

*The Provincial Statutes of Lower-Canada, Being the third session of the eleventh Provincial Parliament of Lower-Canada.* Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1823.

### 3 George IV – Chapter 6

**An Act to amend an Act passed in the fifty-eighth year of the Reign of his late Majesty George the Third, intituled, "An Act to provide more effectually for the security of the Cities of Quebec and Montreal, by establishing a Watch and Night Lights in the said Cities, and for other purposes," and to encrease the Funds necessary for the purposes of the said Act. (22d March, 1823.)**

Whereas it is expedient to amend an Act passed in the fifty-eighth year of the Reign of His Majesty George the Third, intituled, "An Act to provide more effectually for the security of the Cities of Quebec and Montreal, by establishing a Watch and Night Lights in the said Cities, and for other purposes," which said Act was to have expired on the first day of May next, but has been further continued by an Act passed during the present Session, intituled, "An Act further to continue for a limited time an Act passed in the fifty-eighth year of the Reign of His late Majesty George the Third, intituled, 'An Act to provide more effectually for the security of the Cities of Quebec and Montreal, by establishing a Watch and Night Lights in the said Cities, and for other purposes,'" be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province," and it is hereby enacted by the authority of the same, that the eighth and eleventh Sections of the aforesaid Act passed in the fifty-eighth year of His late Majesty's Reign, intituled, "An Act to provide more effectually for the security of the Cities of Quebec and Montreal, by establishing a Watch and Night Lights in the said Cities, and for other purposes," shall be and the same are hereby repealed.

II. Provided always, and be it further enacted by the authority aforesaid, that the Justices of the Peace residing in the said Cities respectively, shall be and they are hereby authorized and empowered to augment the number of Watchmen in the said Cities, if they shall think fit so to do, beyond the number of twenty-four, as by the said Act prescribed, to any greater number, not exceeding forty-eight, which by them may be deemed necessary for the safety and convenience of the inhabitants of the said Cities respectively.

III. And be it further enacted by the authority aforesaid, that for the purposes of augmenting the funds necessary for defraying the expenses of the Watch and Night Lights in the Cities of Quebec and Montreal respectively, an annual rate or duty shall be, and the same is hereby imposed upon, and shall in the manner hereinafter-mentioned, be raised, collected and paid by all and every person or persons owning, keeping or having more than one dog or bitch, of ten shillings, current money of this Province, for each and every dog or bitch of whatsoever description, such person or persons may own, keep or have in either of the said Cities, exceeding one, which said duty shall also be payable by, and be levied

and collected from the person, owning, keeping or having such dog or bitch, or from the head, chief or principal of the family wherein such second or other dog or bitch may be or be kept as aforesaid, whether the same belong to him or not.

IV. And be it further enacted by the authority aforesaid, that for the purposes above-mentioned, an annual rate or duty shall be, and the same is hereby imposed upon, and shall be raised, levied, collected and paid by each and every person or persons residing in either of the said Cities of Quebec or Montreal, owning, keeping or having Calêches, Carts, Waggon or other vehicles, (Voitures) for luxury, of that description, mounted upon springs, at the rate of five shillings, current money aforesaid, for each and every such Calêche, Cart, Waggon or other vehicle (Voiture) upon two wheels, and upon springs, as aforesaid, and that a further annual rate or duty of ten shillings, current money aforesaid, shall be and the same is hereby imposed upon each and every person residing in either of the said Cities of Quebec and Montreal owning, keeping or having any such Carriage or vehicle (Voiture) upon four wheels, and upon springs.

V. And be it further enacted by the authority aforesaid, that for the purposes above-mentioned, an annual rate or duty of five shillings, current money of this Province, in addition to the rate or duty already by law imposed, shall be and the same is hereby imposed upon, and shall be raised, levied, collected and paid by each and every person residing in either of the above-mentioned Cities, owning, keeping or having a Horse, Mare or Gelding, for luxury, for each and every such Horse, Mare or Gelding, any such person or persons may own, keep or have in either of the said Cities.

VI. Provided always and be it further enacted by the authority aforesaid, that Carters, Bakers and Brewers of Beer, possessing or keeping one or more horses employed in carting and distributing bread or beer, and persons cultivating one or more lands, and keeping or employing one horse or more for the purpose of agriculture, shall be exempt from the payment of the rate or duty hereby imposed on persons possessing, keeping or having such horse or horses.

VII. And be it further enacted by the authority aforesaid, that the annual rates or duties herein-above mentioned and imposed, shall be ascertained, raised, levied, collected and paid, as the Duty or Tax on horses, in the said Cities of Quebec and Montreal respectively, and ascertained, raised, levied, collected and paid, in virtue of the Act imposing the same, passed in the thirty-ninth year of the Reign of His late Majesty George the Third, Chapter fifth, and under the like penalties; and the said annual rates or duties shall be payable and levied for the present year, at the usual and ordinary time when the duties on horses are paid and levied.

VIII. And be it further enacted by the authority aforesaid, that for the purposes aforesaid, an annual rate or duty of two pounds, current money of this Province, shall be and the same is hereby imposed upon, and shall be raised, levied, collected and paid by each and every person or persons vending or retailing Rum or any other Spirituous Liquors in either of the said Cities of Quebec or Montreal, in quantities under twenty gallons, not to be drunk in the house, which duty or tax shall be over and above and without prejudice to the rate or duty already imposed upon persons retailing Wine, Brandy, Rum or other Spirituous Liquors in the said Cities, in a less quantity than three gallons at one time, which rate or duty hereby imposed, shall, in addition to the rate or duty already by Law imposed upon

the persons retailing in a less quantity than three gallons, be in like manner imposed upon, and paid by such persons so retailing as last aforesaid, and shall by the Road Treasurers in the said Cities respectively, be exacted, raised, levied, collected, and if need be, sued for, as prescribed and authorized in the aforesaid Ad of the fifty-eighth year of the Reign of His late Majesty George the Third, chapter second.

IX. And be it further enacted by the authority aforesaid, that every person or persons, vending or retailing Rum or other Spirituous Liquors in either of the said Cities, in quantities less than twenty gallons, without having previously paid into the hands of the Road Treasurer, the rate or duty by this Act imposed, for the current year, shall, on being thereof convicted, as by this Act provided, incur and pay a forfeiture and penalty, not exceeding Ten pounds, currency.

X. Provided always and be it further enacted by the authority aforesaid, that the rates or duties already imposed by Laws in force in this Province upon persons retailing in quantities less than three gallons, shall be, and the same are hereby extended to persons vending, or retailing in quantities less than twenty gallons under this Act in the aforesaid Cities of Quebec and Montreal, and shall also be paid in the same manner and under the like penalties: and the persons who shall hereafter vend or retail Rum, or other Spirituous Liquors in quantities less than twenty gallons in either of the said Cities, shall be held previously to take and obtain a licence to that effect, in the same manner and under the like penalties as persons retailing in quantities less than three gallons are bound to do, and which duties and penalties shall be recoverable, sued for, and applied, as provided in the several Acts imposing the same, and by this Act.

XI. And be it further enacted by the authority aforesaid, that for the purposes aforesaid, a further annual rate or duty of two pounds, current money of this Province, shall be and the same is hereby imposed upon, and shall be raised, levied, collected and paid by all and very person or persons, vending or retailing Ale or Cider, or other fermented intoxicating Liquor, to be drunk in the house of the vender or retailer, which rate or duty shall, by the Road Treasurers in the said Cities respectively be also exacted, raised, levied, collected, and if need be, sued for, as prescribed and authorised in the aforesaid Act of the fifty-eighth year of the Reign of His late Majesty George the Third, chapter second.

XII. And be it further enacted by the authority aforesaid, that no person or persons in either of the said Cities of Quebec or Montreal, shall hereafter vend or retail any Ale or Cider or other fermented intoxicating Liquors, unless a Licence for that purpose shall have previously been obtained, in the manner and under the like bonds and at the time specified and required by the second, third and sixth Sections of an Act passed in the thirty-fifth year of the Reign of His late Majesty George the Third, chapter eighth, nor until the rate or duty by this Act imposed, shall have been paid into the hands of the Road Treasurers of the said Cities respectively, as provided in the above-mentioned Act, passed in the fifty-eighth year of His late Majesty's Reign, chapter second.

XIII. And be it further enacted by the authority aforesaid, that any person who shall sell or retail Ale or Cider, or any other fermented intoxicating Liquors to be drunk in the house of the Vendor or Retailer, without having previously obtained a Licence, or without having paid the aforesaid Rate or Duty, shall

on being thereof convicted, incur and pay for every offence, a forfeiture and penalty not exceeding Five pounds currency.

XIV. And whereas the annual rate or duty, imposed in virtue of the aforesaid Act, passed in the fifty-eighth year of the reign of his late Majesty George the Third, upon persons in the said Cities of Quebec and Montreal, exercising the profession or business of Auctioneers, may be evaded, contrary to the true intent and meaning of the said Act; Be it therefore declared and further enacted by the authority aforesaid, that all and every person or persons, who may exercise the business or profession of an Auctioneer, or act as such, in either of the said Cities of Quebec or Montreal, shall, by so doing, incur and be liable for the said annual Rate or Duty of thirty pounds, current money of this Province, as by the aforesaid Act ordained and imposed, whether such person or persons may continue or remain in the exercise and practice of such, the profession or business of an Auctioneer as aforesaid, for a whole year, or for any shorter period.

XV. And be it further enacted by the authority aforesaid, that the Road Treasurers of the said Cities respectively, shall be entitled to have, receive and retain, for their trouble in levying, collecting and paying the monies to be by them levied, collected and paid in virtue of this Act, at the rate of two and a half per cent upon the gross amount of all monies which may at any time hereafter, come into their hands respectively, under and in virtue of this Act.

XVI. And be it further enacted by the authority aforesaid, that all fines, penalties and forfeitures that are imposed by this Act, and that may be recovered under and in virtue of the same, shall be sued for in the like manner as the fines, penalties and forfeitures are sued for by virtue of the aforesaid Act, passed in the fifty eighth year of the reign of his late Majesty George the Third, Chapter second, are sued for, and shall be applied to the purposes thereof, and that their due application shall be accounted for to His Majesty, his Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, his Heirs and Successors shall be pleased to direct.

XVII. And be it further enacted by the authority aforesaid, that if any action or actions, suit or suits shall at any time be brought against any person or persons for any thing in contravention or disobedience to this Act, the same shall be commenced within three months next after the commission of the offence, and not afterwards.

XVIII. And be it further enacted by the authority aforesaid, that this Act shall be and remain in force until the first day of May, one thousand eight hundred and twenty-five, and no longer.