

without a license contrary to the provisions of the Nova Scotia Liquor License Act. In all these cases, as I understand it, there has been an agreement that a bottle of the liquor taken should be sent to a chemist at Halifax for analysis, and that the certificate of the chemist would be sufficient evidence of the per centum of alcohol in the liquor. In this case Mr. Gunn, for defendant, objected that there was not sufficient identification of the bottle received from the chemist as the bottle sent for analysis. This is a question entirely for the discretion of the magistrate who tried the case, and his being satisfied, I am not going to question his finding. In this case the defendant contends that he was ignorant of the fact that the liquor he was selling, and which he was keeping for sale, was intoxicating or alcoholic, and therefore has not committed the offence of keeping for sale without a license. He says that the liquor was sold him as non-intoxicating; that he never to his knowledge sold intoxicating liquor; that he bought the liquor in good faith, relying on the word of the sender; that it was non-intoxicating and non-alcoholic.

I must hold that this is no defence for the reason given in the case against Margaret Ryan.* I fully agree in the finding of the magistrate. The conviction will be affirmed and the appeal dismissed with costs.

NOVA SCOTIA.

COUNTY COURT FOR DISTRICT No. 7. NOVEMBER 24TH, 1909.

IN CHAMBERS.

REX v. FRED T. QUIRK.

N. S. Liquor License Act—Infringement—Supplying Liquor to Minors—Conviction—Offence Committed by Servant of Licensed Vendor—Knowledge of Master—Instructions to Servant—Contravention—Liability.

This was an appeal from the Stipendiary Magistrate's Court, City of Sydney.

R. M. Langille, for appellant.

Finlay McDonald, for informant.

*EDITOR'S NOTE.—Reported ante, page 395.