

amount thereof, by suit, on behalf of His Majesty, taken by the collector of provincial revenue in his own name.

Privilege of
sums due
Crown.

"1191j. Any sum that may become due to the Crown, in virtue of this section, shall constitute a privileged debt ranking immediately after law costs.

Percentage
to be retain-
ed by collect-
or.

"1191k. The collector of provincial revenue, who collects any sum in virtue of this section, shall be entitled to retain such percentage as the Lieutenant-Governor in Council may determine.

Lieutenant-
Governor in
council may
make regula-
tions, &c.,
and coming
into force
thereof.

"1191l. The Lieutenant-Governor in Council may make, amend, replace and repeal all regulations and forms that he may consider necessary for the purpose of carrying out the provisions of this section, which regulations and forms shall come into force as soon as they are published in the *Quebec Official Gazette*."

Effect of re-
peal by this
act.

2. The repeal, by section 1 of this act, of section xviii of the fifth chapter of the fourth title of the Revised Statutes, as enacted by the act 55-56 Victoria, chapter 17, section 1, and of the acts amending the same, shall not have the effect of remitting the duties which have become due nor the penalties incurred in virtue thereof, but such duties and penalties shall be collected in virtue of the provisions of the repealed law as if this act had not been passed.

Coming into
force.

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

C H A P. 12

An Act to provide for a tax on transfers of shares, bonds, debentures or debenture-stock

[Assented to 9th March, 1906]

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

Tax on
change of
ownership of
shares, &c.

1. In order to provide for the exigencies of the public service, there shall be levied, in accordance with the rules hereinafter set forth, a tax upon every change of ownership consequent upon the sale, transfer or assignment of shares, bonds, debentures or debenture-stock issued by any corporation or company, made

or carried into effect in this Province, except upon the first issue of shares up to the sum of one million dollars.

2. Such tax shall be paid in money or in adhesive stamps, issued according to the laws of this Province, and particularly in accordance with the provisions of the Revised Statutes respecting stamps, and with any order in council passed or to be passed respecting the same. How tax to be paid.

3. The amount of money which shall be paid or of stamps which shall be affixed shall be two cents for every hundred dollars or fraction thereof of the par value of such shares, bonds, debentures or debenture-stock, sold, transferred or assigned. Amount of tax.

4. In case the evidence of such sale, transfer or assignment consists in the entry made in a book or register kept in the Province by the corporation or company, if the payment is made in stamps, the stamps shall be affixed, at the time of the entry, upon the page of the book or register upon which the entry is made, as near as may be to the said entry. Stamps to be affixed upon transfer book.

In cases where such sale, transfer or assignment takes place by the mere delivery or handing over of the certificate or of the security, or when the book or register of the corporation or company is kept outside the Province, the stamps shall be affixed or the tax paid in such manner as the Lieutenant-Governor in Council may, from time to time, determine. If transfer by mere delivery, how tax is to be paid.

5. The stamps shall in all cases be supplied and affixed by the vendor, transferror or assignor, unless the sale, transfer or assignment is effected through a broker, in which case, the broker affixes the stamps, and may recover the cost thereof from the vendor, transferror or assignor. Who affixes stamps, &c.

6. Immediately after having been affixed, the stamps shall be obliterated by the person who has affixed them, as provided for by article 1184 of the Revised Statutes. Obliteration of stamps.

7. No corporation or company shall enter or permit the entry, in any book or register under its control, of any such sale, transfer or assignment, unless the tax be paid when the entry is made. Corporation, &c., not to permit of entry of transfer unless tax paid

In default of payment of the tax, the transferror and the transferee shall each be liable to a penalty not exceeding five hundred dollars, which shall be recovered with costs by ordinary process of law, in His Majesty's name, before the Superior Court. Penalty in default of payment of tax.

If sale &c.,
effected by
broker not
member of
Stock Ex-
change.

8. Any sale, transfer or assignment made through a broker resident in the Province, not a member or the acknowledged attorney of a member of an existing incorporated Stock Exchange, shall be deemed to be made and carried into effect in the Province, unless the Provincial Treasurer shall certify that the contrary has been established to his satisfaction.

Examination
of books, &c.,
to ascertain
if tax paid.

9. For the purpose of ascertaining whether the tax imposed by this act has been paid, the Provincial Treasurer may authorize in writing an officer of his Department to examine the books and papers of any corporation, company, firm or person; and any corporation, company, firm or person objecting to such examination shall be liable to the penalty provided in section 7 of this act, which shall be recoverable in the manner therein provided; but the person making such examination shall first be sworn not to disclose any information so acquired by him, except to the Provincial Treasurer.

Subpoena
may be
issued if rea-
son to be-
lieve tax is
evaded, for
examination
of persons.

10. The Lieutenant-Governor in Council, upon the report of the Provincial Treasurer to the effect that there is reason to believe that any such corporation, company, firm or person is evading payment of the tax imposed by this act, may require any judge of the Superior Court to issue a subpoena *ex parte* calling upon any such person or on any officer of any such corporation or company, or member of any such firm to appear before him, and he may be there examined under oath concerning any sales, transfers, or assignments in respect of which the tax is exigible and is not shown to have been paid, and no person shall be admitted to such examination except counsel for the Crown and for the parties interested.

Who may be
present at
examination.

Regulations,
for carrying
out act and
payment in
money in
certain cases.

11. The Lieutenant-Governor in Council, may make, amend, replace and repeal all regulations which he may deem necessary for the carrying into effect of the provision of this act; and may, further, provide that where such sales, transfers, or assignments are made through any recognized Stock Exchange, that the tax may be paid in money in lieu of stamps under such regulations as he may think necessary for the protection of the public revenue; all which regulations shall come into force as soon as they are published in the *Quebec Official Gazette*.

Coming into
force of such
regulations.

R. S., 1159,
1160, 1162 to
1166 to ap-
ply.

12. Articles 1159, 1160, 1162, 1163, 1164, 1165 and 1166 of the Revised Statutes shall apply to this act.

Application
of act.

13. This act shall not apply to any transfer or assignment of shares, bonds, debentures or debenture stock made *bona fide* for the security of loans nor to the re-transfer or re-assignment of the same to the borrower, nor to any transmission owing to death.

14. The persons appointed to collect the said tax in any part of the Province shall be known as stock tax-collectors. Name of collector.

15. The act 5 Edward VII, chapter 15, is repealed 5 Ed. VII, c. 15, repealed.

16. No sale, transfer or assignment made since the passing of the said act shall be held to be illegal, invalid or not binding by reason of the non-payment of the tax provided for in the said act, but the right of the Crown to recover the said tax or to enforce the penalties provided in the said act shall not be affected by the repeal thereof. Certain transfer, &c., not held to be illegal. Penalties under repealed act, &c.

17. This act shall come into force on such day as the Lieutenant-Governor in Council may be pleased to fix by proclamation. Coming into force.

CHAP. 13

An Act respecting motor vehicles

[Assented to 9th March, 1906]

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

I.—INTERPRETATIVE AND DECLARATORY

1. The expression: "motor vehicle" in this act comprises all vehicles propelled by any power other than muscular force, excepting railway and tramway cars and motor vehicles running only on rails or railroads and road rollers and traction engines. "Motor vehicle" defined.

2. The word: "*chauffeur*" in this act means a person skilled in operating motor vehicles, who habitually drives such vehicles as a means of livelihood. "Chauffeur" defined.

II.—REGISTRATION OF VEHICLES

2. Every person acquiring a motor vehicle shall, for every such vehicle owned by him, file in the office of the Provincial Treasurer a statement of his name and address, with a brief description of the motor vehicle to be registered, with the name of the manufacturer, factory number, style of vehicle, motive power and strength thereof, on a blank to be supplied by the Provincial Treasurer for that purpose, and he shall pay a registration fee of five dollars, the amount of such fee to be sent in with the application. Statement to be filed with Provincial Treasurer by owner of motor vehicle and what to contain, &c.