

2. And neither any license issued to any distiller or brewer,—nor yet any license for retailing on board any steamboat or other vessel, brandy, rum, whisky, or other spirituous liquors, wine, ale, beer, porter, *cider*, or other vinous or fermented liquors,—nor yet any license for retailing on board any steamboat or other vessel, wine, ale, beer, porter, *cider* or other vinous or fermented liquors, but not brandy, rum, whisky, or other spirituous liquors,—nor yet any other description of license whatever,—shall in any wise avail to render legal any act done in violation of this section :

3. Provided always that the sale of wine for exclusively sacramental purposes shall be made by druggists and vendors as hereinafter provided, only on the certificate of a clergyman affirming that the wine is required for sacramental purposes.

4. Provided also that the sale of intoxicating liquor for exclusively medicinal purposes or for *bona fide* use in some art, trade or manufacture, shall be lawful only by such druggists and other vendors as may be thereto specially licensed by the Lieutenant-Governor in each Province, the number not to exceed one in each township or parish, nor two in each town; and in cities not exceeding one for every four thousand inhabitants; such sale, when for medicinal purposes, to be in quantities of not less than one pint, to be removed from the premises and to be made only on the certificate of a medical man having no interest in the sale by the druggist or vendor, affirming that such liquor has been prescribed for the person named therein; and when such sale is for its use in some art, trade or manufacture, the same to be made only on a certificate signed by two Justices of the Peace of the *bona fides* of the application, accompanied by the affirmation of the applicant, that the liquor is to be used only for the particular purposes set forth in the affirmation; and it shall be the duty of the druggist or other vendor to file the certificates and keep a register of all such sales, indicating the name of the purchaser and the quantity sold, and to make an annual return of all such sales on the thirty-first day of December in every year to the Collector of Inland Revenue within whose revenue division the county or city is situated.

5. *Provided also, that any producer of cider* in the county, or any licensed distiller or brewer, having his distillery or brewery within such county or city may thereat expose and keep for sale such liquor as he shall have manufactured thereat, and no other; and may sell the same, thereat, but only in quantities not less than ten gallons, or in the case of ale or beer not less than eight gallons at any one time, and only to druggists and others licensed as aforesaid, or to such persons as he has good reason to believe will forthwith carry the same beyond the limits of the county or city, and of any adjoining county or city in which the second part of this Act is then in force, and to be wholly removed and taken away in quantities not less than ten gallons, or in the case of ale or beer not less than eight gallons at a time:

6. Provided also, that any incorporated company authorized by law to carry on the business of cultivating and growing vines and of making and selling wine and other liquors produced from grapes, having their manufactory within such county or city, may thereat expose and keep for sale such liquor as they shall have manufactured thereat, and no other; and may sell the same thereat, but only in quantities not less than ten gallons at any

one time, and only to druggists and others, licensed as aforesaid, or to such persons as they have good reason to believe will forthwith carry the same beyond the limits of the county or city and of any adjoining county or city in which the second part of this Act is then in force, and to be wholly removed and taken away in quantities not less than ten gallons at a time.

7. Provided also, that manufacturers of pure native wines made from grapes grown and produced by them in the Dominion of Canada, may, when authorized to do so by license from the Municipal Council or other authority having jurisdiction where such manufacture is carried on, sell such wines at the place of manufacture in quantities of not less than ten gallons at one time, except when sold for sacramental or medicinal purposes, when any number of gallons from one to ten may be sold:

8. Provided also, that any merchant or trader exclusively in wholesale trade, and duly licensed to sell liquor by wholesale, having his store or place for sale of goods within such county or city, may thereat keep for sale and sell intoxicating liquor, but only in quantities not less than ten gallons at any one time, and only to druggists and others licensed as aforesaid or to such persons as he has good reason to believe will forthwith carry the same beyond the limits of the county or city, and of any adjoining county or city in which the second part of this Act is then in force, to be wholly removed and taken away in quantities not less than ten gallons at a time;

9. In any prosecution against a producer, distiller, brewer, manufacturer, merchant or trader under this section, it shall be incumbent on the defendant to furnish satisfactory evidence of having good reason for believing that such liquor would be forthwith removed beyond the limits of the county or city, and of any adjoining county or city in which the second part of this Act is then in force, for consumption outside the same.

Penalties and Prosecutions for Offences against the Second Part.

100. Whoever, by himself, his clerk, servant or agent, exposes or keeps for sale, or directly or indirectly, on any pretence or by any device, sells, or barter, or in consideration of the purchase of any other property, gives, to any other person, any spirituous or other intoxicating liquor, or any mixed liquor capable of being used as a beverage and a part of which is spirituous or otherwise intoxicating, in violation of the second part of this Act, shall be liable on summary conviction to a penalty of not less than fifty dollars for the first offence, and not less than one hundred dollars for the second offence and to be imprisoned for a term not exceeding two months for the third and for every subsequent offence; and whoever, in the employment or on the premises of another, so exposes or keeps for sale, or sells, or barter, or gives in violation of the said second part of this Act, shall be held equally guilty with the principal, and shall be liable on summary conviction to the same penalty or punishment. And all intoxicating liquors in respect to which any such offence has been committed, and all kegs, barrels, cases, bottles, packages or receptacles of any kind whatever in which the same are contained shall be forfeited.

101. Any prosecution for any such penalty or punishment may be brought by or in the name of

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