charge of the meetings shall be posted on every phase of the prohibition question so that they can meet all arguments advanced by the liquor interests.

Printed matter of all kinds, including posters, bearing on all phases of the prohibition question, can be secured from the central organization, Vancouver.

HOW TO HANDLE NEWSPAPERS

The newspapers should be carefully watched

and should be approached by responsible citizens with a view of inducing them to publish up-to-date articles in favor of prohibition. If they are antagonistic, endeavor to bring sufficient friendly pressure upon them to turn them to our side. It will often be found that a strong committee of women can influence the newspapers and others.

Careful attention should be given by all workers to articles appearing in the newspapers, for and against prohibition. It is a fact that some of the newspapers in British Columbia, notably some of the large dailies in Vancouver and Victoria, are publishing articles under the guise of news items which are either false or colored in such a manner that conditions are entirely misrepresented. These articles are paid for by the liquor interests and are mostly published for the purpose of deceiving the public into believing that prohibition is a failure in the States of Washington and Oregon. Perhaps the same sort of news items will appear under date lines from the Provinces in Canada to the east of us when prohibition comes into effect there. The Vancouver World publishes the facts.

Information on any phase of the prohibition question will be gladly furnished by the Secretary at the headquarters office of the People's Prohibition Movement, 703 Rogers Bldg., Vancouver, B. C.

AN ACT ENTITLED THE "BRITISH COLUMBIA PROHIBITION ACT"

Preamble

Whereas it is expedient to suppress the liquor traffic in British Columbia by prohibiting Provincial transactions in liquor:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

SHORT TITLE

1. This Act may be cited as the "British Columbia Prohibition Act."

INTERPRETATION

2. In this Act—

"Dentist"

"Dentist" means a member of The College of Dental Surgeons of British Columbia who holds an unexpired annual certificate under the "Dentistry Act" and is lawfully and regularly engaged in the practice of his profession:

"Druggist"

"Druggist" means a member of The Pharmaceutical Association of the Province of British Columbia who holds a valid certificate under the "Pharmacy Act" and is lawfully and regularly engaged in carrying on the business of a pharmaceutical chemist:

"Hospital"

"Hospital" means and includes any bona-fide hospital or sanatorium, whether public or private, regularly conducted as such:

“Justice”

“Justice” means a Justice of the Peace, and shall include two or more Justices if two or more Justices act or have jurisdiction, and also a Stipendiary or Police Magistrate, or any person having the power or authority of two or more Justices of the Peace:

“Liquor” or “Liquors”

“Liquor” or “liquors” shall include all fermented, spirituous, and malt liquors, and all combinations of liquors, and all drinks and drinkable liquids which are intoxicating, and any liquids which contain more than two and one-half per cent. of proof spirits shall be conclusively deemed to be intoxicating:

“Prescription”

“Prescription” means a memorandum in writing containing the name and address of the physician by whom it is given, the name and address of the person to whom it is given, the nature and quantity of liquor prescribed, the date upon which the prescription is written, and directions for the use of the liquor so prescribed:

“Physician”

“Physician” means a member of The College of Physicians and Surgeons of British Columbia who is registered under the “Medical Act” and who is lawfully and regularly engaged in the practice of his profession:

“Regulations”

“Regulations” shall mean regulations made by the Lieutenant-Governor in

Council under the authority of this Act:

“Sale”

“Sale” shall include exchange, barter, and traffic:

“Superintendent”

“Superintendent” means the Superintendent of Provincial Police of the Province:

“Vendor”

“Vendor” means a person appointed by the Lieutenant-Governor in Council under section 4:

“Veterinary”

“Veterinary” means a member of The Veterinary Association of British Columbia who is registered under the provisions of the “Veterinary Act” and who is lawfully and regularly engaged in the practice of his profession.

“Private Dwelling-house”

3. The expression “private dwelling-house” in this Act means a separate dwelling with a separate door for ingress and egress, and actually and exclusively occupied and used as a private residence:

- (a.) Without restricting the generality of the above definition of a private dwelling-house, the expression “private dwelling-house” shall not include or mean, and shall not be construed to include or mean, any house or building occupied or used or partially occupied or used as an office, other than a duly registered physician’s, dentist’s, or veterinary surgeon’s office, or as a shop or as a place of business, or as a factory, or as a work-

shop, or as a warehouse, or as a clubhouse or club-room, public hall or hall of any society or order, or as a boarding-house, or as a lodging-house where there are more than three lodgers other than the members of the family, or as a livery stable, or as an inn, tavern, hotel, or other house or place of public entertainment, or any house or building the rooms or apartments in which are leased to different persons, or any buildings or house mentioned in section 38 of this Act, or any house or building where for money or other valuable consideration any goods or chattels are kept for sale or sold or meals given or lodging provided; nor shall it include or mean to be construed to include or mean any house or building connected by a doorway or covered passage or way of internal communication, except by telephone, with any place where liquor is authorized to be sold under this Act, or with any office except a duly registered physician's, dentist's, or veterinary surgeon's office, or with any place of business, factory, warehouse, workshop, clubhouse, club-room, hall before mentioned, boarding-house or lodging-house as aforesaid, livery-stable, inn, tavern, hotel, or other house or place of public entertainment or resort, or with any house or building mentioned in section 38 of this Act:

- (b.) Notwithstanding the above restrictions, "private dwelling-house" shall include also a suite of rooms in an apartment block, in a city, separated and closed off by walls from all other rooms

in such block, and without any door or opening whereby communication may be had with any other room save doors opening into a main or common hall leading, with or without stairs, into a street or lane, and in which suite there are facilities for cooking and a family actually residing, cooking, sleeping, and taking their meals.

VENDORS OF LIQUOR

Appointment of Vendors

4. The Lieutenant-Governor in Council shall have power—

(a.) To appoint from time to time fit and proper persons as vendors who shall keep for sale such liquors as are required for medicinal, mechanical, scientific, and sacramental purposes only, in accordance with and as permitted by this Act:

(b.) To fix the salary to be paid vendors and the price for which liquor shall be sold:

(c.) To make regulations, not inconsistent with this Act, prescribing the duties of vendors and the manner in which vendors may sell liquor under this Act, and to make such other regulations as may be deemed necessary for the proper administration and carrying into effect the provisions of this Act.

Vendor Derives No Profit from Sales

5. No vendor shall have any interest in the liquor sold by him, nor shall he derive any profit therefrom, but the profits derived from such sale shall form part of the Consolidated Revenue Fund of the Province.

Unauthorized Sale an Offence.

6. (1.) Every vendor and every person acting as the clerk, servant, or agent of or in any other capacity for a vendor who sells liquor in any other place, or at any other time, or in any other quantities, or otherwise than as authorized by this Act, shall be guilty of an offence against this Act.

Violation of Act by Vendor an Offence.

(2.) Every vendor who violates any of the provisions of this Act shall be guilty of an offence against this Act.

Disqualification.

(3.) Every vendor convicted of an offence against this Act shall, in addition to all other penalties herein provided, forfeit his right to be a vendor, and shall be disqualified from holding the position of vendor under this Act for a period of three years next succeeding the date of the conviction.

Cases Where Vendor May Sell Liquor.

7. (1.) A vendor may sell liquor in the following cases only:—

- (a.) To any person, for mechanical or scientific purposes, alcohol not exceeding in quantity ten gallons at any one time:
- (b.) To any druggist such liquor as a druggist is authorized to sell under this Act, not exceeding in quantity five gallons at any one time:
- (c.) To any physician such liquor as a physician is entitled to have in his possession under this Act, not exceeding in quantity two quarts at any one time:
- (d.) To any dentist such liquor as a dentist is entitled to have in his posses-

sion under this Act, not exceeding in quantity one pint at any one time:

- (e.) To any veterinary such liquor as a veterinary is entitled to have in his possession under this Act, not exceeding in quantity one gallon at any one time:
- (f.) To the person in charge of any hospital such liquor as may under this Act be lawfully kept in the hospital, not exceeding in quantity the amount fixed by the Superintendent in respect of such hospital:
- (g.) To any minister of the gospel wine for sacramental purposes:
- (h.) To any person liquor for strictly medicinal purposes.

Sale for Cash Only.

- (2). A vendor shall sell for cash only.

Sale of Alcohol for Mechanical or Scientific Purposes.

(3.) No sale of alcohol under clause (a) of subsection (1) shall be made except upon the affidavit of the person to whom the sale is made, duly signed and sworn, in the form prescribed in the regulations, and which shall set forth that the alcohol is required for mechanical or scientific purposes only, and state how and where the same is to be used, and that it is not intended to be used as a beverage or to be mixed with any other liquor for use as a beverage, or to be sold or given away to any other person, and that it is intended only for the deponent's own use, and that the deponent is over twenty-one years of age. The affidavit shall also set forth the quantity of alcohol desired, and no more than one sale and one delivery shall be made on one affidavit.

Sales of Liquor to Druggists, Physicians, Dentists, Veterinaries, and Hospitals.

(4.) No sale of liquor under clauses (b), (c), (d), (e), or (f) of subsection (1) shall be made except upon the affidavit of the person to whom the sale is made, duly signed and sworn, in the form prescribed in the regulations, and which shall set forth that the liquor is required only for purposes authorized by this Act, and state where and how it is to be kept and used, and that it is not intended as a beverage or to be mixed with any other liquid for use as a beverage, or to be sold or given away otherwise than as permitted by this Act. The affidavit shall set forth the kind and quantity of liquor required, and no more than one sale and one delivery shall be made on one affidavit.

Sales of Wine for Sacramental Purposes.

(5.) No sale of wine under clause (g) of subsection (1) shall be made except upon the written request of the minister of the gospel to whom the sale is made, duly signed, and in the form prescribed in the regulations.

Sales on Prescription.

(6.) No sale of liquor under clause (h) of subsection (1) shall be made except upon a bona-fide prescription in writing signed by a physician, and no more than one sale and one delivery shall be made on any one prescription.

Record of Each Sale to be Kept.

(7.) Every affidavit and every written request and every prescription upon which any liquor is sold under this section shall, before the delivery of the liquor, be filed with the vendor; and the vendor shall keep or cause

to be kept in a book in the form provided in the regulations, an accurate record of every sale made by him, or by his clerk, servant, or agent, of any liquor, and such record shall be made before the delivery of the liquor, and shall show the time when and the name and address of the person to whom the same is sold, the name of the vendor, clerk, servant, or agent by whom the sale is made, and the kind and quantity of the liquor sold; and in default of any such sale being so placed on record the sale shall be deemed to be a sale of liquor in contravention of the provisions of this Act.

Inspection of Record and Making of Returns.

(8.) Such book, together with such affidavits and requests and prescriptions, shall be kept open to the inspection of the Superintendent, all Provincial and municipal constables and police officers, and of any person appointed by the Superintendent and producing his written authority in that behalf; and every vendor shall at the end of each month send to the Superintendent a return containing a copy of the record contained in such book for the preceding month, accompanied by all affidavits and requests and prescriptions upon which any sale of liquor referred to in such return was made, all of which shall be verified by the affidavit of the vendor in the form in the regulations, and the affidavit shall state that no sales or disposals of liquor were made during such month other than those mentioned in the return accompanying the affidavit.

No Liquor to be Consumed on Vendor's Premises.

8. No vendor and no clerk, agent, or servant of a vendor shall allow any liquor so

sold to be consumed or drunk within or upon the premises upon which the sale is made.

Hours of Sale Limited.

9. No sale or other disposal of liquors shall take place on, out of, or from any vendor's premises to any person or persons whomsoever, nor shall such licensed premises be open for such sale from or after the hour of five o'clock on Saturday night until seven o'clock on Monday morning thereafter, or from six o'clock at night until seven o'clock in the morning on the other nights of the week.

PROHIBITIONS AND REGULATIONS

Sale of Liquor Prohibited.

10. Except as provided by this Act, no person shall, within the Province, by himself, his clerk, servant, or agent, expose or keep for sale, or directly or indirectly or upon any pretence, or upon any devise, sell or barter, or offer to sell or barter, or in consideration of the purchase or transfer of any property or thing, or for any other consideration, or at the time of the transfer of any property or thing, give to any other person any liquor.

Keeping of Liquor Prohibited

11. Except as provided by this Act, no person, by himself, his clerk, servant, or agent, shall have or keep or give liquor in any place wheresoever, other than in the private dwelling-house in which he resides.

Consumption of Liquor Prohibited Unless Purchased from Vendor.

12. Except as provided by this Act, no person shall use or consume liquor in the Province, purchased and received from any person within the Province, unless it be purchased and received from a vendor; but this

section shall not apply to any person who within a private dwelling-house innocently uses or consumes liquor not thus purchased and received.

Act Not to Apply to Vinegar, Sweet Cider, Etc.

13. Nothing in this Act shall be construed to prohibit the manufacture, sale, or purchase, or the having, keeping, or giving, or the consumption of vinegar, sweet cider unfermented fruit-juice, or denatured alcohol.

Druggists

14. (1.) Any druggist may keep for sale and, subject to the further provisions of this section, may sell liquor for strictly medicinal purposes, but no liquor exceeding in quantity five gallons at any one time shall be so kept or stored in the premises of such druggist or elsewhere, and no such sale of liquor shall be made except upon a bona-fide prescription in writing signed by a physician, and no more than one sale and one delivery shall be made on any one prescription.

Hospitals.

(2.) Any person in charge of any hospital may keep in such hospital liquor for the use of patients therein, but no liquor exceeding in quantity an amount to be fixed by the Superintendent shall be so kept therein at any one time; and no manager, matron, or other officer of the hospital, and no physician or nurse in attendance thereat, shall give any of the liquor so kept to any person other than a bona-fide patient in said hospital.

Physicians

(3.) Any physician who deems liquor necessary for the health of any patient of his who he has seen or visited professionally, may give

to such patient a written prescription therefor signed by the physician, or may administer the liquor himself, for which purpose he may have liquor in his possession when in the discharge of his professional duties, not exceeding in quantity two quarts at any one time; but no such prescription shall be given or liquor administered except to bona-fide patients in cases of actual need, and when in the judgment of such physician the use of liquor as medicine in the quantity prescribed or administered is necessary. Every physician who shall give such prescription or administer such liquors in evasion or violation of this Act, or who shall give to or write for any person a prescription for or including intoxicating liquor for the purpose of enabling or assisting any person to evade any of the provisions of this Act, or for the purpose of enabling or assisting any person to obtain liquor for use as a beverage, or to be sold or disposed of in any such manner in violation of the provisions of this Act, shall be guilty of an offence under this Act.

Dentists

(4). Any dentist who deems it necessary that any patient being then under treatment by him should be supplied with liquor as a stimulant or restorative may himself administer to such patient the liquor thus needed, and for such purpose the dentist may keep in his office a quantity of liquor not exceeding one pint at any one time, but no liquor shall be administered by a dentist except in the case of actual need or be drunk or consumed by any person other than such patient, and every dentist who administers liquor in evasion or violation of this Act shall be guilty of an offence against this Act.

Veterinaries

(5.) Any veterinary who deems liquor necessary for the health of dumb animals may in the course of his practice administer or cause to be administered liquor to any dumb animal, and for that purpose he may have liquor in his possession not exceeding in quantity one gallon at any one time, but no person shall drink or consume any such liquor.

Record of Sales by Druggists, Etc.

(6.) Every druggist, physician, dentist, and every veterinary shall keep or cause to be kept in a book to be kept for that purpose a complete and accurate record of every sale or other disposal made by him, his clerk, servants, or agents, of any liquor, and such record shall be made at the time of the sale or disposal of the liquor, and shall show the time when, the name and address of the person to whom, and be signed by the person by whom the sale or disposal is made, and the kind and quantity of liquor sold or disposed of, and in case of a sale upon prescription shall disclose and refer to the prescription in such a manner as to enable the same to be readily identified and inspected at the same time as the record; and in default of such record being made of any sale or disposal of liquor the same shall be deemed to be a sale of liquor in contravention of the provisions of this Act.

Record of Liquor Purchased.

(7.) Every druggist, physician, dentist, and every veterinary shall keep a record of all liquor purchased or received by him, showing the date of purchase and name of the person from whom purchased; and shall from

time to time, as required, by the request in writing of the Superintendent or by the regulations, send to the Superintendent a report containing a copy of such record and of the record kept under subsection (6), accompanied by an affidavit verifying the same, and stating that no purchases or sales of liquor were made during the period covered by such report save those mentioned therein.

Failure to Keep Record an Offence.

(8.) Every druggist, physician, dentist, and every veterinary who fails to keep any record required by this section, or refuses or neglects upon request of the Superintendent or any constable, or of any person appointed by the Superintendent and producing his written authority in that behalf, to produce the record and permit the same to be inspected, or who fails to make any report required under this section, shall be guilty of an offence against this Act.

Possession of Alcohol for Mechanical or Scientific Purposes, and Wine for Sacramental Purposes.

15. (1.) Nothing in section 11 shall prevent any person engaged in mechanical business or in scientific pursuits from having in his possession alcohol for mechanical or scientific purposes, as the case may be, in a quantity not to exceed, exclusive of the alcohol used in the preservation of specimens for scientific purposes, ten gallons at any one time, or prevent any minister of the gospel from having in his possession wine for sacramental purposes or from giving or causing to be given such wine in connection with the celebration of any sacrament; but no such person or minister of the gospel shall permit any liquor so in

his possession to be used or consumed as a beverage.

Possession of Liquor by Sick Person.

(2.) Nothing in section 11 shall prevent a sick person from having in his possession the liquor prescribed for him by a physician under subsection (3) of section 14 of this Act, but no liquor so prescribed shall be given by the sick person or by his physician, nurse, or other attendant to any person other than the sick person for whom it has been so prescribed.

Drugs Mixed With Alcohol.

16. Nothing in this Act shall prevent any druggist from keeping or selling to any person any combination of alcohol with any drug made according to any formula of the British or United States pharmacopoeia.

Sales Under Execution, and Conveyance of Liquor by Common Carriers.

17. Nothing in section 10 hereof contained shall apply to sales under execution or other judicial process to any vendor under this Act or to sales by assignees in bankruptcy or insolvency to such vendor, provided that the stock of liquor is not broken for the purpose of such sale; and nothing in section 11 contained shall prevent common carriers or other persons from carrying or conveying liquor from a place outside of the Province to a place where the same may be lawfully received and lawfully kept within the Province, or from a place where such liquor is lawfully kept and lawfully delivered within the Province, to a place outside of the Province, or from a place where such liquor may be lawfully kept and lawfully

delivered within the Province to another place within the Province where the same may be lawfully received and lawfully kept, or through the Province from one place outside of it to another place outside of it, but no person during the time such liquor is being carried or conveyed as aforesaid shall open or break or allow to be opened or broken any package or vessel containing the same, or sell, give, or otherwise dispose of any of said liquor to any person other than the consignee thereof.

Brewers Licensed by Government of Canada.

18. Nothing in this Act shall prevent any brewer, distiller, or other person duly licensed by the Government of Canada for the manufacture of spirituous, fermented, or other liquors from keeping or having liquors manufactured by him in any building wherein such manufacture is carried on, provided such building forms no part of and does not communicate by any entrance with any house or building mentioned in section 3; including clause (a) thereof, or from selling liquor therefrom to a person in another Province or in a foreign country or to a vendor under this Act.

Export Sale of Liquor.

19. (1.) Nothing in this Act shall prevent any person from having liquor for export sale in his liquor warehouse, provided such liquor warehouse and the business carried on therein complies with requirements in subsection (2) mentioned, or from selling from such liquor warehouse to persons in other Provinces or in foreign countries, or to a vendor under this Act.

Liquor Warehouses.

(2.) The liquor warehouse in this section men-

tioned shall be suitable for the said business, and shall be so constructed and equipped as not to facilitate any violation of this Act, and not connected by any internal way or communication with any other building or any other portion of the same building, and shall be a warehouse or building wherein no other commodity or goods than liquor for export from the Province are kept or sold to such vendor, and wherein no other business than keeping or selling liquor for export from the Province is carried on.

Records Kept for Evidence.

20. For the purpose of evidence, every brewer, distiller, or other person licensed by the Government of Canada, and mentioned in section 18, and every liquor exporter mentioned in section 19 who makes a sale of liquor in the Province shall immediately enter in a book to be kept for that purpose the date of such sale, the person to whom such sale was made, and the person or carrier to whom the same was delivered for carriage; and the failure of such person to make, keep, and produce as evidence the said entry and record of such sale shall, in any prosecution under this Act of such person for illegally making such a sale of liquor, be prima facie evidence against such person of having illegally sold such liquor.

Illegal Consumption or Purchase of Liquor.

21. No person shall consume any liquor in or upon any vendor's premises nor in any liquor warehouse mentioned in section 19, nor in any distillery or brewery mentioned in section 18, and no person shall purchase any liquor from any person who is not authorized to sell the same for consumption within the Province, and no person who purchases liquor shall drink or

cause any one to drink or allow such liquor to be drunk upon the premises where the same is purchased.

Sales to Minors.

22. Liquor shall not be given, sold, or otherwise supplied to any person apparently under the age of twenty-one years, but this shall not apply to the supplying of liquor to a person under the age of twenty-one years for medicinal purposes only by the physician, parent, or guardian of such person, or by a vendor or druggist upon the prescription of a physician.

Harbouring of Constables by Vendors.

23. If any vendor harbours or entertains, or knowingly suffers to remain on his premises where such liquor is sold or kept for sale, any constable during any part of the time during which such constable ought to be on duty, unless for the purpose of keeping or restoring order or in the execution of his duty, or supplies any liquor or refreshment whatever, by way of gift or sale, to any constable on duty, he shall be guilty of an offence against this Act.

Permitting of Drunkenness an Offence.

24. If any person permit drunkenness or any violent, quarrelsome, riotous, or disorderly conduct, arising from drunkenness, to take place in the house or on the premises of which he is owner, tenant, or occupant, or gives any liquor to any drunken person, or permit or suffer any drunken person to consume any liquor in said house or on said premises, or permit or suffer drunken persons or persons of bad character to assemble or meet in said house or on said premises, he shall be guilty of an offence against this Act, and, in addition to any other punishment provided by law, be liable to the penalty provided by this Act therefor.

Clubs, Societies, Etc.

25. (1) Every society, association, or club heretofore or hereafter formed or incorporated, and every unincorporated society, association, or club, and every member, officer, or servant thereof, or person resorting thereto, who sells or barter or therein gives liquor to any member thereof or to any other person, and every person who directly or indirectly keeps or maintains by himself or by associating or combining with any other or others, or who in any manner aids, assists, or abets in keeping liquor in any club-house, club, or association, room, or hall or other place for the purpose of use, gift, barter, or sale as a beverage, or for distribution or division among the members of any society, club, or association by any means whatever, and every person who uses, barter, sells, or gives away or assists or abets another in bartering, selling, or giving away any liquor so received and kept, shall be held to have violated section 10, and shall incur the penalties provided for the unlawful sale of liquor.

Keeping Liquor on Club Premises

(2.) The keeping or having any liquor in the house, hall, or building or in any room or place occupied or controlled by any such club, association, or society, or by any persons associating or combining together as aforesaid, shall be a violation of section 11.

Seizure of Liquor on Club Premises.

(3.) Proof of consumption or intended consumption of liquor in such premises by any member of any such club, association, or society, or person who resorts thereto, shall be conclusive evidence of sale of such liquor by the officers thereof, and any liquor found on

such premises shall be liable to seizure in the manner provided by this Act.

Offences in Private Dwelling-house.

26. If the occupant of any private dwelling-house or of any part thereof is convicted of any offence against any of the provisions of this Act committed in or in respect of such house, the same shall cease to be a private dwelling-house within the meaning of this Act during the time the person so convicted occupies the said house or any part thereof.

Action for Damages for Causing Intoxication Resulting in Death.

27. Whenever any person has drunk liquor to excess, and while in a state of intoxication from such drinking has come to his death by suicide or drowning, or perishing from cold or other accident caused by such intoxication, the person or persons who furnished or gave the liquor to such person when in a state of intoxication, or on whose premises it was obtained by such intoxicated person while intoxicated, shall be liable to an action for a wrongful act and as a personal wrong, and the amount which may be recovered as damages shall not be less than one hundred dollars nor more than fifteen hundred dollars. The provisions of sections 4, 5, and 6 of the "Families Compensation Act" shall apply to every action brought under this section.

PENALTIES

Penalty for Selling Liquor.

28. (1). Every person contravening or committing any breach of any of the provisions of section 10 shall, upon summary conviction thereof, be liable to imprisonment, with hard

labour, for a term of not less than six months and not more than twelve months for a first offence; and for a second or subsequent offence, to imprisonment, with hard labour, for not less than twelve and not more than twenty-one months; and if the offender convicted under this subsection be a corporation, it shall be liable to a penalty of one thousand dollars.

Penalty for Other Offences.

(2.) For every offence against this Act or any of the provisions thereof for which a penalty has not been specially provided, the person committing the offence shall be liable on summary conviction to a penalty for the first offence of not less than fifty dollars nor more than one hundred dollars, and, in default of immediate payment, to imprisonment for a period of not less than thirty days nor more than two months; and for the second offence, to imprisonment for a period of not less than two months and not more than four months, with or without hard labour, or to a penalty of not less than two hundred dollars nor more than five hundred dollars, and, in default of immediate payment, to imprisonment for a term of not less than two months nor more than four months; and for any subsequent offence, to imprisonment for a period of not less than three months nor more than six months, with or without hard labor, without the option of a fine; and if the offender convicted be a corporation, it shall be liable to a penalty of one thousand dollars.

Payment of Penalties to Province or to Municipality.

(3.) In case of penalties in money recovered under this Act in respect of any conviction

resulting from proceedings instituted and prosecuted by or at the instance of the Superintendent or any police constable under his jurisdiction, the penalties shall be paid into the Consolidated Revenue Fund of the Province; and in case of such penalties recovered in respect of any conviction resulting from proceedings instituted and prosecuted by or at the instance of any constable or officer of any municipal police force, the penalties shall be paid into the treasury of the municipality.

ENFORCEMENT AND PROSECUTIONS

Duty of Provincial and Municipal Police to Enforce Act.

29. (1.) The duty of seeing that the provisions of this Act are complied with and of enforcing the same and of prosecuting persons offending against such provisions shall devolve upon the Superintendent and upon all constables and officers of every Provincial and of every municipal police force in the Province, and they shall severally have full authority to enforce all such provisions.

Police Constable to Enter Complaint Without Disclosing Name of Informant.

(2.) Every police constable or officer shall be deemed to be within the provisions of this Act; and when any information is given to any such police constable or officer that there is cause to suspect that some person is violating any of the provisions of this Act, it shall be his duty to make diligent inquiry into the truth of such information and to enter complaint, in his own name, for the prosecution of such violation, without communicating the name of the person giving such information.

Penalties Recoverable on Summary Conviction.

30. Except so far as otherwise expressly provided by this Act, the penalties imposed by or under the authority of this Act shall be recoverable under the provisions of the "Summary Convictions Act."

Contents of Information.

31. In describing offences respecting the sale or keeping for sale or other disposal of liquor, or the having, keeping, giving, purchasing, or the consumption of liquor, in any information, summons, conviction, warrant, or proceeding under this Act, it shall be sufficient to state the sale or keeping for sale or disposal, having, keeping, giving, purchasing, or consumption of liquor, simply without stating the name or kind of such liquor or the price thereof, or any person to whom it was sold or disposed of, or by whom it was taken or consumed, or from whom it was purchased or received, and it shall not be necessary to state the quantity of liquor so sold, kept for sale, disposed of, had, kept, given, or consumed, except in the case of offences where the quantity is essential, and then it shall be sufficient to allege the sale or disposal or more or less than such quantity.

Description of Offences.

32. The description of any offence under this Act in the words of this Act or in any words of like effect, shall be sufficient in law; and any exception, exemption, provision, excuse, or qualification, whether it does or does not accompany the description of the offence in this Act, may be proved by the defendant, but need not be specified or negatived in the information; but if it be so specified or negatived, no proof in relation to the matter so

specified or negatived shall be required on the part of the informant or complainant.

Evidence of Unlawful Sale.

33. In any prosecution under this Act for the sale or keeping for sale or other disposal of liquor, or the having, keeping, giving, purchasing, or consumption of liquor, it shall not be necessary that any witness should depose to the precise description of the liquor sold, disposed of, kept, had, given, purchased, or consumed, or the precise consideration received therefor or to the fact of the sale or other disposal having taken place with his participation or to his own personal or certain knowledge, but the Justice trying the case, so soon as it appears to him that the circumstances in evidence sufficiently establish the infraction of law complained of, shall put the defendant on his defence, and, in default of his rebuttal of such evidence, convict him accordingly.

Proof of Contravention.

34. In proving the sale, disposal, gift, or purchase, gratuitous or otherwise, or consumption of liquor, it shall not be necessary in any prosecution to show that any money actually passed or any liquor was actually consumed, if the Justice hearing the case be satisfied that a transaction in the nature of a sale, disposal, gift, or purchase actually took place, or that any consumption of liquor was about to take place; and proof of consumption or intended consumption of liquor on premises on which such consumption is prohibited, by some person not authorized to consume liquor thereon, shall be evidence that such liquor was sold or given to the person consuming or being about to consume, or carrying away the same,

as against the occupant of the said premises.

Prosecution of Bars, Etc.

35. In any prosecution or proceeding in which proof is required respecting any house, shop, room, or other place in which are proved to exist a bar, counter, beer-pumps, kegs, jars, decanters, tumblers, glasses or other appliances or preparations similar to those usually found in taverns, saloons and shops where liquor is accustomed to be sold or trafficked in, it shall be deemed to be a place in which liquor is kept or had for the purpose of being unlawfully sold, bartered, or traded in, unless the contrary is proved by the defendant in any prosecution; and the occupant of such house, shop, room, or other place shall be taken conclusively to be the person who has or keeps therein such liquor for sale, barter, or traffic therein.

Proof of Unlawful Sale.

36. The fact of any person, not being a vendor, keeping up any sign, writing, painting, or other mark in or near to his house or premises, or having such house fitted up with a bar or other place containing bottles or casks displayed so as to induce reasonable belief that liquor may be lawfully purchased in such house or premises, or that liquor is sold or served therein, or that there is on such premises more liquor than is reasonably required for the persons residing therein, shall be deemed prima facie evidence of the unlawful keeping for sale of liquor by such person.

Proof That Liquor Is Intoxicating.

37. The Justice trying a case shall, in the absence of proof to the contrary, be at liberty to infer that the liquor in question is in-

toxicating from the fact that the witness describes it as intoxicating, or by a name which is commonly applied to an intoxicating liquor.

Liability of Occupant of Premises.

38. The occupant of any house, shop, room, or other place in which any sale, barter, or traffic of liquor or any matter, act, or thing in contravention of any of the provisions of this Act has taken place shall be personally liable to the penalty and punishment prescribed in this Act, notwithstanding such sale, barter, traffic, matter, act, or thing be made by some other person who cannot be proved to have acted so under or by the directions of such occupant; and proof of the fact of such sale, barter, or traffic or other act, matter, or thing by any person in the employ of such occupant, or who is suffered to be or remain in or upon the premises of such occupant, or to act in any way for such occupant, shall be conclusive evidence that such sale, barter, or traffic or other act, matter, or thing took place with the authority and by the direction of such occupant.

Offence by Employee.

39. (1.) Every offence against the provisions of this Act committed by the employee, servant, agent, or workman of any person unlawfully selling liquor shall be deemed to be the offence of the person so unlawfully selling liquor, and such person shall be answerable for and shall be punished for such offence: Provided that nothing therein shall absolve the actual offender from guilt and punishment, but he shall be punished also.

Offence by Employee of Vendor.

(2.) Any contravention of any of the provisions of this Act by any servant, agent, or em-

ployee of a vendor shall be presumed to be the act of such vendor, but such presumption may be rebutted by proof of explicit instructions to the contrary by such vendor, and any such servant, agent or employee contravening any of the provisions of this Act and disobeying any such explicit instructions shall be liable on summary conviction to imprisonment for not less than ten days or more than three months without the option of a fine.

Offence by Incorporated Company.

(3.) In the event of an incorporated company contravening any of the provisions of this Act, the officer or agent of the company in charge of the particular premises upon which the offence is committed, as well as the said company, shall be liable to the penalties prescribed by this Act.

Burden of Proof as to Sales.

40. (1.) The burden of proving the right to have or keep or sell or give liquor shall be on the person accused of improperly or unlawfully having or keeping or selling or giving such liquor.

Burden of Proof as to Prescriptions.

(2.) The burden of proving that any prescription or administration of liquor is bona fide and for medicinal purposes only shall be upon the person who prescribes or administers such liquor, or causes such liquor to be administered, and the Justice trying a case shall have the right to draw inferences of fact from the frequency with which similar prescriptions are given and from the amount of liquor prescribed or administered.

Prima Facie Evidence of Sale.

41. If, in the prosecution of any person

charged with committing an offence against any of the provisions of this Act in selling or keeping for sale or giving or keeping or having or purchasing or receiving of liquor, *prima facie* proof is given that such person had in his possession or charge or control any liquor in respect of or concerning which he is being prosecuted, then, unless such person prove that he did not commit the offence with which he is so charged, he may be convicted accordingly.

Proceedings Where Previous Convictions Charged.

42. The proceedings upon any information for an offence against any of the provisions of this Act, in a case where a previous conviction or convictions are charged, shall be as follows:

(a.) The Justice shall in the first instance inquire concerning such subsequent offence only, and if the accused be found guilty thereof he shall then, and not before, be asked whether he was so previously convicted as alleged in the information, and if he answers that he was so previously convicted he shall be sentenced accordingly; but if he denies that he was so previously convicted or does not answer such question, the Justice shall then inquire concerning such previous conviction or convictions:

(b.) Such previous convictions may be proved *prima facie* by the production of a certificate purporting to be under the hand of the convicting Justice or the Clerk of the County Court to whose office the conviction has been returned, without proof of signature or official character:

(c.) In the event of any conviction for

any second or subsequent offence becoming void or defective after the making thereof by reason of any previous conviction being set aside, quashed, or otherwise rendered void, the Justice by whom such second or subsequent conviction was made shall summon the person convicted to appear at a time and place to be named, and shall thereupon, upon proof of the due service of such summons if such person fails to appear, or on his appearance, amend such second or subsequent conviction, and adjudge such penalty or punishment as might have been adjudged had such previous conviction never existed; and such amended conviction shall thereupon be held valid to all intents and purposes as if it had been in the first instance:

- (d.) In case any person who has been convicted of a contravention of any provision of any of the sections of this Act is afterwards convicted of an offence against any other provision of this Act, such conviction shall be deemed a conviction for a second offence within the meaning of this Act, and shall be dealt with and punished accordingly, although the two convictions may have been under different sections.

Conviction for Several Offences.

43. One conviction for several offences, and providing a separate penalty for each, may be made under this Act, although such offences may have been committed on the same day; but the increased penalty or punishment here-

inbefore imposed shall only be incurred or awarded in the case of offences committed on different days and after information laid for a first offence.

Duty of Constables as to Second Offences.

44. (1.) Whenever a prosecution is brought against any person under this Act for an offence of which he has been previously convicted and for which a different or greater penalty is imposed in the case of a second or any subsequent offence, the Superintendent, constable, or police officer, as the case may be, shall prosecute as for a second or subsequent offence according to the fact.

Contravention of an Offence.

(2.) The Superintendent or any constable or police officer who knowingly and wilfully contravenes the provisions of this section shall be guilty of an offence against this Act.

Certificate of Conviction.

45. The Justice, on any conviction of any person for an offence against this Act shall send forthwith to the Superintendent a certificate of such conviction, for which certificate he shall be entitled to charge a fee of fifty cents to be taxed as costs in the cause.

Service on Corporations.

46. In all prosecutions, actions, or proceedings under the provisions of this Act against a corporation, every summons, warrant, order, writ, or other proceeding may, in addition to any other manner of service which may be provided or authorized by law, be served on such corporation by delivering the same to any officer, attorney, or agent of the said corporation, or by leaving it at any place where it carries on any business: Provided that ser-

vice in any other way shall be deemed sufficient if the Court, Justice by or before whom such summons, warrant, order, writ, or other proceeding was issued or is returnable, or by or before whom any proceeding subsequent to such service is to be had or taken, shall be of the opinion that the service has been such as to bring the summons, warrant, order, writ, or other proceeding to the notice of such corporation.

Recovery of Penalty from Corporations.

47. (1.) Whenever any corporation is convicted of any offence against or under this Act and the conviction adjudges a pecuniary penalty or compensation to be paid by such corporation, or an order under this Act requires the payment of a sum of money by a corporation, the Justice by his conviction or order, after adjudging payment of such penalty, compensation, or sum of money, with costs, may order and adjudge that, in default of payment of such penalty, compensation, or sum of money forthwith or within a limited time, such penalty, compensation, or sum of money shall be levied by distress and sale of the goods and chattels of such corporation.

Filing of Conviction as a Judgment of County Court.

(2.) In any such case, and in addition to the other remedies provided hereby, a copy of such conviction or order certified to by any Justice, or by the officer in whose custody the same is by law required to be kept, may be filed in any County Court, and such conviction or order shall thereupon become a judgment of said Court, and all proceedings may be thereupon taken and had as on any other judgment of said Court.

Other Rights of Recovery Preserved.

(3.) Nothing in this section contained shall be construed as in any way affecting, limiting, or restricting any proceedings which can or may be taken or had for the infliction of punishment by penalty or imprisonment or the modes of enforcement or recovery of fines or penalties.

RIGHT TO SEARCH FOR LIQUOR.

Right to Search Premises.

48. (1.) The Superintendent and any police officer, policeman, or constable shall, for the purpose of preventing or detecting the violation of any of the provisions of this Act, at any time have the right to enter into any and every part of any building or place wherein refreshments or liquors are sold or reputed to be sold, or where he believes liquor is kept contrary to the provisions of this Act, and to make searches in every part thereof and of the premises connected therewith as he may think necessary for the purpose aforesaid; and for such purpose 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 receptacle which might contain liquor.

Right to Admit to Premises an Offence.

(2.) Every person being therein or having charge thereof who refuses or fails to admit any such Superintendent, police officer, policeman, or constable demanding to enter in pursuance of this section in the execution of his duty, or who obstructs or attempts to obstruct the entry of such Superintendent, police officer, policeman, or constable, or any such searches

as aforesaid, shall be guilty of an offence against the provisions of this Act.

Right to Search Vehicles.

49. The Superintendent and any police officer, policeman, or constable, if he believes that liquor intended for sale or to be kept for sale in violation of this Act is contained in any vehicle on a public highway or elsewhere, or is concealed on the lands of any person, shall have power without warrant to search for such liquor wherever he may suspect it to be, and if need be by force, and may search the person himself, and may seize and remove any liquor found and the vessels in which the same is kept.

Seizure of Liquor.

50. When the Superintendent or any police officer, policeman, or constable, in making or attempting to make any search under or in pursuance of the authority conferred by sections 48 and 49 of this Act, finds in any house or place any liquor which in his opinion is unlawfully kept for sale or disposal contrary to this Act, he may forthwith seize and remove the same and the vessels in which the same is kept; and upon the conviction of the occupants of such house or place or any other person for keeping the liquor for sale contrary to the provisions of this Act in such house or place, the Justice making such conviction may in and by the said conviction declare the said liquor and vessels or any part thereof to be forfeited to His Majesty.

Seizure of Liquor in Transit

51. (1.) Where the Superintendent or any police officer, policeman, or constable finds liquor in transit or in course of delivery upon the premises of any railway company or

any wharf, railway station, express office, warehouse, or other place, and believes that such liquor is to be sold or kept for sale in contravention of this Act, he may forthwith seize and remove the same and the vessels in which the liquor is kept.

Seizure Where Quantity Excessive.

(2.) When liquor is found on any premises or in any place in such quantities as to satisfy the Superintendent or any police officer, policeman, or constable after careful inquiry that such liquor is being kept for the purpose of unlawfully selling or disposing of the same, it shall be lawful for such Superintendent, police officer, policeman, or constable to seize and remove, by force if necessary, any liquor so found and the vessels in which the liquor is kept.

Owner to Make Claim.

(3.) If within thirty days from the date of seizure no person claims to be the owner of such liquor, such liquor and any vessels containing the same shall be forfeited to His Majesty.

Forfeiture of Liquor.

(4.) If within the said time any claimant appears, it shall be incumbent upon him to prove his claim and his right under the provisions of this Act to the possession of such liquor and vessels to the satisfaction of any Police or Stipendiary Magistrate or any Justice of the Peace, and on failure to prove and establish his claim and right the liquor and vessels shall be forfeited to His Majesty.

Vessels Carrying Liquor for Illegal Disposal.

52. If it is proved before any Police or Stipendiary Magistrate or two Justices of the

Peace that any vessel, boat, canoe, or conveyance of any description, upon the sea-coast or upon any river, lake, or stream, is employed in carrying any liquor for the purpose of selling or disposal of the same illegally, such vessel, boat, canoe, or conveyance so employed may be seized and declared forfeited and sold, and the proceeds thereof paid into the Consolidated Revenue Fund or to the municipal treasurer, as the case may be.

APPEALS.

Affidavits of Merits on Certiorari.

53. No writ of certiorari shall issue for the purpose of quashing any conviction for any violation or contravention of any of the provisions of this Act unless the party applying therefor shall produce to the Judge to whom the application is made an affidavit that he did not by himself or by his agent, servant, or employee, or by any other person, with his knowledge or consent, commit the offence for which he has been convicted; and such affidavit shall negative the charge in the terms used in the conviction, and shall further negative the commission of the offence by the agent, servant, or employee of the accused, or by any other person, with his knowledge or consent.

Affidavits of Merits on Appeal.

54. No appeal shall lie from a conviction for any violation or contravention of any of the provisions of this Act unless the party appealing shall within the time limited for giving notice of such appeal make an affidavit before the Justice who tried the cause that he did not by himself or by his agent, servant, or employee, or any other person, with his knowledge or consent, commit the offence charged in the infor-

mation; and such affidavit shall negative the charge in the terms used in the conviction, and shall further negative the commission of the offence by the agent, servant, or employee of the accused, or any other person, with his knowledge or consent; which affidavit shall be transmitted with the convictions to the Court to which the appeal is given.

Conviction Not to Be Quashed for Want of Form.

55. A conviction or order made in any matter arising under this Act, either originally or on appeal, shall not be quashed for want of form; and a conviction or order made by a Court of summary jurisdiction, against which a person is authorized to appeal, shall not be removed by certiorari or otherwise, either at the instance of the Crown or any private person, into the Supreme Court.

GENERAL PROVISIONS

Reports by Superintendent.

56. The Superintendent shall from time to time make reports to the Attorney-General covering such matters in connection with the enforcement of this Act as may be required, and shall annually, as soon as possible after the thirty-first day of December, make a report which shall contain—

- (a.) A statement of the nature and amount of the business transacted by each vendor under this Act during the year:
- (b.) A list of all prosecutions for infractions of this Act, and the result of the same:
- (c.) General information and remarks as to the working of the law within the Province:

(d.) Any other information asked for by the Attorney-General.

Act Not to Affect Certain Transactions in Liquor.

57. (1.) While this Act is intended to prohibit and shall prohibit transactions in liquor which take place wholly within the Province of British Columbia, except as specially provided by this Act, and to restrict the consumption of liquor within the limits of the Province of British Columbia, it shall not affect and is not intended to affect bona-fide transactions in liquor between a person in the Province of British Columbia and a person in another Province or in a foreign country, and the provisions of this Act shall be construed accordingly.

(2.) Nothing in this Act shall be construed to interfere—

Importation of Liquor for Use in Private Dwelling-House Permitted.

(a.) With the right of any person to import from without the Province liquor for bona-fide use in his private dwelling-house:

Importation of Liquor by Ministers.

(b.) With the right of any minister of the gospel to import from without the Province wine for sacramental purposes:

Right of Ministers of Gospel to Purchase from Vendor and Import.

(c.) With the right of any two or more ministers of the gospel to purchase from a vendor, under the written request signed by any one of them, or to import from without the Province and to keep in com-

mon stock in any place or places whatsoever, or to use, divide, or distribute between or among themselves, wine for sacramental purposes in such quantities and in such manner as they may think fit.

Repeal of "Liquor Licence Act."

58. The "Liquor Licence Act," being chapter 142 of the "Revised Statutes of British Columbia, 1911," is hereby repealed.

Amendment of "Municipal Act."

59. (1.) The "Municipal Act," being chapter 52 of the Statutes of 1914, is hereby amended by striking out the definitions of the expressions "liquor" and "liquor licence" where they occur in section 2 thereof.

Further Amendment.

(2.) The said "Municipal Act" is hereby further amended by striking out clause (11) of section 20, clauses (122) and (123) of section 54, subsections (1) to (6) of section 290, and Part IX., being sections 295 to 324, thereof.

Amendment of "Vancouver Incorporation Act, 1900."

60. (1.) The "Vancouver Incorporation Act, 1900," being chapter 54 of the Statutes of 1900, is hereby amended by striking out clause (119) of section 125 and sections 161 to 164 thereof.

Amendment of "Vancouver Incorporation Act, 1900, Amendment Act, 1913."

(2.) The "Vancouver Incorporation Act, 1900, Amendment Act, 1913," being chapter 96 of the Statutes of 1913, is hereby amended by striking out section 11 hereof.

Commencement of Act.

61. This Act shall come into force on the first day of July, 1917, on Proclamation of the Lieutenant-Governor in Council pursuant to the provisions of the "Prohibition and Woman Suffrage Referendum Act," being an Act of the present session.

Rebate of Licence Fees.

62. In every case where a liquor licence is in force and unexpired at the date of the coming into force of this Act, a proportionate rebate shall be made in respect of all licence fees collected in advance therefor under any of the statutory provisions repealed by sections 58 to 60, and the amount of such rebate shall be paid to the holder of the licence.

The B. C. Prohibition Act

Will close every barroom and wholesale and retail liquor shop in the province.

Will prevent the sale and consumption of liquor in clubs.

Will entirely eliminate public drinking.

The penalties for violation are greater than in any other Prohibition Act anywhere.



