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2nd Session, 6th Parliament, 22 Victoria, 1859.

B I L L .

An Act to restrain the sale of intoxicating liquors from Saturday night till Monday morning.

As passed by the Legislative Council.

[Printed by Order of the Legislative
Assembly.]

S. Derbshire & G. Desbarats, Queen's Printer.

BILL.

[As passed by the Legislative Council.]

An Act to restrain the sale of intoxicating liquors from Saturday night till Monday morning.

WHEREAS it is expedient to restrain the sale of intoxicating liquors during certain periods: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. In all places where, by the laws of that part of this Province called Upper Canada, intoxicating liquors are or may be allowed to be sold by wholesale or retail, no sale or other disposal of the said liquors shall take place therein or on the premises thereof, or out of or from the same, to any person or persons whomsoever, from or after the hour of seven of the clock on Saturday night till the hour of eight of the clock on Monday morning thereafter, or during any period when, by any By-law of the Municipality wherein such place or places may be situated, the same or the bar-room or bar-rooms thereof ought to be kept closed, save and except to travellers lodging at, or ordinary boarders lodging at the place or places where such liquor is sold, and save and except in cases where a requisition, for medicinal purposes, signed by a licensed medical practitioner or by a justice of the peace, is produced by the vendee or his agent.

2. A penalty for the first offence of not less than twenty dollars, with costs, in case of conviction, shall be recoverable from, and leviable against the goods and chattels of the person or persons who are the proprietors in occupancy, or tenants or agents in occupancy, of said place or places, who shall be found by himself or herself or themselves or his, her or their servants or agents, to have contravened the enactment in the first section hereof, or any part thereof; for the second offence, a penalty against all such of not less than forty dollars, with costs,--for a third offence, a penalty against all such of not less than one hundred dollars, with costs, and for a fourth or any after offence, a penalty against all such of not less than three months' imprisonment with hard labor, in the common gaol of the County wherein such place and places may be, the number of said offences to be ascertained by the production of a certificate from the convicting Justice, or by other satisfactory evidence to the Justice before whom the information or complaint may be made; and it is

hereby enacted that convictions for several offences may be made under this Act although such offences may have been committed in the same day : Provided always, that the increased penalties hereinbefore imposed shall only be recoverable in the case of offences committed on different days.

3. Any person or persons may be the informant or informants, complainant or complainants, in prosecuting under this Act; all proceedings shall be begun within twenty days from the date of the offence, all informations, complaints or other necessary proceedings may be brought and heard before any one or more Justices of the Peace of the County where the offence or offences were committed or done, and the mode of procedure in, and the forms appended to, the Act sixteenth Victoria, chapter one hundred and seventy-eight, for summary proceedings, may be followed as regards the cases and proceedings under this Act.

4. The said penalties in money, or any portion of them which may be recovered, shall be paid to the convicting Justice or other acting Justice in the case, and by him paid equally, one half to the informant or complainant, and the other half to the Treasurer of the Municipality where the place or places referred to are situated.

5. The word " Liquors " shall be understood to mean and comprehend all spirituous and malt liquors, and all combinations of liquors or drinks which are intoxicating.

6. This Act shall apply to Upper Canada only.