

C H A P. 17

An Act to amend the Quebec License Law

[Assented to 22nd December, 1916]

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

1. Article 904 of the Revised Statutes, 1909, as amended R. S., 904, am. by the acts 1 George V (1st session), chapter 10, section 1, 4 George V, chapter 6, section 1, and 6 George V, chapter 11, section 1, is further amended by replacing the second clause of paragraph 17 thereof by the following:

"Every bottler's or brewer's establishment or agency Where bot-
ler's esta-
blishment to
be. must be situated within a municipality the council whereof has confirmed a license certificate for such establishment or agency; and no brewer or bottler shall take orders or deliver liquors in any municipality without having obtained a license for every such municipality, said license to be issued by the proper collector of provincial revenue according to the terms of article 972".

2. Article 911 of the Revised Statutes, 1909, as amended R. S., 911, am. by section 1 of the act 5 George V, chapter 20, is further amended by adding thereto, at the end thereof, the following paragraph, to wit:

"Whenever there is a change in the name of the individual selected to exploit the license, the firm or company Notice of
change of
name to be
given. making the change must give notice of such change to the Board of License Commissioners or the council, as the case may be, and to the collector of provincial revenue for the district, within eight days from the making of the change, under the penalties imposed by article 1072."

3. Article 931 of the Revised Statutes, 1909, is amended R. S., 931, am. by inserting therein, after the word "subdivision" in the fourth and fifth lines thereof, the words:

"or if the certificate has been confirmed notwithstanding the aforesaid opposition, and is subsequently quashed by a judgment of a court".

4. Article 942 of the Revised Statutes, 1909, as amended R. S., 942, am. by the act 4 George V, chapter 6, section 7, is further amended by inserting therein, after the word "Montreal" in the first line thereof, the words: "in the case of hotels having not less than twenty-five rooms".

R. S., 943,
am.

5. Article 943 of the Revised Statutes, 1909, as replaced by the act 4 George V, chapter 6, section 8, and amended by the acts 5 George V, chapter 20, section 2, and 6 George V, chapter 12, section 1, is further amended:

a. By replacing paragraph 1 thereof by the following:

No. of li-
censes in
Quebec as
on May 1st,
1917 and
1918, &c.

"943. 1. For the license year beginning on the first day of May, 1917, the number of certificates for licenses of inns and restaurants, or applications without certificates made in virtue of article 927, which may be confirmed or granted within the limits of the city of Quebec as existing on the first day of May, 1917, and the number of licenses which may be issued thereunder, is limited to a maximum of forty; and for the license year beginning the first day of May, 1918, and for the subsequent years, the said number is limited to a maximum of thirty.

Id. in Mont-
real.

In the city of Montreal, as existing on the first day of May, 1917, such number shall be limited to a maximum of three hundred; and for the license year beginning on the first day of May, 1918, and for the subsequent years, such number shall be limited to a maximum of two hundred.

No. of li-
censes in
municipali-
ties annexed
to Mont-
real.

In the case of municipalities which may be annexed to the city of Montreal after the first day of May, 1917, the number of licenses then in force in each municipality annexed, is maintained, after the annexation, in the territory previously belonging to such municipality, subject, however to any general reduction that may be made thereafter in the number of licenses in the said city.

And in Bel-
vedere Ward,
Quebec.

The granting of licenses in the former town of Montcalm, now Belvedere ward of the city of Quebec, shall be subject to all the conditions of the by-law annexing the said town of Montcalm to the city of Quebec.

Certain
provisions
not to apply
to licenses
cancelled to
make reduc-
tion.

Article 942 shall not apply to the licenses which it will be necessary to cancel in order to reduce the number of licenses to the number authorized by this paragraph.

Duties on li-
censes to
automati-
cally and
proportion-
ately in-
crease.

After the reduction in the number of licenses in the said cities of Quebec and Montreal, the duty on each such license fixed by article 988 shall automatically and proportionately increase, so that the total revenue arising from all such licenses shall not be less than that obtained before the reduction.";

b. By adding to paragraph 2 thereof, the following clause, to wit:

No indem-
nity to be
paid after
May 1st,
1916.

"The provisions of this paragraph respecting indemnities shall not apply to any person whose certificate is refused by reason of the carrying out of paragraph 1 of this article from and after the first day of May, 1916.";

c. By replacing paragraph 4 thereof by the following:

"4. In the city of Valleyfield the number of such licenses is limited to a maximum of seven; in the city of St. Hyacinthe to a maximum of eight; in the city of Maisonneuve to a maximum of fifteen; in the city of Sherbrooke to a maximum of ten; in the town of Iberville to a maximum of two; in the town of Farnham to a maximum of four; in the city of Hull to a maximum of seven hotels, each having at least twenty rooms, and no restaurants; in the town of Windsor to a maximum of one; in the town of Aylmer to a maximum of two; in the city of St. Johns to a maximum of five; in the town of La Tuque to a maximum of two; in the town of Acton Vale to a maximum of two."

No. of licenses in other places.

6. Article 968 of the Revised Statutes, 1909, as amended by the acts 1 George V (2nd session), chapter 15, section 2; 4 George V, chapter 6, section 13; 5 George V, chapter 20, section 3, and 6 George V, chapter 12, section 2, is replaced by the following:

R. S., 968, replaced.

"968. Within the limits of the city of Montreal, as existing on the first day of May, 1917, the number of retail liquor shop licenses in force on the said day shall be limited to a maximum of three hundred and fifty, and shall after that date be decreased so that on the first day of May, 1918, there shall not be in force within the said limits more than two hundred retail liquor shop licenses subject to the provisions of article 1065; and no increase in this number shall be made thereafter."

No. of shop licenses to be decreased in Montreal.

In the city of Quebec, the number of retail liquor shop licenses in force on the first day of May, 1917, shall be limited to a maximum of seventy-five; the number in force on the first day of May, 1918, subject to the provisions of article 1065, shall be limited to a maximum of thirty; nor shall the said number of thirty be decreased notwithstanding the provisions of paragraph 3 of article 936 and paragraph 9 of article 939; and no increase in this number shall be made thereafter."

No. in Quebec.

In the city of Sherbrooke, the number of retail liquor shop licenses on the first day of May, 1917, shall be limited to five; and no increase in this number shall be made thereafter."

Sherbrooke.

In the city of St. Hyacinthe, the number of retail liquor shop licenses on the first day of May, 1917, shall be limited to five; and no increase in this number shall be made thereafter."

St. Hyacinthe.

In the city of Valleyfield, the number of retail liquor shop licenses on the first day of May, 1917, shall be limited to one for each ward; and no increase in this number shall be made thereafter."

Valleyfield.

Hull.

In the city of Hull, the number of retail liquor shop licenses on the first day of May, 1917, shall be limited to three; and no increase in this number shall be made thereafter.

Increase in rate of duty in proportion to decrease in number.

As the number of retail liquor shops under license is gradually decreased, the duty on such licenses shall be proportionately increased so that the total revenue derived therefrom shall at all times remain the same as before the reduction in the number of licenses; but this provision shall not apply to the reduction to thirty in the number of retail liquor shop licenses for the city of Quebec, mentioned in the second paragraph of this article.

Proviso.

Application of art. 944.

The provisions of article 944, respecting the lapsing of certificates, shall apply to those required for obtaining retail liquor shop licenses."

R. S., 979 *et seq.*, repealed.

7. Articles 979, 980, 982, 983, 984, 985, 986 and 987 of the Revised Statutes, 1909, are repealed.

R. S., 981, am.

8. Article 981 of the Revised Statutes, 1909, is amended by replacing the words: "articles 978 and 984" in the second line thereof, by the words: "article 978".

R. S., 988, am.

9. Article 988 of the Revised Statutes, 1909, as amended by the acts 1 George V (1st session), chapter 10, section 5, 4 George V, chapter 6, section 14, and 5 George V, chapter 20, section 5, is further amended:

Retail liquor shop.

a. By replacing paragraph 8 thereof by the following:

"8. On each retail liquor shop license:

- a.* In the city of Montreal, eight hundred dollars;
- b.* In the city of Quebec, six hundred dollars;
- c.* In any other city, four hundred dollars;
- d.* In any town, three hundred dollars;
- e.* In any other part of the Province, two hundred dollars."

b. By replacing paragraph 9 thereof by the following:

Wholesale liquor license.

"9. On each wholesale liquor license:

- a.* In the city of Montreal, twelve hundred dollars;
- b.* In the city of Quebec, nine hundred dollars;
- c.* In any other part of the Province, seven hundred and fifty dollars.

Distiller.

When such wholesale liquor license is granted to a distiller, the duty is twelve hundred dollars.

Wine only.

But on each wholesale license to sell wine only, fifty per cent of the amount of the license duty required for an ordinary wholesale liquor license."

c. By replacing paragraph 12 thereof by the following:

"12. On each bottler's license:

Bottler.

1. If the bottler be at the same time a brewer, ^{If bottler} whether his brewery be situated in the Province ^{also brewer.} or whether it be situated outside the Province, and the brewer has one or more agencies in the Province:

a. For the principal establishment or the principal agency in the Province, seven hundred and fifty dollars;

b. For every other establishment or agency, ninety dollars;

c. For every municipality in which he has no establishment or agency, but in which he takes orders or delivers his liquors, five dollars;

2. If he be not a brewer:

If not
brewer.

a. In the cities of Quebec and Montreal, for the first establishment or agency, one hundred and twenty-five dollars, and for every other establishment or agency in either of the said cities, ninety dollars;

b. For every establishment or agency in any other part of the Province, ninety dollars;

c. For every municipality in which he has no establishment or agency, but in which he takes orders or delivers his liquors, five dollars;

3. For each vehicle used by brewers or bottlers, ten dollars."

10. Article 1009 of the Revised Statutes, 1909, is ^{R. S. 1009,} replaced by the following: ^{replaced.}

"1009. Subject to the provisions of article 1004, any ^{Penalty for} one who keeps, without a license to that effect still in ^{keeping tav-} force, an inn, restaurant, steamboat bar, railway buffet, ^{ern, &c., or} or liquor shop for the sale, by wholesale or retail, of ^{selling li-} intoxicating liquors, or who sells, in any quantity, even ^{without} by sample or on commission, intoxicating liquors, in any ^{license.} part of the Province, shall be liable, in addition to the payment of the costs, for the first offence, to a fine of not ^{First offence.} less than one hundred dollars nor more than two hundred dollars, and, in default of payment of such fine and costs, to imprisonment in the common gaol for three months; for a second offence, to a fine of not less than two hundred ^{Second} dollars nor more than five hundred dollars, and, in default ^{offence.}

Third
offence, &c.

of payment of such fine and costs, to imprisonment for three months; and for a third or any subsequent offence, to imprisonment for not less than three months nor more than six months, in the discretion of the court, without the option of a fine.

R. S., 1019,
am.

11. Article 1019 of the Revised Statutes, 1909, as amended by the act 4 George V, chapter 6, section 16, is again amended by replacing the word "eighteen", wherever it appears in the said article, by the word "twenty-one".

R. S., 1019a,
am.

12. Article 1019a of the Revised Statutes, 1909, as enacted by the act 4 George V, chapter 6, section 17, is amended by replacing the word "eighteen", in the fifth line thereof, by the word "twenty-one".

R. S., 1020,
am.

13. Article 1020 of the Revised Statutes, 1909, as amended by the act 4 George V, chapter 6, section 18, is again amended by replacing the word "eighteen", in the first line thereof, by the word "twenty-one".

R. S., 1021,
am.

14. Article 1021 of the Revised Statutes, 1909, is amended by replacing the word "eighteen", in the first line thereof, by the word "twenty-one".

R. S., 1022,
am.

15. Article 1022 of the Revised Statutes, 1909, is amended by inserting therein, after the word "provisions", in the fourth line thereof, the words: "or cheque or note, whether made payable to order or to bearer".

R. S., 1032a,
replaced.

16. Article 1032a of the Revised Statutes, 1909, as enacted by the act 4 George V, chapter 6, section 21, is replaced by the following:

Bar pro-
hibited.

"1032a. From and after the first day of May, 1918, any person holding an inn, hotel or restaurant license, who keeps a bar open to the public for the sale of intoxicating liquors, incurs the immediate cancellation of his license; and the keeping of any such bar shall be *prima facie* evidence that it is kept for the sale of intoxicating liquors thereat, without it being necessary to prove any such sale."

Prima facie
evidence.

R. S., 1033a,
enacted.

17. The following article is added after article 1033 of the Revised Statutes, 1909, to wit:

Treating
prohibited.

"1033a. No person shall, either by himself or by any servant or agent, sell or supply any intoxicating liquor to any person in any licensed premises for consumption on

the premises, unless the same is ordered and paid for by the person so supplied; nor shall any person order or pay for or lend or advance money to pay for any intoxicating liquor wherewith any other person has been or is to be supplied for consumption on the premises; nor shall any person consume in any licensed premises any intoxicating liquor which any other person has ordered or paid for, or agreed to pay for or lent or advanced money to pay for.

Provided always that if such intoxicating liquor is supplied or served for consumption at a meal supplied at the same time, and is consumed at such meal, the provisions of this article shall not be deemed to be contravened if the person who pays for such meal also pays for such intoxicating liquor. Proviso as to meal.

For the purposes of this article consumption on the premises includes consumption of intoxicating liquor in or on any highway, open ground or railway station adjoining or near to the licensed premises in which the liquor was sold or supplied; and any person consuming intoxicating liquor in or on any such highway, open ground or railway station shall be deemed to consume the liquor in such licensed premises. Application as to place where liquor is consumed.

Every person contravening any provision of this article, shall be guilty of an offence, and liable, for each offence, in addition to the payment of the costs, to a fine of not less than ten dollars nor more than twenty-five dollars, and, in default of payment of the fine and costs, to imprisonment for a period of ten days. Penalty.

18. Article 1035 of the Revised Statutes, 1909, is amended: R. S., 1035, am.

a. By replacing the word "pint" in the ninth line thereof, by the words: "quarter of a pint";

b. By replacing the words: "an imperial pint", in the eleventh and twelfth lines thereof, by the words, "one quarter of a pint, imperial measure";

c. By adding thereto, after the third paragraph thereof, the following paragraphs, to wit:

"Every chemist or druggist, who is not the holder of a license under this section for the sale of intoxicating liquor, is forbidden to keep more than ten gallons of intoxicating liquor in stock at any one time, or to order or purchase more than ten gallons of intoxicating liquor at any one time.

Nevertheless a chemist or druggist who does not sell by retail, is entitled to keep a quantity of not more than forty gallons.";

d. By adding thereto, at the end thereof, the following paragraph, to wit:

"This article shall not apply to any municipality in which a prohibitory by-law is in force, or the council of which refuses to confirm certificates for the sale of intoxicating liquor."

R. S., 1048,
am.

19. Article 1048 of the Revised Statutes, 1909, as amended by the act 6 George V, chapter 12, section 4, is again amended by replacing the second paragraph thereof by the following, to wit:

Unlawful for
any licensee
to sell to
soldier or
sailor after
all licensed
establish-
ments in
Province
declared out
of bounds by
Minister of
Militia.

"During the present war (1916), it shall be unlawful for the holder of any inn, restaurant or retail liquor shop license in the Province to sell or deliver gratuitously any intoxicating liquor to any soldier or sailor in uniform, after eight days from the publication in the *Quebec Official Gazette* of a notice to the effect that the rooms in which liquor is sold in all the inns and restaurants, and all the retail liquor shops in the Province have been declared out of bounds by the Minister of Militia and Defence of Canada. Such notice shall be published forthwith by the Comptroller of Provincial Revenue on the receipt of a notification from the department of Militia and Defence of such ruling by the Minister.

Id. for any
revenue
district if
any inn or
restaurant
in such dis-
trict de-
clared out of
bounds by
Minister of
Militia.

Notwithstanding the provisions of the preceding paragraph, if any inn, restaurant or retail liquor shop licensed under this section for the sale of intoxicating liquor, has been declared out of bounds by the Minister of Militia and Defence of Canada, and notice of such ruling has been given in writing to the Comptroller of Provincial Revenue, it shall be the duty of the latter to forthwith publish in the *Quebec Official Gazette* a notice to the effect that from and after a date fixed by such notice, and which shall not be more than eight days after the publication of such notice, it shall be unlawful for every holder of an inn, restaurant or retail liquor shop license in the same revenue district, to sell or deliver gratuitously any intoxicating liquor to any soldier or sailor in uniform; and, after such date, during the present war (1916), no holder of such license, in such revenue district, may sell or deliver gratuitously any intoxicating liquor to any soldier or sailor in uniform.

Penalty.

Any person contravening any provision of this article shall be guilty of an offence, and liable to the penalties enacted by article 1072."

R. S., 1054,
replaced.

20. Article 1054 of the Revised Statutes, 1909, as amended by the acts 1 George V (1st session), chapter 10, section 7, and 4 George V, chapter 6, section 27, is replaced by the following:

Sale, &c., of
liquor pro-

"1054. No intoxicating liquor shall be sold or delivered

gratuitously or otherwise in any licensed establishment within the boundaries of this Province, between the hours of nine o'clock in the evening of any day and nine o'clock in the forenoon of the following day, nor at any time during any Sunday, Christmas Day, New Year's Day, Good Friday, Confederation Day or Labour Day, unless for medicinal purposes upon a special certificate signed by a duly registered medical practitioner or by a clergyman, and produced by the purchaser, but on Saturdays the sale of such liquor is prohibited from and after the hour of seven o'clock in the evening, save upon special certificate as hereinabove provided.

The liquors so sold on special certificate shall not be drunk on the premises, but must be immediately taken away by the purchaser.

In hotels, during the time when the sale of intoxicating liquor is prohibited, the room in which such liquor is allowed to be trafficked in, under article 1047, shall be kept closed, and during such time all restaurants shall be kept closed.

The holder of a hotel license or one of his employees may, during such time, enter the room in which liquor is trafficked in, provided it be not with the object of committing an offence against this article. The holder of a restaurant license or one of his employees may during such time enter the room in which intoxicating liquor is trafficked in, for the purpose of filling orders based upon any of the certificates mentioned in this article, or at any time between seven and eight o'clock on Sunday morning or between six and seven o'clock on Sunday evening, to examine his premises; but he may not remain therein longer than is sufficient to fill the said orders or to ascertain the condition of his premises.

Nevertheless any holder of a bottler's license or a whole-sale liquor license may commence delivery before nine o'clock in the morning.

21. Article 1055 of the Revised Statutes, 1909, as R. S., 1055, replaced by the act 1 George V (1st session), chapter 10, section 8, and amended by the act 4 George V, chapter 6, section 28, is again replaced by the following:

"1055. Notwithstanding the provisions of article 1054, any store dealing in groceries, provisions, sweetmeats or fruits, and licensed, up to the first of May, 1918, to sell intoxicating liquor, may remain open on Good Friday, Confederation Day and Labour Day, but shall not be allowed to sell or deliver intoxicating liquor on such days."

22. Article 1065 of the Revised Statutes, 1909, as R. S., 1065, replaced.

amended by the act 4 George V, chapter 6, section 30, is replaced by the following:

No trade in groceries, &c., to be carried on in licensed premises.

"1065. From and after the first day of May, 1918, while a license for the sale of intoxicating liquors is in force, no trade in groceries, provisions, sweetmeats, or fruits, may be carried on, either directly or indirectly, for the benefit of the licensee, in the licensed premises."

R. S., 1072, am.

23. Article 1072 of the Revised Statutes, 1909, is amended:

a. By replacing the words: "not less than thirty nor more than seventy-five dollars", in the fifth line thereof, by the words: "not less than fifty dollars, nor more than one hundred dollars";

b. By replacing the words: "not less than seventy-five dollars nor more than one hundred and twenty dollars", in the seventh and eighth lines thereof, by the words: "not less than one hundred dollars nor more than one hundred and fifty dollars";

c. By replacing the words: "not less than one hundred, and twenty dollars nor more than two hundred dollars", in the tenth, eleventh and twelfth lines, by the words: "three hundred dollars".

R. S., 1074, replaced.

24. Article 1074 of the Revised Statutes, 1909, is replaced by the following:

Definition of second or third offence by licensee.

"1074. For an offence committed by the holder of a license under this section to be considered as a second or third offence, within the meaning of article 1072, it must have been committed within twelve months of the first offence; for an offence coming within the provisions of article 1009 to be considered as a second or third offence, it must have been committed within three years of the first offence; and, if the complaint be for a second or third offence, it shall not be competent for the court to condemn for any other than for a second or third offence, as the case may be, when the proof adduced establishes it to be such."

R. S., 1075, am.

25. Article 1075 of the Revised Statutes, 1909, is amended by replacing the word: "may" in the second line thereof, by the word: "must".

R. S., 1125a, enacted.

26. The Revised Statutes, 1909, are amended by inserting therein, after article 1125 thereof, the following article, to wit:

Offences to follow premises.

"1125a. Every lessee, purchaser or other person who by virtue of a lease, deed of sale or any other contract,

either verbal or in writing, replaces any lessor, owner or any other person who, for the same premises, has already been convicted of an offence against this section, shall be guilty of a second or of a third or of any subsequent offence, as the case may be, if he is convicted of any offence whatever against any provision of this section, within the twelve months following the former offence committed by such lessor, owner or other person, the whole notwithstanding the provisions of article 1074."

27. Article 1177 of the Revised Statutes, 1909, as amended by the acts 3 George V, chapter 36, section 2; 4 George V, chapter 40, section 7; 5 George V, chapter 20, section 10, and 5 George V, chapter 22, section 1, is further amended: R. S., 1177, am.

a. By adding, after paragraph 3 thereof, the following:
"3a. Operate a race-track, or hold race meetings";

b. By replacing paragraph 4a thereof, as enacted by the act 5 George V, chapter 20, section 10, by the following:

"4a. Keep or operate any place of amusement or temporary place of amusement;".

28. The Revised Statutes, 1909, are amended by inserting therein, after subsection 7 of division 2, of section XIV, of Chapter Fifth, of Title IV thereof, a new subsection and articles, as follows: R. S., 1288a, et seq., enacted.

"§ 7a.—*Race Meeting Licenses*

"**1288a.** Every person operating a race track or holding a race meeting, shall apply to the proper collector of provincial revenue for a license, and shall pay to such collector, over and above the duties mentioned in this section, a fee of five dollars, of which two dollars shall be retained by the collector and three dollars remitted to the Provincial Treasurer. Race meeting licenses.

No license is required for races held on the track of any official county agricultural society during the continuance of any exhibition held by such society, nor for races for which no admission fee is charged and at which no bets, wagers or pools are received, recorded or sold. Exception.

"**1288b.** On failure to take out the required license, the manager of any company, association or club, or the person operating the race track or holding the race meeting, shall be guilty of an offence, and liable, in addition to the payment of the costs, to a fine equal to twice the amount of the Penalty for failure to take out license.

license duty, for each day during which such race track is operated or such meeting held, and, on failure to pay such fine and costs, to imprisonment for not more than three months.

Duties payable in advance.

"1288c. 1. The duties on the said licenses shall be paid in advance, and failing such payment, any peace-officer or any person authorized by the Provincial Treasurer may, under instructions from the Provincial Treasurer, stop all racing on such track until such duties are paid.

2. Notwithstanding the provisions of article 1302, the Lieutenant-Governor in council may alter the tariff of duties enacted by division VIa of the said article 1302.

Terms of license.

"1288d. On receiving the license fee referred to in article 1288a, the Provincial Treasurer or the collector of provincial revenue may issue a license imposing such restrictions and conditions as the Lieutenant-Governor in Council may by regulation determine from time to time, and every company, association, club or person mentioned in this subsection infringing such restrictions and conditions or any of them, shall be liable to have all racing forthwith stopped upon its track by any peace-officer or any person authorized by the Provincial Treasurer.

Penalty for violation.

Betting devices to be registered.

"1288e. Every person receiving, recording or selling bets, wagers or pools under the system known as the *pari mutuel*, shall register every device or apparatus used in connection with such bets, wagers or pools, and shall pay to the collector of provincial revenue a fee of five dollars.

Inspection.

The collector of provincial revenue or any person duly authorized by such collector or by the Provincial Treasurer may, at any time, enter upon the grounds where any race meeting is held, and make a careful examination of such device or apparatus, and make report of his investigation to the Provincial Treasurer.

Seizure.

"1288f. Any collector of provincial revenue or any other person authorized by him or by the Provincial Treasurer may, under instructions from the said Provincial Treasurer or from the collector, seize the goods, effects, monies and books belonging to any person acting without a license, or refusing or neglecting to pay the required duties, and may sell such goods and effects at public auction without any other preliminary judgment or formality, and remit the monies, if any, to the Provincial Treasurer; said monies to form part of the consolidated revenue fund of the Province.

"1288g. The issuing of a license under this sub-^{Subject to} section shall not be considered as indicating that the ^{provisions} Government or any of the officials thereof are of the opi-^{of Criminal} nion that any bet, wager, or pool recorded, received or sold Code. by any person is not prohibited by the Criminal Code or otherwise, and should any holder of a race meeting license be convicted in the Criminal Courts for an offence in respect of any such bet, wager or pool so recorded, received or sold, then his license shall, *ipso facto*, become null and void.

"1288h. No person recording, receiving or selling any ^{Limitation} bet, wager or pool under the *pari mutuel* system shall ^{of winnings} retain more than ten per cent of the amount so deposited ^{tuel.} or recorded; and any person retaining more than ten per cent shall be guilty of an offence, and be liable to a fine of not less than five hundred dollars nor more than five thousand dollars, and costs, and, on failure to pay such ^{Penalty.} fine and costs, to imprisonment for not more than three months.

"1288i. Every person holding a license under this sub-^{Return to} section shall be bound to make a return within five days ^{be made.} after the close of each race meeting, to the proper collector of provincial revenue, stating the number of days on which races were held, and any such further information as the Provincial Treasurer may require, on penalty of a fine of twenty-five dollars for every day during which such person neglects to make such return, and costs, and, on failure to pay such fine and costs, of imprisonment for not more than three months."

29. Subsection 8a of division 2, of section XIV, of R. S., 1292a, Chapter Fifth, of Title IV of the Revised Statutes, 1909, as ^{et seq.,} enacted by the act 5 George V, chapter 20, section 14, is ^{replaced.} replaced by the following:

"§ 8a.—Amusements

"1292a. 1. For the purposes of this section the words ^{Place of} "place of amusement" shall mean and include every theatre, ^{amusement.} moving picture hall, concert hall, music hall, circus, side-show, menagerie, race-course, baseball park, athletic park, amusement park, skating-rink, or other place where an exhibition or entertainment is given or game played, and an entrance fee is charged or collected through the sale of tickets or otherwise, for more than thirty days or nights in any license year.

2. The words "temporary place of amusement" shall mean ^{Temporary} and include every theatre, moving picture hall, amusement ^{place of} amusement.

hall, concert hall, music hall, circus, side-show, menagerie, race-course, baseball park, athletic park, amusement park, skating-rink, or other place where an exhibition or entertainment is given or game played, and an entrance fee is charged or collected through the sale of tickets or otherwise, for thirty days or nights, or less, in any license year.

Duty to be paid by patrons.

"1292b. No person shall attend a performance at a place of amusement or temporary place of amusement, without having previously paid the duty mentioned in article 1292k, said duty to be collected as hereinafter provided.

Mode of collection.

The duty shall be collected by the keeper of or person operating such place of amusement or temporary place of amusement by means of tickets, and the Provincial Treasurer may allow the keeper, or person operating, or any other person such commission upon the sale of the tickets as he may see fit.

Tickets, &c.

The tickets shall be supplied by the Provincial Treasurer or by any officer appointed by him, and shall be in such form as may be prescribed by the Provincial Treasurer.

Receptacle for tickets.

"1292c. The keeper of or person operating any place of amusement or temporary place of amusement, shall place at the entrance thereto, a receptacle, of such pattern as may be approved by the Provincial Treasurer, for receiving or destroying the tickets sold under this subsection.

Penalty.

"1292d. Every person who, without having previously paid the duty provided for by this subsection, enters a place of amusement or temporary place of amusement for the purpose of attending a performance, shall be guilty of an offence, and liable to a fine of not less than ten dollars nor more than two hundred dollars, and costs, and, on failure to pay such fine and costs, to imprisonment for not more than ten days.

Keeper also to be guilty of offence.

"1292e. Every keeper of or person operating a place of amusement or temporary place of amusement, or any of his employees, who permits or authorizes, or is a party or privy to, the admission of any person to a place of amusement or temporary place of amusement for the purpose of attending a performance therein without payment of the duty provided for by this subsection, shall be guilty of an offence, and liable to a fine of not less than ten dollars nor more than two hundred dollars, and costs, and, on failure to pay such fine and costs, to imprisonment for not more than ten days.

"1292f. The Lieutenant-Governor in Council may Regulations make such regulations as may be deemed expedient for the by Lt. Gov. purpose of carrying into effect the provisions of this sub- in Council. section.

"1292g. No person in charge of a place of amuse- Persons un- ment or temporary place of amusement shall admit, in der 15 not to any way, to such exhibitions, any child less than fifteen be admitted years old, unless such child is accompanied by his or her unless ac- father, mother, tutor or teacher, or by a guardian specially companied. authorized by the father or mother.

"1292h. Any peace officer authorized by the chief Officers may of police of the municipality, or any officer of the provin- enter. cial police, may enter any place of amusement or temporary place of amusement, to ascertain if the provisions of this subsection are complied with.

"1292i. Every infringement of the provisions of this Penalty. subsection not otherwise provided for is punishable by a fine of not less than twenty dollars nor more than one hundred dollars for each offence, and, in default of payment of the fine and costs, by imprisonment for not more than two months.

In prosecutions taken for any infringement of article Proviso. 1292g, the accused shall not be subject to the penalties prescribed herein if he proves that he used reasonable diligence to ascertain the age of the child before admitting him to the place of amusement or temporary place of amusement, and had reasonable cause to believe that such child was not less than fifteen years of age, or that he was accompanied as required by article 1292g.

"1292j. No license is required for exhibitions given Religious, solely for religious or charitable purposes. &c., exhibi- tions.

"1292k. Every person before entering a place of amu- Tariff of sement or temporary place of amusement shall pay a duty duties. under this subsection, as follows:

On every admission of a price of less than ten cents, one cent;

On every admission of a price of ten cents or more, but less than thirty-five cents, two cents;

On every admission of a price of thirty-five cents or more, but not more than seventy-five cents, three cents;

On every admission of a price of more than seventy-five cents, but not more than one dollar, four cents;

On every admission of a price of more than one dollar, but not more than one dollar and a half, five cents.

On every admission of a price of more than one dollar and a half, ten cents.

Moving
picture hall
license to
avail.

“1292l. No license is required for a place of amusement or temporary place of amusement already licensed to give exhibitions of moving pictures, provided the license duty has been paid on the full number of seats, and a regular moving-picture hall license issued for such place of amusement.

Municipali-
ties not to
collect such
tax.

“1292m. Notwithstanding any law, by-law or enactment to the contrary, no municipality shall have the right to impose or levy any tax, payment or duty for any of the objects mentioned in this subsection.

Amount to
be paid to
municipali-
ties.

Out of the revenue derived from the fees and duties imposed under this subsection, there shall be paid annually to each municipality, a sum equal to one cent for each admission to a place of amusement or temporary place of amusement in such municipality, less one-half the cost of collecting such duty in such municipality, provided such municipality complies with the law and with the regulations passed under the authority of this subsection.”.

Tariff in R.
S., 1302, am.

30. The tariff of duties for licenses contained in article 1302 of the Revised Statutes, 1909, as amended by the acts 3 George V, chapter 36, section 5; 4 George V, chapter 40, section 12; 5 George V, chapter 20, section 15; 5 George V, chapter 22, section 4, and 5 George V, chapter 58, section 8, is further amended:

a. By adding after paragraph 1 of division VI thereof, the following words:

Stumping-
powder.

“But for a license to keep or use a powder magazine for the exclusive storage of stumping-powder to be used solely for agricultural purposes, provided that the maximum quantity of such powder stored does not exceed five hundred pounds, twenty-five dollars.”;

b. By adding after division VI thereof, the following:

“VIa.—RACE MEETING LICENSES

Race meet-
ing license.

1. On each race meeting license:

- a. In the city of Montreal or within a radius of thirty miles of the said city, ten dollars for each day of such race meeting;
- b. In the city of Quebec or within a radius of five miles of the said city, eight dollars for each day of such race meeting;
- c. In any other place, five dollars for each day of such race meeting.

Duties to be

2. But if any wager, bet or pool is recorded, received

or sold at the said race meeting, the duty shall be the following: increased where bets are made.

a. In the city of Montreal or within a radius of fifty miles from the said city, one thousand dollars per day;

b. Elsewhere, five hundred dollars per day.

But at half-mile tracks where the admission fee is not more than fifty cents, the license duty shall be only three hundred dollars per day. Exception.

But if any wager, bet or pool is recorded, received or sold by any other method than that generally known as the *pari mutuel*, the duty shall be double that mentioned in this paragraph 2. Proviso.

3. Subject to the penalties enacted in article 1288b, any person selling, recording or receiving any bet, pool or wager by means of any other system than that generally known as the *pari mutuel*, shall take out a license from the collector of provincial revenue, on payment of a duty of one hundred dollars a day. The provisions of subsection 7a of this section shall apply, *mutatis mutandis*, to this paragraph 3.”; License for book-makers.

c. By replacing division VIIa thereof, as enacted by the act 5 George V, chapter 20, section 15, by the following :

“VIIa.—PLACE OF AMUSEMENT LICENSES

1. On each license for a place of amusement:

a. In the cities of Quebec, Montreal, Maisonneuve, Outremont, Verdun and Westmount, fifty cents for each seat for one person;

b. In all other cities, thirty cents for each seat for one person;

c. Elsewhere, twenty cents for each seat for one person;

2. On each license for a temporary place of amusement:

a. In the cities of Quebec, Montreal, Maisonneuve, Outremont, Verdun and Westmount, twenty dollars per day;

b. Elsewhere, five dollars per day.

Any person holding a license for a place of amusement shall have the right to give exhibitions of moving pictures in such place of amusement, provided all the other formalities required by the law respecting moving pictures have been complied with.”; Temporary place of amusement licenses. Proviso.

d. By replacing division XII thereof, as enacted by the act 3 George V, chapter 36, section 5, and amended by

the acts 4 George V, chapter 40, section 12, and 5 George V, chapter 58, section 8, by the following:

"XII.—MOVING-PICTURE HALL LICENSES

Moving
picture hall
licenses.

1. On each moving picture hall license:

- a. In the cities of Montreal, Quebec, Maisonneuve, Outremont, Verdun and Westmount, fifty cents for each seat for one person;
- b. In all other cities, thirty cents for each seat for one person;
- c. In all other places, twenty cents for each seat for one person;

Temporary
do.

2. On each temporary moving-picture hall license:

- a. In the cities of Montreal, Quebec, Maisonneuve, Outremont, Verdun, and Westmount, twenty cents for each seat for one person;
- b. Elsewhere, ten cents for each seat for one person.

Proviso.

The taking out of a temporary moving picture hall license by the keeper of or person operating a place of amusement, does not exempt such person from the obligation of taking out the required place of amusement license, but the taking out of a regular moving picture hall license shall exempt the keeper of or the person operating such place of amusement from the obligation of taking out a regular place of amusement license;

Film ex-
change.
Travelling
exhibitor.

3. On each film exchange license, two hundred dollars;
4. On each travelling exhibitor's license, two hundred dollars."

R. S., 1303,
replaced.

31. Article 1303 of the Revised Statutes, 1909, as amended by the acts 3 George V, chapter 36, section 6; 4 George V, chapter 40, section 13; 5 George V, chapter 22, section 5, and 5 George V, chapter 58, section 9, is replaced by the following:

Collector of
provincial
revenue to
search for
offences, &c.

"1303. The collector of provincial revenue or any other person appointed by him, shall, within his district, make a careful search for infringements of this section, and, for that purpose, shall visit at least once a year every establishment of any nature whatsoever required by this section to have a license."

R. S., 1304,
replaced.

32. Article 1304 of the Revised Statutes, 1909, as

amended by the acts 3 George V, chapter 36, section 7; 5 George V, chapter 22, section 6, and 5 George V, chapter 58, section 10, is replaced by the following:

"1304. Every person in charge of or employed at any establishment or other place of any kind required by this section to have a license, who refuses admission to such collector or to such person authorized by such collector, or hinders the visit and inspection of such establishment or place by such collector or such other person authorized by him, or any person whatsoever who molests an officer in the performance of his duty relative to such objects, shall be guilty of an offence, and be liable to a fine of not less than twenty dollars nor more than one hundred dollars, and costs, and, on failure to pay such fine and costs, to imprisonment for a period of not more than two months."

Penalty for refusal to admit, &c.

33. Article 1309 of the Revised Statutes, 1909, as R. S., 1309, amended by section 7 of the act 6 George V, chapter 12, is replaced by the following:

"1309. Whenever a vacancy occurs in the office of collector of provincial revenue, or any collector is incapacitated by illness or otherwise from fulfilling the duties of his office, or is suspended from office, the Provincial Treasurer may authorize the deputy of such collector or any revenue officer to perform all the duties of the office, including the continuing of pending prosecutions, until the incumbent is in a position to perform the said duties or is replaced by the Lieutenant-Governor in Council."

Vacancy in office of collector of provincial revenue.

34. The Revised Statutes, 1909, are amended by R. S., 1312a, inserting therein, after article 1312 thereof, the following article, to wit:

enacted.

"1312a. The Lieutenant-Governor in Council may make, amend, replace and repeal all regulations that he may consider necessary for the execution of the provisions of this section."

Regulations by Lt. Gov. in Council.

Such regulations shall come into force, and have full force of law, fifteen days after the date of their publication in the *Quebec Official Gazette*."

35. Article 1329 of the Revised Statutes, 1909, as R. S., 1329, replaced by the act 1 George V (1st session), chapter 10, section 13, and amended by the act 4 George V, chapter 8, section 1, is again replaced by the following:

replaced.

"1329. Every person licensed to sell and every person who sells by retail in quantities less than one pint, imperial measure, in any city, town, village or parish whatsoever,

Closing of licensed premises.

intoxicating liquor, wine or beer, shall close that part of the house or building in which such person sells or causes to be sold or allows such liquors to be sold, between the hours of nine o'clock in the evening of every day and of nine o'clock in the forenoon of the following day, and at all times during Sunday, Christmas Day, New Year's Day, Good Friday, Confederation Day and Labour Day, and shall not, during such days and hours, sell or cause or permit to be sold therein such liquors, unless for medicinal purposes, upon a special certificate signed by a duly registered medical practitioner or by a clergyman, and produced by the purchaser; but on Saturdays he shall close such part of the house or building at seven o'clock in the evening.

Exception
for drug-
gists.

This article shall not apply to druggists duly registered under the Quebec Pharmacy Act.

Penalty.

Every person offending against any of the provisions of this article shall be guilty of an offence, and liable to the penalties imposed by article 1072."

R. S., 1333,
repealed.

36. Article 1333 of the Revised Statutes, 1909, as amended by the act 4 George V, chapter 8, section 2, is repealed.

Application.

37. This act shall not apply to any place of amusement or temporary place of amusement, in any parish or village municipality, nor in any town of a population of less than one thousand souls; but it shall apply to every moving picture hall in such localities.

Nor shall it apply to any place of amusement or temporary place of amusement in any of the above-mentioned municipalities which is under the direction of a parish club, nor to any concert or representation given by amateurs residing in the Province.

Coming into
force.

38. Sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 35 and 36 of this act shall come into force on the first day of May, 1917; sections 9 and 22 shall come into force on the 1st of May, 1918; sections 27, 28, 29, 30, 31, 32, 33, 34, and 37 shall come into force on the first of January, 1917.