

C H A P . 2 0

An Act to amend the Quebec License Law and the Quebec Temperance Act.

[Assented to 5th March, 1915]

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

1. Article 911 of the Revised Statutes, 1909, is amended R. S. 911, am. by adding thereto a new paragraph, as follows:

"When the applicant for a license is a firm or a company, In case of there must be inscribed upon the license form, besides the company, name of the firm or company, the name of the individual license must selected to exploit the license in the name of or on behalf of some contain name of the firm or company, whether such individual be a person. member of the firm or company, or an employee or representative thereof; and whenever there is a change in the name of such individual, a transfer of license is required Transfer. under the terms of article 953."

2. Paragraph 4 of article 943 of the said statutes, as Id. 943, am. replaced by the act 4 George V, chapter 6, section 8, is amended by replacing the words: "in the city of Lachine to the maximum of nine" in the fifth line thereof, by the words: "in the city of Lachine to a maximum of four". Lachine.

3. Article 968 of the said statutes, as amended by the Id. 968, am. acts 1 George V (2nd session), chapter 15, section 2, and 4 George V, chapter 6, section 13, is again amended by adding thereto, after the seventh paragraph thereof, a new paragraph, as follows:

"In the city of Lachine the number of retail liquor shop Lachine. licenses is limited to one."

4. The said statutes are amended by inserting therein, Id. 972a, after article 972 thereof, a new article, as follows: enacted.

"**972a.** In the city of Lachine the number of bottler's Lachine. licenses is limited to five."

5. Paragraph 9 of article 988 of the said statutes, as Id. 898, am. replaced by the act 4 George V, chapter 6, section 14, is amended by adding thereto the following sub-paragraph:

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

Id. 989, am. **6.** Article 989 of the said statutes is amended:

a. By inserting therein, after the word "operation", in the sixth line thereof, the words: "or within which an order in council, under section 109 of the said act, is in force,";

b. By adding thereto a new paragraph, as follows:

License not to be granted for two months in certain cases. "In case the by-law or the proceedings in connection with the polling of votes on the petition, in conformity with the provisions of the Canada Temperance Act, in any such county, city, town, village, township, or other municipality, are contested, the collector of provincial revenue shall not grant any license for the sale of intoxicating liquor—except such licenses as are referred to in sections 118, 119 and 123 of the said Canada Temperance Act—before the rendering of judgment on such contestation, nor, should the effect of such judgment be to set aside such by-law or proceedings, before the expiration of two months from the rendering of such judgment, unless such judgment be final."

Id. 990, am. **7.** Article 990 of the said statutes is amended by striking out the words: "any by-law under", in the seventh and eighth lines thereof.

Id. 1112, am. **8.** Article 1112 of the said statutes is amended by adding thereto, at the end of the first paragraph thereof, the words: "but in each of the cities of Quebec and Montreal, all prosecutions of persons licensed for the sale of intoxicating liquors shall be tried before one of the judges forming part of the license commission of such city; nevertheless in the event of the illness or absence of such judges, such prosecutions shall be tried, during such illness or absence, as hereinabove provided."

Certain offences to be tried before judges who are members of License commission.

Id. 1151, again am. **9.** Article 1151 of the said statutes, as amended by the act 4 George V, chapter 6, section 38, is again amended by inserting therein, after the seventh line of paragraph *b* thereof, a new paragraph, as follows:

"When several services are made, either for the same plaintiff, or on the same defendant, at the same time, and on the same road, the bailiff, peace officer or constable is allowed to charge mileage only once, with no allowance for mileage in returning."

Mileage fees.

Id. 1177, am. **10.** Article 1177 of the said statutes, as amended by the acts 3 George V, chapter 36, section 2, 4 George V, chapter 40, section 7, and 5 George V, chapter 22, sec-

tion 1, is again amended by adding thereto, after paragraph 4 thereof, a new paragraph, as follows:

"4a. Give any shows or exhibitions by means of Amusement troupes or organizations, as mentioned in article 1292a;" licenses.

11. Article 1184 of the said statutes is amended by Id. 1184, am. replacing the words: "Sales by auction of immoveable property, and sales by auction of household furniture and effects in use, including therein pictures, paintings and books, under article 1183", in the first, second and third lines thereof, by the words: "Sales by auction of moveable and immoveable property made under article 1183, with the exception of trade sales of fruit and live stock,".

12. Article 1241 of the said statutes is amended by Id. 1241, am. adding thereto a new paragraph, as follows:

"When issuing the license, the collector of provincial revenue shall deliver to the licensee a number plate or tag, which the peddler is obliged, under the penalties imposed by article 1244, to carry about with him conspicuously attached to the lapel of his outer coat. If such peddler has one or more vehicles, he is furthermore obliged to obtain a number plate for each such vehicle, which is to be kept conspicuously attached to the rear of the vehicle, under the above penalties. The licensee shall pay into the hands of the collector of provincial revenue, over and above the other fees and duties exigible under this section, for the personal tag, a sum of twenty-five cents, and, for each vehicle tag, a sum of fifty cents, which sums shall belong to the Crown." Peddlers to carry a number plate or tag. Vehicles. Fees for same.

13. The said statutes are amended by inserting therein, Id. 1257a, after article 1257 thereof, a new article, as follows: enacted.

"**1257a.** With the exception of the cities of Quebec and Montreal, no billiard table license shall be issued in any municipality unless upon a resolution of the municipal council, of which an authentic copy shall have been filed with the collector of provincial revenue of the district." Billiard licenses.

14. The said statutes are amended by inserting therein, after the eighth subsection of the second division of section XIV of the fifth chapter of the fourth title thereof, a new subsection and articles, as follows: §8a and articles enacted.

"8a.—Amusements.

"**1292a.** With the exception of circuses and menage-Travelling

troupes to obtain license.

ries, which are otherwise licensed, every person managing any travelling troupe or organization exhibiting for gain trained animals, or acrobatic feats, or curios and freaks, or giving concerts or minstrel shows, or any other similar shows, shall first obtain a license therefor, from the proper collector of provincial revenue.

Term for which license is granted.

Such license shall specify the number of days for which the duties are paid, and shall cease with the last of such dates.

Penalty for infraction.

"1292b. In default of taking out the required license, the manager of such troupe or organization incurs a penalty of fifty dollars for each day of performance, representation or exhibition.

License must be shown to officers.

"1292c. Every such troupe or organization, or the manager thereof, shall show such license to the collector of provincial revenue, or to one of his deputies, or to any person authorized to that effect by the collector of provincial revenue, on a simple demand, verbal or written, on his part, and in default of so doing such person shall be held to have no license, and shall be punishable accordingly.

Collection of penalty.

"1292d. The collector of provincial revenue, or one of his deputies, or any person authorized to that effect by such collector, may, on a warrant signed by a judge of the Superior Court, a district magistrate or a justice of the peace, seize the goods and effects, and the animals, if any, of a troupe or organization, or of the manager thereof, coming within the purview of article 1292a, and for which no license has been taken, or in case there has been a refusal to show the required license; and may, without

Seizure and sale of goods and effects.

any other preliminary judgment or formality, sell and adjudge, at public auction, the goods, effects and animals so seized, for the amount of the fine incurred, and costs of same."

Id. 1302, am.

15. Article 1302 of the said statutes, as amended by the acts 3 George V, chapter 36, sections 4 and 5, 4 George V, chapter 40, sections 11 and 12, 5 George V, chapter 22, sections 3 and 4, and 5 George V, chapter 58, sections 7 and 8, is again amended by inserting therein, after division VII thereof, a new division as follows:

"VIIa.—AMUSEMENT LICENCES.

Tariff of fees for licenses.

"On each license for a travelling troupe or organization, under article 1292a:

- a. In each of the cities of Quebec and Montreal, twenty dollars per day;
 b. Elsewhere, ten dollars per day."

16. The said statutes are amended by inserting therein, after article 1327 thereof, a new article, as follows: Id. 1327a enacted.

"**1327a.** Whenever a prohibitory by-law passed under the terms of this section is contested before a court, or is set aside by judgment of a court, the collector of provincial revenue shall not grant any license the issue of which the council prohibited or intended to prohibit by such by-law so contested or set aside, before the expiration of two months from the rendering of such judgment, unless such judgment be final." Licenses not to be granted for two months in certain cases.

17. The provisions of sections 6 and 16 shall not apply to pending cases. Pending cases.

18. This act shall come into force on the first day of May, 1915. Coming into force.

C H A P . 2 1

An Act to amend article 1011 of the Revised Statutes, 1909, relating to the Quebec License Law.

[Assented to 5th March, 1915]

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

1. Article 1011 of the Revised Statutes, 1909, is amended by replacing the words: "incur the penalties imposed by article 1009", at the end thereof, by the words: "be liable to a fine of not more than two hundred dollars for the first offence, and, for a second or any subsequent offence, to a fine of two hundred dollars, and, in default of payment, to imprisonment for three months, or, in the discretion of the court, to such imprisonment, without the option of a fine." R. S. 1011, am. Penalty.

2. This act shall come into force on the day of its sanction. Coming into force.
