

Interpreta-
tion.

In applying such articles to such appeals the word "protho-
notary", wherever it occurs therein shall mean the secretary
of the Commission and all words therein designating the court
which has rendered the judgment appealed from shall apply to
the Commission.

Adjudication
as to costs,
&c.

50. The Court of King's Bench shall adjudge the costs on
such appeal, and shall order that the record be transmitted to
the secretary of the Commission.

Record how
returned, &c.

Such transmission shall be effected by the Clerk of Appeals,
who shall annex to the record a copy of the judgment of the
court.

Execution of
judgment of
K. B.

51. The judgment of the Court of King's Bench, when it
confirms an order of the Commission, shall be executed in the
manner prescribed by sections 32, 42, 43 and 44.

§ 6.—*Coming into force*

Coming into
force.

52. This act shall come into force on the day the Lieutenant-
Governor may be pleased to fix by proclamation.

CHAP. 17

An Act to amend the Quebec License Law

[Assented to 29th May, 1909]

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

63 V., c. 12,
s. 17,
amended.

1. Article 17 of the act 63 Victoria, chapter 12, is amended :

a. By adding after the word : " towns ", in the first line,
the words : " and in all municipalities in which polling sub-
divisions exist ;"

Elector sign-
ing certi-
cate and
opposition.

b. By adding thereto the following paragraph :

" Any elector who signs the opposition after having signed
the certificate, shall be deemed to have withdrawn his first
signature."

Id., s. 18,
amended.

2. The second paragraph of article 18 of the said act as
amended by the act 3 Edward VII, chapter 13, section 1 is
further amended by adding thereto the words : " but when-
ever a municipal council wishes to substitute one licensee for
another, such council is obliged to state the reasons why the
former licensee is refused a new license."

3. Article 25 of the act 63 Victoria, chapter 12, as amended *Id.*, s. 25, by the acts 1 Edward VII, chapter 11, section 1; 2 Edward VII, chapter 13, section 4; 5 Edward VII, chapter 13, sections 6 to 11, and 8 Edward VII, chapter 19, section 5, is amended by replacing paragraph 1 by the following :

“ 1. For the city of Quebec, after the retirement of the present three persons, the confirmation of the certificate is granted at the Court House in Quebec, by three persons chosen by the Lieutenant-Governor in Council from among the judge of the sessions of the peace, the sheriff of the district of Quebec, the district magistrate, the clerk of the peace for the said district and another person who may be selected or by two of such persons ; and at the Police Court in Montreal for the city of Montreal, by three persons chosen by the Lieutenant-Governor in Council from among the judges of the Sessions of the Peace in office and receiving emoluments as such, the police magistrates and the recorders, of the city of Montreal, or by two of such persons.”

4. Article 28 of the act 63 Victoria, chapter 12, as replaced *Id.*, s. 28, by the act 8 Edward VII, chapter 19, section 7, is amended:

a. By adding to paragraph 3, the following words : “ from and after the annexation to the city of Montreal of the town of St. Louis, under the name of Laurier ward of the said city, the number of hotel and restaurant licenses in the said ward shall be limited to a maximum of twenty.”

b. By adding after the word “ population,” in the thirteenth line of paragraph 4, the words: “ but the provisions of this paragraph do not include the establishment known as the “ Hotel Laurentides” situate on the outskirts of the said town of Grande Mère ” ;

c. By adding after the word : “ restaurant ” in the fourteenth line of paragraph 4, the words : “ in the town of Aylmer to a maximum of four ”.

d. By inserting after the word “ twelve ”, in the fourth line of paragraph 4, the words : “ for the current license year, to a maximum of eleven for the license year commencing on the first of May, 1910, and to a maximum of ten from and after the first of May, 1911.”

5. The following article is added after article 35a of the *Id.*, s. 35b, act 63 Victoria, chapter 12, as enacted by the act 5 Edward VII, chapter 13, section 14 :

“ **35b.** Whenever a license certificate, confirmed by the License Commissioners if in either of the cities of Quebec and Montreal, or by the municipal corporation or council if in any other place, is annulled by a judgment of a court,

subsequently to the issue of the license authorized by such certificate, the said license thereupon becomes null and void, unless the said judgment be appealed from within eight days; if appeal be not taken during the said delay, in cases, where there is an appeal, the clerk of the court shall, upon the expiry thereof, immediately inform the proper collector of provincial revenue of such annulment, whereupon the collector shall in turn forthwith notify the holder of the license that it has become null and void, and if the holder of such license continues to act under the said license, he shall incur the penalties imposed by article 84."

Id., s. 38c,
added.

6. The following article is added after article 38b of the act 63 Victoria, chapter 12, as enacted by the act 8 Edward VII, chapter 19, section 9 :

Transfers to
be reported
to Provincial
Treasurer,
&c.

" **38c.** Every application for the transfer of a license under articles 36, 37 and 38 of this law, shall, within eight days from the date of such application, be reported to the Provincial Treasurer by the clerk of the license commissioners, if in either of the cities of Montreal and Quebec, and by the secretary-treasurer of the municipal corporation if in any other place, under a penalty of twenty dollars."

Id., s. 47a,
amended.

7. Article 47a of the act 63 Victoria, chapter 12, as enacted by section 21 of the act 5 Edward VII, chapter 13, and amended by the acts 6 Edward VII, chapter 9, section 12 ; 7 Edward VII, chapter 11, section 5, and 8 Edward VII, chapter 19, section 11, is further amended by adding after the fourth paragraph thereof the following paragraph :

Number re-
tail shop li-
censes in St.
Hyacinthe.

" In the city of St. Hyacinthe, the number of retail liquor shop licenses is limited to seven from and after the first of May, 1910."

Id., s. 160a,
amended.

8. Article 160a, of the act 63 Victoria, chapter 12 as enacted by the act 5 Edward VII, chapter 13, section 46, is amended by adding after the word " most ", in the ninth line, the words: " if he be the holder of a license authorizing the sale of intoxicating liquors by retail and of not less than seventy-five dollars nor more than one hundred dollars, if he be the holder of a wholesale liquor license ".

Id., s. 160b,
added.

9. The following article is added after article 160a of the act, 63 Victoria, chapter 12, as enacted by section 46 of the act 5 Edward VII, chapter 13 :

Bottled li-
quors to be
kept in same
bottles, &c.

" **160b.** 1. Bottled liquors procured by the keeper of a licensed hotel or restaurant for the purpose of supplying the same to customers or guests shall be kept, while on the licensed premises, in the bottles in which such liquors are delivered to

such keeper ; and so long as the mark or label on such bottles has not been removed or defaced, no other liquor or any substance or liquid shall be put into any such bottle, and no bottle after being emptied of such bottled liquor shall be refilled, either partially or wholly, by the keeper of such licensed premises or any other person on his behalf for the purpose of supplying liquor or any substance or liquid to any customer or guest.

2. No holder of a hotel, restaurant or shop license shall use or permit to be used any sign or label upon any bottle, cask or other vessel in which liquor is kept for sale upon the licensed premises, which does not correctly and truly state the nature of the contents of such bottle, cask or other vessel, or which is in any manner calculated to mislead a customer or guest as to the nature, description or quality of such contents. ^{Misleading labels, &c., forbidden.}

3. No holder of a hotel, restaurant or shop license or any other person shall for any purpose whatsoever mix or permit or cause to be mixed with any liquor sold or supplied by him on the licensed premises as a beverage, any drug or any form of methylic alcohol or any crude unrectified or impure form of ethylic alcohol or other deleterious substance or liquid. ^{Mixing certain drugs with liquor forbidden.}

4. Any person violating any of the foregoing provisions of this article shall incur the penalties enacted in article 137.

10. Article 161 of the act 63 Victoria, chapter 12, is amended ^{Id., s. 161,} by inserting after the words "for the" in the third line the words "opening not earlier than seven o'clock in the morning of any week day and for the" ^{amended.}

11. Article 165 of the act 63 Victoria, chapter 12, is amended ^{Id., s. 165,} by replacing the words "prohibits the confirmation of certificates" in the second and third lines of the second paragraph by the words: "refuses to confirm certificates." ^{amended.}

12. Article 182a of the act 63 Victoria, chapter 12, ^{as Id., s. 182a,} enacted by the act 8 Edward VII, chapter 19, section 25, is ^{amended.} amended by adding thereto the words: "and if the offender be the holder of a license authorizing the sale of intoxicating liquor, the court may, in its discretion, cancel such license."

13. Article 227 of the act, 63 Victoria, chapter 12, is amended ^{Id., s. 227,} by inserting after the word "magistrate", in the second line, the words: "or such magistrate himself, if he have no clerk". ^{amended.}

14. This act shall come into force on the day of its sanction. ^{Coming into force.}
