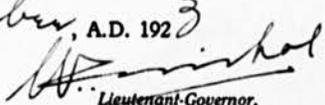


Approved and ordered this

5<sup>th</sup>

day of

December, A.D. 1923

  
 Lieutenant-Governor.

At the Executive Council Chamber, Victoria,

PRESENT:

The Honourable

Mr. Oliver  
 Mr. Manson  
 Mr. Hart  
 Mr. Barrow  
 Mr. MacLean  
 Mr. Pattullo  
 Mr. Sloan  
 Mr. Sutherland

in the Chair.

To His Honour

The Lieutenant-Governor in Council:

The undersigned has the honour to REPORT:--

THAT WILLIAM HITCH of Saanich, B.C., was on the 20th of October, 1923, convicted by George Jay, Police Magistrate, Victoria, B.C., for that he was unlawfully in a state of intoxication in a public place and having been twice previously convicted of similar offences, was sentenced to three months imprisonment.

THAT an application for clemency has been made on behalf of the said WILLIAM HITCH.

THAT the convicting Magistrate reports as follows:--  
 "..... The accused pleaded guilty and admitted the previous convictions, whereupon the automatic section of the Liquor Control Act came into operation, and I had no alternative but to impose the penalty provided by the Statute, which says that for the third offence there shall be imprisonment for not less than three months without the option of a fine.

" This man has now been in prison for over a month and, I think, has perhaps had punishment enough, and it would seem that it is a case in which clemency might probably be extended."

THAT the Chief of Police reports as follows:--  
 " In reply to your letter C-44-3 of 29th instant I beg to advise that the above-mentioned man was arrested for being intoxicated in a public place, pleaded guilty, and on May 8th, 1923, was sentenced to a fine of \$50.00 or 30 days imprisonment.

" On October 19th, 1923, he was again arrested for being drunk in a public place, to wit; on the east side of Government St., between Fort & Broughton Sts., and on October 20th, pleaded guilty before Magistrate Jay and was sentenced to a term of three months without the option of a fine.

" This man is a longshoreman and lives with his wife and son in Saanich, and I would recommend his release in order that he may spend Christmas with his family."

THAT the said WILLIAM HITCH will have served two months of his sentence on the 20th of December.

THE UNDERSIGNED HAS THEREFORE THE HONOUR TO RECOMMEND THAT under authority of section 9, chapter 44, "Revised Statutes of British Columbia, 1911," "Constitution Act," one month of the sentence of three months imposed on the said WILLIAM HITCH be remitted and that he be released from custody on the 20th December

1923, on the following condition, namely, THAT, in case the said WILLIAM HITCH be found guilty during the said time, of an offence against either a Provincial or Dominion law, the Attorney-General may thereupon order the re-arrest of the said WILLIAM HITCH under the original Warrant of Commitment for the offence first above stated, and cause him to be sent to Oakalla Prison Farm to undergo the unexpired portion of his said sentence.

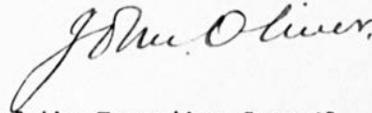
AND THAT a certified copy of this Minute, if approved, be forwarded to the Warden, Oakalla Prison, and to the Chief of Police, Victoria, B.C.

DATED this 3<sup>rd</sup> day of December, A.D. 1923.



Attorney-General.

APPROVED this 3<sup>rd</sup> day of December, A.D. 1923.



Presiding Member of the Executive Council.

Order in Council No. 1396

6th December, 1923

**Retained** from the Provincial Secretary's Office 2 Certified Copies of  
above Order in Council.

Department of Attorney-General

Per A. B. Cook