

# Dominion Parliament

## Minister of Finance Introduces a Bill to Amend the Bank-Act.

### Intended to Give Greater Security to Depositors and Institute Other Reforms.

Ottawa, May 22.—At the opening of the House yesterday the Minister of Finance introduced a bill in amendment of the Bank Act, which has been awaited with considerable interest since the opening of the session, when notice of the government's intention was given in the speech from the throne. He said: "The time has arrived when it is necessary that further legislation should be enacted with respect to our banks. It will be generally recognized that the existing bank act, so far as it goes, is an excellent one. We think that in the light of experience some additional provisions should be made, but so far as the present act goes I may say that in the main it has worked well, and the House will not expect that there should be any extensive changes in it. The bank charters under existing legislation will expire in the year 1901, and the main purpose of this act, so far as it amends the existing law, will be to carry forward these charters for a further period of ten years. They will expire again in 1911. We make some changes in the schedules whereby fuller information may be given, without, however, disturbing the continuity of return, which is desirable for the purpose of comparison. We also make some slight provisions in regard to the information to be furnished by the directors to their shareholders in reference to which there is sometimes much discussion at bank meetings. What we propose in that respect is that wherever the shareholders by-law require a certain class of information to be brought down, such information shall be furnished at the annual or special meeting, provided that they shall be at liberty to give no information with regard to the accounts of the customers."

"We propose that there shall be an enactment to prevent the issue of the bank notes after a bank has suspended. It is believed that under the present act, after a bank has suspended, if the directors were so minded, they may issue their own notes to the depositors."

Sir Charles Tupper—Has that been done in any case?

Mr. Fielding—I am not aware it has, although it is one of the things which seem to be possible in connection with the recent unfortunate bank failure. It is well to guard against it.

Privileges Extended.

"It is proposed to include standing timber among the things upon which the banks may lay money. This has hitherto not been in the act, although possibly it is contemplated in its general provisions. We propose that the banks may take security for liability to be incurred, such, for example, as in the case of a letter of credit, where money does not actually pass, but whereby the credit of the bank is pledged, which is equivalent to the money being paid. We propose also that the products of the quarry, as well as the products of the mine, shall be included among the things upon which security may be taken. We also propose to express, at wholesale dealer, as well as 'purchaser,' with regard to certain transactions in regard to which security may be taken."

"Another provision of some small importance is in regard to the holding of land. Under the present act it is provided that a bank shall not hold land except for purposes of its own business, for a longer period than seven years, but there is no provision as to what shall happen the land after that. It would be contended as a matter of law that the title remains in possession of the bank, but upon that the act is silent. We propose to follow the legislation adopted last year in relation to loan companies. There the power to hold land was extended from seven years to twelve years, provided it could be shown that under exceptional circumstances the enforced sale would be a matter of sacrifice. We propose, therefore, in the case of the banks that they may hold land for a period of seven years, or for such further period, not more than five years in excess, as may be determined by the treasury board."

Possession of Lands.

Mr. Borden (Halifax)—Does that apply to lands that have already been held for a period of more than seven years?

Mr. Fielding—The effect of this bill is that the land already held for seven years or more will be forfeited, but we do not propose to exercise the right of forfeiture until after six months' notice. The main purpose of this provision will not be to forfeit the land, but to oblige the banks to dispose of it, and in this way the banks will have ample time to sell it, so as not to subject themselves to the forfeiture."

Mr. Borden (Halifax)—Where men have already held land for more than seven years and desire to sell it they are required to give a 'covenant for title.' Sometimes they prefer not to do that. If afterwards any proceedings should be taken against the persons to whom they sell would the title be made good?

Mr. Fielding—Yes.

Mr. Borden (Halifax)—Therefore if it could be provided in some way that lands might, within the period of six months still be sold it would be advisable.

Mr. Fielding—I think the effect of the amendment will be that land which possibly now has a cloud over its title will remain the property of the bank until it is forfeited, and this forfeiture can only take effect after six months' notice.

Unpaid Drafts.

"We propose that unpaid drafts issued by the banks shall, after the lapse of five years, be the subject of a return to parliament in the same way as we

now require return of unpaid balances. Circumstances might arise under which drafts are issued and are lost and in regard to them the parties interested may possibly have no knowledge. If after the lapse of five years the parties interested have not claimed these moneys the bank should make a return of them. There are a few other minor changes, largely verbal, which make the provisions a little clearer but which do not materially alter its provisions. These are all the changes we propose to make as respects the existing bank act, but we propose to add one or two minor provisions which we think will be found useful.

For Better Supervision.

"We think it right in the light of recent experience that where a bank suspends there should be some better supervision of its affairs than now exists, and we think the best medium we can employ for obtaining that supervision is the Canadian Bankers' Association, which for the purpose we have asked to be incorporated. The banks, under a very valuable amendment made to the Bank Act are more or less partners as affects their circulation. There is the circulation redemption fund, for which they are responsible, and to which they contribute. We think that for that reason that a bank when suspended is conducted in a proper way. We propose, therefore, that the Bankers' Association shall, immediately on the suspension of a bank, appoint a curator, who shall take possession of the bank, and to which there where a bank has been brought to disaster, owing to mismanagement on the part of its officials or directors, that it should remain for a certain period in the hands of this official. We propose that if the affairs of the suspended bank are such as to require that a curator can do no useful service the Bankers' Association shall recall him. If on the other hand the affairs of a bank are in such position that they can not be properly left in the hands of the directors and officers of the bank then the curator will be left in charge."

Mr. Foster—Who is to be the judge of that?

Mr. Fielding—The curator, as the matter now stands. If my honorable friend can suggest any way by which he can put a guard over that we shall be happy to have his suggestion. We think an officer appointed by the Bankers' Association would be satisfactory to the public at large and while he would not represent depositors, every step he takes would be as much in the interest of depositors as any other class.

Mr. Borden (Halifax)—In case of his misfeasance would the Bankers' Association, or any other body, be responsible? What provision would be made as to that?

Powers of a Curator.

Mr. Fielding—We have not provided for that, but the point is worthy of consideration. The powers of the curator shall, on being appointed, at once take charge of the assets and affairs of the bank and assume the management and control thereof, and shall receive and collect all moneys and debts due to the banks, and shall make all necessary arrangements for the payment of circulation notes of the bank outstanding, and generally shall have and possess all the powers that may be conferred upon him and shall take all steps and do all things that the association or that may be necessary or expedient for the creditors and shareholders of the bank and to conserve and insure the proper disposition according to law of the assets of the bank, and the curator shall remain in charge, management and control of the affairs and assets of the bank, until he is relieved from office or until the bank resumes business or until a liquidator is duly appointed to wind up the business of the bank."

Sir Charles Tupper—It would seem to be reasonable that the parties who appoint this curator with such supreme authority to control the whole should also be held responsible for his actions.

Mr. Fielding—That is a very proper subject for consideration.

Control of Circulation.

Then we think it is desirable that there should be as far as feasible some further control over the circulation of a bank. A bank is permitted to circulate its notes up to the amount of its paid-up capital. The only guard and check we have at present is the return made to the government. If that return is false we can prosecute, as was done in a recent case. We think there should be, if possible, some additional guard or check on the circulation; but we have not attempted to work out any scheme further than to propose that that matter shall be regulated by rules and by laws made by the Bankers' Association. We think that interest will be the interest of the public and that they may be able to make such regulations as will follow the circulation of a bank from the moment a note is printed till it is destroyed. We propose, therefore, by section 26 as follows: "The association shall have the power from time to time at a meeting thereof, with the approval of two-thirds in number of the banks, represented at such meetings, the banks so approving having at least two-thirds in par value of the paid-up capital of the bank so represented, to make, amend and repeal by laws, rules and regulations respecting:—

(a) All matters relating to the appointment or removal of the curator and his powers and duties;

(b) The supervision of the making of the notes of the banks, which are intended for circulation, and the delivery thereof to the banks;

(c) The inspection of the deposition made by the banks of such notes;

(d) The destruction of notes of the bank;

(e) The imposition of penalties for the breach of non-observance of any by-law, rule or regulation made by virtue of this section.

"No such by-law, rule or regulation, nor any amendment or appeal thereof, shall be of any force or effect until approved by the treasury board."

Purchase of Assets.

We propose to introduce a provision with regard to the purchase of the assets of a bank, which desires to go out of business. It is thought desirable to pro-

vide a convenient method whereby a bank which is perfectly solvent and desires to dispose of its business shall be able to do so without loss of time. The provision in the act is to the effect that a bank which desires, may, by vote of two-thirds of value of all its shareholders sell and dispose of all its assets to another bank. If the assets happen to be very large, such as would require an extension to make any terms of the purchase, the act is provided that the shareholders of that bank also shall be consulted. Of course in such a transaction proper provision would have to be made for the protection of the note holders of the selling bank and also to see that all the liabilities of the selling bank are properly governed and any agreement for the purchase of the assets of a bank shall have no force or effect until submitted to and approved of by the Governor-in-Council.

Mr. Foster—Might I ask if the minister had in mind the position of depositors in those banks by way of increased government supervision?

Mr. Fielding—No. I think that the Finance Ministers who have preceded me have found great difficulty in the adoption of any system of government inspection of the banks. We think that the act as it stands is the best that can be made. We hope that the action we propose through the medium of the Canadian Bankers' Association will operate for the benefit of depositors as well as noteholders and others interested.

The suggestion of the minister, the bill will go to the committee of banking for consideration.

Day in the House.

The Speaker of the House announced that he had received the resignation of the member for Vancouver Island (Mr. W. B. McInnes), and had issued his warrant for the holding of a bye-election in the constituency.

Upon the orders of the day Mr. N. F. Davin (West Assiniboia) rose to give a final denial to the statement made by Mr. Tupper the other evening that he (Davin) occupied his seat as the result of purchased votes in Wood Mountain, which statement Mr. Fraser had based upon the letter of one Gass, a friend of Mr. Davin's, in the last election, who had been discredited by the Postmaster-General for political partisanship, and which paper had been included in a return recently returned to parliament. The charge is one from which Mr. Davin is naturally only anxious to clear himself, and he promised before sitting down that he would deal with the subject again in the course of the day.

The bill for the incorporation of the Canadian Banking Association received its third reading, along with bills to incorporate the Canada Accident and Guarantee Company, concerning the Buffalo Railway Company, and to incorporate the Royal Marine Assurance Company.

In reply to a question by Col. Prior, the Minister of Militia said that the government has under consideration a scheme for the pensioning of officers and soldiers of the permanent corps.

In reply to a question by Mr. Bergeron, the Minister of Public Works said that the government intended building a wharf at Perce, which is, in fact, already under tender.

The government bills reducing the legal rate of interest, where not otherwise specified from six to five percent, was put on the order of the day, and the reading stages and sent to the Senate.

The balance of the sitting was devoted to the committee stage of the government elevator bill, which is closely followed by the Western members, and was subjected to close scrutiny and some opposition.

Ottawa, May 23.—When Sir Charles Tupper entered the House of Commons chamber yesterday, he was greeted with applause from both sides, the occasion being the celebration of the forty-fifth anniversary of his entry into public life. On the desk in front of him, there rested a small floral arrangement, a gift from the members of his own party.

Before the orders of the day were proceeded with the leader of the opposition rose to acknowledge this graceful tribute, and said:

"Mr. Speaker, I am going to ask for a few minutes of your time, and I think the House for the very kind way in which I was received here to-day by both sides of the House. (Applause.) I am touched by the kind manner in which my friends on this side of the House have marked the completion of the forty-fifth year of my public life, and not less so by the very generous manner in which the same sentiment has been evinced by gentlemen to whom I am opposed politically. I may say, sir, that I was elected to represent my native county of Cumberland, Nova Scotia, on May 22, 1855; that I have been engaged in the active practice of the legal profession for 29 years; and that I have had the good or bad fortune to hold the highest offices in my native province, and in the Dominion of Canada, for 29 years of my public life. I think that almost every person will believe that, unless I were a great glutton of office and its emoluments, I should be abundantly satisfied with the lot I would say, if I were tall as polite as Lord Chesterfield when surrounded by his deathbed by his friends, I should make public apology for lagging, superfluous on the stage of public life so long." In my "my life," and not only so, but I will have to remain until the elapsing of the forty-fifth year of his service to his country. It is one of the blessings of political life among us that it is possible sometimes to forget that we are divided in opinion. It is one of the blessings and one of the redeeming features of public life, that although our views are keen and sometimes bitter, still, after all, we can realize that above them there is a noble sentiment that actuates us. I do not share the views of my honorable friend on many questions; those asso-

ciated with me have taken issue with him on many questions of public policy, but I am proud and glad to bear this testimony to the public career of my honorable friend, that though I may take exception to it, it will live, and live for the best, in the history of Canada. (Hear, hear.) It has been his good fortune to be associated with some great events, it has been his good fortune to be associated with the great events which have brought Canada to the position she at present occupies, from the position of separate provinces, as formerly, and to bring it to the position of a united nation. We hail with delight the fact that my honorable friend is to lead his party in the next election, and that we may realize his influence. I am conscious of the great influence and strong personality he exercises—but in spite of that influence, seeing the justice of the cause we represent, believe that, notwithstanding his efforts, he will remain in the long run a Canadian parliamentarian. (Applause.)

Ottawa, May 25.—The House of Commons enjoyed a rest over the Queen's Birthday but will resume this afternoon, at the request of the government, which is very anxious not to delay business, but to facilitate the introduction at the earliest possible date. Some progress was made Wednesday and the Minister of Marine and Fisheries was fortunate enough to get nearly all the items in his main estimates through.

The Agriculture Department introduced two departmental bills. The first, is in the form of an amendment to the Copyright Act. This bill has one object. There is at present before the Imperial parliament a bill giving to the self-governing colonies where copyright legislation exists power to provide that when copyright exists in any of the colonies the work printed in England shall not be imported into the colonies and thus override the provisions of the Imperial copyright law, which makes the colonial copyright. The Canadian bill was to take advantage of this.

The other bill is an amendment to the Patent Act by which the government proposes to follow the example of the Imperial authorities in providing for the extension of patents under certain circumstances. In the Old-Canada this is done upon the advice of the judicial committee of the Privy Council. In Canada the report will be required from the Executive Council. In reply to a question Mr. Foster, who wanted to know what kind of case this extension was intended to be applied to the minister said that an example was now before parliament in an application for an extension of a fish-plat patent. The inventor had been ahead of his time and that it was not till the life of the patent had almost expired that the owner was able to make of it a commercial success. This class of cases was one in which it seemed desirable that the inventor should have the advantage of his work.

Mr. Clarke Wallace desired to know how many rounds of ammunition were stored in each military district of Canada, with Daniel Stevens, post engineer, in charge of the engine room, Commodore Gore and P. E. Fleming, of the steamboat staff, and J. Brewer, of the Moyle, were aboard. When the Proctor is placed permanently in commission Alfred Taylor, of the Yant, will take command.

A quiet wedding took place on Saturday in the parlors of the Waverly hotel, Fulton Daniel Crowe and Annie Jones, both of Knalo, were married by Rev. H. Sutherland, pastor of St. Paul's Presbyterian church. Mr. and Mrs. Crowe left for Knalo on the steamer International.

St. Saviour's church was formally dedicated on Sunday morning by Archbishop Prentiss. A large congregation assembled at the church to witness the ceremony, which was of a solemn and impressive nature.

The new Congregational church was launched in the opera house on Sunday night. Rev. William Munroe, who has been appointed to inaugurate the work, has arranged to hold services in the opera house for some months, until church premises are erected on the Silica street lots owned by that denomination.

The C.P.R. construction department is now working on the Nelson & Port Sheppard right of way. John McMartin, who has just finished his section of the Balfour extension from Five-mile east is working west toward Nelson.

The C.P.R. engineering department are hard at work on the plans of the new depot, the originals of which require considerable altering owing to the great increase in length conceded by General Manager McNeill on his recent visit. Other arrangements are complete for work to commence in the yards as soon as all formalities are completed.

(Special Correspondence of the Times.)

The city will expend over \$16,000 this summer for street improvements, sidewalks, etc. The principle work now going on, which is employing a number of men, is the excavation of Greenwood street for the new water-flume. Herebefore this flume has been run under the sidewalk on account of it being adjacent to buildings and liable to leakage, thus causing damage. It is to be taken up and a new flume laid down the centre of the street.

Building operations have not slackened at all during the past month. Many new homes are being erected, and considerable improvement is being made in several of the business buildings. Mr. Larkin's new three-story hotel on Copper street is nearing completion. The plaster and painter now have the building in charge. It is hoped to have the same opened by the middle of June.

F. R. Mendenhall, the Jonckheer Machinery representative; Judge Schofield and S. Thornton Langley are Rossland visitors in the city. The two last gentlemen are here to visit the Okanagan Free Gold Mines at Oro, Washington.

Mayor Thomas Hardy, after a three months' visit in the States, has returned home again.

A party composed of Mrs. Jack Parks, Mrs. Fry, Bert McIntyre and Sam Waters, met with a serious accident, while driving in from Deadwood camp early Saturday evening. Just as the wagon was crossing the railroad track on the smelter ground, a spring broke, causing the occupants to be thrown violently to the ground. Mrs. Parks and Mrs. Fry

were taken to the hospital where an examination of their injuries was made. Mrs. Parks was found to have her collar bone broken and Mrs. Fry two ribs. Bert McIntyre escaped with several severe bruises and a scalp wound, and Sam Waters had a sprained ankle.

VANCOUVER.

The funeral of the late Miss Maggie Goodfellow, niece of J. G. Goodfellow, chief C.P.R. dispatcher, took place yesterday from the family residence, 82 Burrard street. The deceased was a native of Montreal, and had been a resident in Vancouver for the last six years, and was very popular with a large number of friends. Death was due to consumption.

There was a lively runaway on Cordova street on Wednesday evening. One of the hacks of the Vancouver Transfer Company was at the Cosmopolitan hotel corner, when the horses took fright and ran away west along Cordova street. At the top of the hill at the station the rear-wheels caught under a sign post and both wheels went from under the axle. This hampered the horses a great deal, and by the time they had got over the wharf they were ready to stop. Had the wheels not come off it is probable that the horses would have run into the Judge. The driver was slightly injured, while attempting to stop the horses when they were first starting on Cordova street.

The principal labors of the Grand Aerie of the Fraternal Order of Eagles were concluded on Wednesday night. Grand officers were elected for the ensuing year, and the plan of meeting of the next Grand Aerie was discussed in San Francisco. The following are the officers: Grand Worthy Past President, John Considine, Seattle, No. 1; G. W. President, H. R. Littlefield, M.D., Portland, No. 3; G. W. Vice-President, J. Hughes, Philadelphia, No. 42; G. W. Chaplain, Rabbi Eisenberg, No. 11; G. W. Secretary, A. E. Butte, Seattle, No. 1; G. W. Treasurer, G. W. Brodeck, Everett, No. 13; G. W. Conductor, B. Shaw, Rosland, No. 10; G. W. Justice, Colonel E. P. Edson; G. W. Judge, Advocate, Dal' Cary Smith, Spokane, No. 2; G. W. Inner Guardian, James F. Chatham, San Francisco; G. W. Outer Guardian, Edwin L. Head, San Francisco.

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## Provincial News.

KAMLOOPS.

George Hurst, night watchman at the steam shovel, west of North Hill, a native of Manchester, England, was accidentally killed by the work train near North Hill, on Saturday afternoon last. He leaves a widow and child in England.

VERNON.

Constable Simmons has been for about a year on the lookout for an Indian named St. Pierre, who last June stabbed an Indian constable, Victor, in a drunken row. He was captured by the constable last week, and tried on Monday before Justices of the Peace Tronson and Moore, who sentenced him to six months in jail.

Rev. Joseph McCoy arrived on Wednesday to assume his new pastoral charge of the Presbyterian church, in this city. Induction services were held the same day.

The Liberal Association of this city was organized on a permanent basis last Thursday evening, at a meeting held in the Schubert block. E. G. Muller presided as chairman, and the following officers were elected: W. R. McEwan, president; H. G. Muller and E. H. Latimer, vice-presidents; C. F. Costerton, secretary-treasurer. The executive committee consists of T. Riley, W. Cryderman, P. Billings, W. C. Pound and D. McIntyre.

NELSON.

The new C. P. R. tug Proctor made her trial trip most successfully. Captain Griswold, of the steamer Nelson, was in command, with Daniel Stevens, post engineer, in charge of the engine room, Commodore Gore and P. E. Fleming, of the steamboat staff, and J. Brewer, of the Moyle, were aboard. When the Proctor is placed permanently in commission Alfred Taylor, of the Yant, will take command.

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NEW WESTMINSTER.

A fatal accident occurred at the Brunette sawmill about twenty minutes past eight o'clock on Tuesday evening, by which one of the mill hands, James Culverwell by name, lost his life. The details of the sad affair were brought out at the coroner's inquest next morning, and from this it would appear, says the Columbian, to be an accident pure and simple, with no apparent reason why it should have occurred.

As gathered from the two workmen, W. H. Skill and J. E. Edson, who were nearest the unfortunate man at the time, it seems that, in the course of his ordinary duty, Culverwell was climbing up to fix a chain on a log which was about to be sawed. He was carrying with him a heavy crowbar, and, as he was stepping on the log he slipped and fell, letting the crowbar fall from his hands. The crowbar fell point up, and while in this position Culverwell fell on it, the point entering the vitals and penetrating some distance upwards into the abdomen. One of the men saw him fall, but did not think he was hurt, for the poor fellow rose and walked over to the head sawyer, telling him he had hurt himself. A large congregation assembled at the church to witness the ceremony, which was of a solemn and impressive nature.

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(Special Correspondence of the Times.)

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