

hawking or peddling any goods, wares, or merchandise, the growth, produce, or manufacture of this province, not being liquors within the meaning of the law relating to taverns or tavern licenses, if the same are being hawked or peddled by the manufacturer or producer of the goods, wares, or merchandise, or by his bona fide servants or employees having written authority in that behalf; and such servants or employees shall produce and exhibit his written authority when required so to do by any municipal or peace officer . . . ; and provided also that nothing herein contained shall apply or be in force in any town in the county of Grey not separate from such county for municipal purposes while a by-law of such town to carry into effect the purposes or objects of clause 14 of the said section 583 of the Consolidated Municipal Act of 1903 remains in force.

2. Any person desiring a license enabling him to act as a hawker, pedlar, petty chapman, or otherwise, as in sec. 1 of this by-law mentioned, shall first pay to the county treasurer . . . for licenses required under this by-law as follows: the sum of \$125 for a license for a person using a two-horse waggon or vehicle; the sum of \$100 for a license for a person using a one-horse vehicle; the sum of \$60 for a person using a waggon or cart or other conveyance drawn or pushed by the person; and the sum of \$50 for a license for a person travelling on foot and carrying a pack, box, bundle, basket, or valise. . . .

7. One-half of every penalty levied under the provisions of this by-law shall go to the informer or prosecutor, and the other half to the county treasurer, unless the prosecution is brought in the name of the corporation of the county of Grey, in which case the whole of the penalty shall be paid to the county treasurer.

8. In the event of there not being sufficient distress out of which the costs of said prosecution can be procured, the county treasurer is hereby authorised to pay to the party securing the conviction the sum of \$10, on the certificate of the justice . . . but this shall not apply to the high constable of the county.

The defendant produced a document which he asserted was an agreement with the Western Foundry Co. Limited, of Wingham, and said that he was simply manager and agent for that company; that the others were hired by him as agents for the company; and, as the goods which they sold were the manufacture of the company, he contended that he should not be obliged to take out a license.

The magistrate came to the conclusion that the defendant and the others were actually purchasers from the company, and that the