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4th Session, 6th Parliament, 24 Victoria, 1861

BILL.

An Act to amend the Lower Canada Consolidated Municipal Act, in respect of its provisions as to the sale of intoxicating liquors.

Received and read, first time, Thursday,
4th April, 1861.

Second reading, Monday, 8th April, 1861.

Mr. DUNKIN.

QUEBEC:

**PRINTED BY THOMPSON, HUNTER & CO.,
ST. URSULE STREET.**

An Act to amend the Lower Canada Consolidated Municipal Act, in respect of its provisions as to the sale of intoxicating liquors.

WHEREAS it is expedient to amend the Lower Canada Consolidated Municipal Act, with the view of facilitating the prohibition or regulation (as may be) by the County and Local Councils, of the sale of intoxicating liquors; therefore Her Majesty, &c., enacts as follows: Preamble.

5 **1.** The tenth, eleventh, twelfth, thirteenth, fourteenth, and fifteenth sub-sections of the twenty-sixth section of the said Lower Canada Consolidated Municipal Act, are hereby so amended as to read thus:— Certain part of S. 26, amended.

10 **“10.** Every County Council shall also have power to make, in the month of February or in the month of March in any year, By-laws (not being inconsistent with the provisions of chapter six of these Consolidated Statutes) to come into force on and after the first day of May next, after the passing thereof, and to remain in force until the first day of May next after the repeal or amendment thereof, for any of the following objects: County Councils may make By-laws concerning:

15 **“11.** For prohibiting and preventing the sale of all spirituous, vinous, alcoholic and intoxicating liquors, throughout the County, or for permitting such sale subject to such limitations as they shall consider expedient, in all Local Municipalities, of the County, wherein such sale may not be by By-law of the Local Council thereof prohibited and Prohibiting or regulating sale of liquors.

20 prevented;

“12. For determining under what restrictions and conditions, and in what manner, the revenue inspector of the district shall grant licenses within all such Local Municipalities, to shop-keepers, tavern-keepers or others, to sell such liquors; Restrictions as to licenses.

25 **“13.** For fixing the sum payable for each such license, but such sum shall in no case be less than the sum payable therefor, on the first day of July, one thousand eight hundred and fifty-six; Sums payable for license:

30 **“14.** For the ordering and governing of all shop keepers, tavern keepers, or other retailers of such liquors, at whatever place within such local municipalities they may be sold, in such manner as the Council deems proper and expedient for the prevention of drunkenness; Governing persons so licensed.

35 **“15.** And no revenue inspector shall grant any license for the sale of any such liquors, within any County where such sale is prohibited by any such By-law, nor yet in any Local Municipality thereof where any such By-law is in force determining the restrictions and conditions under which such licenses may be granted, otherwise than in conformity with the provisions thereof; provided a copy of such By-law has been transmitted by the Secretary-Treasurer to such revenue inspector.” Licenses not to be granted in contravention of such By-laws.

Part of Sect.
27, amended.

2. The sixteenth sub-section of the twenty-seventh section of the said Act, is hereby so amended as to read thus:—

Powers of Local Councils, as to sale of liquors.

“16. Every Local Council may make By-laws, in the month of February or in the month of May, in any year, to come into force on and from the first day of May next after the passing thereof, and to remain in force until the first day of May next after the repeal thereof, for prohibiting and preventing the sale of all spirituous, vinous, alcoholic and intoxicating liquors, within the local municipality; and no revenue inspector shall grant any license for the sale of any such liquors within any local municipality where such sale is prohibited by any such By-law.”

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How this Act shall be construed.

3. This Act shall be construed and applied, to all intents, as though embodied in and forming part of the said Act hereby amended; and the expression “*The Lower Canada Consolidated Municipal Act*,” or any other of those declared sufficient by the fourth section thereof, shall constitute a sufficient citation, as well of this Act, as of the said Act hereby amended.

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