

Either perpetual, redeemable after sixty-five years, by giving a notice of one year of such intention of redeeming them, or

Redeemable at such time, not exceeding sixty-five years as may be fixed by the Lieutenant-Governor in Council, or

By a certain number of annuities, payable annually, not exceeding sixty-five, or annuities, payable half yearly, not exceeding one hundred and thirty.

5. It shall be lawful for the Lieutenant-Governor in Council to determine the delay within which the holders of the present debentures may exchange them for the new debentures or claim the redemption thereof in cash, and to order that, after such delay, interest shall accrue upon all the classes of debentures at the rate specified for the new debentures.

6. It shall be lawful for the Lieutenant-Governor in Council to covenant and order that such new debentures shall or shall not have a sinking fund and that the Province shall renounce the right of paying by anticipation before the term agreed upon.

7. The said debentures or the proceeds thereof cannot be employed for any other purposes than the redemption or conversion of the existing debentures, and they shall constitute a special and distinct fund which shall not form part of the Consolidated Fund of the Province.

8. It shall be lawful for the Lieutenant-Governor in Council to effect the conversion of the present public debt by the exchange of new obligations for those already in existence, and to effect such exchange at such rate of premium as may be agreed upon with the holders thereof, and, if necessary, to grant a discount on the new debentures equal to that at which they might be sold for cash.

9. This act shall come in force in the day of its sanction.

C A P . X .

An Act to amend the Quebec License Law.

[Assented to 12th July, 1888.]

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

1. Paragraph *f* of section 1 of the Quebec License Law, 41 V., c. 3, s. 1 § *f* replaced, 1878, is replaced by the following :

Restaurant defined.

“(f). A restaurant is an establishment where, in consideration of payment, food, without lodging, is habitually provided, and where intoxicating liquors are sold.”

Paragraph added to 41 V., c. 3, s. 1. Polling subdivision.

2. The following paragraph is added to section 1 :
“(ee). The polling subdivision is any subdivision, for voting purposes at elections of members of the Legislative Assembly, of an electoral district in the Province, as shown by the electoral list which served for the last election.”

41 V., c. 3, s. 7, amended.

3. Section 7 is amended, by striking out the words “twenty-five” and replacing them by the words “one fourth of the .”

41 V., c. 3, s. 10, as amended by 50 V., c. 3, s. 1, replaced. Who may sign certificate in cities and towns.

4. Section 10, as amended by the Act 50 Victoria, chapter 3, section 1, is replaced by the following :

“10. In all cities and incorporated towns, the signers of the certificate must be municipal electors residing or having their place of business in the polling subdivision in which is situated the house for which the license is applied for.

Certificate not to be confirmed if majority of municipal electors object.

The authorities charged with confirming the certificates shall not confirm the certificate of any applicant, if the majority of the municipal electors, residing or having their places of business in the polling subdivision, in which is situated the house to which the license is to apply, object thereto, by petition, signed by them and produced before the clerk before the day fixed for the taking into consideration of the said certificate.

Delay for filing objection.

If applicant withdraw petition, opposition previously filed to serve against any subsequent application.

In case any applicant for the confirmation of a license certificate should, for any informality or other reason whatsoever, withdraw his petition after an opposition has been produced thereto, the same opposition may serve against any new demand made, in the same year, for the same establishment, by the same person or by any other person in his interest.”

41 V., c. 3, s. 38, replaced. Applicant to furnish two securities.

5. Section 38 is replaced by the following :

“38. Before obtaining his license, the applicant shall, further, furnish two sureties, who justify their solvency on oath, up to the amount of two hundred dollars each, and who oblige themselves to pay to the Provincial Treasurer all fines and penalties to which the applicant may be condemned for any contravention of this law while his license is in force.

To be judicial securities. No dealer in liquors to be security. Security to act only for one license.

Such sureties shall be considered as judicial sureties. No retailer or dealer in liquors can be accepted as surety for the purposes of this law ; No person can become security for more than one license.”

6. Section 40, as replaced by the act 50 Victoria, chapter 3, section 4, is amended by adding after the 4th clause of the said section, the following clause :

“Save in the case of the death of a licensee, no transfer of the license shall be made and no demand for an authorization to make such transfer shall be received, until after the expiration of three months from the date at which the license was delivered by the collector of provincial revenue.”

41 V., c. 2, s. 40, as replaced by 50 V., c. 2, s. 4, amended.

When transfer may be made.

7. Section 48 is replaced by the following :

“48. The conditions and formalities relative to the certificates and security required to obtain an inn license are in like manner applicable, *mutatis mutandis*, to the obtaining of licenses for the sale, by retail, of intoxicating liquors in shops, including the provisions enacted for the cities of Montreal and Quebec, except that the number of electors required upon the certificate shall be limited to twenty-five.”

41 V., c. 3, s. 48, replaced :
Conditions for license to sell intoxicating liquors by retail, in shops.

8. The duties on all licenses for the sale of intoxicating liquors, saving those mentioned in the following section, are hereby increased by twenty-five per cent.

Increase of license duty.

9. Section 63, paragraph 9, as replaced by 43-44 Vict., chapter 11, section 17, is again replaced by the following :

“9. On each license to sell liquors for medicinal purposes or for use in divine worship, in municipalities in which a prohibitory by-law is in force, the following duties shall be payable, in addition to the fee of one dollar upon granting such licenses :

41 V., c. 3, s. 63 § 9, replaced :
Sale of liquors for medicinal purposes.

- a. In every city, seventy-five dollars.
- b. In every incorporated town, fifty dollars.
- c. In every village, twenty-five dollars.
- d. In every part of organized territory, outside of a city, town or village, twenty dollars.

City.
Town.
Village.
Other territory.

10. The first paragraph of section 73 is amended by striking out the words ; “seventy-five dollars for each contravention” and replacing them by the following : “ninety-five dollars for such contravention and, upon conviction of a second offence against this section, the court seized of the case shall annul such license.”

41 V., c. 3, s. 73 § 1, amended.
Fine ninety-five dollars and license annulled for second offence.

11. Section 84 is replaced by the following :

“84. Every restaurant must be suitably furnished to provide meals for at least ten persons at a time.”

41 V., c. 3, s. 84, replaced.
Restaurant to provide meals.

12. Section 91 is amended by striking out the words “under sixteen years of age.”

41 V., c. 3, s. 91, amended

Paragraph added to 41 V., c. 3, s. 94.
On prosecution for second offence, if first conviction not proved, defendant may be fined as for first offence.

Idem for second and third offence.

13. The following paragraph is added to section 94, as replaced by the act 50 Victoria, chapter 3, section 11.

"If, on a prosecution for a second offence, the first conviction is not proved, the court may nevertheless condemn the defendant, if the proof is sufficient, and impose the penalty fixed for a first offence ;

In like manner, on a prosecution for a third offence or any other subsequent offence, the court may impose the penalty fixed by law for a second or first offence, as the case may be, instead of annulling the license if the prosecution does not prove the first, or the second or the two preceding convictions, although not prayed for.

SPECIAL PROVISIONS.

In cities of Hull and Three Rivers licenses to be granted by three commissioners.

14. In future, in the cities of Hull and Three Rivers, every license certificate shall be granted or refused by three commissioners, who shall be the registrar of the county, the recorder of the city and the clerk of the Circuit Court or the district magistrate.

Deposit of certificate.

Such certificate shall be deposited with the secretary of the corporation of the said city on or before the first day of April.

When certificate to be taken into consideration.

The said commissioners, or the majority of them, shall take the said certificates into consideration on the fifteenth day of the said month of April, and may adjourn from day to day or to a subsequent day to deliberate.

List of applicants to be posted in place open to the public.

The said secretary shall prepare a list containing the dates of all certificates, the names, occupation and residence of the applicants, and post them up in a conspicuous place in his office, which shall be open to the public.

41 V., c. 3, and amendments to apply to mining divisions.

15. The Quebec Licence Law of 1878 and its amendments apply to the mining divisions of the Province, notwithstanding sections 116, 117, 118, 119 and 120, of the act 43-44 Victoria, chapter 12.

Lieutenant-Governor may declare that 43-44 V., c. 12, shall apply to any or all mining divisions.

The Lieutenant-Governor in Council may, however, by proclamation, issued and published for that purpose in the usual manner, when mines are actually in operation and when the public interest requires the same, declare that the Quebec General Mining Act of 1880, shall apply to any or all the mining divisions of the Province or to any part thereof.

Coming into force.

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