

C A P . I V .

An Act to amend the 43-44 Victoria, chapter 11, respecting 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 :

1. Sub-section *a* of section 15 of the act 43-44 Victoria, chapter 11, is amended by striking out all the words after “worship” in the sixth line to the end of the sub-section and by replacing them by the following :

43-44 V. c. 11
s. 15 § a
amended.

“On the certificate of a physician or of a clergyman and not otherwise.”

Certificate re-
quired.

2. Sub-section *b* of the said section 15 is amended by striking out the word “resident” in the first line thereof.

Id. § b amend-
ed.

3. Sub-section *c* of the said section 15 is amended by striking out all the words from the beginning of the said sub-section to the words “certificate” in the second line thereof and by replacing them by the words :

Id. § c amend
ed.

“Not more three half pints, imperial measure, shall, at any one time be sold in virtue of such certificate.”

Quantity to
be sold at one
time.

C A P . V .

An Act respecting the Revised Statutes of the Province of Quebec.

[Assented to 18th May, 1887.]

WHEREAS it has been found expedient to revise, classify and consolidate the Statutes of a general and permanent character of the late Province of Canada, which affect the Province of Quebec and are within the authority of its Legislature, as well as those of this Province since 1867; And whereas such revision, classification and consolidation have been made accordingly;

Preamble.

And whereas it is expedient to provide for the incorporation therewith of the Public General Statutes passed during the present Session, and for giving the force of law to the body of Revised Statutes to result from such incorporation; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The printed Roll, marked A, attested as that of the said Statutes so revised, classified and consolidated as afore-

Original roll
of Revised
Statutes

certified and deposited.

said, under the signature of the Lieutenant-Governor, and that of the Clerk of the Legislature and deposited in the office of the latter, shall be held to be the original thereof, and to embody so much of the several Acts and parts of Acts mentioned as to be repealed in the Appendix A thereto annexed ;

As to marginal notes, references &c.

But the marginal notes and the provisions in italics printed thereon, the references to former enactments at the foot of the several articles thereof, and the explanatory notes inserted by the revisors, as also the supplement to the twelfth title containing the articles of the Civil Code affected by Federal Legislation form no part of the said Statutes, and shall be held to have been inserted for reference only, and may be omitted or corrected ;

Correction of errors &c.

Any misprint or error, whether of commission or omission, or any contradiction or ambiguity, in the said Roll, may also be corrected, but without changing the legal effect, and such alterations in the language of the said Statutes as are requisite in order to preserve a uniform mode of expression and do not alter the legal effect, may be made in the above mentioned Roll.

Insertion of acts of this session in roll.

2. The Lieutenant-Governor may select such Acts and parts of Acts passed during the present Session as he may deem advisable to incorporate with the Roll marked A, and may cause them to be so incorporated therewith, adapting their form and language to those of the said Statutes (but without changing their legal effect), inserting them in their proper places in the said Statutes, striking out of the latter any enactments repealed by or inconsistent with those so incorporated, altering the numbering of the titles, chapters, sections, paragraphs, and articles or their order, if need be, and adding to the said Appendix A a list of the Acts and parts of Acts of the present Session so incorporated as aforesaid, and also modifying the said acts in the details and to the extent set forth in the annex to this act.

Delivery of roll by clerk of the Legislature.

The clerk of the Legislature is authorized to deliver the printed roll marked A of the statutes to such person as he may be requested to give them to by the attorney-general.

Deposit of certified corrected roll, comprising the acts of this session and the modifications to Appendix A.

3. So soon as the said incorporation of such Acts and parts of Acts, and the said addition to the said Appendix A have been completed, the Lieutenant Governor may cause a correct printed Roll thereof, attested under his signature and countersigned by the Provincial Secretary, to be deposited in the office of the Clerk of the Legislature, which Roll shall be held to be the original thereof, and to embody so much of the several Acts and parts of Acts mentioned as repealed in the amended Appendix A, thereto

annexed, as was in force when the said Roll was made ; any marginal notes printed on such Roll, the references to former enactments at the end of each article and the supplement to the twelfth title containing the articles of the Civil Code affected by Federal Legislation, however, shall not form part of the said Statutes, but shall be held to have been inserted for reference only.

Proviso.

4. The Lieutenant-Governor in Council, after such deposit of the said last mentioned Roll, may, by Proclamation, declare the day on, from and after which the same shall come into force and have effect as law, by the designation of the " Revised Statutes of the Province of Quebec."

Proclamation declaring the Revised Statutes in force.

5. On, from and after such day, the Roll shall accordingly come into force and effect as and by designation of the " Revised Statutes of the Province of Quebec" to all intents as though the same were expressly embodied in and enacted by this Act, to come into force and have effect on, from and after such day ;

Effect of proclamation.

From and after the same day, all the enactments in the several Acts and parts of Acts in such amended Appendix A, mentioned as repealed, shall in so far as they are within the Legislative authority of this Province, shall be repealed to the extent mentioned in the third column of the said Appendix A :

Repeal of provisions mentioned in Appendix A.

6. The repeal of the said Acts and parts of Acts shall not prevent the effect of any saving clause therein, or the application of any of the said Acts or parts of Acts, or of any provision of law formerly in force, to any transaction, matter or thing anterior to the said repeal, to which they would otherwise apply :

Effect of repeal.

7. The repeal of the said Acts and parts of Acts shall not affect ;—

As to certain matters anterior to repeal not to be affected by it.

a. Any penalty, forfeiture or liability, incurred before the time of such repeal, or any proceedings for enforcing the same, had, done, completed or pending at the time of such repeal ;

Penalties &c.

b. Nor any action, suit, judgment, decree, certificate, execution, process, order, rule or any proceeding, matter or thing whatever respecting the same, commenced, instituted, had, entered, granted, pending, existing, or in force at the time of such repeal ;

Actions &c

c. Nor any act, deed, right, title, interest, grant, assu- rance, descent, will, registry, statute, rule, order in council, proclamation, regulation, contract, lien, charge, civil status, capacity, immunity, matter or thing, had, done, made, acquired, established or existing at the time of such repeal ;

Acts, deeds, rights, &c.

d. Nor any office, appointment, commission, salary,

Offices &c

allowance, security, duty, or any matter or thing appertaining thereto at the time of such repeal ;

Marriages,
&c.

e. Nor any marriage, certificate or registry thereof, lawfully had, made, granted, or existing before or at the time of such repeal ;

Any other
matters.

2. Nor shall the repeal of such Acts and parts of Acts defeat, disturb, invalidate or prejudicially affect any other matter or thing whatsoever, had, done, completed, existing or pending at the time of such repeal ;

But such ;

3. BUT EVERY SUCH :

Penalties &c.;

a. Penalty, forfeiture and liability ;

Actions, &c.,

b. Action, suit, judgment, decree, certificate, execution, process, order, rule, proceeding, matter or thing ;

Acts, &c ;

c. Act, deed, right, title, interest, grant, assurance, descent, will, registry, statute, order in council, proclamation, regulation, contract, lien, charge, civil status, capacity, immunity, matter or thing ;

Offices &c ;

d. Office, appointment, commission, salary, allowance, security, and duty, matter or thing ;

Marriages &c.;

e. Marriage, certificate and registry, and every such other matter and thing,

Shall remain
valid &c.

May and shall remain and continue as if no such repeal had taken place, and, so far as necessary, may and shall be continued, prosecuted, enforced and proceeded with under the said Revised Statutes and other the Statutes and Laws having force in this Province, and subject to the provisions of the said several Statutes and Laws.

Revised Sta-
tutes not be
considered as
new law.

8. The said Revised Statutes shall not be held to operate as new laws, but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the said Acts and parts of Acts so repealed, and for which the said Revised Statutes are substituted.

How con-
strued if they
differ from
repealed Sta-
tutes.

2. But if upon any point the provisions of the said Revised Statutes are not in effect the same as those of the repealed Acts and parts of Acts for which they are substituted, then as respects all transactions, matters and things subsequent to the time when the said Statutes take effect, the provisions contained in them shall prevail ; but as respects all transactions, matters and things anterior to the said time, the provisions of the said repealed Acts and parts of Acts shall prevail.

As to referen-
ces to repeal-
ed acts in
former acts.

9. Any reference in any former Act remaining in force, or in any proclamation, order in council, instrument or document, to any Act or enactment so repealed, shall, after the Revised Statutes take effect, be held, as regards any subsequent transaction, matter or thing, to be a reference to the enactments in the Revised Statutes having the same effect as such repealed Act or enactment.

As to effect of

10. The insertion of any Act in the said Appendix A

shall not be construed as a declaration that such Act or any part of it was or was not in force immediately before the coming into force of the said Revised Statutes. insertion of an Act in Appendix A.

11. Copies of the said Revised Statutes, printed by the Queen's Printer from the amended Roll so deposited, shall be received as evidence of the said Revised Statutes in all courts and places whatsoever. Copies by Queen's Printer to be evidence.

12. If upon any point there be a difference between the English and French version of the Revised Statutes, that version which is most consistent with the Acts consolidated in the said Statutes shall prevail. As to English and French versions.

13. The laws relating to the distribution of the printed copies of the Statutes shall not apply to the said Revised Statutes, but the same shall be distributed in such numbers and to such persons only as the Lieutenant-Governor in Council may direct. As to distribution of copies.

14. This Act shall be printed with the said Revised Statutes and shall be subject to the same rules of construction as the said Statutes. Printing and interpretation of this act.

15. In any Act and proceeding whatever, the Revised Statutes, being divided into titles, chapters, sections, and paragraphs, may be cited as follows : Citation of Revised Statutes.

a. If it concerns a paragraph, by adding the section, the chapter and the title ;

b. If it concerns a section,—by adding the chapter and title ;

c. If it concerns a chapter,—by adding the title.

And in all cases by adding the words "of the Revised Statutes of the Province of Quebec" or simply "of the Revised Statutes."

2. The titles of these Revised Statutes having each only one series of continuous articles, they may further be cited by the article of the title only, by adding the words "of the first title," "second title, etc.," as the case may be, and further by adding the words last mentioned in the preceding paragraph.

ANNEX.

ACTS AND PARTS OF ACTS MODIFIED.

Articles &c. and subject of acts.	Extent of modification.
(1) Section sixth of chapter second of title III "Of license duties" ..	Striking out the whole.
(2) Sections third, fourth and fifth of chapter third of title VII "Of the Recorders, Courts of Quebec, Montreal and Hull"	Striking out the whole.
(3) Section fifth of chapter third of title VI " Of the Royal Institution for the advancement of learning."	Striking out the whole.
(4) Chapter fifth of title VI "Special provisions respecting schools in certain places."	Striking out the whole.
(5) Title VI	Striking and the words " <i>Journal de l'Instruction publique</i> " and " <i>Journal of Education</i> ," and replacing them by the words "Quebec Official Gazette" wherever they occur in the said title.

C A P . V I .

An Act to amend the act 49-50 Victoria, chapter 95, respecting the statutes of the Province of Quebec.

[Assented to 18th May, 1887.]

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

49-50 V. c. 95
Art. 40
amended. 1. Article 40 of the act 49-50 Victoria, chapter 95, is amended by striking out the words "duly certified" in the fifth line thereof.