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No. 134.

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4th Session, 8th Parliament, 62 Victoria, 1899

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BILL.

An Act to amend the Temperance Act  
of 1864.

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First reading, May 30, 1899.

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Mr. COWAN.

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OTTAWA

Printed by S. E. DAWSON

Printer to the Queen's most Excellent Majesty

1899

## An Act to amend the Temperance Act of 1864.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Subject to the provisions hereinafter contained, a by-law  
 5 passed under subsection 13 of section 5 of *The Temperance Act*  
 of 1864, being chapter 18 of the statutes of the late Province  
 of Canada of that year, to repeal a by-law for prohibiting the  
 sale of intoxicating liquors and the issue of licenses therefor  
 within any town, township, parish or incorporated village, may  
 10 be submitted for the approval of the electors—
- (a.) in the Province of Ontario, in the manner in which a  
 by-law requiring the assent of the electors of a municipality  
 before the final passing thereof is submitted for such assent  
 under section 338, and the following sections of the *Municipal*  
 15 *Act*, being chapter 223 of the Revised Statutes of Ontario, 1897,  
 or of any provisions from time to time enacted by the Legisla-  
 ture of that Province in lieu or in amendment thereof, and,
- (b.) in the Province of Quebec, in the manner in which under  
 article 671 and the following articles of the Municipal Code,  
 20 or under any provisions from time to time enacted by the  
 Legislature of Quebec in lieu or in amendment thereof, a by-law  
 as to which it is prescribed that it must be approved by the  
 electors before coming into force and effect, is submitted for  
 approval,  
 25 with the same effect as if such by-law had been submitted for  
 approval in the manner and with the formalities prescribed by  
 section 5 of the said *Temperance Act* of 1864.

2. Upon the submission under this Act of any such by-law  
 as first above mentioned, the persons entitled to vote shall,  
 30 notwithstanding anything in the provincial law, be the persons  
 who would be qualified to vote at an election of members of  
 the council of the municipality affected by such by-law, held  
 at the time of such submission, and not those electors only  
 who would then be qualified to vote upon the submission of a  
 35 by-law requiring such assent or approval as aforesaid; and the  
 forms of oath or affirmation which persons tendering their  
 votes under the provisions of the provincial law may be required  
 to make, shall, where necessary, be modified accordingly.

Proceedings  
in certain  
localities for  
repeal of  
by-law under  
Temperance  
Act of 1864,

In Ontario.

In Quebec.

Who may  
vote on by-  
law.

Forms of oaths  
of voters.