

Canadian Druggist

Devoted to the interests of the General Drug Trade and to the Advancement of Pharmacy.

Vol. IX.

TORONTO, OCTOBER, 1897.

No. 10

"APENTA"

THE BEST NATURAL APERIENT
WATER,

Bottled at the Springs, Buda Pest, Hungary.

Under Eminent Scientific Control.

"APENTA"

THE BEST NATURAL APERIENT
WATER,

"We know of no stronger or more favorably-constituted Natural Aperient Water."

L. Liebermann

*Royal Councillor, M.D., Professor of Chemistry,
and Director of the Royal Hungarian State
Chemical Institute (Ministry of Agriculture),
Buda Pest.*

"APENTA"

THE BEST NATURAL APERIENT
WATER.

PRICES TO RETAILERS:

\$5.50 per-case of 25 large glass bottles.
\$8.50 " 50 small " "
\$8.50 " 100 glass quarter "

"APENTA"

SEE that the Labels bear the well-known
RED DIAMOND MARK of the

SOLE EXPORTERS:

THE APOLLINARIS COMPANY, Ltd.,
LONDON.

CANADIAN SUB-AGENTS:

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Montreal.

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The Government Must Decide.

The action referred to in our last issue as taken against a firm of Toronto druggists (Hooper Co.) for an infringement of the License Act, again came up at the police court last week.

The charge, it will be remembered, was that the sale of "Vin Mariani" was in contravention of the License Act as amended at the last session of the Ontario Legislature in that it contained alcohol. The deputy police magistrate, before whom the case was tried, has now given judgment, practically placing upon the government the onus of passing such injudicious legislation, and advising "that the prosecution be withdrawn." The following is the judgment:

"From the evidence adduced by the defence, it appears to me that the "Vin Mariani" is not within the equitable intention of the Liquor License Acts. It may come within the technical construction of those acts, because there is wine used in its preparation, and in one sense it may be considered an intoxicant. If I were compelled to act on the absolute literal interpretation of the act I would feel myself obliged to convict, but on the common sense and equitable construction of the statute I cannot bring myself to adjudge that a preparatory article which, according to the evidence, has for a long time prior to the passing of the amendment of 1897 been used as a medicine and as a tonic, and apparently valued by the medical profession, should not be purchasable at a druggist's without a medical certificate. It does seem to me that it should not be sold in wine shops at all. As the defence has brought to my notice instructions from the Attorney-General's department to the effect that well-known patent or proprietary articles containing liquors are not to be interfered with, I have come to the conclusion that I will request the Crown Attorney, who has charge of the prosecution, to report the evidence to the Attorney-General, with the suggestion that the prosecution be withdrawn. If I were to impose a fine on the defendants I do not think that the ends of justice would be served. I shall, therefore, request the Crown Attorney to lay these views before the Attorney-General, and request his intervention."