

1852-3.

BILL.

No. 418.

An Act to prohibit the sale of Intoxicating Liquors on or near the line of Public Works in this Province.

WHEREAS it is desirable to restrain the sale and use of intoxicating Liquors in the neighborhood of Public Works where large bodies of men are necessarily gathered together: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "*An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,*" and it is hereby enacted by the authority of the same, That from and after the passing of this Act, it shall not be lawful for any person or persons, except only such persons as shall have been legally licensed so to do before the passing of this Act, and only while the licenses they then hold respectively shall remain in force, to barter, sell, exchange or dispose of in any manner whatever, directly or indirectly, to any other person any alcoholic, spirituous, vinous, fermented or other intoxicating Liquor, or any mixed Liquor a part of which is spirituous, or vinous, fermented or otherwise intoxicating, (and every such Liquor or mixed Liquor shall be included in the expression "intoxicating Liquor" when used in this Act,) nor to expose, keep or have in his possession for sale, barter or exchange, any intoxicating Liquor, at any place not included within the limits of any City or incorporated Town, and being within miles of the line of any Railway, Canal, or other Public Work in progress of construction, whether such work be constructed by the government of this Province, or by any incorporated Company, or by private enterprise; nor shall any person, after the passing of this Act, obtain or receive a license, or the renewal or extension of any license, to sell any intoxicating Liquor at any such place as aforesaid, and any such license, if granted or obtained, renewed or extended in any way after the passing of this Act, shall be utterly null and void, and the holder thereof shall be deemed to have no license; Provided always, firstly, That if any doubt shall at any time arise as to whether any work then in progress does, or does not come within the scope and meaning of this section, it shall be lawful for the Governor of this Province, if he shall see fit, to declare by Proclamation that such work is within the scope and meaning of this section, and that the prohibition herein contained applies to any place within miles of the line thereof, which line may be described and defined in such Proclamation, and the declaration contained in such Proclamation shall have the like force as if contained in this Act, and the said prohibition shall apply accordingly; but nothing in such declaration shall be construed as a declaration that such work or any part thereof was not within the scope and meaning of this section before the issuing of such Proclamation, but the question whether it was or was not so shall be decided as if such Proclamation had not issued; Provided secondly, That if after the passing of this Act, any license shall be issued authorizing any

Preamble.

Intoxicating Liquors not to be sold within a certain distance of any Public Work in progress of construction.

Proviso:

Governor may declare any work within the scope of this Act.

Proviso.