

To a physician, for external examination.....	\$ 5 00
To a physician, for internal examination.....	10 00
To the constable, summoning witnesses—each witness .....	0 30
To the constable, summoning jury.....	1 00
To a secretary or clerk, in cases of extraordinary nature—per day.....	2 00
For chemical analysis, to comprise every analysis made on one body, or any part or parts of the same body—for one inquest.....	20 60

Whenever a chemical analysis is deemed necessary by the jury and the coroner, the coroner will report to the Attorney-General, who will select the physician by whom such analysis is to be made; and if such inquest and analysis shall have been specially difficult, the law officers of the Crown may allow a greater sum.

All reasonable expenses,—such as the leasing of a place to hold the inquest, taking charge of the body, notifying the coroner,—may be allowed by the coroner.

In case the services of physicians are required, they will be rendered by a physician of the locality where the inquest is held, or of the nearest possible locality.

## C A P. X I.

An act to amend “The Quebec License Law of 1878,” (41 Vict., Chap. 3.) and its amendments.

[Assented to 24th July, 1880.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The Acts of this Province, 41-42 Vict., Chap. 4, and 42-43 Vict., Chap. 3, are hereby repealed. 41-42 V., c. 4 and 42-43 V., c. 3, repealed.

**2.** Section 1 of the Quebec License Law of 1878, 41 Vict., Chap. 3, is amended : 41 V., c. 3, amended.

**1.** By repealing sub-section “e” and replacing it by the following : 1. By replacing § e.

“e. A temperance hotel is a house of public entertainment, in which no intoxicating liquors are sold;” Temperance hotel.

**2.** By repealing sub-section “l” and replacing it by the following : 2. By replacing § l.

“l. A wholesale liquor shop is that wherein are sold at any one time, intoxicating liquors, in quantities not less Wholesale liquor shop.

than two gallons, imperial measure, or one dozen bottles, of not less than one pint, imperial measure each ;”

3. By replacing *s. 11.*

3. By repealing sub-section “*m.*” and replacing it by the following :

Retail liquor  
shop.

“*m.* A retail liquor shop is that wherein are sold, at any one time, intoxicating liquors in quantities not less than one pint, imperial measure ;”

4. By adding  
*ss. cc. and dd.*  
Bottlers.

4. By adding the following sub-sections :

“*cc.* A bottler is a person who bottles fermented liquors, sells and delivers them, either on his own premises or at those of the purchaser, in quantities of at least a dozen bottles at a time.”

Club.

“*dd.* A club is an association, in which the profits arising from the sale of intoxicating liquors and use of billiard tables, belong to the members of the club, who are proprietors, *bonâ fide*, of all the moveable property therein and are proprietors or lessees of the establishment.”

S. 2, amended. **3.** Section 2 of the said act is amended, by adding after sub-section 9, the following sub-section :

“ 10. To carry on the trade of bottler.”

S. 7, amended. **4.** Section 7 of the said act is amended, by striking out the words “(if it be situated in the country),” in the sixteenth line of said section.

S. 8, replaced. **5.** Section 8 of the said act is repealed and the following substituted therefor :

Affidavit.

“ 8. This certificate shall be accompanied by an affidavit of the applicant, made in accordance with form B, annexed to the Quebec License Law of 1878, and sworn to before a justice of the peace of the district, or in the cities of Montreal and Quebec, before the judge of the Sessions, the Police Magistrate or the Recorder.

Conditions as  
to certificates  
in Montreal  
and Quebec.

In the cities of Montreal and Quebec, no certificate for a new license shall be granted, if an absolute majority of the municipal voters, within the municipal polling district of the ward, shall signify their opposition in writing to the granting of such license.”

S. 11, amended.  
ed. **6.** Section 11 of the said act is amended, by adding after the word : “Montreal,” in the second line, the words “in the city of Quebec.”

S. 12, amended.  
ed. **7.** Section 12 of the said act, is amended, by adding thereto the following paragraph :

"On the confirmation of a certificate by any municipal council, a notice thereof shall be sent by the secretary-treasurer or clerk, to the Treasurer of the Province, such notice to contain the name and place of residence of the applicant, and the nature of the license applied for."

Proceedings on certificate, confirmed by municipal council.

8. Sections 14 to 35 of the said act, both inclusive, are repealed and replaced by the following provisions:

SS. 14 to 35 inclusive 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 or the Recorder; and at the Police Court, in Montreal, for the city of Montreal, by the Police Magistrate or the Recorder.

Confirmation of certificate.

b. The Clerk of the Peace, in both cities, shall, for that purpose, act as clerk to the aforesaid officers.

Duties of the clerk of the peace.

c. Any person, who intends to apply for the confirmation of a certificate, must apply verbally or in writing to the Clerk of the Peace, and shall pay to him the sum of fifty cents for entry of the same and all proceedings connected therewith.

Application for confirmation.

d. The Clerk of the Peace shall prepare a list and post it up, in a conspicuous place in his office, open to the public; and such list shall give the date of the inscription of each application, the name, occupation and residence of the applicant, the situation of the house to which the license applies, and the day on which it will be taken into consideration.

List, prepared by clerks of the peace.

e. No application can be taken into consideration by the competent authorities, unless it has been inscribed on the said list for at least eight days.

Consideration of application.

f. Any person may oppose the application, and if notice of the opposition has been given to the Clerk of the Peace, the latter shall, three days before the taking into consideration of such application, give notice thereof to the applicant and to the opposant, if there be one.

May be opposed.

g. Any person, producing before the competent authorities, when the application is being taken into consideration, or who has previously produced, before the Clerk of the Peace, verbally or in writing, the objections by him made to the granting of the confirmation of a certificate, has the right to be heard on the grounds and reasons of such objections or such other objections as may then be raised.

Hearing.

h. The said competent authorities may hear him as well as the applicant, forthwith, or may fix a future day for such hearing.

Day when heard.

Upon such hearing, as well as on every application which is not objected to, it is the duty of the said authorities, collectively or separately, whenever they may judge it useful or necessary, to make all the enquiries they deem

Duties of the authorities.

Powers of  
authorities.

proper to satisfy themselves of the qualification of the applicant and of the truth of the facts put in issue.

i. The said authorities may, to that end, take into consideration all documents, hear or cause to be heard by some fit person, all persons whom, from the personal knowledge of such authorities, or on the indication of the objecting parties, or of others, they believe to be able to give information, and generally to resort to every other source of information.

Information  
from police  
force.

j. When the said authorities wish to obtain information from officers or members of the Quebec or Montreal police force, respectively, they may, through the Chief of Police, order those functionaries to come before them and to make all such inquiries as may be deemed necessary.

How confirma-  
tion can be  
made if oppo-  
sition thereto.

k. When opposition is made to any application for the confirmation of a certificate, such confirmation can only be made, in Montreal by both the Police Magistrate and the Recorder, and in Quebec by the Judge of the Sessions and the Recorder.

Granting or  
refusal, dis-  
cretionary.

l. The granting of the confirmation of the certificate or the refusal thereof, for any cause whatever, is discretionary with the said authorities, except in the case provided for in section 5, of this act, and their decision is final.

Certificate of  
authorities,  
necessary  
upon licenses  
granted.

m. No license shall be granted by the License Inspector, unless there be deposited in his hands a certificate, signed by the said authorities, who shall deliver to the applicant such certificate attesting the granting of such confirmation.

List of certi-  
ficates, to be  
prepared by  
Clerk of the  
Peace.

n. The Clerk of the Peace shall, from time to time, prepare a list of the certificates, which the said authorities have confirmed and which are then in force, and keep it posted up in the Police Court or in his office."

S. 39, amended

9. Section 39 of the said act is amended, by striking out all the words from : " If, " in the second line, to : " them, " in the ninth line, inclusive, and replacing them by the following :

Bond how to  
be executed.

" It must be executed in the presence of the License Inspector for the district, in which the license was applied for, or in the presence of one or more of the members of the municipal council, or justices of the peace, who confirmed the certificate, and the sureties must be approved by them. "

S. 40, amended

10. Section 40 of the said act, is amended, by striking out the words : " or the Board of Commissioners, " in the ninth line, and by replacing them by the following :

" The Judge of the Sessions, the Police Magistrate or the Recorder. "

**11.** Section 44 of the said act is amended, by adding S. 44, amended thereto the following :

“ The applications for such licenses must however be first submitted to the Treasurer of the Province and are subject to his approval.” Applications to be submitted to treasurer.

**12.** Section 45 of the said act is amended, by striking out S. 45, amended all the words after : “ city,” in the fourth line.

**13.** Section 46 of the said act is repealed and replaced by S. 46, replaced the following :

“ 46. The conditions and formalities imposed by the Quebec License Law of 1878, as amended by the present act, relative to the certificates required to obtain a license for an inn, apply, *mutatis mutandis*, to restaurant licenses, including the provisions established by this act, for the cities of Quebec and Montreal.” Certificates for restaurant licenses.

**14.** Section 48 of the said act is repealed and replaced by S. 48, replaced the following :

“ 48. The conditions and formalities imposed by the Quebec License Law of 1878, as amended by the present act, relative to the certificates required to obtain a license for an inn, are, in like manner, applicable, *mutatis mutandis*, for obtaining a license for the sale, by retail, of intoxicating liquors in shops, including the provisions, enacted by the present act, for the cities of Quebec and Montreal, except that, instead of the signatures of twenty-five municipal electors, or the majority of such electors, when they are less than fifty in number, the signatures of three upon the certificate are sufficient.” Certificates for retail liquor licenses. Proviso.

Wholesale liquor shop licenses are granted simply upon payment to the proper License Inspector of the required duties and fees. Granting of wholesale liquor licenses.

No certificate is required to obtain a license for a retail liquor shop, in an unorganized territory, but the application for such license is subject to the approval of the Treasurer of the Province. Demand for licenses in unorganized territory.

The provisions of the said act, as amended by the present act, which apply to wholesale liquor stores, shall apply, *mutatis mutandis*, to bottlers, in so far as relates to the obtaining of licenses (except the amount to be paid therefor) and the penalties for contravening the same.” Provisions apply to bottlers.

**15.** Section 51 of the said act is amended, by adding S. 51, amended thereto the following provisions :

“ a. In municipalities, in which there exists a by-law prohibiting the sale of intoxicating liquors, or where there is no person licensed to retail spirituous liquors, the sale Permission to sell for medicinal purposes.

of such liquors is permitted by the person licensed for that purpose, as provided in paragraph *d* of this section, for medicinal purposes only, or for use in divine worship, on the certificate of a physician or of a clergyman, residing in the municipality, and not otherwise.

Granting of certificate.

*b.* Such certificate can be given by a resident physician, only to a patient under his immediate care, or by a clergyman, only to a person whose spiritual adviser he is, *bona fide*, under penalty of a fine of thirty dollars, for each contravention of this provision.

Quantity to be sold.

*c.* In any case not more than one imperial pint, shall, at any one time, be sold in virtue of such certificate, and no liquor so sold, shall be allowed to be drunk on the premises, under a penalty of forty dollars for each such contravention.

Resolution as to sale under § *a* of this section.

*d.* The sale of intoxicating liquor, in the case mentioned in paragraph *a* of this section, is confined to one person in each municipality; such person to be appointed for that purpose by a resolution of the municipal council, a certified copy of which must be deposited with the License Inspector of the district, who, on receipt thereof, and upon receipt of the license duties as hereinafter provided, shall issue to the person named in such resolution: a "license to sell for medicinal purposes, or for use in divine worship only."

Report to be made.

*e.* The person, so licensed, is bound to make a report, sworn to before a Justice of the Peace on the first of every month, to the License Inspector, showing the names of the persons to whom he has sold liquor during the previous month, the quantity sold in each case, and upon whose certificate the sale was made, which certificates shall accompany the report.

Penalty for contravention.

The violation of, or failure to comply with, any of the provisions of this paragraph, shall subject the party so contravening them to a penalty of twenty dollars, for each contravention."

Art. 566 municipal Code, amended in consequence.

**16.** Article 566 of the Municipal Code is, in consequence of the preceding section, amended by striking out all the words from: "unless," in the tenth line, to the end of the article, and by substituting therefor the following words:

"Unless it be for medicinal purposes or for use in divine worship, by the person appointed for that purpose by resolution of the municipal council and licensed therefor, under the Quebec License Law, and upon the certificate of a physician in favor of a patient, under his immediate care, or upon that of a clergyman in favor of a person whose spiritual adviser he is *bona fide*."

**17.** Section 63, of the said Quebec License Law of 1878, <sup>S. 63, 41 V., c.</sup>  
is repealed and replaced by the following : <sub>3, replaced.</sub>

#### DUTIES PAYABLE ON EACH LICENSE.

“ 63. In addition to a fee of one dollar on the granting of each license, the duties, comprised in the following tariff, shall be payable by the applicant therefor, to the License Inspector, preliminary to the granting of the different licenses, mentioned in the Quebec License Law of 1878, as amended by the present act. <sup>Tariff of licenses.</sup>

#### TARIFF OF DUTIES PAYABLE FOR LICENSES UNDER THE PRESENT LAW.

##### *On licenses for the sale of intoxicating liquors.*

1. On each license to keep an inn, and for the sale <sup>Inn :</sup>  
therein of intoxicating liquors :

a. In the city of Montreal, two hundred dollars, if the <sup>Montreal ;</sup>  
annual value or rent of the premises, for which  
the license is required, is less than four hundred  
dollars;—three hundred dollars, if the annual  
value or rent is four hundred dollars and less than  
eight hundred dollars;—and four hundred dollars,  
if the annual value or rent is eight hundred  
dollars or more ;

b. In the city of Quebec, one hundred and twenty-five <sup>Quebec ;</sup>  
dollars, if the annual value or rent is less than  
two hundred dollars;—one hundred and fifty dol-  
lars, if the annual value or rent is two hundred  
dollars, and up to four hundred dollars;—and  
two hundred and fifty dollars, if the annual value  
or rent is four hundred dollars and less than eight  
hundred dollars;—and three hundred dollars, if  
the annual value or rent is eight hundred dollars  
or more ;

c. In every other city, one hundred dollars; <sup>Other city ;</sup>

d. In every incorporated town, eighty-five dollars; <sup>Town ;</sup>

e. In every village regulated under the authority of <sup>Village ;</sup>  
the municipal code, seventy dollars ;

f. In every section of organized territory, outside of a <sup>Organized</sup>  
city, town or village, fifty-five dollars; <sup>territory ;</sup>

g. In every territory not organized, thirty-five dollars. <sup>Not organized</sup>  
<sup>territory.</sup>  
Club :

2. On each license for the sale of intoxicating liquors in  
a club :

a. In the city of Montreal, eighty dollars; <sup>Montreal ;</sup>

b. In the city of Quebec, fifty dollars; <sup>Quebec ;</sup>

c. In every other part of the Province, forty dollars. <sup>Other part of</sup>  
<sup>the Province.</sup>

Restaurant,  
&c.:

3. On each license for the sale of intoxicating liquors in a restaurant or railway buffet:

Montreal;

a. In the city of Montreal, two hundred dollars, if the annual value or rent of the premises, for which the license is required, is less than four hundred dollars;—three hundred dollars, if the annual value or rent is four hundred dollars and less than eight hundred dollars;—and four hundred dollars, if the annual value or rent is eight hundred dollars or more;

Quebec;

b. In the city of Quebec, one hundred and fifty dollars, if the annual value or rent is less than four hundred dollars;—and two hundred and fifty dollars, if the annual value or rent is four hundred dollars or more;

Other city;

c. In every other city, ninety dollars;

Town;

d. In every incorporated town, seventy dollars;

Other organized territory.

e. In every other part of organized territory, fifty-five dollars.

Steamboat  
bar:

4. On each license for a steamboat bar, for the sale therein of intoxicating liquors, one hundred and fifty dollars.

Sales of liquor  
at mines.

5. On each license for the sale of intoxicating liquors at the mines or in any mining district or division, such sum as the Lieutenant Governor, in council, may determine, provided that, in no case, shall such sum be less than fifty dollars.

Retail liquor  
shops:  
Montreal and  
Quebec;

6. On each retail liquor shop license:

a. In the cities of Montreal and Quebec, fifty per centum of the annual value or rent of the premises, for which the license is required; provided that, in no case, shall the duties on such license be less than seventy dollars, or more than one hundred and fifty dollars;

Other city;

b. In every other city, seventy dollars;

Town;

c. In every incorporated town, sixty dollars;

Organized section;

d. In every other organized section of territory, fifty dollars;

Unorganized  
territory.

e. In every unorganized territory, twenty-five dollars.

Wholesale  
liquor shop:  
Montreal and  
Quebec;

7. On each wholesale liquor shop license:

a. In the cities of Montreal and Quebec, fifty per centum of the annual value or rent of the premises, for which the license is required; provided that in no case shall the duties on such license be less than one hundred dollars, or more than two hundred dollars;

Other city;

b. In every other city, eighty dollars;

Town;

c. In every incorporated town, seventy dollars;

Other organized territory.

d. In every other part of organized territory, sixty dollars.



8. On each license for the sale of fermented liquors, bottled by the holder of such license : Bottlers' license :
- a. In the cities of Montreal and Quebec, fifty dollars ; Montreal and Quebec ;
  - b. In any other part of the Province, forty dollars. Other parts.
9. On each license to sell, for medicinal purposes or for use in divine worship, in municipalities in which a prohibitory By-law is in force : For medicinal purposes :
- a. In every city, twenty dollars ; City ;
  - b. In every incorporated town, ten dollars ; Town ;
  - c. In every village, two dollars ; Village ;
  - d. In every section of organized territory, outside of a city, town, or village, one dollar. Organized territory.

#### *Licenses for Temperance Hotels.*

10. On each license to keep a temperance hotel for the reception of travellers and other persons, and for the sale therein of temperance liquors only, five dollars. Temperance hotels.

#### *Auctioneers' Licenses.*

11. On each auctioneer's license : Auctioneer's :
- a. In the cities of Quebec and Montreal, eighty-five dollars ; Quebec and Montreal ;
  - b. In all other cities and towns, sixty dollars ; Other cities and towns ;
  - c. In every other part of the Province, twenty-five dollars. Other parts of Province.
12. On all separate licenses, taken out by an auctioneer, for the employment of an assistant, agent, servant or partner, as crier : Separate licenses for agent, &c., of auctioneer :
- a. In the cities of Quebec and Montreal, thirty-five dollars ; Quebec and Montreal ;
  - b. In all other cities and towns, twenty-five dollars ; Other cities and towns ;
  - c. In every other part of the Province, fifteen dollars. Other parts of Province.

#### *Pawnbrokers' Licenses.*

13. On each pawnbroker's license, one hundred and twenty-five dollars. Pawnbrokers.

#### *Pedlars' Licenses.*

14. On each license for a pedlar, for one judicial district, twenty dollars, and for each additional judicial district, ten dollars. Pedlars.

#### *Ferry Licenses.*

15. For each license for a ferry, such sum as may be fixed by the Lieutenant Governor, in Council, under sections 58 and 163 of the Quebec License Law of 1878. Ferries.

*Billiard Table Licenses.*

- Billiard tables : 16. For billiard table licenses, other than for those in a club :
- Cities and towns ;      a. In incorporated cities and towns :
1. Where not more than two tables are kept by the same person, and in the same building, forty dollars for each table ;
  2. When there are more than two, for the third and fourth table, twenty dollars each ;
  3. For the fifth and sixth tables, fifteen dollars each ;
  4. And for each table beyond six, ten dollars ;
- Other organized territory.      b. And in every other section of organized territory, twenty dollars for each table.
- Billiard tables in a club : 17. On each license for a Billiard table in a club :
- Montreal ;      a. In the city of Montreal, twenty dollars ;
- Quebec ;      b. In the city of Quebec, fifteen dollars ;
- Other part of Province.      c. In every other part of the province, ten dollars.
- Bagatelle, &c. 18. For each bagatelle, pigeonhole, or mississippi board :  
In every section of organized territory, fifteen dollars.

*Powder Magazine Licenses.*

- Powder magazine. 19. For each license to keep or use a powder magazine, fifty dollars.
- Sale of powder : 20. For each license for the sale of powder or to keep it on sale :
- Quebec and Montreal :      a. In the cities of Quebec and Montreal :
1. By wholesale and retail, twenty dollars ;
  2. By retail only, eight dollars ;
- Other cities ;      b. In every other city :
1. By wholesale and retail, ten dollars ;
  2. By retail only, five dollars ;
- Town ;      c. In every incorporated town :
1. By wholesale and retail, five dollars ;
  2. By retail only, two dollars and fifty cents ;
- Other organized parts.      d. In any other organized part of the Province :
1. By wholesale and retail, two dollars and fifty cents ;
  2. By retail only, one dollar.
- What is sale of powder by retail and wholesale.      A quantity of twenty-five pounds or more, or a dozen canisters, of one pound each, sold at any one time, is deemed to be sold wholesale, and a less quantity than that hereinabove mentioned, is deemed to be a sale by retail.

*Circus or Menagerie Licenses.*

21. For each license to open and exhibit a circus or equestrian representation, menagerie, or caravan of wild animals : Circus or menagerie :

- a. In the cities of Quebec and Montreal, and within a radius of three miles of each of these cities, two hundred dollars, for each day of the representation or exhibition of the same ;—and for every side show, twenty dollars for each day ; Quebec and Montreal ;
- b. In other parts of the Province, one hundred dollars for each day ;—and for every side show, ten dollars for each day. Other parts of the Province.

18. Section 65 of the said Quebec License Law of 1878, S. 65, replaced is repealed and replaced by the following :

“ 65. To every application for license, the duty whereof is regulated by the amount of the rent or annual value, there must be annexed a certificate of the valuation, contained in the valuation roll aforesaid of the house and dependencies or premises, for which such license is sought, which valuation shall include, not only the room or rooms which shall be used for the purposes required for such license, but also all other rooms, in the same house and dependencies, which are occupied by the licensee or intended so to be, for any purpose whatever, delivered by the City-Clerk or Secretary-Treasurer, who is bound to deliver such certificate, whenever thereto required, under a penalty of fifty dollars, for each contravention. Certificate of valuation required.

19. All the conditions and amendments in the present act, affecting the measure of liquor and the quantity to be sold at any one time, by the holder of a license, shall apply to licenses that have been issued for the current license year, ending the 30th April, 1881, and are now in force. Certain provisions to apply to current year.

20. Section 69 of the said Quebec License Law of 1878, is amended, by striking out in the fifth line thereof, all the words after the word : “ kind,” to the end of the said section. S. 69, 41 Vic., c. 3, amended.

21. Section 71 of the said act is amended, by striking out the words : “ temperance hotel,” in the third line, and adding the following paragraph : S. 71, amended

“ Any one who keeps, without a license to that effect, still in force, as by law prescribed, a temperance hotel, is liable, for each contravention, to a fine of twenty dollars.” Penalty for keeping temperance hotel without license.

22. Section 73 of the said act is repealed and replaced by the following : S. 73, replaced

Penalty for selling in a retail liquor shop or in a wholesale liquor shop less than a certain quantity while licensed.

"73. Any one holding a retail liquor shop license, and who sells in such shop, or in any place whatsoever, within the limits of this Province, any intoxicating liquors in quantity less than one imperial pint, at one and the same time, or holding only a wholesale liquor shop license, sells in such shop or within the above mentioned limits, any of said liquors, in quantity less than two imperial gallons, or one dozen bottles, containing not less than one imperial pint each, at one and the same time, becomes liable to a fine of seventy-five dollars for such contravention.

Same penalties apply to selling outside named premises.

The same fine is applicable to the case of a person holding a license, who sells in any quantity whatsoever, intoxicating liquors, outside of the place and its dependencies, for which the license has been obtained."

S. 74, amended

**23.** Section 74 of the said act is amended, by striking out the words: "under such license," in the third and fourth lines thereof, and replacing them by the word: "therein."

S. 77, amended

**24.** Section 77 of the said act is amended, by substituting for the word: "forty," in the last line thereof, the words: "one hundred."

S. 78, amended

**25.** Section 78 of the said act is amended, by adding after the word: "dependencies," in the fourth line, the words: "or of his vehicles."

E. 80, replaced

**26.** Section 80 of the said act is repealed and replaced by the following:

Confiscation of liquors and vessels.  
Sale thereof by License Inspector.

"80. The judgment inflicting such fine, shall order the confiscation of the said liquors and vessels.

The License Inspector shall have the liquors and vessels so confiscated, sold by private sale or by auction, according to the instructions which are given him by the Treasurer, and the License Inspector shall retain one-third of the price realized, and remit the remaining two-thirds to the Treasurer."

S. 84, amended

**27.** Section 84 of the said act is amended, by striking out all the words after the word: "furnished," in the first line, and replacing them by the words: "to the satisfaction of the authorities, confirming the certificate."

S. 87, amended

**28.** Section 87 of the said act is amended, by adding the following paragraph:

Duties of bottlers with respect to their vehicles.

"Every bottler shall cause to be painted in legible letters, of at least two inches in height and a proportionate width, on both sides of his vehicle, his name at full length, adding

thereto the word: "licensed," under a penalty of twenty dollars for each contravention."

**29.** Section 94 of the said act is amended, by substituting S. 94, amended in French version. in the French version, the word: "*cinquante*" for the word: "*quinze*."

**30.** Section 102 of the said act is amended, by striking S. 102, amended. out, in the fourth and fifth lines thereof, the words: "or the License Commissioners in the city of Montreal."

**31.** Section 103 of the said act is amended, by striking S. 103 amended. out in the third and fourth lines thereof, the words: "or the License Commissioners through their representative or secretary," and by adding the word: "or," after the word: "tribunal," in the second line.

**32.** Section 108 of the said act is repealed and replaced S. 108, replaced. by the following:

108. "Every policeman, constable and other person, thereto Entry into and examination of suspected places by the police, &c. authorized in writing by a License Inspector, by a justice of the peace, the Judge of the Sessions, the Police Magistrate or the Recorder, may enter any unlicensed place, frequented by the public, where there is reason to suspect that intoxicating liquors are exposed for sale, and to search therefor; and, 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 License Inspector for the district, to await the judgment of the court respecting them."

**33.** Section 111 of the said act is amended, by striking S. 111, amended. out the words: "four hundred dollars" in the eleventh and twelfth lines and substituting the words: "one hundred dollars" in place thereof, and by striking out the words: "two hundred" in the twelfth line, and substituting the word: "fifty" in place thereof; and by adding the following words to the said section to form part thereof:

"Any person who shall advertise any property for sale Penalty upon auctioneer selling property by auction without license. by him at auction over his signature, or who shall allow his name to be used in any newspaper, hand-bill, poster or other mode of advertising property for sale, without first having procured a license as an auctioneer, shall incur and be liable to a penalty of fifty dollars for each such offence, which may be recovered by the License Inspector of the District, in the same manner as provided for other offences against the License Act, one half of said penalty shall be paid into the Provincial Treasury and the remaining half to the License Inspector."

S. 174,  
amended.

**34.** Section 174 of the said act is amended, by striking out the word : "fifty," in the fourth and seventh lines, and by substituting therefor the word : "ten" in each case.

S. 175,  
amended.

**35.** Section 175 of the said act is amended, by striking out the word : "twenty," in the sixth line, and by substituting therefor the word : "five."

S. 190,  
amended.

**36.** Section 190 of the said act is amended, by striking out the words : "or to a License Commissioner in the City of Montreal," in the fifth and sixth lines thereof.

S. 191,  
amended.

**37.** Section 191 of the said act is amended, by adding thereto the following paragraphs :

Duties of municipal councils with respect to contravention in certain cases.

"In any municipality where a prohibitory by-law is in force, or where the council thereof prohibit the confirmation of certificates to obtain licenses for the sale of intoxicating liquors, it shall be the duty of the council of such municipality to prosecute all offenders against the Quebec License Law and its amendments, in which case the municipality shall be responsible for all costs, and shall receive the whole fines collected for contravention of the said law.

Proviso: If council refuse.

In case, however, such council refuse to prosecute for infractions of the said law, when notified thereof, it shall be lawful for the License Inspector to prosecute the offenders. at the cost of the municipality: all fines collected in such cases at the suit of the Inspector, shall be distributed according to section 241 of the Quebec License Law of 1878."

S. 196,  
amended.

**38.** Section 196 of the said act is amended, by adding after the words : "district magistrate," in the eighth line thereof, the following words : "or before the Recorder, or before any other officer having the powers of two Justices of the Peace."

S. 197,  
amended.

**39.** Section 197 of the said act is amended, by striking out the words : "ordinary manner," in the last line thereof. and by substituting therefor the words : "manner provided for suits between lessors and lessees."

S. 205,  
amended.

**40.** Section 205 of the said act is amended, by adding thereto the following words : "but no further additional fees shall be allowed to the attorneys, than if there had been only one contravention."

S. 225,  
replaced.

**41.** Section 225 of the said act is hereby repealed and replaced by the following section :

" 225. In all prosecutions or actions brought before the circuit court, the fees of the clerk of such court, of the attorney and of the bailiff, shall be the same as those which are now allowed in the tariff of fees for the class of actions of forty dollars and under, but above twenty-five dollars. Fees of clerks, attorneys, &c., before the circuit court.

2. In all prosecutions or actions brought before the superior court, the fees of the prothonotary of such court, of the attorney and of the bailiff, shall be those which are now allowed in the tariff of fees for the class of actions in the circuit court of sixty dollars and over, but not exceeding eighty dollars. Same, before the superior court.

3. In all other prosecutions or actions the following fees shall be allowed : Same, in other prosecutions.

a. To the clerks :—

	\$	cts.
For original summons .....	0	20
" each copy of do .....	0	10
" original subpœna.....	0	15
" each copy of do .....	0	10
" original warrant.....	0	30
" each copy of do .....	0	10
" original bail-bond.....	0	30
" each copy of do .....	0	10
" warrant of seizure and sale .....	0	30
" " commitment .....	0	30
" each witness sworn.....	0	10
" drawing up every deposition.....	0	30
" minute of proceedings in each case .....	0	50
" conviction.....	0	30
" copy of conviction.....	0	20
" bill of costs.....	0	20
" certificate of taxation.....	0	10

b. To the bailiff, peace officer or constable :—

	\$	cts
For the service of any summons, warrant, subpœna or order and return .....	0	20
" each mile travelled to serve the same (no allowance for mileage in returning).....	0	20
" every arrest, exclusive of mileage .....	1	00
" seizure and sale under warrant, including publication, but exclusive of mileage .....	1	50
" seizure only, not followed by sale.....	0	75

c. To the attorney :—

	\$	cts.
When no witnesses are examined.....	5	00
" witnesses are examined .....	8	00

*d.* Witnesses shall be allowed one dollar per day, and ten cents for each mile travelled by them to attend the court, when they reside more than five miles from the place where the court is held.

Other fees may be allowed.

4. In any case, such further and other fees, as are not provided for in the above lists, shall be allowed the prothonotary, clerk of the circuit court, clerk, bailiff, constable or attorney, as shall be taxed at the discretion of the court, tribunal or functionary, before whom the prosecution or action is brought or heard; and when so taxed, such additional fees shall be as lawful and valid, as if they were specially enumerated in the above lists."

S. 229, amended.

42. Section 229 of the said act is amended, by adding thereto the following paragraph:

Partial payment and defects of form, not to affect the judgment in certain cases.

"Except in the case of full payment as aforesaid, no defendant imprisoned in virtue of any provision of this act, shall be liberated, on the ground of any defect of form in the warrant of commitment, nor without due notice given to the prosecutor, nor shall any partial payment affect or modify the terms of the judgment pronounced against him, in so far as imprisonment is concerned."

S. 239, amended.

43. Section 239 of the said act is amended, by adding thereto the following paragraph:

Deposit on application for writ of prohibition.

"Any person, applying for a writ of prohibition in reference to anything done or sought to be done, under this act and its amendments, shall deposit with the prothonotary of the court, before which the application is made, and before it is made, the sum of thirty dollars, to secure the payment of the costs of the adverse party, if the petition be dismissed."

S. 243, amended.

44. Section 243 of the said Act, is amended, by adding thereto the following paragraph:

Application of s. 242.

"The provisions of section 242 shall apply to the present section as well as to section 241."

Schedule A, amended.

45. Schedule A annexed to the said act, is amended by striking out the words in italics: "*[where in country parts, add.]*"

Forms M and N, replaced.

Schedule H, repealed. O. P. and Q., added.

46. The forms M and N, appended to this act, shall take the place of the forms M and N contained in the said act, 41 Vict., chap. 3, which latter together with schedule H, are hereby repealed, and the forms O, P and Q may be used, in cases for which they are specially intended, with the same effect as if they had formed part of the said act, 41 Vict., chap. 3.





license inspector for the division of the district of \_\_\_\_\_, (the prosecutor), the sum of \_\_\_\_\_, as a fine, to be applied according to law, and also the further sum of \_\_\_\_\_ and \_\_\_\_\_ cents, for his costs in that behalf ; and in default of immediate payment of such fine and costs, that the same be levied by seizure and sale of the moveables and effects of the said \_\_\_\_\_ ; and in default of such moveables and effects, or in case they be insufficient, that the said \_\_\_\_\_ be imprisoned, in the common gaol, at the \_\_\_\_\_ of \_\_\_\_\_, in the district aforesaid, for a period of three months, unless the said fine and costs and charges of such seizure and sale, of arrest, commitment and conveying the said \_\_\_\_\_ to the said common gaol, be sooner paid ;

And whereas, afterwards, on the day of \_\_\_\_\_, in the year aforesaid, I issued a warrant to all or any of the bailiffs, constables, or other peace officers of the district of \_\_\_\_\_, commanding them or any of them to levy the said fine and costs by seizure and sale of the moveables and effects of the said \_\_\_\_\_;

And whereas it appears to me, by the return of the said warrant, by the constable, who had the execution of the same, that the said constable hath made diligent search for the movables and effects of the said

; but that no sufficient moveables and effects whereon to levy the said fine and costs above mentioned, could be found (or, that the said moveables and effects are insufficient to pay the whole of the said fine and costs) ;

These are therefore to command you, the said bailiffs, constables or peace officers, or any one of you, to take the said \_\_\_\_\_ and h \_\_\_\_\_ safely convey to the common gaol at the \_\_\_\_\_ of \_\_\_\_\_ in the district of \_\_\_\_\_, and there deliver h \_\_\_\_\_ to the keeper thereof, together with this warrant :

And I do hereby command you, the said keeper of the said common gaol, to receive the said \_\_\_\_\_, into your custody, in the said common gaol, and there to imprison h\_\_\_\_\_, for the space of three months from the date of h\_\_\_\_\_ arrival as a prisoner thereat, unless the said fine and costs and all costs of the warrant of seizure and sale, and of the arrest,

commitment and conveying the said  
to the said common gaol, amounting  
to the further sum of                      dollars and  
   cents be sooner paid unto you  
the said keeper of the said common gaol.

And for so doing, this shall be your sufficient warrant.

Given under my hand and seal, at the  
of                      , in the said district, this  
                                 day of                      in the  
year of Our Lord one thousand eight hundred

(Signature.)

(Title of magistrate.)

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### FORM N.

#### WARRANT OF COMMITMENT IN THE FIRST INSTANCE.

PROVINCE OF QUEBEC, }  
DISTRICT OF                      . }

of the  
of

                                 esquire,                      for  
the district of                      :

To all and every the bailiffs, constables or peace officers  
in and for the said district of                      ; and to  
the keeper of the common gaol in the said district of  
:

Whereas (name of defendant), of the                      , of  
hath been convicted on the                      day of  
                                 in the year of Our Lord one thousand  
eight hundred                      , before (name and title  
of magistrate who rendered judgment) esquire,  
for the district of                      , of having (recite offence),  
contrary to the provisions of the statute in such case made  
and provided, and for such offence hath been adjudged to  
pay forthwith, to                      , license inspector for  
the                      division of the district of                      ,  
(the prosecutor), the sum of                      , as a fine, to  
be applied according to law, and also the further sum of

dollars and cents, for his costs in that behalf; and in default of such payment being made as aforesaid, to be imprisoned in the common gaol at the of in the said district, for a period of three months, unless the said fine and costs be sooner paid; and whereas the said hath failed to pay the said fine and costs :

These are therefore to command you, the said bailiffs, constables or peace officers, or any one of you, to take the said and h safely convey to the common gaol at the of in the district of , and there deliver h to the keeper thereof, together with this warrant.

And I do hereby command you, the said keeper of the said common gaol, to receive the said into your custody, in the said common gaol, and there to imprison h for the space of three months from the day of h arrival as a prisoner thereat, unless the said fine and costs and all costs of the arrest, commitment and conveying the said to the said common gaol, amounting to the further sum of dollars and cents be sooner paid unto you the said keeper of the said common gaol.

And for so doing, this shall be your sufficient warrant.

Given under my hand and seal, at the of , in the said district, this day of in the year of Our Lord one thousand eight hundred

(Signature.)

(Title of magistrate.)

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## FORM O.

### CONVICTION ORDERING IMPRISONMENT.

PROVINCE OF QUEBEC, }  
DISTRICT OF . }

Be it remembered, that on the day of in the year of Our Lord one thousand

eight hundred \_\_\_\_\_, at the  
 of \_\_\_\_\_ in the district of \_\_\_\_\_  
 (name, occupation and residence of defendant),  
 of the \_\_\_\_\_ of \_\_\_\_\_  
 in the district aforesaid,  
 is convicted before the undersigned (title of magistrate) for  
 the district of \_\_\_\_\_, for that he the said  
 (recite offence)  
 contrary to the provisions of the statute, in such case made  
 and provided.

And I, the said \_\_\_\_\_ do adjudge the  
 said \_\_\_\_\_,  
 for \_\_\_\_\_ h \_\_\_\_\_ said offence, to forfeit and pay to \_\_\_\_\_,  
 of the \_\_\_\_\_ of \_\_\_\_\_, in the district  
 aforesaid, license inspector for the  
 division of the district of \_\_\_\_\_, (the prosecutor),  
 the sum of \_\_\_\_\_ dollars, as a  
 fine, to be applied according to law, and also to pay to the  
 said \_\_\_\_\_  
 the sum of \_\_\_\_\_ dollars and  
 cents for his costs in this behalf;

And whereas the said prosecutor hath made option that  
 the said (name of defendant) be committed to the common  
 gaol at the \_\_\_\_\_ of \_\_\_\_\_  
 in the said district for a period of three months, unless the  
 said fine and costs be paid forthwith:

I do therefore order and adjudge that in default of im-  
 mediate payment of the said several sums, the said \_\_\_\_\_  
 be committed  
 to the common gaol at the said \_\_\_\_\_ of \_\_\_\_\_  
 \_\_\_\_\_, for a period of \_\_\_\_\_  
 months, unless the said several sums of money, and costs  
 and charges of arrest, of commitment, and of the conveying  
 the said \_\_\_\_\_  
 to the said common gaol, shall be sooner paid.

Given under my hand and seal, the day and year first  
 above mentioned, at the \_\_\_\_\_ of \_\_\_\_\_  
 in the district of \_\_\_\_\_ aforesaid.

(Signature.)

(Title of magistrate.)

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## SCHEDULE P.

## WARRANT OF SEIZURE AND SALE.

PROVINCE OF QUEBEC, )  
DISTRICT OF . )

of the  
of  
esquire, for  
the district of :

To all and every the bailiffs, constables or peace officers  
in and for the district of ;

Whereas (*name of defendant*) of the of  
in the district of hath been convicted  
on the day of in the year  
of Our Lord one thousand eight hundred ,  
before esquire,  
for the district of , of having (*recite offence*)  
contrary to the provisions of the statute in such case made  
and provided ; and for such offence hath been adjudged to  
pay to , license inspector for the  
division of the district of  
(the prosecutor), the sum of as a fine, to be  
applied according to law, and also the further sum of  
dollars and cents, for his costs in that  
behalf ; and in default of immediate payment of such fine  
and costs that the same be levied by a warrant of seizure  
and sale of the moveables and effects of the said ;  
and in default of such moveables and effects, or in case of  
their being insufficient, that the said be  
imprisoned in the common gaol at the of  
, in the district of , for a period of  
three months, unless the said fine and costs, and costs and  
charges of such seizure and sale, and of arrest, commitment  
and conveyance of the said  
to the said common gaol, be sooner paid ; and whereas  
the said  
being required to pay the said fine and costs, doth now fail  
to pay the same :

These are therefore to command and require you, and  
each and every of you, to seize the moveables and effects of  
the said , wheresoever they may be found  
within the said district, and on the same to levy the said  
fine and costs, making together the sum of



the district aforesaid, is convicted before the undersigned (*title of magistrate*) for the district of \_\_\_\_\_ for that he the said (*recite offence*), contrary to the provisions of the statute in such case made and provided.

And I, the said \_\_\_\_\_ do adjudge the said \_\_\_\_\_, for h said offence, to forfeit and pay to \_\_\_\_\_ of \_\_\_\_\_, in the district aforesaid, license inspector for the division of the district of \_\_\_\_\_, (the prosecutor), the sum of \_\_\_\_\_ dollars, as a fine, to be applied according to law, and also to pay to the said \_\_\_\_\_ the sum of \_\_\_\_\_ dollars and \_\_\_\_\_ cents, for his costs in this behalf.

And whereas the said prosecutor hath made option that the said (*name of defendant*) be first proceeded against by seizure, in default of immediate payment of such fine and costs, I, the said (*title*) do hereby order and adjudge that in default of immediate payment of the said fine and costs, the same be levied by a warrant of seizure and sale of the moveables and effects of the said \_\_\_\_\_ ;

And in default of such moveables and effects, or in case they be insufficient, I do order that the said \_\_\_\_\_ be imprisoned for a period of three months, in the common gaol at the \_\_\_\_\_ of \_\_\_\_\_ in the district aforesaid, unless the said fine and costs, charges of seizure and sale, commitment, and conveying the said \_\_\_\_\_ to the said common gaol, shall be sooner paid.

Given under my hand and seal, the day and year first above mentioned, at the \_\_\_\_\_ of \_\_\_\_\_, in the district of \_\_\_\_\_ aforesaid.

(Signature.)

(*Title of magistrate.*)