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INFORMATION RELATING TO  
MUNICIPAL LEGISLATION OF THE LIQUOR TRAFFIC  
ALSO OF  
MUNICIPAL FRANCHISE FOR WOMEN.

Compiled by MRS. MARIA G. CRAIG, County President  
Compton and Wolfe W.C.T.U.

*Issued by the Quebec Provincial W.C.T.U., December, 1899.*

What is the best means of procuring Prohibition in our townships and villages?

By electing councillors who will be favourable to passing a Prohibitory By-law. Wording of By-law under Article 561 of the Municipal Code:—

Province of Quebec...

By-law No. —

At a general session of the Municipal Council of the Corporation of (Township, Village, or Town, as the case may be) held at—  
—on the—day of the month of—, 19 , at which were present Messrs. (give names of councillors present) constituting a quorum of the said council under the presidency of—  
Mayor (or of— in the absence of the Mayor)..

It is ordained by By-law as follows:—

That the sale of intoxicating liquors in quantities less than two (2) gallons, Imperial measure, or one (1) dozen bottles of not less than one (1) pint each, Imperial measure, at one and the same time, and the granting of licenses therefor within the limits of this municipality (and on any ferry or ferries which are dependencies of this municipality) is hereby prohibited.

NOTE.—The above clause in reference to ferries can be struck out except for those municipalities which have ferries.

Such a By-law must be promulgated in the usual way, and comes into force on the 1st day of May following the promulgation. It must also be promulgated at least fifteen days before the 1st of

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May, and a copy of it sent to the Collector of Provincial Revenue of the District. When these formalities have been complied with, the Collector cannot issue any licenses contrary to the said By-law so long as it remains in force.

The penalty for selling or keeping for sale liquor in violation of this By-law is fifty dollars (\$50.00) or imprisonment for three months. See Article 566. Municipal Code.

All obligations contracted under any form, or in any manner whatsoever, or payments made in regard to any sale, in violation of said By-law, is absolutely null and void, and cannot be enforced. Article 567. Municipal Code.

2. By Municipal Plebiscite.

Any thirty or more qualified electors in any city, town, township, parish or incorporated village, may present a petition to the Secretary-treasurer of the Municipality asking that a Prohibitory By-law be submitted to the vote of the Electors. The Requisition should be in this form:—

Form of Requisition.

The undersigned qualified municipal electors of-----hereby require that a poll be taken in the terms of Section thirteen of Chapter five of Title four of the Revised Statutes of the Province of Quebec, to determine whether or not the municipal electors of the said municipality will adopt, under the authority, and for the enforcement of the said section, the By-law following, which is hereby proposed for their adoption, to wit: . . . . .

The sale of intoxicating liquor, and the issuing of licenses therefore are by the present By-law prohibited within the----- under the authority, and for the enforcement of Section thirteenth of Chapter fifth of Title fourth of the Revised Statutes of Quebec.

Witness our hands at -----this-----day of-----in the year of our Lord-----.

While thirty signatures to the above petition are all that is necessary, secure as many more as possible, and the person circulating such petition should witness each signature himself as it is added thereto, in order to be able to testify, when depositing the petition with the Secretary, that the signatures are genuine. The taxes of all signers should be paid before presenting the petition.

On receipt of this petition the Secretary is obliged to proceed forthwith to present the submission of the proposed By-law to the vote of the municipal electors. He must give notice in some newspaper published in the municipality, or near it, for four consecutive weeks, that on some day of the following or fifth week, the law

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shall be voted upon. The voting is open, each voter recording his vote "yea" or "nay." The poll is open from 10 a.m. until 5 o'clock in the afternoon of one day, if the qualified electors on the assessment roll be not more than 400, and so on, an additional day for each additional 400 names. When voting on the plebiscite one would have to be qualified to vote at the municipal elections, which include payment of taxes.

If more than half of all the votes polled be for the By-law, the same shall be held to be approved or adopted. A By-law so adopted remains in force until repealed in similar manner by vote of the electors, and no such vote for repeal can be taken until after two years from date of enactment. All such By-laws come into force the first day of May following. The Collector of Provincial Revenue of the District should be at once notified by the Secretary-treasurer of the adoption of a Prohibitory By-law.

3. By filing a Protest against the granting of license to any individual hotel-keeper signed by a majority of the resident municipal electors, as per Article 842 of Quebec License Law.

#### Form of Petition.

To the Municipal Council of the Corporation of \_\_\_\_\_,  
We, the undersigned resident municipal electors of the Corporation,  
of the Township of \_\_\_\_\_, hereby oppose the confirmation of  
the certificate of \_\_\_\_\_ for a \_\_\_\_\_ license, or of any  
other certificate for the same place.

Signed, .

In case of two or more applications for license, two or more separate protests should be prepared and signed by the electors, one against each individual applicant. The taxes of all signers must be paid before presenting the petition.

4. The Municipal Council has the right to refuse to confirm any certificate for license whether a Prohibitory By-law is in force or not, as shown by the Georgeville Case.

In this case it has been decided by the Supreme Court of Ottawa—

1. That the municipality is not liable in damages for the acts of the Municipal Council acting as "competent authorities" under the License Law.

2. That so long as the Municipal Council acts in good faith and without malice, the councillors themselves are not responsible in damages for an error in judgment or law.

3. That where discretion is exercised in good faith and without malice it is not subject to revision by the Courts.

2. When can a license be taken out?

A license can be taken out at any time during the year, but they always expire on the first day of May following; therefore, if a person takes out a license, say, in December or January, it would only be good until the 1st of May next.

3. What is the law regarding Sunday Selling, and the hours for selling liquor on week days?

Articles 922 and 922a of the Revised Statutes of the Province of Quebec prohibit the sale of liquor on Sunday. In any hotel, inn, or restaurant, they cannot sell between midnight and five o'clock in the morning, and the whole of Sunday, except on a special demand for medicinal purposes. In any liquor shop, whether wholesale or retail, the sale is prohibited between midnight until four o'clock in the morning, and the whole of Sunday. If you wish to prosecute any person for selling liquor during the prohibited hours or on Sunday, the proper course would be to report it to the Collector of Provincial Revenue, and it would be his duty to prosecute; or the Municipality may prosecute. This is provided for by Article 1037, R. S. Q.

4. What is a Grocery License?

The term "Grocery License" is not found in the License Act. This is called there "Shop License," and a person holding a Shop License cannot sell less than one pint, Imperial measure, at one and the same time. The procedure for getting a Shop License is the same as getting a hotel or restaurant license, except their certificates are signed by three collectors, instead of twenty-five. Such licenses may also be opposed by majority opposition.

5. What is a Bottler's License?

A bottler is a person who places in bottles or in casks the fermented liquors known as beer, ale, porter and stout, and sells and delivers them, either at his own premises or at those of the purchaser, within the limits of any municipality for which he holds a license, either in bottles containing not less than a pint Imperial measure, each, in quantities not less than a dozen at a time; or, in barrels, in quantities not less than two gallons, Imperial measure, at a time. He is really a wholesale dealer, as you see he cannot sell less at one time than a man under a wholesale license. Bottlers, particularly in the country, generally sell by peddling. They buy their liquors in large barrels or casks, and then put them up in bottles or small casks, and sell them around in that way by vehicles. In order to obtain a license he does not require any certificate signed by anybody, but simply pays the required amount to the Collector of Provincial Revenue. They are subject to the same restrictions as to Sunday selling and selling at other times that

wholesalers are, and purchasers are not allowed to drink on their premises.

6. Can they solicit orders or peddle beer in other towns?

No; their license only applies to the town in which it is taken out, and for violation of the same the proceedings would be the same as against any other person selling without a license.

7. What constitutes a Municipal Elector?

Article 291. Municipal Code:—

1. He must be of the male sex, have attained the age of majority, and be a British subject.

2. He must have been in possession, in the municipality in which he seeks to exercise the right of an elector, either in his own name, or in the name and for the benefit of his wife, as appears by the valuation roll in force, if there is one, or proprietor of real estate of the actual value of at least fifty dollars, or as resident, tenant, farmer, or lessee of the annual amount of at least twenty dollars.

3. He must have paid all the municipal and school taxes due by him at such period or at a previous period which any council may fix by By-law, provided that such date be not fixed before the fifteenth of December.

4. His name must be entered in the valuation roll, if there be one in force in the municipality, either as proprietor, lessee or occupant. Statutes of Quebec 55-56, Victoria, 1892.

Cap. XXXV.—An Act to extend the Franchise to widows and spinsters in municipal and school matters. (Assented to 24th June, 1892).

Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:—

1. Spinsters and widows shall have a right to be entered upon the list of electors in any city, town, village, or rural municipality, and to vote at all municipal elections therein, and upon all questions submitted to such electors, when otherwise qualified as By-law provided. They shall also have a right to vote for school commissioners or trustees, and to vote on all school matters submitted to the electors, when otherwise qualified as By-law provided.

2. The laws respecting public instruction and town corporations, the municipal Code, and all charters of cities, towns, and villages shall be so interpreted as to give effect to the preceding section.

8. How can widows and spinsters avail themselves of the privileges of the Municipal Franchise?

By taking care that their names are entered on the valuation rolls which are made out yearly, as that is the basis of the electoral list. These valuation rolls, when they have been made by the valuers, have to be deposited in the office of the Council. (Article 726, Municipal Code).

The Secretary-Treasurer then must give public notice thereof (Article 732, Municipal Code.) Within thirty days of this notice the local council must examine and amend the valuation roll. (Article 734, Municipal Code).

Every person who considers himself wronged by the valuation roll may demand that the same may be amended in such manner as to cause that justice be done to him, either by producing an application in writing at the office of the local council, or before the day fixed for the examination of the roll by the council, or by stating his complaint verbally before the council at such examination (Article 735, Municipal Code).

9. Can the unmarried daughters of a widow or widower vote?

Yes, if they have attained the age of majority (21 years) and hold an interest in the estate held by their mother or father to the value of fifty dollars, and it is so entered on the valuation roll. This is frequently applicable when one of the parents die without a will.

10. Can you exercise the franchise in more than one town?

Yes; in every place where you have property qualifications and your name appears on the voters' list.

11. Can a daughter whose parents are still alive have her name placed on the voters' list?

Yes, if she holds some property in her own name and it is so entered on the valuation roll.

12. Should all properly qualified women vote?

Yes; there is no better way in which to purify and elevate politics, whether municipal or national, than by women as well as men sharing the responsibility of making and enforcing the law.

13. How can any foreign-born person become a British subject?

By getting out naturalization papers.

14. Is Women's Franchise favoured by other societies and leaders of reform?

Yes; the Dominion Alliance sent a strong resolution to the premiers of the provincial legislatures asking for the full franchise for women, at its Convention, held in Toronto, July, 1899. Like resolutions have also been passed by various other societies, and the sentiments expressed supported by many prominent reform leaders and politicians.

15. What have been the results of Women's Franchise where exercised?

A few months ago the Colorado Legislature passed the following resolution by a vote of 45 to 3 in the House, and 30 to 1 in the Senate:

"Whereas equal suffrage has been in operation in Colorado for five years, during which time women have exercised the privilege as generally as men, with the result that better candidates have been selected for office, methods of election have been purified, the character of legislation improved, civic intelligence increased and womanhood developed to a greater usefulness by political responsibilities; therefore be it

"Resolved, by the House of Representatives, the Senate concurring, that in view of these results the enfranchisement of women in every State and territory is recommended as a measure tending to the advancement of a higher and better social order."

In Wyoming, where equal suffrage has prevailed for thirty years, the list of governors and chief justices who testify to its good results is even longer than in Colorado. In 1893 the Wyoming House of Representatives by a unanimous vote passed the following:—

"That the exercise of suffrage by the women in Wyoming for the past quarter of a century, has wrought no harm and has done great good in many ways; that it has largely aided in banishing crime, pauperism, and vice from this State, and that without any violent or oppressive legislation, that it has secured peaceful and orderly elections, good government and a remarkable degree of civilization and public order, and we point with pride to the facts that after nearly twenty-five years of woman suffrage not one county in Wyoming has a poor house, that our jails are almost empty, and crime, except that committed by strangers in the State, almost unknown; and as the results of experience, we urge every civilized community to enfranchise its women."

16. What is the stand taken by our opponents on the Prohibition Question?

At the November monthly meeting of the Licensed Victuallers' Association, of Montreal, the following motion was unanimously adopted:—

"That no member of the Association support any candidate in the Federal elections who was not pledged to oppose Prohibition legislation, no matter in what form it was presented."

We believe the time has come when all working for Prohibition should take as strong a stand, and support no candidate at the polls



who will give an uncertain sound on the Prohibition Question. A strong organization of all church and temperance societies under some central head (such as the Dominion Alliance) in the various counties and provinces, will greatly aid in bringing about this desired end, and should have the sympathy and co-operation of all temperance workers.

17. What is the great need of the hour in temperance reform?

Constant, persistent agitation. By public meetings, by the systematic distribution of literature, by training children in the principles of total abstinence and Prohibition, in the home and in juvenile societies, by the election of men to office favourable to Prohibition, whether as school commissioners, or councillors, or members of Parliament, by establishing temperance hotels, by the united effort of the church and temperance organizations for the immediate extermination of a legalized liquor traffic. )

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This leaflet was read and endorsed before publication by Mrs. Mary E. Sanderson, President Quebec Provincial W.C.T.U.; Mr. J. H. Carson, Secretary Dominion Alliance; Mr. S. P. Leet, Advocate, Montreal, and others.