

- Issue of debentures authorized for \$3,500,000.00. **1.** The Lieutenant-Governor in Council may authorize the Provincial Treasurer to borrow a sum, not exceeding three and one half million dollars, by means of bonds or debentures, to be issued upon the credit of the Province, and disposed of, from time to time, as the necessities of the Province require and as opportunity may offer.
- Application of proceeds. **2.** The proceeds of the issue of such bonds or debentures shall be applied to the payment of the floating debt of the Province.
- Amount of each debenture &c. **3.** Such bonds or debentures shall be issued for sums of not less than five hundred dollars each, or for an equivalent amount in pounds sterling or in francs, at a rate of interest not exceeding four per cent, payable half-yearly, on the first days of January and July in each year.
- Dates of bonds. **4.** Such bonds or debentures shall bear the dates fixed by the Lieutenant-Governor in Council.
- When redeemable. **5.** Such bonds or debentures shall be redeemable in thirty or forty years from the date of their issue and shall, as well as the interest thereon, be payable in such manner as may be fixed by the Lieutenant-Governor in Council.
- Coming into force. **6.** This act shall come into force on the day of its sanction.

C A P . I I I .

An Act to amend the Quebec License Law.

[Assented to 18th May, 1887.]

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

- 41 V., c. 3, s. 10, replaced. **1.** Section 10 of the Quebec License Law of 1878 is replaced by the following:
- Who shall sign certificates in Montreal. **"10.** In the city of Montreal, the signers of the certificate shall be municipal electors of the polling district within which is situate the house for which the license is required;
- Id., in Quebec. **In the city of Quebec, the signers of the certificate shall be municipal electors having their residence or place of business in the ward and be duly inscribed on the last list of electors."**

2. Sub-section *a* of section 8 of the act 43-44 Victoria, chapter 11, is replaced by the following : 43-44 V., c. 11, s. 8 § *a* replaced.

“*a.* 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 or the recorder ; and at the Police Court in Montreal for the city of Montreal, by the two judges of the sessions of the peace and by the recorder or any two of them.” Confirmation of certificates.

3. Sub-section *c* of the said section 8 is replaced by the following : Id. s. 8 § *c* replaced.

“*c.* No application can be taken into consideration by the competent authorities unless it has been inscribed on the said list for at least fifteen days.” Application to be entered on list for certain time before being considered.

4. Section 40 of the said license law, as amended by the act 43-44 Victoria, chapter 11, section 10, is replaced by the following section : Id., sec. 40 replaced.

“40. In the cities of Quebec and Montreal no license is transferable, except to the heirs of the licensee if he dies before the license expires ;” Transfer of licenses in Quebec, and Montreal.

Nevertheless, in exceptional cases, the transfer may be made upon the special authorization of the provincial treasurer. Transfer in exceptional cases.

To obtain the authorization, a notice to that effect of fifteen days must be given by the interested party in two newspapers in either city, as the case may be, one in the French language and the other in the English language. Authorization for that purpose.

The notice must mention the name and the surnames of the party intending to make the transfer, and also of the person, to whom the transfer is to be made, and the date of presenting the petition to the treasurer for the purpose. Notice to be given.

In all other parts of the Province, except those above mentioned, if the licensee leaves his house or dies before the license expires, he or his representatives, as the case may be, may transfer such license to another. Transfer of licenses in other parts of Province.

The transferee thereof, in all cases, may 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 or recorder at Quebec or the two judges of the sessions of the peace and the 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 the following section. Rights of transferee.

5. The following section is added after section 48 of the said license law, as amended by section 14 of the act 43-44 Victoria, chapter 11 : Sec. added after s. 48.

“48*a.* Licenses for the sale of intoxicating liquors in Granting of

club licenses in cities and incorporated towns.

clubs in cities and incorporated towns and in the banlieu of Quebec are granted simply upon payment to the proper Collector of Provincial Revenue of the required duties and fees.

Same, in other municipalities.

The conditions and formalities imposed relative to the certificates required to obtain a license for the sale by retail of intoxicating liquors in shops are applicable *mutatis mutandis* to the certificates required for the sale of intoxicating liquors in clubs, in municipalities other than those of cities and incorporated towns. ”

Id., sec. 63 amended. Additional sum on licenses for sale of intoxicating liquors.

6. Section 63 of the said license law, as amended by the act 43-44 Victoria chapter 11, section 17, is further amended so that there shall be paid on each license for the sale of intoxicating liquors, except for medicinal purposes, a further sum of ten dollars.

Id., sec. 63 § 13 replaced.

7. Sub-section 13 of the said section 63 is replaced by the following :

Sums payable for pawnbroker's license.

“ 13. On each pawnbroker's license, two hundred and fifty dollars. ”

Sec. added after s. 72.

8. The following section is added after section 72 of the said license law :

Penalty on second and subsequent convictions of selling liquor without license.

“ 72a. Every person selling intoxicating liquors without a license, and being convicted thereof a second time, shall be liable to a fine of double the amount imposed the first time, and for the third and every subsequent time, shall be condemned to imprisonment, in the common gaol, for not less than three nor more than six months. ”

Sec. added after sec. 79.

9. The following section is added after section 79 of the said license law :

Penalty on certain traders keeping liquor in their places of business.

“ 79a. No person carrying on any business whatsoever, and not licensed for the sale of intoxicating liquors, shall keep, in his place of business or in the dependencies thereof, any quantity whatsoever of intoxicating liquors, under a penalty of the confiscation of such liquors and a fine of thirty dollars for each offence.

Presumption in such case.

2. The finding of such liquors upon such premises shall be a presumption that such liquors are there kept for the purpose of sale, and proof of anterior facts may be adduced at the trial in support of such presumption.

Sec. added after sec. 92. Intoxicating liquors not to be delivered during prohibited time.

10. The following section is added after section 92 of the said license law :

“ 92a. During the time when, under any law of this province, the sale of intoxicating liquors is prohibited, no such liquors can be delivered to any person even gratuitously in any place of business or dependencies thereof of such licensed persons. ”

11. Section 94 of the said license law, as replaced by the Id., sec. s. 94 replaced.
act 45 Victoria, chapter 9, section 3, is again replaced by the following section :

“ 94. Every infraction of this act by any person holding a license thereunder for the sale of intoxicating liquors, shall be punishable, for a first offence by a fine of not less than thirty nor more than seventy-five dollars, for the second offence by a fine of seventy-five dollars, and for the third and every subsequent offence by a fine of two hundred dollars, and, in default of payment, by the loss of the license, in accordance with sections 102, 103 and 104, and during the year no similar license shall be granted to him. ” Penalties against persons licensed for selling intoxicating liquors for infringements of act.

12. The following section is added after section 94 of the said license law : Sec. added after section 94.

“ 94a. Every person holding a license for the sale of intoxicating liquors who is convicted of keeping a disorderly house, or who is sentenced to imprisonment in the common goal with hard labour or in the penitentiary, shall incur the loss of his license in accordance with articles 102, 103 and 104, and no similar license shall be again granted to him during the five years next after the judgment of the court. ” Penalty against persons licensed, if convicted of keeping disorderly house, &c.

13. Section 108 of the said license law, as replaced by the Id., sec. s. 108 replaced.
act 43-44 Victoria, chapter 11, section 32, is again replaced by the following :

“ 108. Every policeman, constable and other person, there authorized in writing by a collector of provincial revenue, by a justice of the peace, a judge of the sessions of the peace, a police magistrate or recorder, may enter any unlicensed place frequented by the public, when there is reason to suspect that intoxicating liquors are exposed for sale, and search therefor, and open, with every necessary assistance, and even forcibly upon refusal so to do, all cupboards and receptacles in which he thinks such liquors are concealed. ” Power of policemen, etc., to search for liquors.

If such are discovered, he shall take and carry away such intoxicating liquors and the vessels containing the same, and shall place them in the care and possession of the collector of provincial revenue for the district to await the judgment of the court respecting them. ” Seizure of liquor and vessels found.

14. Section 192 of the said license law is replaced by the following : Id., sec. 192 replaced.

“ 192. It is the duty of the collector of provincial revenue to institute prosecutions wherever he has reason to believe that a contravention of the law has been committed and that such prosecutions can be maintained. ” Duty of collector of provincial revenue to prosecute.

Id., sec. s. 193 replaced.
Security may be required in certain case.

15. Section 193 of the said license law is replaced by the following :

“ 193. Whenever he is called upon to institute a prosecution he may, if he has reason to believe that the prosecution cannot be maintained, exact from the person asking for the institution of such prosecution, the deposit of a reasonable amount to cover the costs.”

Id., sec. 196 replaced.

16. Section 196 of the said license law, as amended by the act 43-44 Victoria, chapter 11, section 38, is replaced by the following :

Before what courts suits are to be brought.

“ 196. All actions or prosecutions, when the amount claimed does not exceed two hundred dollars may, at the option of the prosecutor, be brought before the Circuit Court, but without any right of evocation therefrom to the Superior Court, or before two justices of the peace in the judicial district, or before the judge of the sessions of the peace, or before the Recorder’s Court or the recorder, or before the police magistrate, the district magistrate or any other officer having the powers of two justices of the peace ; but if the amount claimed exceeds two hundred dollars, such actions or prosecutions shall be brought before the Superior Court.”

Id., sec. 239 amended.

17. Section 239 of the said license law, as amended by the act 43-44 Victoria, chapter 11, section 43, is further amended, by adding after the third paragraph thereof the following :

Certiorari not to stay proceedings, unless certain deposit is made.

“The *certiorari* mentioned in the foregoing provisions will not stay the execution of the sentence of imprisonment against any persons convicted for the third time of the offence of selling liquor without a license, unless a deposit of two hundred dollars is, without delay, made with the collector of provincial revenue, after the conviction ; and such deposit shall belong to the Crown if the conviction is not set aside.”

Coming into force and application to certain licenses.

18. This act shall come into force on the day of its sanction, and shall apply to all licenses issued for the year commenced on the first day of May, 1887.