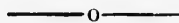


THE LICENSE QUESTION.



As considerable misconception prevails as to the powers and duties of officials of the Local Government in granting or refusing licenses to sell intoxicating liquors, either wholesale or retail, in municipalities where a prohibitory by-law is in force, it is desirable that the law on the subject should be clearly known. And as the question has repeatedly come before the Courts, and may be regarded as definitely settled, it is not difficult to arrive at the true position.

In the province of Quebec, there are, so to speak, three sets of laws, directly bearing on the liquor traffic, independently of the Dunkin Act. First, there is the general license law of the province, under which the traffic is regulated and controlled, and which renders it incumbent on all traders, whether wholesale or retail, to obtain in a given way and for a given price, varying according to locality, permission to carry on their business for a limited time. Secondly, we have in those parts of the Province regulated by the Municipal Code, the provisions of that code which in general terms authorize municipalities to prohibit altogether the sale of intoxicating liquors within their boundaries by retail, or to speak more accurately, in quantities less than two gallons or a dozen bottles. And lastly, we have the Dominion Statute—"The Canada Temperance Act"—by observing the provisions of which, cities and counties, if a majority of the electors think proper, may absolutely prohibit all traffic in intoxicating liquors, within their limits, while the act is in force. There are thus one Dominion and two Provincial Statutes bearing on this important subject.

While all agree that the promotion of temperance is desirable and that the regulation of the liquor trade should be strictly controlled by law, there are many—and their views are entitled to great respect—who hold that, in face of the admitted evils and miseries which accompany it, it should be prohibited altogether, throughout each Province and throughout the Dominion, if possible, and that at all events municipalities should be empowered to follow out their own views in the matter. And they ask: Why does not the Local Government of this Province solve the difficulty in the latter case, by simply withholding all licenses, whether for wholesale or retail trade, in those municipalities which have pronounced in favor of prohibition?