

An Act to prohibit the sale by Retail of spirituous and fermented Liquors within Upper Canada.

WHEREAS it is provided by section 246, Sub-section 6, of chapter Preamble.  
four of the Consolidated Statutes for Upper Canada, intituled *An Act respecting the Municipal Institutions of Upper Canada*, that the sale by retail of spirituous and fermented liquors in any Inn or other  
5 house of public entertainment, and in shops and places other than houses of public entertainment, in every Township, City, Town and Incorporated Village in Upper Canada, may, by a By-Law, be prohibited,—provided, before the final passing of such a By-Law, the same has been duly approved by the Electors of the Municipality; And whereas the passing  
10 of such By-Laws has been found inconvenient and of doubtful accomplishment for universal purposes; Therefore. Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

I. Within the limits of each Municipality of every Township, Sale by retail  
15 Incorporated Village, Town and City, in Upper Canada, there shall not be (excepting as in this Act excepted) from and after the passing of this Act, any sale by retail of any spirituous or fermented Liquors, in any inn or other house of public entertainment, or in any shop or place, other than houses of public entertainment; Provided  
20 that any sale by retail of said liquors, not herein excepted and provided for, shall be illegal, and shall be punishable, as hereinafter enacted.

II. There shall be saved and excepted from the operation of the proceeding section, the rights and privileges by the licenses which are or may be issued on behalf of each of the said Municipalities, until the  
25 expiry of the period for which these licenses respectively were issued,—and also there shall be saved and excepted, the sale of said liquors, as in the next section of this Act provided for, for medicinal, chemical and mechanical purposes, or wine for sacramental purposes, and for such purposes the order, certificate, or requisition, signed by  
30 a licensed medical practitioner, or signed by the Mayor, or a Justice of the Peace of any City or Town, or by a Justice of the Peace of the County wherein either of the aforesaid Municipalities shall be, or by a Reeve, or Deputy Reeve in such County, or by any three rate-payers of either of said Municipalities wherein the vendor after mentioned shall  
35 be licensed, or in the case of sacramental purposes, an order, certificate, or requisition, signed by the clergyman of the church, meeting house, or place of worship, where the same may be required, shall be required to be produced and delivered by the vendee, or his agent, to the licensed vendor or his agent.

III. For the purpose of providing for the sale by retail of said  
40 liquors for the aforesaid purposes, the said Municipalities by the respective councils thereof, shall have the power, and they are hereby authorised to grant a license or licenses available within the limits of

Licenses may be granted for sale of liquors for purposes