

debt whatsoever, given in part for liquor sold in violation of law, to be void against all persons holding same with knowledge of such illegal consideration, either direct or implied by law.

Sec. 62—Exempts all officers from being sued for executing any order or warrant issued under this chapter; also from any suit for seizing, detaining or destroying any liquor, unless when legally in possession of the owner thereof.

Any officer neglecting or refusing to serve any warrant, process or precept issued under this chapter, shall be liable to a fine of not less than three hundred nor more than one thousand dollars. Any such officer sustaining loss or damage by reason of obedience to any precept, warrant or process, shall be indemnified by the commonwealth, as by law provided, and in no other way.

In 1871, the legislature passed a further act as follows:

Sec. 1—Repealed certain portions of a former act of 1869.

Sec. 2—Exempted from prohibition the manufacture and sale of ale, beer, strong beer, and lager-beer, but prohibited their sale on the Lord's Day.

Sec. 3—Provided for inhabitants of any city or town, voting annually if they saw fit, on the adoption of section 2.

Sec. 4—Provides that authorities in cities and towns may annually give certificates to any dispensing druggist or apothecary having a place of business in said cities or towns, to purchase, keep, and sell liquors for medicinal, mechanical, or chemical purposes, such druggist shall sell for above named purpose only. Not to sell to a minor, or on the Lord's Day, unless on the prescription of a physician; no liquor sold to be drunk on the premises. When a druggist or apothecary is certified, no agent need be appointed by the city or town.

Sec. 5—Empowers commissioners or manufacturers to sell to druggists or apothecaries certified under this Act.

Sec. 6—Makes any druggist or apothecary, or his clerk, servant, or agent, or any person on the premises liable to a fine of twenty-five dollars, and costs of prosecution, the druggist or apothecary on whose premises the unlawful sale took place, shall forfeit his right to sell under a certificate for a period of three years.

Sec. 7—Gives municipal courts in cities, trial justices in counties, police courts and district courts in their respective jurisdictions, concurrent jurisdiction with the superior court in all proceedings under this act.

Sec. 8—This act not to apply to any prosecution pending at the time of its passage, nor does it in any way change form of procedure.

The legislature of 1873 have since repealed so much of it as exempted cider and beer from its provisions.