

Special Permits.

"59. Any veterinary who deems it necessary may in the course of his practice administer or cause to be administered liquor to any dumb animal, and for that purpose the veterinary shall administer or cause to be administered liquor purchased by him under special permit pursuant to this act, and may charge for the liquor so administered or caused to be administered, but no veterinary shall himself consume nor shall he give to or permit any person to consume as a beverage any liquor so purchased, and every veterinary who evades or violates or suffers or permits any evasion of this section shall be guilty of an offense against this act.

"60. Any person in charge of an institution regularly conducted as a hospital or sanitarium for the care of persons in illhealth, or as a home devoted exclusively to the care of aged people, may, if he holds a special permit under this act, for that purpose, administer liquor purchased by him under his special permit to any patient or inmate of the institution who is in need of the same, either by way of external application or otherwise for the emergency medicinal purposes, and may charge for the liquor so administered, but no liquor shall be administered by any person under this section except to bona fide patients or inmates of the institution of which he is in charge and in cases of actual need, and every person in charge of an institution or employed therein who administers liquor in evasion or violation of this act shall be guilty of an offense against this act.

Federal License.

Section 61 provides that nothing in the act shall prevent any brewer, distiller or other person holding a Federal license for liquor manufacture from having liquor according to the license.

Section 62 prevents interference by the act with sales of patent and proprietary medicines if the medicine contains sufficient medication to prevent it being used as an alcoholic beverage.

Section 63 provides that there shall be no interference, except where otherwise specifically provided for, with the sale by druggist or manufacturer of certain tinctures, medicines, perfumes, compounds and preparations. But if in any prosecution involving the sale of these products the court believes an unreasonable quantity of the product was sold the vendor may be convicted under a section prohibiting other than Government sale of liquor (Section 72, Subsection 1 of this act).

"(1) Notwithstanding anything contained in Section 63 of this act," says Section 64, "no essence, tincture, compound or preparation commonly known or described as a flavoring extract or essence containing alcohol shall be sold except in bottles containing not more than two and one-half ounces, and a record of the sale shall be kept by the manufacturer, merchant, druggist or other person who sells the same, in a book provided for that purpose, which shall show the name and address of such person to whom any such article is sold, the date of sale, and the quantity sold, and this record shall be open to the inspection of any inspector or any officer authorized by the board to make such inspection, and a true copy thereof under oath shall be supplied to the board forthwith on demand by the proprietor of the business upon whose premises any such sale was made. Provided, however, that nothing in this section contained shall prevent the sale of any such essence, tincture or flavoring extract in a larger quantity than two and one-half ounces to a druggist, or a manufacturer of confectionery, or other similar commodity, or to a person in any trade or business in which any such article is commonly used for legitimate purposes, or to any public institution, or to a wholesale dealer for re-sale to any of the persons mentioned in this proviso, but all such sales shall be recorded in a book as above mentioned by the person selling the same, and in all other respects the provisions of this subsection shall apply thereto.

"(a) This subsection shall not apply to any preparation containing less than one per cent. by volume at 60 degrees Fahrenheit of absolute alcohol.

"(2) No peddler or transient trader in Ontario shall sell or dispose of any tincture, essence or extract mentioned in the preceding subsection.

Only Upon Affidavit.

"(3) Unless upon the order of a physician, no druggist shall sell or dispose of any tincture, essence or extract of ginger except to a person having a permanent place of residence in the city, town, village or district in which such sale takes place and then only upon the affidavit made by the person requiring that it is not required for beverage purposes. Upon receiving such affidavit and being satisfied that such tincture, essence or extract is required for legitimate purposes, the druggist may supply a quantity not exceeding two ounces and all the provisions of Subsection 1 hereof shall apply to any such sale.

"(4) The provisions of the next preceding subsection shall not affect the sale or purchase of any such tincture, essence or extract of ginger

by or between wholesale dealers, druggists, manufacturers of confectionery, persons carrying on any trade or business where the same is required for legitimate purposes or where it is needed in a public institution.

Proprietary Medicine.

Section 65 provides for the conviction of vendors of patent or proprietary medicines that can be used as alcoholic beverages under a section prohibiting other than Government sale of liquor. Warrants or summons in such cases need only allege contravention of this act, and the Department of Health is empowered to examine such medicines as may be said to contain so little medication that they can be used as alcoholic beverages. A certificate from the department that there is not sufficient medication is "conclusive evidence" in subsequent proceedings until the manufacturer of the medicine changes the medication.

If sale of such medicine is continued after the department protests the amount of medication, it is an offense against the act, and a person convicted is liable to two to six months' imprisonment for a first offense, and six months' imprisonment for a subsequent offense, "unless the medicine has been sold on the written order of a medical practitioner." In these cases parties involved may outline their part in the matter to the department before the issue of a certificate.

Samples on Request.

According to Section 66, druggists or other persons keeping patent medicines must give samples for analysis to board inspectors on request. Any one failing to comply with such a request may be fined from \$10 to \$40.

Section 67 orders brewers to declare on the stoppers of bottles of beer or light beer and by branding kegs or other containers the alcoholic content. Violators of this are liable to a \$2,000 fine.

Local Option.

Part 3 of the bill, following, deals with the Canada Temperance Act and local option.

"No Government store shall be established in any municipality in which the Canada Temperance Act has been brought into force by a vote of the electors and is still in force," says Section 68.

Section 69 provides for the establishment of liquor stores in municipalities that were dry in 1916 under the Canada Temperance Act or local option by a three-fifths vote.

On a petition of 25 per cent. of the resident voters in such a municipality the Council may submit one of the three following questions:

"(a) Are you in favor of the establishment of Government stores for the sale of liquor under the Liquor Control Act? or

"(b) Are you in favor of the establishment of Government stores for the sale of beer and wine under the Liquor Control Act? or

"(c) Are you in favor of the establishment of Government stores for the sale of beer under the Liquor Control Act?"

If there is an affirmative three-fifths vote the stores as provided for in the question shall be established.

Three-fifths Vote.

And stores so established in such communities may be closed up by a three-fifths vote. On another petition of 25 per cent. of the resident voters the Council of such a municipality may submit to the electors whichever of the following questions may be applicable:

"(a) Are you in favor of the continuance of Government stores for the sale of liquor under The Liquor Control Act?" or

"(b) Are you in favor of the continuance of Government stores for the sale of beer and wine under The Liquor Control Act?" or

"(c) Are you in favor of the continuance of Government stores for the sale of beer under The Liquor Control Act?"

If there is a three-fifths negative vote, the stores in question must be closed after May of the next year.

A subsequent section provides that after a vote has been taken under the preceding provisions, the Council must, under the same provisions for a petition, submit any of the questions which may be applicable to the circumstances. But no question shall be submitted until after the expiration of three years from the date of the last polling.

Light-Beer Sale.

Two sections, 70 and 71, constitute Part 4, having to do with the sale of light beer in hotels and stores. Cost of a permit for such sale is not to exceed \$20. The granting of such permits is subject to regulation by the board. Any one holding a light-beer permit and found selling liquor is to be imprisoned for from two to six months for a first offense, and for six months for a subsequent offense.

Part 5 then outlines prohibitions, interdiction, penalties and procedure in prosecutions and on appeal.

A long list of prohibitions are set out in Sections 72 to 94 inclusive. No liquor can be sold in the Province except as authorized by the act. License holders are prohibited from selling adulterated liquor. Members of the board are prohibited having any interest in a private liquor business. Board members or employees must not deal in liquor privately. Liquor must not be consumed on premises where it is kept for sale. None but Government liquor shall be consumed in the Province. Liquor must not be given to minors. Interdicted persons can secure liquor only by prescription. No permit shall be issued to interdicted persons. Interdicted persons entering Government stores shall be guilty of an offense against the act. Persons whose permits are suspended cannot apply for another within twelve months of cancellation. No person shall permit drunkenness in house in which he is the owner, tenant or occupant, or give liquor to any one under its influence.

Section 95: A person who "by excessive drinking misspends, wastes or lessens his estate or injures his health, or interrupts the peace and happiness of the family," may have his permit cancelled by a County or District Court Judge. Every interdicted person having liquor is guilty of an offense against the act.

Sections 96 to 98 provide for the cancelling of permits according to order by the board, or for renewal of permits to an interdicted person on proof he has refrained from drunkenness for 12 months.

Sections 99 to 104 provide penalties for contravention of the act. Brewers or distillers selling in contravention to the act are liable to a \$5,000 fine. Authorized vendors who violate rules of sale shall, for a first offense, be imprisoned for not more than six months, for a second offense imprisoned not more than twelve months. Board members or employees who violate regulations prohibiting interest in private liquor interests are liable to twelve months' imprisonment. Terms of one to three months' imprisonment for first offense and four to twelve months' imprisonment for subsequent offenses are provided for sale of liquor to minors or interdicted persons.