

EDITORIAL.

Correspondence and general communications, of a character suited to the objects of this JOURNAL, are invited, and will always be welcome. The writer's name should accompany his communication, but not necessarily for publication.

Subscriptions will not be acknowledged by letter, as our sending the paper may be taken as sufficient evidence of the receipt of the money.

All communications connected with the paper to be addressed, post-paid.

"EDITOR CANADIAN PHARMACEUTICAL JOURNAL
TORONTO."

SALE OF ALCOHOL AND SUNDAY TRADING.

In addition to the prosecutions against druggists for selling poisons and postage stamps, it is rumoured that they are to be proceeded against for selling alcohol, and for Sunday trading.

In regard to selling alcohol, prosecutions would be for selling spirituous liquors contrary to the provisions of Sec. 1, of 32 Vic., Cap. 32, which reads as follows:

"*Preamble*:—Whereas it is expedient to amend and consolidate the several enactments relating to tavern and shop licenses. Therefore, &c. * * * * *

"Sec. 1. No person shall sell, by retail, any spirituous, fermented, or other manufactured liquors, within the Province of Ontario, without having first obtained a license authorizing him so to do.

Sec. 37. In this act the words "liquors" or "liquor" shall be understood to mean and comprehend all spirituous and malt liquors, and all combinations of liquors and drinkable liquid, which are intoxicating."

It is manifest that everything depends on whether this act is construed on broad general principles, or according to a constrained meaning of some of its phrases. We contend that the term "spirituous liquors" is used in its common acceptance of distilled alcoholic spirits, intended to be used as a beverage.

It is only by construing this term, spirituous liquors, as meaning every compound containing spirit, (which would include tinctures) that alcohol, intended for use in the arts, can be brought within the meaning of the act.

The *Globe*, in its answers to correspondents, settles the question against the druggists; but a careful review of the whole act leads us to an opposite conclusion. The chief danger to the continuance of rights, freely exercised by druggists, for centuries, lies in the concurrent existence of a police magistrate, so bigotedly total abstinent in his views, that his judgment would be clouded in any case of this kind—and an informer who has proved that he will commit perjury to establish a system of black mail.

These are elements, however, that cannot be left out of account, in answering the practical question. Would conviction follow a prosecution against a druggist for selling alcohol in this city? Against any such charge we urge the following reasoning:

The preamble declares the purposes of the law "to consolidate and amend the several enactments, relating to tavern and shop licenses." There is no intention declared of interfering with the trade of the chemist and druggist, except his place of business comes under the term "shop." When, however, we examine the act further, we find that the "shop" used in connection with "license," is a place where alcoholic beverages may be sold in quantities not less than a quart—a description that does not in any way apply to a druggists' shop.

In short, at the time the act was passed there were three classes who sold alcoholic compounds—the tavern keeper, and shop-keeper, whose wares caused a great part of the expense of criminal justice, and are in themselves luxuries; and the druggist whose goods caused no expense beyond their immediate cost, and are used to relieve suffering, or in the useful process of manufacture. The law carefully describes the first two branches as subject to license, while the drug trade is not even remotely alluded to.

This meaning seems more clear from the 37th clause, which defines "liquor," as drinkable liquids which are intoxicating. Neither medicinal tinctures, nor strong alcohol can be so defined; but if a druggist sells wine, brandy, or ale, for use as beverages, no doubt he keeps a "shop," within the meaning of the act, and must pay license, or be subject to fine.

In regard to Sunday trading the law expressly allows the sale of drugs and medicines, but not of cigars, perfumery or soda water, and prohibits these goods from being publicly shown forth.

It is, therefore, necessary for druggists to keep up their shutters, or to keep their inside blinds down on Sunday.

The exact wording of the Act is in the following quotation, and may be found in Consolidated Statutes of Upper Canada, Cap. CIV., sec. 1:—

"It is not lawful for any merchant, tradesman, artificer, mechanic, workman, labourer, or other person whatsoever, on the Lord's day to sell, or publicly show forth, or expose, or offer for sale, or to purchase, any goods, chattels, or other personal property, or any real estate whatsoever, or to do or exercise any worldly labour, business or work at his ordinary calling: conveying travellers or Her Majesty's mail, by land or by water, selling drugs or medicine, and other works of necessity, and works of charity, only excepted."

There is one noticeable feature in this clause; that the purchaser is equally guilty

with the vendor. It follows that if the prosecutor procures evidence by getting another to purchase goods unlawfully, he thereby becomes liable to a fine double what what he would receive as informer.

We trust, however, that our friends will not make themselves liable to the penalties of this Act by the sale of any articles not necessary for the relief of suffering humanity. Apart from any religious principle involved in Sunday trading, these are sound physical reasons for confining work on the Sabbath to the smallest possible limits, as a necessary corrective to the long continued labours which druggists are required to perform on the remaining six days of the week. The fact that this course is required by the laws of the land is a sufficient reason to all good citizens; and it is especially necessary, when we are asking for a legal status, that we should give cheerful obedience to laws intended for the general well-being of the community.

R. W. E.

PROGRESS OF PHARMACEUTICAL LEGISLATION.

It will be remembered that last session the Pharmacy Bill obtained a first and second reading, and was amended in committee. Had it not been for great press of business, we have no doubt but it would have received a final reading, but the close of the session left it in the category of "discharged." In such cases, parliamentary usage requires that discharged bills, when introduced at a subsequent period, must be brought before the House as new measures. This has been done, and, since our last issue, the bill has been read a first and second time. On the second reading, which took place on the 11th inst., a short debate took place:

Mr. Blake said there could be no objection to the Bill going to a select committee. The principle of it, however, being to extend restriction of trade, unless there were strong public reasons for it, was one he must oppose. The idea was not a novel one, but was that of the ancient guilds of the middle ages. He thought that evil results flowed from the want of knowledge on the part of men who were engaged in drug stores; and if the principle of the Bill was just, there was much greater force in its application to such men as engine-drivers. The real object of the Bill was to create a close corporation, and shut up another of the trades of the country from free rivalry.

Mr. Matchett, as an apothecary, said the object of the Bill was not to establish a close corporation. The protection of the people was the object of the Bill, which only provided that druggists should know their business.

Mr. Boyd thought that the Bill dealt with trade and commerce, and did not come with-