

places an idea that brewers may sell liquor in a Local Option district. It is true that a brewer whose brewery is in a Local Option municipality may make beer therein, and may hold a Brewer's Provincial License. But the terms of that license do not permit him to disregard Local Option prohibition, even in the municipality in which his brewery is situated. This will be made clear by an examination of the law under which a brewer's license is issued. It is contained in Section 4, of the act respecting liquor-selling by brewers and distillers and their agents. Sub-section 1 of that section reads as follows :

4.—(1) A brewer's provincial license shall be an authority for the holder thereof to sell to persons who are holders of licenses under The Liquor License Act, ale and beer on the premises in or on which they are manufactured in the quantities hereinafter mentioned and shall authorize him to sell by sample in such quantities to such persons in any municipality in the Province for future delivery. The said license shall also be an authority for the holder thereof to sell ale and beer in quantities as heretofore in the building and license district aforesaid to others than licensees. Provided, however, that no such sale shall be made either directly or indirectly within any municipality in which a by-law passed under Sub-section 1 of Section 141 of the Liquor License Act is in force

It is also true that a Brewer's Warehouse Licensee authorizes the sale of beer, but the Government does not issue such license in Local Option municipalities. The law governing their issue is contained in Section 5a of the Act already quoted, and reads as follows :

5a. A Brewer's or Distiller's Warehouse License shall be an authority for the holder thereof to maintain and

keep in any city or town for which such licensee may be issued a warehouse for the storage of unbroken packages of beers or spirits manufactured by him, and to sell and supply therefrom to customers such beers or spirits in the quantities by this Act authorized to be sold under their respective Provincial Licenses in their respective license districts, but no such beers or spirits shall be sold to any unlicensed person in any municipality having a population of less than 4,000, nor shall any beers or spirits be sold or delivered by or on behalf of any holder of a Brewer's Warehouse License within any municipality in which a by-law passed under Sub-section 1 of Section 141 is in force.

The law protecting Local Option municipalities, however, goes further still, the Legislature, at its last session, having amended Section 56a of the License Act, so that it now reads as follows :

56a. Every person, whether licensed or unlicensed, who by himself, his servant or agent, canvasses for, or receives or solicits orders for liquor within any municipality in which a by-law passed under Section 141 of the Liquor License Act is in force, shall be guilty of an offence against this Act, and shall incur the penalties provided for the sale of liquor without the license therefor by law required.

Druggists Only

In short, the only sale of liquor that can legally take place in a Local Option municipality, under the present law and practice, is sale by druggists; and that sale can only take place upon a prescription duly signed by a legally qualified medical practitioner, in specified quantities and registered in a book kept for the purpose, except in case of serious injury or fainting of a person brought into the druggist's premises or adjoining premises, and then only in case of urgency and in a small specified quantity.