

purpose than that stated. I sold to 24 parties on Saturday and refused at least 25. It had been gratuitously advertised that I sold liquor and in that way, largely, I account for the increased sale since the first May. The closing of the hotel-bars has also had an effect in that direction. My sales are from one-half to double as much as before May 1st. The largest sale on any one day prior to that was April 28th, when liquor was sold to 13 persons.

CHAS. ROOT, sworn.—I was in Mallory's on Saturday when Schuman was there, Mr. Wright was the only other person in the store. Schuman did not act as if he were under the influence of liquor, and I saw nothing to lead me to think he was.

This closed the evidence and an adjournment till 7.30 took place, when Mr. Preston claimed that the law only required that the sales should be *bona fide* for medicinal purposes, and as it has been proved they were such the case should be dismissed. Mr. Reeve said the whole case turned upon the construction given to sec. 27 of the Act of 1874. If there were two constructions, one of which would defeat, and the other assist in carrying out the object for which the law was made, and the latter was the true one. The construction should be a strict one for that very word was used. He thought it was not a forced argument to say that if a druggist choose to sell without a doctor's certificate, he assumed the same responsibility as the doctors, and was bound by what was done after the sale of the liquor.

The magistrates then gave judgment fining Mr. Mallory \$20, and costs \$10.50, or 15 days in gaol at hard labour. Mr. Preston gave notice of appeal.

LICENSE INSPECTOR VS. ORANGE BROTHERS—*First charge.*

The magistrates hearing the charge were Messrs. Williams and Forward, W. A. Reeve, Esq., for the prosecution, and Cartwright and Gibson for defendants. The charge was selling liquor in a larger quantity than 12 oz., without a doctor's certificate. John Bowen, of Camden, was sworn, and testified that he had bought liquor on Saturday from Mr. A. W. Grange, on a certificate from Dr. Shirley, and used it for medical purposes. Mr. A. W. Grange testified that he sold Bowen 20 ozs., and produced a certificate from Dr. Shirley as authority therefor. Dr. Shirley was called, and testified that he was a regularly licensed physician but had not been registered, and had been practising in Napanee since 1843. Mr. Gibson claimed that it was not the duty of the druggist to run around and ascertain if each practising physician was properly registered. Mr. Reeves said the Act expressly stated that a larger quantity than 12 ozs. could not be sold except on the certificate of a properly registered physician, and as Dr. Shirley was not registered the prosecution asked for the strict enforcement of the law. Messrs. Grange Bros. were fined \$20 and \$6.70 costs, or 15 days in gaol at hard labor.