

CHAP. 10

An Act rendering valid the acts of officers and others who have not taken the oath of allegiance

[Assented to 28th March, 1901]

HIS MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Proceedings, &c., by officers, &c., who have not taken oath of allegiance, ratified. **1.** All proceedings had and acts performed, up to the time of the coming into force of this act, by public functionaries, officers, advocates, notaries, land surveyors and all other persons obliged to take the oath of allegiance or to renew the same, and who have not taken or renewed such oath, are, in so far as may be necessary, declared to be valid.

Pending cases. **2.** This act shall not apply to proceedings and acts, the legality whereof is now in question before the courts on the ground that such oath had not been taken.

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

CHAP. 11

An Act to amend the Quebec License Law

[Assented to 28th March, 1901]

HIS MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

63 V., c. 12, art. 25, amended. **1.** Article 25 of the act 63 Victoria, chapter 12, is amended :

Par. 1, replaced ; Confirmation of certificates at Quebec and Montreal. (a) By replacing paragraph 1 by the following :
" 25. (1). The confirmation of the certificate is granted at the police court in Quebec, for the city of Quebec, by the judge of the sessions of the peace, the sheriff of the district of Quebec and the clerk of the peace for the said district, or by any two of them ; and at the police court in Montreal, for the city of Montreal, by two judges of the sessions of the peace holding office and receiving emoluments as such, and by the senior recorder, or by any two of them."

Par. 2, replaced ; License commissioners. (b) By replacing paragraph 2 by the following :
" 2. For the purposes of such confirmation, these magistrates and officers are styled license commissioners."

(c) By replacing paragraph 4 by the following :

" 4. In the city of Quebec, the deputy-clerk of the peace acts as clerk of the license commissioners."

Par. 4, re-
placed ;
Clerk in
Quebec.

(d) By replacing paragraph 8 by the following :

" 8. 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 two dollars in stamps affixed to such form, if in the city of Montreal, and seven dollars if in the city of Quebec. The license commissioners shall not recognize any such certificate not having the required stamps."

Par. 8, re-
placed ;
Form of cer-
tificate of con-
firmation and
stamp there-
on, &c.

(e) By replacing paragraph 20 by the following :

" 20. 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 only be made, in Quebec, by the judge of the sessions, the sheriff of the district of Quebec, and the clerk of the peace of the said district, and in Montreal by the two judges of the sessions and the senior recorder, sitting as license commissioners. If the applicant has already held such a license, the unanimous consent of the license commissioners is not requisite for the confirmation of the certificate, but all three commissioners in Quebec, and all three of them in Montreal, must hear the case."

Par. 20, re-
placed ;
How confir-
mation may
be made if
opposition
thereto.

(f) By adding thereto the following paragraph :

" 25. It shall be lawful for the Lieutenant-Governor in Council to pay, out of the consolidated revenue fund of this Province, to the sheriff of the district of Quebec and to the clerk of the peace for the said district, for their services as license commissioners, such annual salary as he may be pleased to fix."

Par. 25 added.
Payment of
license com-
missioners in
Quebec.

2. Article 28 of the said act is amended by replacing the words " in the city of Quebec, to a maximum of one hundred and twenty ", in the third and fourth lines, by the words : " in the city of Quebec, to a maximum of one hundred and fifty ". 63 V., c. 12,
art. § 28,
amended.

3. Article 36 of the said act is amended by replacing paragraph 5 by the following : 63 V., c. 12,
art. § 36,
amended.

" 5. The transferee thereof may, in all cases, exercise all the rights which accrued thereunder to the original licensee in the house therein described, or, if such house be situated within an organized territory of the province in any other building situated within the limits of the municipality, which the judge of the sessions, the sheriff of the district of Quebec and the clerk of the peace for the said district, at Quebec, or Right of
transferee.

the two judges of the sessions of the peace and the senior recorder, at Montreal, or the majority of them, or, in any other municipality, the municipal council, as the case may be, approve of, and which is set forth in the certificate referred to in article 37.

63 V., c. 12,
art. 57, re-
placed.
Penalties for
certain in-
fractions.

4. Article 57 of the said act is replaced by the following :

“ 57. Any person, licensed under article 60, who sells any quantity whatsoever of intoxicating liquors, without the certificate required by articles 56 and 58, or who sells any such liquor in violation of the provisions of article 144, or who allows any such liquor sold by him to be drunk in his establishment or its dependencies, or who sells any such liquor outside the place and its dependencies for which the license has been obtained, shall be liable to the penalties imposed by article 137.”

63 V., c. 12,
art. 64
amended.

5. Article 64 of the said act is amended by inserting therein the following after paragraph 9 :

Wholesale
liquor license
to druggists
to sell to drug-
gists only.

“ 9a. On each license granted to a chemist or druggist for the sale by wholesale of intoxicating liquor to chemists or druggists only, one hundred and fifty dollars ;”

63 V., c. 12,
art. 105,
amended.

6. The first clause of article 105 of the said act is replaced by the following :

Interpreta-
tion to be
given to ar-
ticles 84, 99
and 100 as to
chemists or
druggists.

“ 105. The said articles 84, 99 and 100 shall not prevent any chemist or druggist, duly registered as such under and by virtue of the Quebec Pharmacy Act, from selling intoxicating liquors for strictly medicinal, sacramental or mechanical purposes, under certificate from a registered medical practitioner, if for medicinal purposes, or a clergyman, if for sacramental purposes, or from the purchaser and a justice of the peace, if for mechanical purposes, and then only in quantities not exceeding one pint, imperial measure, at a time ; but every such chemist or druggist who wishes to sell intoxicating liquors without such certificate, or to sell such liquor in quantities exceeding an imperial pint, must be the holder of a retail liquor shop license, or a wholesale liquor license, or a wholesale and retail liquor license or a license for the sale by wholesale of intoxicating liquors to chemists and druggists only, under the penalties prescribed by article 84.”

63 V., c. 12,
art. 121, re-
placed.

7. Article 121 of the said act is replaced by the following :

Sale of liquors
prohibited
on certain
days and dur-
ing certain
hours.

“ 121. Subject to the provisions of article 1111 of the Revised Statutes, intoxicating liquors shall not be sold in any inn or restaurant at any place in the Province, or in any tavern at the mines, on any day of the week from midnight

until five o'clock in the morning, or during the whole of any Sunday, unless on a special demand for medicinal purposes, signed by a duly registered medical practitioner or by a clergyman, and produced by the purchaser. Exception.

The liquors, so sold on special demand, shall not be drunk on the premises. Liquors not to be drunk on premises.

During the time when the sale of liquors is prohibited, all the bars shall be kept closed. Bars to be closed.

8. Article 122 of the said act is replaced by the following : 63 V., c. 12, art. 122 replaced.

" 122. Intoxicating liquors shall not be sold in any liquor shop, or in the dependencies thereof, nor by any bottler, at any place in the Province, on any day of the week from midnight until four o'clock in the morning, or during the whole of any Sunday, except in retail liquor shops in which intoxicating liquor may be sold upon a special certificate for medicinal purposes, signed by a duly registered medical practitioner or by a clergyman, and produced by the purchaser." Sale in liquor shops prohibited on certain days and during certain hours. Exception.

9. The first clause of article 234 of the said act is replaced by the following : 63 V., c. 12, art. 234, amended.

" 234. The following property and effects sold by auction and outcry in this Province, and adjudged to the highest and last bidder or lowest and last bidder therefor, must be sold by a licensed auctioneer, to wit : ". Certain property must be sold by licensed auctioneer.

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

CHAP. 12

An Act to amend the Quebec Game Laws

[Assented to 28th March, 1901]

HIS MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The first clause of article 1398 of the Revised Statutes, R. S., 1398, as enacted by the act 62 Victoria, chapter 24, section 1, is amended, replaced by the following :

" 1398. No person shall, in one season's hunting, kill or take alive more than one moose, two deer and two caribou." Number of moose, &c., that may be killed, &c.

2. Paragraph (b) of article 1400 of the Revised Statutes, R. S., 1400 § b, as enacted by the said act, is replaced by the following : replace i.