



CHAPTER 22

An Act to amend the Alcoholic Liquor Act

[Assented to, the 30th of March, 1939]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 3 of the Alcoholic Liquor Act (Revised Statutes, 1925, chapter 37) is amended by replacing the first three lines of paragraph 6 thereof by the following:

“6. The word “meal” means a meal, costing thirty-five cents or more, exclusive of the amount charged for any alcoholic liquor served with the food, eaten in any one whatsoever of the following places,—”.

2. The said act is amended by adding thereto, after section 28 thereof, the following section:

“**28a.** The Commission may appoint an inspector and authorize him to remain at the premises of any brewer to verify there the quantity of beer sold.

The brewer, his officers and other employees shall be bound to furnish the inspector with such information as he may require and to allow and facilitate for him the visiting of the premises and the examination of any correspondence, book, bill of lading, order, invoice, document or paper whatsoever whereof he desires to take cognizance in order to verify the quantities of beer sold or shipped by the brewer.

Every person infringing the provisions of the preceding paragraph commits an offence and shall be liable, in addition to the costs, to a fine of five hundred dollars for each day such offence continues.

Personal
liability for
fines.

Whenever the offender is an officer or an employee of a brewer, the latter, as well as the actual offender, shall be personally liable for the fines imposed for an offence against this section and may be prosecuted for the recovery of such fines as if he had himself committed the offence."

R.S., c. 37, s.
30, am.

3. Section 30 of the said act is amended by inserting therein, after the word: "beer", in the sixth line of the first paragraph of paragraph 3 thereof, the words: ", except draught beer".

Id., s. 42, am.

4. Section 42 of the said act, as amended by the acts 16 George V, chapter 21, section 4; 17 George V, chapter 21, section 3; 19 George V, chapter 22, section 2; 20 George V, chapter 32, section 1; 23 George V, chapter 19, section 1; 24 George V, chapter 18, section 1, and as replaced by the act 25-26 George V, chapter 20, section 1, is amended by replacing the word: "eleven", in the third line of the second paragraph of subsection 5 thereof, by the words: "three o'clock in the afternoon and between five o'clock in the afternoon and nine".

Id., s. 43a,
am.

5. Section 43a of the said act, as enacted by the act 22 George V, chapter 32, section 1, is amended:

a. By replacing subsection 1 and the first line of subsection 2 thereof, by the following:

Paying into
special fund.

"**43a.** The Commission must pay into a special fund set apart for the reimbursement, in capital and interest, of the loans made or which may be made for aiding the unemployed, for each bottle sold, the following amounts: ";

b. By striking out subsection 3 thereof;

c. By striking out the figure: "4", at the beginning of subsection 4 thereof;

d. By striking out the last paragraph of the said section.

R.S., c. 37, s.
56, am.

6. Section 56 of the said act, as amended by the acts 16 George V, chapter 21, section 6; 18 George V, chapter 25, section 1; 19 George V, chapter 22, section 3, and 1 Edward VIII (2nd Session), chapter 15, section 1, is again amended by striking out paragraph 22 thereof.

Id., s. 56a,
added.

7. The said act is amended by adding thereto, after section 56 thereof, the following section:

Offence and
penalty.

"**56a.** Any person who, without lawful excuse, is found in an establishment where alcoholic liquor is sold with-

out a permit shall be guilty of an offence against this act and shall be liable, in addition to the payment of the costs, to a fine of not less than ten dollars nor more than one hundred dollars, and, on failure to pay the fine and costs, to imprisonment for one month.

Any Judge of the Sessions, District Magistrate, Police ^{Entering and} Magistrate and any other officer having the powers of two ^{searching} justices of the peace who, following a complaint made ^{upon written} under oath, is convinced that there are reasonable grounds to believe that alcoholic liquor is sold without a permit in any establishment, may authorize, by a written order, any constable or other peace officer to enter and search such establishment with as many constables or other peace officers as he may deem necessary to use, and such constable or constables or peace officer or peace officers may thereupon enter and search any part of such establishment and, if necessary, use force to enter therein, and may arrest and take into custody any person found therein without lawful excuse."

8. Section 102 of the said act is amended by replacing ^{R.S., c. 37, s.} the words: "Several offences committed by one person", ^{102, am.} in the first line thereof, by the words: "The prosecution of one person for several offences and for the recovery of several fines or penalties for which he is responsible".

9. This act shall come into force on the day of its sanc- ^{Coming into} tion. ^{force.}

