

CHAP. 5

An Act to amend article 143 of the Revised Statutes, 1909.

[Assented to 19th February, 1914]

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

1. Article 143 of the Revised Statutes, 1909, is amended R. S. 143 am. by replacing the words “a pension” in the first line thereof, by the words “an annual pension of more than three hundred dollars”.

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

CHAP. 6

An Act to amend the Quebec License Law.

[Assented to 19th February, 1914]

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 act 1 George V, (1st session), chapter 10, section 1, is further amended:

a. By adding to paragraph 1, at the end thereof, the Addition to following words: “beer, lager beer, cider and any liquor definition of shall be conclusively deemed intoxicating when it contains intoxicating more than two and one half per cent of proof spirits;” liquors.

b. By replacing paragraph 7 thereof by the following:

“7. The word “bar” means the counter at which intoxicat- “Bar” de- ing liquors are sold or delivered in an inn or restaurant, fined. and the room in which such counter stands, and wherein the said liquors are displayed and kept to be trafficked in.”

c. By adding to paragraph 17 the following sub-paragraph:

“Whenever an extra-provincial brewer is represented by When bottler a bottler or other person doing business in this Province, represents the establishment of such bottler, or his principal establish- extra-pro- vential ber- ment if he have more than one, shall be deemed to be the wer.

principal agency in the Province of such extra-provincial brewer."

R. S. 923a
enacted.

2. The following article is added after article 923 of the Revised Statutes, 1909:

Location of
permises
where li-
cense may be
granted.

"923a. Saving the power of the confirming authority to decide otherwise, and also in the case of heretofore established inns or restaurants, no certificate shall be confirmed for a license to sell intoxicating liquor in an inn or restaurant situated less than two hundred feet from the premises of any place of worship, college, convent or public school, to be measured from and to the main entrances, along the street or streets, or across the same at right angles, as the case may be.

R.S. 925 am.

3. Article 925 of the Revised Statutes, 1909, is amended:

a. By striking out the words: "if an absolute majority of the municipal electors residing or having their place of business within the polling district, shall signify their opposition in writing to the granting of such license, or" in the second, third, fourth and fifth lines of the second paragraph thereof;

b. By adding thereto, at the end thereof, a new paragraph, as follows:

Id. am.

"Likewise, in the same cities, no certificate for a license shall be granted to any person who is not then a licenseholder, and no request for a change in location shall be taken into consideration, if an absolute majority of the municipal electors residing or having their place of business within the polling district for which the license or the change in location is sought, shall signify in writing their opposition to the granting of such license or such change in location."

R.S. 930 am.

4. Article 930 of the Revised Statutes, 1909, as amended by the act I George V (1st session) chapter 10, section 2, is further amended:

a. By adding thereto, at the end of the second paragraph thereof, the following words: "a notice of the filing of such opposition to his application for confirmation of his certificate, must be given to the applicant three days before taking into consideration such application and opposition";

b. By adding thereto, at the end thereof, the following paragraph:

"The provisions of the second, third and fourth paragraphs of this article shall not apply to the cities of Quebec and Montreal save in the cases mentioned in the third paragraph of article 925."

5. The Revised Statutes, 1909, are amended by inserting therein, after article 936 thereof, a new article, as follows:

“936a. When the majority of the council of a city or town is composed of persons who do not reside within the limits of the municipality, such council may not grant a license certificate unless there are at least fifty families living in the municipality.”

Condition on which license may be granted in certain cases.

6. Article 939 of the Revised Statutes, 1909, is replaced by the following:

R.S. 939 replaced.

“939. 1. There shall be two license commissions, one of which shall be known as the Quebec License Commission, and shall hold its sittings in the city of Quebec; the other shall be known as the Montreal License Commission, and shall hold its sittings in the city of Montreal.

License commissions constituted.

2. Each of the said commissions shall be composed of three members styled License Commissioners, who shall be appointed by the Lieutenant-Governor in Council; one of the members of each commission shall be a physician.

Each of three members.

3. One of the members of each commission shall be appointed chairman of the commission.

Chairman.

4. The Lieutenant-Governor in Council may, in the case of the absence, sickness or other inability to act for more than ten days of all or any of the license commissioners, appoint a competent person or persons to temporarily perform such duties.

Provisions to temporarily replace any member.

5. A clerk to each of the license commissions shall be appointed by the Lieutenant-Governor in Council.

Clerk.

6. An assistant clerk shall be appointed by the Lieutenant-Governor in Council to act in the case of the sickness or absence of the clerk.

Assistant clerk.

7. The clerk or assistant clerk may administer the oath required in support of certificates, petitions and other documents which may be used as evidence before the license commissioners.

May administer oath.

8. The Lieutenant-Governor in Council shall grant out of the consolidated revenue fund to each of the license commissioners an annual salary not exceeding, in the city of Quebec, fifteen hundred dollars, and in the city of Montreal, two thousand dollars; to the clerk a salary not exceeding in the city of Quebec, one thousand dollars, and in the city of Montreal, fifteen hundred dollars; and to the assistant clerk such remuneration as may be deemed just.

Salaries.

9. Save in the case of a person who is not then a license holder, the confirmation of license certificates or the refusal

Confirmation of certificates.

to confirm the same shall be in the discretion of the license commissioners; and no opposition which may be made to the confirmation by them of any such certificate in either of the said cities of Quebec and Montreal shall bind the said commissioners or be considered as limiting the discretionary power granted them by this paragraph; and the said commissioners may perform any act and exercise any discretionary functions consequent upon the powers conferred upon them by this section.

Majority to decide.

10. In the event of the disagreement of the commissioners respecting the confirmation of any license certificate, the ruling of any two of them shall suffice to effect such confirmation, when no opposition is made thereto.

Exception.

11. When opposition is made to any application for the confirmation of a certificate, such confirmation—in the case of an applicant who has not previously been the holder of an inn license—can be granted in Quebec and Montreal only with the unanimous consent of the commissioners. If the applicant be, at the time of the application, the holder of such a license, the unanimous consent of the license commissioners is not required for the confirmation of the certificate, but all three commissioners must hear the case.

Who may oppose.

12. Any person may oppose the application and, if notice of the opposition have been given to the clerk, the latter shall, three days before the taking into consideration of such application, give notice thereof to the applicant and to the opposant.

Notice.

Right of opposant to be heard.

13. Any person, who produces before the license commissioners at a sitting at which the application is being taken into consideration, or who has previously filed with the clerk, in writing, the objections made by him to the granting of the confirmation of the certificate, shall have the right to be heard upon such objections or such other objections as may then be raised.

Also accredited representatives of associations.

14. Paragraph 13 shall apply to every accredited representative of any association whether incorporated or not, established for the purpose of supervising the proper execution of this section, and to every accredited representative of the incorporated associations of hotel-keepers and of licensed victuallers who shall also have the right to be heard in favour of the confirmation of the certificate.

Hearing.

15. The commissioners shall hear such persons, as well as the applicant, within eight days after the filing of the opposition, and, if necessary, shall adjourn the hearing from time to time, until a decision is rendered upon the opposition.

16. Any person intending to apply for the confirmation of a certificate shall procure the form from the office of the clerk and pay a tax of seven dollars in stamps affixed to such form, in each of the cities of Quebec and Montreal. The license commissioners shall not recognize any such certificate not having the required stamps. Tax to be paid by applicant.

17. The clerk shall prepare a list and post it up in a conspicuous place in his office, open to the public. Such list shall state the date of the entry of each application, the name, occupation and residence of the applicant, the situation of the house to which the license applies, and the day on which the application will be taken into consideration. List and contents thereof.

18. The license commissioners must take the applications for licenses into consideration according to the date and hour of their entry on the list by the clerk, but not before twelve days, nor later than eighteen days after the date of such entry, except when opposition is made to the confirmation of a certificate, or in case of the temporary inability of one of the said commissioners to act, in either of which cases the delay may be extended for not more than ten days. When applications must be taken into consideration.

In every case, the decision shall be given within thirty days from the filing of the declaration, or at any rate not later than the twenty-eighth of January following the date of the filing thereof, provided the application was filed not less than thirty days before such twenty-eighth of January; and a record of such decision shall be kept by the clerk of the commissioners. When decision must be given.

19. If the applicant be already the holder of a license, and the commissioners see no objection to the confirmation of the certificate within the delay fixed by the first clause of paragraph 18 of this article, they shall give their decision thereon as soon as such delay shall have expired. Id. in certain cases.

20. The commissioners may, whenever they think necessary, take evidence upon oath or affirmation, and for that purpose may summon before them and administer the oath to any person. Evidence upon oath.

21. Upon such hearing, the commissioners shall, collectively or separately, whenever they think fit, make whatever inquiries they deem proper to satisfy themselves of the qualification of the applicant and of the truth of the facts put in issue. Duties of Commissioners.

22. The commissioners may, for that purpose, take into consideration all documents, hear, or cause to be heard by some fit person, all persons whom, from the personal knowledge of the commissioners or from the statements Powers of Commissioners.

of the objecting parties or of others, they believe to be able to give information, and generally resort to any other source of information; and the commissioners shall grant an adjournment of the case, if applied for, upon cause shown.

License to
be granted

23. No license shall be granted by the collector of provincial revenue, unless there be deposited in his hands a certificate signed by the commissioners, who shall deliver to the applicant such certificate attesting the granting of such confirmation.

List of certi-
ficates con-
firmed.

The clerk shall, from time to time, prepare a list of the certificates which the commissioners have confirmed and which are then in force, and keep it posted in the police court or in his office.

Cancellation
&c. of li-
censes before
beginning of
license year.

24. Any license certificate granted before the first day of May of the license year for which such certificate is confirmed, may be revoked and cancelled by the license commissioners at any time between the date of its confirmation and the said first day of May, by reason of acts committed between the said dates by the person in whose favor such certificate was confirmed. The license commissioners shall notify the collector of provincial revenue of such cancellation, who, upon such notification, shall refuse to issue the license.

Reasons for
refusal.

25. Whenever the confirmation of a certificate is refused the commissioners shall, at the request of the applicant, make known to him the reasons of such refusal.

Seal.

26. Each of the said commissions may have a seal. The proceedings thereof shall be authentic, and copies thereof signed by the chairman or clerk shall be authentic.

R.S. 942 am.

7. Article 942 of the Revised Statutes, 1909, is amended by inserting therein, after the word "license" in the fourth line thereof, the words: "and it is not proved to their satisfaction that there has been disorder in the establishment for which the license is sought."

R.S. 943 re-
placed.

8. Article 943 of the Revised Statutes, 1909, as amended by the acts 1 George V (1st session) chapter 10, section 4; 1 George V (2nd session), chapter 15, section 1; 2 George V, chapter 12, section 1, and 2 George V, chapter 13, section 1, is replaced by the following:

No. of li-
censes in
Quebec as on
May 1st,
1915.

"943. 1. For the license year beginning on the first day of May 1915, and from and after that date, the number of certificates for licenses of inns and restaurants, and of applications without certificate made in virtue of article 927, which may be confirmed or granted within the limits

of the city of Quebec, as existing on the said first of May, 1915, and the number of licenses which may be issued thereunder, shall be limited to a maximum of fifty; and for the said license year the number of such hotel and restaurant certificates, applications and licenses which may be confirmed, granted or issued within the limits of the city of Montreal, as existing on the said first of May, 1915, shall be limited to a maximum of four hundred, and to a maximum of three hundred and fifty for the license year beginning on the first day of May 1916, and for any subsequent year, within the limits of the city of Montreal as existing on the said first of May, 1916; if however any inn or restaurant license now in force or issued before the first of May, 1915, or the first of May 1916, as the case may be, should for any cause cease to be in force before either of the said dates, as the case may be, it shall not be replaced.

In the case of municipalities annexed to the city of Montreal since the first of May 1908, or which may be annexed to the city, 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 hereafter in the number of licenses in the city.

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.

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.

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.

2. There shall be paid, out of the consolidated revenue fund of the province:

- a. An indemnity of \$3000.00 to each person who was the holder of an inn or restaurant license in the city of Quebec for the license year ending on the 30th of April, 1915;
- b. An indemnity of \$5000.00 to each person who was the holder of an inn or restaurant license in the city of Montreal for the license year ending on the 30th of April, 1915;

No. of licenses in municipalities annexed to Montreal.

And in Belvedere Ward Quebec.

Certain provisions not to apply to licenses cancelled to make reduction.

Duties on licenses to automatically and proportionately increase.

Indemnity to be paid.

- c. An indemnity of \$3000.00 to each person who was the holder of an inn or restaurant license in the city of Montreal for the license year ending on the 30th of April, 1916;

and whose certificate was refused by reason of the carrying out of paragraph 1 of this article, provided that such person produces to the Provincial Treasurer a certificate attesting that it was so refused, signed by the license commissioners of Quebec or the license commissioners of Montreal, as the case may be.

Special duty to be imposed.

3. There shall be imposed each year, by the Lieutenant-Governor in Council, to insure the repayment in ten years by equal annual instalments, of the principal and of the interest at the rate of four and one half per cent per annum, of the sums so paid by the Government, a special duty on the inn and restaurant licenses issued in the cities of Quebec and Montreal respectively for the license years beginning on the first day of May, 1915, and the first day of May, 1916, as the case may be, and for subsequent years.

Provisions applicable.

The provisions of article 946 shall apply to the payment of this special duty and to the issuing of the license.

Commissioners to have discretion as to amount.

The commissioners shall, however, have power to grant an amount less than \$3000.00 or \$5000.00 as the case may be, or to refuse to grant any indemnity, if they see fit, according to circumstances.

Special loan authorized.

The Lieutenant-Governor in Council may, from time to time, contract a loan or loans not exceeding the total of the sums necessary to pay the indemnities fixed by this article. Such loan or loans shall be made by bonds, debentures or inscribed stock for a term of not more than thirty years from the date thereof, and shall bear interest at a rate not exceeding five per cent per annum. The Lieutenant-Governor in Council may also determine the form and amount of the said bonds, debentures or inscribed stock, and the places and dates where they shall be payable, both in principal and interest.

No. of licenses in other places.

4. In the city of Three Rivers, the number of such licenses is limited to a maximum of twelve; in the city of Valleyfield to a maximum of ten; in the city of St. Hyacinthe, to a maximum of ten; in the city of Maisonneuve to a maximum of twenty-four; in the city of Lachine to the maximum of nine; in the city of Sorel to a maximum of twelve; in the town of Iberville to a maximum of four; in the city of Sherbrooke to a maximum of fifteen; in the town of Farnham to a maximum of five; in the town of Shawinigan Falls to a maximum of five; in the town of Grand'Mère, one license for every thousand souls of the population; the provisions of this paragraph shall not extend, however, to the establishment

known as the "Hotel Laurentides", situate on the outskirts of the town of Grand'Mère; in the city of Hull to a maximum of fourteen hotels and no restaurants, and this number shall not be exceeded hereafter until the population reaches thirty thousand souls; thereafter the number of hotel licenses in the said city may be increased at the rate of one for every three thousand souls of the population; in the town of Windsor to a maximum of two; in the town of Aylmer to a maximum of four; in the town of St. Johns to a maximum of eight from and after the first of May 1915; in the town of Nicolet, to a maximum of three, until the population of the said town shall number five thousand; and such numbers shall not be exceeded thereafter in such a way as to give more than one such license for every thousand souls of the population of each of the said cities and towns, and that proportion shall be adhered to thereafter; in the town of La Tuque the number of hotel licenses is limited to a maximum of one for each one thousand of the population; in the town of Levis the number of hotel licenses is limited to a maximum of six (the present number) until the population of the said town numbers twelve thousand; in the town of Marieville the number of hotel licenses is limited to a maximum of two (the present number), and shall not hereafter be increased to three unless the population of the said municipality shall have reached three thousand souls, and so on thereafter, the increase being limited to a maximum of one for each one thousand souls of the population; in the town of Acton Vale the number of hotel licenses is limited to a maximum of two (the present number), and shall not hereafter be increased to three unless the population of the said municipality shall have reached three thousand souls, and so on thereafter, the increase being limited to a maximum of one for each one thousand souls of the population.

5. As the number of hotel and restaurant licenses in the cities and towns mentioned in paragraph 4 of this article is gradually reduced, the duty on each such license in each such city and town shall automatically and proportionately increase, so that the total revenue derived therefrom shall not be less than before such reduction.

9. Article 953 of the Revised Statutes, 1909, is amended by adding thereto the following paragraph:

"6. Nevertheless, in the cities of Quebec and Montreal, from and after the first day of May, 1915, no such transferee, whether he has acquired by contract, inheritance, or operation of law, shall have the right to keep or have a bar, and it shall be a violation of this section if he have or make use of a bar.

Duty to automatically and proportionately increase.

No transferee to have right to have a bar.

Exception. This paragraph shall not, however, apply to the widow of a license holder having a right to keep and keeping a bar at the time of his death, after the first of May 1915.

R.S. 954
am.

10. Article 954 of the Revised Statutes, 1909, is amended by adding, after the words "on the original applicant" in the eleventh and twelfth lines thereof, the words " and be subject to all the provisions of this section, as if he were an original licensee, except that in the cities of Quebec and Montreal he shall not keep or have a bar."

R.S. 956 am.

11. Article 956 of the Revised Statutes, 1909, is amended by adding thereto after the words "of a druggist's license" in the twenty-seventh line thereof, the words " of a club license,".

R. S. 966 am.

12. Article 966 of the Revised Statutes, 1909, is amended by adding to paragraph 4, at the end thereof, the words: "and in either of the cities of Quebec and Montreal, by the recommendation of the License Commissioners."

R.S. 968 am.

13. Article 968 of the Revised Statutes, 1909, as amended by the act 1 George V (2nd session), chapter 15, section 2, is further amended:

a. By replacing the first paragraph thereof by the following:

No. of shop
licenses to
be gradually
decreased in
Montreal.

"Within the limits of the city of Montreal, as existing on the first day of May, 1915, the number of retail liquor shop licenses in force on the said date shall be gradually decreased, so that on the first day of May, 1919, there shall not be in force within the said limits more than three hundred and fifty retail liquor shop licenses, and no increase in this number shall be made thereafter, except subject to the conditions enacted in paragraph 1 of article 943 respecting hotel and restaurant licenses, including the conditions requiring the maintenance of licenses in the territory previously belonging to the annexed municipality."

Limit in
Hull.

b. By adding after the sixth paragraph the following :
"In the city of Hull, from the first of May 1914, the number of retail liquor shop licenses is limited to a maximum of five."

R.S. 988 am.

14. Article 988 of the Revised Statutes, 1909, as amended by the act 1 George V, (1st session), chapter 10, section 5, is further amended:

A. By adding thereto the following sub-paragraph after sub-paragraph *f* of paragraph 1 thereof;

"g. Every holder of a hotel or restaurant license in the cities of Quebec and Montreal, who is authorized under the provisions of this section to keep a bar in his establishment, shall after the first of May, 1915, if he keep such bar, pay to the proper collector of provincial revenue, over and above the license duty which he is bound to pay under the provisions of paragraph 1 of this article, a supplementary duty amounting to fifteen per cent of the duty he is obliged to pay under the said paragraph 1."

B. By replacing paragraph 9 thereof by the following:

"9. On each wholesale liquor license:

- | | |
|--|--|
| a. In the city of Montreal, one thousand dollars; | Wholesale liquor license.
Montreal. |
| b. In the city of Quebec, seven hundred dollars; | Quebec |
| c. In every other part of the province, five hundred dollars." | Elsewhere. |

C. By replacing the words: "three hundred and fifty" in the fourth line of paragraph 11 thereof, by the words: "six hundred "; For each licence for the sale, by sample or on commission, of wine only containing not more than fifteen per cent of alcohol, four hundred and fifty dollars.

D. By replacing paragraph 12 thereof by the following: Bottler.

"12. On each license for the sale of fermented liquors bottled by the holder of such license:

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

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

b. For every other establishment or agency in the first municipality for which, during any license year, he holds a license in any county other than the county in which his principal establishment or principal agency is situate, ninety dollars;

c. For every other establishment or agency in each additional municipality for which he obtains a license in any other county, five dollars.

2. If he be not a brewer:

a. In each of the cities of Quebec and Montreal, one hundred and twenty-five dollars;

b. Outside of the cities of Quebec and Montreal, for the first municipality for which he obtains a license during any license year, in any county, ninety dollars; and for each additional municipality for which he obtains a license in such county, five dollars.

If not
brewer.

Vehicles.

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

R.S. 1012a
and 1012b
enacted.

15. The Revised Statutes, 1909, are amended by inserting therein after article 1012 thereof, the following articles:

Delivery of
liquor in
place ewhere
a prohibi-
tory by-law
is in force is
prohibited.

"1012a. Under the penalties imposed by article 1009, or by article 1072, as the case may be, no person, either in his own name, or as the agent or employee of another, shall, within the limits of any county, city, town, township, village or other municipality in which a prohibitory by-law is in force, or in which no license for the sale of intoxicating liquors is in force, take orders for the sale of any intoxicating liquors, even though such orders be subject to the ratification by the employer of the agent or employee; and in such county, city, town, township, village or other municipality every delivery of intoxicating liquor conditional upon or accompanied by payment made to or receipt given by the carrier, express agent or other person making the delivery, of the price in whole or in part of the sale of the liquor so delivered, shall, for the purposes of this section, constitute a sale of such liquor at such place of delivery as well by the shipper as by the person making such delivery, and shall be a violation of the provisions of this section, punishable under the provisions of article 1009, or article 1072, as the case may be.

Penalty.

Proviso.

However, the delivery provided for in this article shall not constitute an offense on the part of the person making such delivery, if such person shows to the satisfaction of the court that he was in good faith and that the shipper declared in writing that it was not spirituous liquors.

Packages
must be
marked.

"1012b. No intoxicating liquor shall be shipped into any municipality in which a prohibitory by-law is in force, or the council of which refuses to confirm certificates for licenses for the sale of intoxicating liquors, unless each package containing such liquor be openly and conspicuously addressed to the *bona fide* purchaser thereof. The fact of the package being so addressed shall not however be a bar to the seizure of such liquor if it be otherwise shipped or sold in contravention of any of the provisions of this section."

R S. 1019
am.

16. Article 1019 of the Revised Statutes, 1909, is amended by inserting therein after the word "sold" in the first line thereof, the words "or delivered or delivered gratuitously."

17. The Revised Statutes, 1909, are amended by R.S. 1019a inserting therein after article 1019 thereof the following: enacted.

"1019a. If it be proved that any person holding a Sale of liquor to be drunk by a minor. license for the sale of intoxicating liquor has sold or delivered any such liquor to a person of the age of majority, knowing that such liquor is purchased by such person for a person under eighteen years of age and to be drunk by the latter, the vendor of such liquor shall incur the penalties imposed by article 1072, and the purchaser those imposed Penalty. by article 1009; and if guilty knowledge be not proved against the vendor, such want of proof shall not prevent the imposition of the penalty upon the purchaser alone."

18. Article 1020 of the Revised Statutes, 1909, is R.S. 1020 amended by inserting therein, after the word "restaurant" am. in the second line thereof, the words: "or in the room of such hotel or restaurant in which intoxicating liquor is sold."

19. Article 1029 of the Revised Statutes, 1909, is R.S. 1029 amended by adding thereto, after the words "in addition am. to the penalties enacted by article 1009" in the fifth line thereof, the words: "and no grocer or dealer in articles of food shall sell or keep for sale in the building wherein his groceries or food products are kept, any intoxicating liquor, under the like pain of confiscation, in addition to the said penalties, unless such grocer or dealer in articles of food be on the first day of May, 1915, the holder of a liquor shop license, and such license be thereafter renewed to the same person, or unless there be no internal communication whatever between that part of the premises or their dependencies in which intoxicating liquor is sold, and that part of the said premises or dependencies in which the trade in groceries or articles of food is carried on."

20. The Revised Statutes, 1909, are amended by in-R.S. 1029a serting therein, after article 1029 thereof, a new arti-enacted. cle as follows:

"1029a. Whoever keeps any intoxicating liquor in Keeping in- any house of ill-fame or of assignation shall be subject to toxicating li- the penalty of imprisonment for a term not exceeding three quor in house of as- months, without the option of a fine. Such penalty may be signation or ill-fame. imposed upon the owner of the house if such owner occu- pies it, or upon the tenant or any occupant or inmate thereof. It is not required that any proof of the sale of intoxicating liquor therein be made; the liquors shall be seized and the judgment inflicting the penalty shall order

the confiscation of the liquors, which shall be sold as provided for by article 1030."

R.S. 1032a
enacted.

21. The following article is added after article 1032 of the Revised Statutes, 1909:

Keeping a
bar prohibi-
ted.

"1032a. From and after the first day of May, 1915, any person holding an inn or restaurant license, in either of the cities of Quebec and Montreal, who keeps a bar open to the public for the sale of intoxicating liquors, incurs the immediate cancellation of his license, unless such person was the holder of an inn or restaurant license during the license year ending the thirtieth day of April, 1915, in respect of the same premises, and then had such license uninterruptedly renewed and in force at the time in question; 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."

Proviso.

R. S. 1040
am.

22. Article 1040 of the Revised Statutes, 1909, is amended by inserting therein before the words "With the exception of" in the first line thereof, the words: "As regards holders of restaurant licenses, authorized by any of the provisions of this section to keep a bar".

R. S. 1041
replaced.

23. Article 1041 of the Revised Statutes, 1909, is replaced by the following:

License to be
posted up.

"1041. The keeper of every inn or restaurant shall constantly keep his license posted up in view of the public in the bar of his establishment, if he be authorized to continue to have a bar, and if he be not so authorized, in the room of his establishment in which intoxicating liquors are trafficked in. The keeper of every temperance hotel shall keep his license constantly in view of the public in the room of his hotel approved of by the Collector of Provincial Revenue."

R.S. 1047 re-
placed.

24. Article 1047 of the Revised Statutes, 1909, is replaced by the following:

Not more
than one bar
in any inn or
restaurant.

"1047. Under the penalties mentioned in article 1072, not more than one bar shall be kept in any inn or restaurant, the proprietor of which is authorized by the provisions of this section to continue to have a bar."

R.S. 1049
am.

25. Article 1049 of the Revised Statutes, 1909, is amended by inserting therein, after the word "section" in the second line thereof, the words: "nor be employed in the room in which intoxicating liquor is sold."

26. Article 1050 of the Revised Statutes, 1909, is ^{R.S. 1050} amended by adding thereto, at the end thereof the words: ^{am.}
“nor be employed for the sale of intoxicating liquor in any such tavern, inn or restaurant.”

27. Article 1054 of the Revised Statutes, 1909, as ^{R.S. 1054} amended by the act 1 George V (1st session), chapter ^{am.} 10, section 7, is further amended:

a. By replacing the word “seven” in the fifth line of the first paragraph thereof, by the words “half past seven;”

b. By striking out the word “or” before the words “Good Friday”, in the seventh line thereof, and adding after the words “Good Friday”, in the said seventh line, the words “Confederation Day and Labor Day;”

c. By adding after the word “bars” in the second line of the third paragraph thereof, the words “or rooms in which liquor is trafficked in;”

d. By adding after the word “bar” in the second line of the fourth paragraph thereof, the words “or room in which liquor is trafficked in.”

28. Article 1055 as replaced by the act 1 George V, ^{R. S. 1055} (1st session), chapter 10, section 8, is amended: ^{am.}

a. By replacing the word “seven” in the fifth line thereof, by the words “half past seven”.

b. By striking out the word “or” in the sixth line thereof, and adding after the words “Good Friday”, in the seventh line thereof, the words “Confederation Day and Labor Day;”

c. By adding at the end of the said article the words: “and during the days and hours during which the sale of intoxicating liquor is prohibited, the removal of any such liquor from the licensed premises for the purpose of delivery thereof is likewise prohibited. However, stores licensed to sell intoxicating liquor may remain open on Good Friday, Confederation Day and Labor Day, but shall not be allowed to sell or deliver intoxicating liquor.”

29. Article 1056 of the Revised Statutes, 1909, as ^{R.S. 1056} amended by the act 1 George V, (1st session), chapter 10, ^{am.} section 9, is amended:

By replacing the first paragraph thereof by the following:

“1056. All such licensed liquor shops and bottlers’ ^{Licensed li-} establishments shall be kept closed as mentioned in article ^{quor shops} 1055; but any such licensed liquor shop in which groceries ^{and bottlers’} or other articles besides intoxicating liquors are sold, ^{establish-} ^{ments to be} may, except on Sunday, Christmas Day and New Year’s ^{kept closed}

re certain
days.

Exception.

Day, be kept open for the sale of such groceries or such other articles, but shall not be allowed to sell or deliver intoxicating liquor;"

b. By adding at the end of the article the words:" subject however to the provisions of article 5885."

R.S. 1065
am.

30. Article 1065 of the Revised Statutes, 1909, is amended:

a. By striking out the words "with the exception of licenses for liquor shops" in the second line thereof;

b. By adding thereto the following words: "saving that the present article shall not apply to any grocer, or dealer in articles of food, holding a liquor shop license on the first day of May, 1915, which may thereafter be renewed to the same person; but provided that this exception shall not apply in the case of any transfer of the license or business, whether by contract, succession or operation of law."

R.S. 1068
am.

31. Article 1068 of the Revised Statutes, 1909, is amended by adding thereto, after the word "license", in the third line thereof, the words: "or carries any such liquors in his vehicle."

R.S. 1070 re-
placed.

32. Article 1070 of the Revised Statutes, 1909, is replaced by the following:

Forbidden
to sell intox-
icating li-
quors as not
being intox-
icating or in
bottles
marked or
labeled other
wise.

"1070. Any person, whether he be or be not licensed to sell intoxicating liquors, who sells such liquors, representing them as not being intoxicating, or who sells or exposes for sale intoxicating liquors in bottles or other vessels or receptacles of any description, labelled or marked as containing non-intoxicating liquors, or as containing any articles of merchandise other than intoxicating liquors, shall incur the penalties provided in articles 1009 or 1072 as the case may be, and if the offender be the manufacturer of the liquor, the penalty shall be doubled. The Revenue police constables or any other officers employed by the Government may seize such intoxicating liquor without warrant. The liquors so seized shall be placed in the care and possession of the Collector of Provincial Revenue for the district to await the judgment of the Court respecting them, and the judgment inflicting the penalty shall order the confiscation of the said liquors and vessels, which shall be sold as provided in article 1030."

Penalty.

R.S. 1090a
enacted.

33. The Revised Statutes, 1909, are amended by inserting therein, after article 1090 thereof, a new article as follows:

"1090a. The provisions of articles 1089 and 1090 shall also apply to those who, without being license-holders, sell or assist in the sale of intoxicating liquors in contravention of this section." Certain provisions applicable in certain cases.

34. Article 1097 of the Revised Statutes, 1909, is amended by adding to the second paragraph at the end thereof, the words: "and if declared confiscated by judgment of the court, the said liquors shall be sold in the manner prescribed by article 1030." R.S. 1097 am.

35. The following article is inserted in the Revised Statutes, 1909, after article 1141 ; R.S. 1141a enacted.

"1141a. In any suit under this section where proof is required respecting any license, a certificate signed by the collector of provincial revenue of the district shall be sufficient proof of the existence of such license, and the identity of the person to whom it was granted; and the production of such certificate shall be considered a sufficient proof of the facts therein stated, and of the authority of the collector of provincial revenue, without any other proof of his authority or his signature being required." What shall be proof in certain cases.

36. Article 1150 of the Revised Statutes, 1909, is amended by adding thereto, at the end thereof, the following paragraphs: R.S. 1150a enacted.

"In the cities of Quebec and Montreal, any conviction found under this section shall, moreover, within fifteen days following the date of the judgment, be brought to the attention of the Clerk of the License Commission of Quebec or of Montreal, as the case may be, by the clerk of the court or the Magistrate before which or whom the action was taken, on penalty of a fine of twenty dollars." Conviction to be brought to attention of clerk of License Commission in Quebec and Montreal.

In the case where a license-holder has been twice convicted during the license year then current for contravention of this section, the license commissioners may immediately suspend or cancel his license, after giving him notice." Where license holder has been twice convicted during current year, may immediately cancel &c., license.

37. The following article is inserted after article 1150 of the Revised Statutes, 1909. R.S. 1150a enacted.

"1150a. In any prosecution instituted under this section the judgment rendered shall not affect any offences committed before the date of the rendering thereof, except such as are alleged in the complaint." Judgment to affect only cases alleged in the complaint.

38. Article 1151 of the Revised Statutes, 1909, is amended. R.S. 1151 am.

amended by replacing paragraph *c*, thereof, by the following:

“*c*. To the advocate:

A fee of five dollars in all cases where a plea of guilty is entered on or before the return day. If a plea of guilty be entered after the return day, or if witnesses are examined, a fee of ten dollars shall be allowed.”

Certain amendments to be repealed and original law to again come into force on 1st of May, 1917

39. After the first of May, 1917, the amendments made to articles 925 and 930 of the Revised Statutes 1909, by sections 3 and 4 of this act, and paragraph 9 of article 939 of the said statutes, as contained in section 6 of this act, shall be repealed; and articles 925 and 930 of the Revised Statutes, 1909, the latter article as amended by the act 1 George V (1st session) chapter 10, section 2, and paragraph 16 as contained in article 939 of the Revised Statutes, 1909, the whole as in force before the first day of May, 1914, shall again come into force and be re-enacted as articles 925 and 930, and as paragraph 9 of article 939 of the Revised Statutes, 1909, as the case may be.

Coming into force.

40. This act shall come into force on the first day of May, 1914.

CHAP. 7

An Act to amend article 1085 of the Revised Statutes, 1909, respecting notices not to deliver intoxicating liquor to certain persons.

[Assented to 19th February, 1914]

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

1085 R.S. amended.

Collector of revenue may give order not to deliver intoxicating liquor to certain persons.

1. Article 1085 of the Revised Statutes 1909, is amended by adding thereto the following paragraph:

“Such persons may also apply to the collector of provincial revenue for the district for an order prohibiting all persons licensed to sell intoxicating liquor from selling or delivering the same to the person having such habit, or to such interdicted person. Such order must be given at the cost of the applicant by registered letter addressed to each person licensed to sell intoxicating liquor in the district, by the collector of revenue for the said district. The collector