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ORDERS IN COUNCIL
OF THE
IMPERIAL GOVERNMENT
TOGETHER WITH
TREATIES NEGOTIATED
BETWEEN
HER MAJESTY THE QUEEN
AND
FOREIGN POWERS



OTTAWA
PRINTED BY SAMUEL EDWARD DAWSON
LAW PRINTER (FOR CANADA) TO THE QUEEN'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1898

ORDERS IN COUNCIL AND DESPATCHES.

IMPORTATION OF DOGS ORDER OF 1897.

BOARD OF AGRICULTURE,
4 WHITEHALL PLACE, LONDON, S. W.

The Board of Agriculture desire to draw the attention of local authorities, ship-owners, and the public generally, to the provisions of this Order, which regulates the landing in Great Britain of dogs brought from any other country except Ireland and the Isle of Man.

The Order is made to take effect on the 15th of September, 1897, and it will be observed that no dog to which the Order applies will be allowed to be landed in Great Britain without a license from the Board of Agriculture obtained previous to the landing.

Special attention is drawn to the following provisions of the Order:—

Applications for Licenses.

Any application for a license is to be made in writing to the Secretary, Board of Agriculture, 4 Whitehall Place, London, S.W., and is to be accompanied by a statement signed by the owner of the dog to which the application relates, or by his agent authorized in writing for this purpose containing the following information (namely)—

- (i.) the description of the dog, stating so far as possible for purposes of identification, the particulars of its breed, sex, age and colour ;
- (ii.) the country from which it is proposed to be brought ;
- (iii.) the port at which it is proposed to be landed ; and
- (iv.) the place to which it is proposed after being landed to be moved for the purposes of such detention and isolation as may be required by the Board, and also the route by which it is proposed to be moved to such place of detention.

Conditions of License.

The Board may insert in any license authorizing the landing of a dog such conditions as they think necessary or desirable for the following purposes:—

- (a.) for prescribing and regulating the detention and isolation of the dog by and at the expense of its owner for any period not exceeding six months at a place to be provided for that purpose by such owner and to be described in the license ; or
- (b.) for regulating the movement of the dog to such place of detention and its movement during the period of detention prescribed by the license.

A dog landed under the authority of such a license shall be detained and isolated in accordance with the conditions of such license, and shall not be moved in contravention of any such condition.

*Regulations respecting the importation of Dogs.**Restriction on Granting of Licenses.*

An applicant for a license for the landing of a dog will be required to satisfy the Board that proper and suitable arrangements can be made for such detention and isolation of the dog as appears to the Board to be necessary or desirable.

In order that as little inconvenience as possible may be caused in the enforcement of the Order, the Board trust that local authorities will assist them by taking steps to make its contents known as widely as possible in their districts. The Board would invite ship-owners to co-operate with them by causing due notice to be given to passengers desirous of bringing dogs with them, of the conditions under which alone dogs will be permitted to be landed in Great Britain, and with this view the Board would suggest that ship-owners should instruct their agents abroad and the masters of their vessels to warn passengers, and prevent as far as possible the shipment of any dogs the owners of which may not have previously obtained the necessary license for their being landed.

T. H. ELLIOTT,

Secretary.

Board of Agriculture, May, 1897.

Vide Canada Gazette, vol. xxxi., p. 43.

PROTOCOL BETWEEN GREAT BRITAIN AND JAPAN RESPECTING PATENTS, TRADE-MARKS, AND DESIGNS.

Signed at London, October 20, 1897.

WHEREAS, by treaty, Her Britannic Majesty has jurisdiction in relation to Her subjects within the dominions of His Majesty the Emperor of Japan;

Whereas, by Article XVII. of a treaty signed between Great Britain and Japan on the 16th July, 1894, it is stipulated as follows: "The subjects of each of the high contracting parties shall enjoy in the dominions and the possessions of the other the same protection as native subjects in regard to patents, trade-marks, and designs, upon fulfilment of the formalities prescribed by law;"

Whereas, by Article XX. of the same treaty, it is agreed that, from the date on which such treaty comes into force, the jurisdiction then exercised by British courts in Japan shall cease, and that such jurisdiction shall be assumed and exercised by Japanese courts;

And whereas, it has been agreed between the Governments of Great Britain and Japan that the provisions of the above-mentioned Article XVII. shall come into force at once;

Protocol between Great Britain and Japan.

The undersigned, duly authorized for that purpose by their respective governments, have agreed upon the following articles :—

ARTICLE I.

Her Britannic Majesty consents to renounce all extra-territorial jurisdiction at present exercisable by British courts in Japan for the judicial hearing and determination of matters in difference between British subjects and subjects of His Majesty the Emperor of Japan, or for the repression of crimes or offences committed by British subjects, in so far as it applies to the protection of patents, trade-marks, and designs.

ARTICLE II.

The foregoing article shall not take effect until all other Powers which enjoy similar benefits to those conferred by Article XVII. of the treaty between Great Britain and Japan of the 16th July, 1894, and which possess extra-territorial jurisdiction in Japan, shall similarly have renounced their right to exercise such jurisdiction between their own subjects or citizens respectively, and subjects of His Majesty the Emperor of Japan, as well as for the repression of crimes or offences committed by their own subjects or citizens respectively, in so far as it applies to the protection of patents, trade-marks, and designs.

In witness whereof the undersigned have signed the above protocol, and have affixed thereto the seal of their arms.

Done at London, the 20th day of October, 1897.

[L.S.]
[L.S.]

SALISBURY.
KATO.

Vide Canada Gazette, vol. xxxl., p. 1566.

Proclamation of Neutrality—United States of America and Spain.

AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT, THE 3RD
DAY OF FEBRUARY, 1898.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by subsection (1) of section 238 of the Merchant Shipping Act, 1894, it is provided that, where it appears to Her Majesty that due facilities are, or will be, given by the Government of any foreign country for recovering and apprehending seamen who desert from British merchant-ships in that country, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that that section shall apply in the case of such foreign country, subject to any limitations, conditions, and qualifications contained in the Order :

And whereas it appears to Her Majesty that due facilities are given by the Government of Japan for recovering and apprehending seamen who desert from British merchant ships in that country ;

Now, therefore, Her Majesty, by virtue of the power vested in Her by the hereinbefore recited subsection (1) of section 238 of the Merchant Shipping Act, 1894, and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that the said section 238 of the Merchant Shipping Act, 1894, shall apply in the case of Japan.

And whereas the immediate operation of this Order is urgent ; this Order shall come into operation forthwith, and shall be a *Provisional* Order within the meaning of the Rules Publication Act, 1893.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

C. L. PEEL.

Vide Canada Gazette, vol. xxxi., p. 2107.

PROCLAMATION.

HIS Excellency the Governor General has received a telegraphic despatch from the Right Honourable the Secretary of State for the Colonies, drawing attention to Her Majesty's Proclamation of Neutrality on the occasion of the war between the United States of America and Spain, and also to a letter from the Secretary of State for Foreign Affairs embodying rules which Her Majesty has directed to be observed during the continuance of the present state of war, and requesting that His Excellency will cause both documents to be immediately published throughout the Dominion of Canada, in order to ensure conformity, without fail, to Her Majesty's commands.

Proclamation of Neutrality—United States of America and Spain.

BY THE QUEEN.

A PROCLAMATION.

VICTORIA, R.

WHEREAS We are happily at peace with all Sovereigns, Powers, and States :

And whereas, notwithstanding Our utmost exertions to preserve peace between the two Sovereign Powers, a state of war unhappily exists between His Majesty the King of Spain and in his name and during his minority Her Majesty the Queen Regent of the Kingdom and the United States of America, and between their respective subjects, citizens and others inhabiting within their countries, territories, or dominions :

And whereas We are on terms of friendship and amicable intercourse with each of these Powers, and with their several subjects, citizens and others inhabiting within their countries, territories, or dominions :

And whereas great numbers of Our loyal subjects reside and carry on commerce, and possess property and establishments, and enjoy various rights and privileges, within the dominions of each of the aforesaid Powers, protected by the faith of treaties between Us and each of the aforesaid Powers :

And whereas We, being desirous of preserving to Our subjects the blessings of peace, which they now happily enjoy, are firmly purposed and determined to maintain a strict and impartial neutrality in the said state of war unhappily existing between the aforesaid Powers :

And whereas We are resolved to insure by every lawful means in Our power the due observance by Our subjects towards both the aforesaid Powers of the rules embodied in Article 6 of the treaty of the 8th May, 1871, between Us and the United States, which said rules are as follows :—

Firstly: To use due diligence to prevent the fitting out, arming or equipping, within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or to carry on war against a Power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel having been specially adapted, in whole or in part, within such jurisdiction, to warlike use.

Secondly: Not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men.

Thirdly: To exercise due diligence in its own ports and waters, and, as to all persons within its jurisdiction, to prevent any violation of the foregoing obligations and duties

We therefore have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation :

Proclamation of Neutrality—United States of America and Spain.

And We do hereby strictly charge and command all Our loving subjects to govern themselves accordingly, and to observe a strict neutrality in and during the aforesaid war, and to abstain from violating or contravening either the laws and statutes of the realm in this behalf, or the law of nations in relation thereto, as they will answer to the contrary at their peril :

And whereas in and by a certain statute made and passed in a session of Parliament holden in the 33rd and 34th year of Our reign, intituled “ An Act to regulate the conduct of Her Majesty’s subjects during the existence of hostilities between Foreign States with which Her Majesty is at peace,” it is, amongst other things, declared and enacted as follows :—

“ This Act shall extend to all the dominions of Her Majesty including the adjacent territorial waters :—

“ Illegal Enlistment.

“ If any person, without the license of Her Majesty, being a British subject, within or without Her Majesty’s dominions, accepts or agrees to accept any commission or engagement in the military or naval service of any Foreign State at war with any Foreign State at peace with Her Majesty, and in this Act referred to as a friendly State, or whether a British subject or not, within Her Majesty’s dominions, induces any other person to accept or agree to accept any commission or engagement in the military or naval service of any Foreign State as aforesaid—

“ He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment or either of such punishments, at the discretion of the court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

“ If any person, without the license of Her Majesty, being a British subject, quits or goes on board any ship with a view of quitting Her Majesty’s dominions, with intent to accept any commission or engagement in the military or naval service of any Foreign State at war with a friendly State, or, whether a British subject or not, within Her Majesty’s dominions, induces any other person to quit or to go on board any ship with a view of quitting Her Majesty’s dominions with the like intent—

“ He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

“ If any person induces any other person to quit Her Majesty’s dominions or to embark on any ship within Her Majesty’s dominions under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any Foreign State at war with a friendly State,—

“ He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

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“ If the master or owner of any ship, without the license of Her Majesty, knowingly either takes on board, or engages to take on board, or has on board such ship within Her Majesty’s dominions any of the following persons, in this Act referred to as illegally enlisted persons ; that is to say,—

- “ (1.) Any person who, being a British subject within or without the dominions of Her Majesty, has, without the license of Her Majesty, accepted or agreed to accept any commission or engagement in the military or naval service of any Foreign State at war with any friendly State :
 - “ (2.) Any person, being a British subject, who, without the license of Her Majesty, is about to quit Her Majesty’s dominions with intent to accept any commission or engagement in the military or naval service of any Foreign State at war with a friendly State :
 - “ (3.) Any person who has been induced to embark under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any Foreign State at war with a friendly State,—
- “ Such master or owner shall be guilty of an offence against this Act, and the following consequences shall ensue ; that is to say,—

- “ (1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour ; and
- “ (2.) Such ship shall be detained until the trial and conviction or acquittal of the master or owner, and until all penalties inflicted on the master or owner have been paid, or the master or owner has given security for the payment of such penalties to the satisfaction of two justices of the peace, or other magistrate or magistrates having the authority of two justices of the peace ; and
- “ (3.) All illegally enlisted persons shall, immediately on the discovery of the offence, be taken on shore, and shall not be allowed to return to the ship.

“ Illegal Shipbuilding and Illegal Expeditions.

“ If any person within Her Majesty’s dominions, without the license of Her Majesty, does any of the following acts ; that is to say :—

- “ (1.) Builds or agrees to build, or causes to be built, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any Foreign State at war with any friendly State : or
- “ (2.) Issues or delivers any commission for any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any Foreign State at war with any friendly State : or
- “ (3.) Equips any ship with intent or knowledge or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any Foreign State at war with any friendly State ; or

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“(4.) Despatches, or causes or allows to be despatched, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any Foreign State at war with any friendly State :

“Such person shall be deemed to have committed an offence against this Act, and the following consequences shall ensue :—

“(1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

“(2.) The ship in respect of which any such offence is committed, and her equipment, shall be forfeited to Her Majesty.

“Provided that a person building, causing to be built or equipping a ship in any of the cases aforesaid, in pursuance of a contract made before the commencement of such war as aforesaid, shall not be liable to any of the penalties imposed by this section in respect of such building or equipping if he satisfies the conditions following ; (that is to say),—

“(1.) If forthwith upon a proclamation of neutrality being issued by Her Majesty he gives notice to the Secretary of State that he is so building, causing to be built, or equipping such ship, and furnishes such particulars of the contract and of any matters relating to, or done, or to be done under the contract as may be required by the Secretary of State :

“(2.) If he gives such security and takes and permits to be taken such other measures, if any, as the Secretary of State may prescribe for ensuring that such ship shall not be despatched, delivered, or removed without the license of Her Majesty until the termination of such war as aforesaid.

“Where any ship is built by order of or on behalf of any Foreign State when at war with a friendly State, or is delivered to or to the order of such Foreign State, or any person who to the knowledge of the person building is an agent of such Foreign State, or is paid for by such Foreign State or such agent, and is employed in the military or naval service of such Foreign State, such ship shall, until the contrary is proved, be deemed to have been built with a view to being so employed, and the burden shall lie on the builder of such ship of proving that he did not know that the ship was intended to be so employed in the military or naval service of such Foreign State.

“If any person within the dominions of Her Majesty, and without the license of Her Majesty,

“By adding to the number of the guns, or by changing those on board for other guns, or by the addition of any equipment for war, increases or augments, or procures to be increased or augmented, or is knowingly concerned in increasing or augmenting the warlike force of any ship which at the time of her being within the dominions of Her Majesty was a ship in the military or naval service of any Foreign State at war with any friendly State,—

“Such person shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted ; and imprisonment, if awarded, may be either with or without hard labour.

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“If any person within the limits of Her Majesty’s dominions, and without the license of Her Majesty,—

“Prepares or fits out any naval or military expedition to proceed against the dominions of any friendly State, the following consequences shall ensue:—

“(1.) Every person engaged in such preparation or fitting out or assisting therein, or employed in any capacity in such expedition, shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

“(2.) All ships and their equipments, and all arms and munitions of war used in or forming part of such expedition, shall be forfeited to Her Majesty.

“Any person who aids, abets, counsels, or procures the commission of any offence against this Act shall be liable to be tried and punished as a principal offender.”

And whereas by the said Act it is further provided that ships built, commissioned, equipped or despatched in contravention of the said Act, may be condemned and forfeited by judgment of the Court of Admiralty; and that if the Secretary of State or chief executive authority is satisfied that there is a reasonable and probable cause for believing that a ship within Our dominions has been or is being built, commissioned or equipped, contrary to the said Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be despatched contrary to the Act, such Secretary of State, or chief executive authority, shall have power to issue a warrant authorizing the seizure and search of such ship and her detention until she has been either condemned or released by process of law. And whereas certain powers of seizure and detention are conferred by the said Act on certain local authorities;

Now, in order that none of Our subjects may unwarily render themselves liable to the penalties imposed by the said statute, We do hereby strictly command that no person or persons whatsoever do commit any act, matter or thing whatsoever contrary to the provisions of the said statute, upon pain of the several penalties by the said statute imposed, and of Our high displeasure.

And We do hereby further warn and admonish all Our loving subjects, and all persons whatsoever entitled to Our protection, to observe towards each of the aforesaid Powers, their subjects, citizens and territories, and towards all belligerents whatsoever with whom We are at peace, the duties of neutrality; and to respect in all and each of them, the exercise of those belligerent rights which We and Our royal predecessors have always claimed to exercise.

And We hereby further warn all Our loving subjects, and all persons whatsoever entitled to Our protection, that if any of them shall presume, in contempt of this Our Royal Proclamation, and of Our high displeasure, to do any acts in derogation of their duty as subjects of a neutral Sovereign in a war between other Powers, or in violation or contravention of the law of nations in that behalf, as more especially by breaking, or endeavouring to break any blockade lawfully and actually established by or on behalf of either of the said Powers, or by carrying officers, soldiers, despatches, arms,

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ammunition, military stores or materials, or any article or articles considered and deemed to be contraband of war according to the law or modern usages of nations, for the use or service of either of the said Powers, that all persons so offending, together with their ships and goods, will rightfully incur and be justly liable to hostile capture, and to the penalties denounced by the law of nations in that behalf.

And We do hereby give notice that all Our subjects and persons entitled to Our protection who may misconduct themselves in the premises will do so at their peril, and of their own wrong: and that they will in nowise obtain any protection from Us against such capture or such penalties as aforesaid, but will, on the contrary, incur Our high displeasure by such misconduct.

Given at Our court at *Windsor*, this twenty-third day of *April*, in the year of Our Lord one thousand eight hundred and ninety-eight, in the sixty-first year of Our reign.

GOD save the QUEEN.

THE Marquess of Salisbury to the Lords Commissioners of the Admiralty:—

FOREIGN OFFICE.

MY LORDS,

Her Majesty being fully determined to observe the duties of neutrality during the existing state of war between Spain and the United States of America, and being moreover resolved to prevent, as far as possible, the use of Her Majesty's harbours, ports, and coasts, and the waters within Her Majesty's territorial jurisdiction, in aid of the warlike purposes of either belligerent, has commanded me to communicate to your Lordships, for your guidance, the following rules, which are to be treated and enforced as Her Majesty's orders and directions:—

Her Majesty is pleased further to command that these rules shall be put in force in the United Kingdom, the Isle of Man, and the Channel Islands, on and after the 23rd instant, and in Her Majesty's territories, and possessions beyond the seas, on the day when the governor, or other chief authority of each of such territories or possessions, respectively, shall have notified and published the same; stating in such notification that the said rules are to be obeyed by all persons within the same territories and possessions.

1. During the continuance of the present state of war, all ships of war of either belligerent are prohibited from making use of any port or roadstead in the United Kingdom, the Isle of Man, or the Channel Islands, or in any of Her Majesty's colonies or foreign possessions or dependencies, or of any waters subject to the territorial jurisdiction of the British Crown, as a station or place of resort, for any warlike purpose, or for the purpose of obtaining any facilities for warlike equipment; and no ship of war of either belligerent shall hereafter be permitted to sail out of or leave any port, roadstead, or waters subject to British jurisdiction, from which any vessel of the other bel-

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ligerent (whether the same shall be a ship of war or a merchant ship) shall have previously departed, until after the expiration of at least twenty-four hours from the departure of such last-mentioned vessel beyond the territorial jurisdiction of Her Majesty.

2. If any ship of war of either belligerent shall, after the time when this Order shall be first notified and put in force in the United Kingdom, the Isle of Man, and the Channel Islands, and in the several colonies and foreign possessions or dependencies of Her Majesty, respectively, enter any port, roadstead, or waters belonging to Her Majesty, either in the United Kingdom, the Isle of Man, or the Channel Islands, or in any of Her Majesty's colonies or foreign possessions or dependencies, such vessel shall be required to depart and to put to sea within twenty-four hours after her entrance into such port, roadstead, or waters, except in case of stress of weather, or of her requiring provisions or things necessary for the subsistence of her crew, or repairs; in either of which cases the authorities of the port, or of the nearest port (as the case may be), shall require her to put to sea as soon as possible after the expiration of such period of twenty-four hours, without permitting her to take in supplies beyond what may be necessary for her immediate use; and no such vessel which may have been allowed to remain within British waters for the purpose of repair shall continue in any such port, roadstead, or waters, for a longer period than twenty-four hours after her necessary repairs shall have been completed. Provided, nevertheless, that in all cases in which there shall be any vessel (whether ships of war or merchant ships) of the said belligerent parties in the same port, roadstead, or waters within the territorial jurisdiction of Her Majesty, there shall be an interval of not less than twenty-four hours between the departure therefrom of any such vessel (whether ship of war or merchant ship) of the one belligerent, and the subsequent departure therefrom of any ship of war of the other belligerent; and the time hereby limited for the departure of such ships of war respectively shall always, in case of necessity, be extended so far as may be requisite for giving effect to this proviso, but no further or otherwise.

3. No ship of war of either belligerent shall hereafter be permitted, while in any port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, to take in any supplies, except provisions and such other things as may be requisite for the subsistence of her crew, and except so much coal only as may be sufficient to carry such vessel to the nearest port of her own country, or to some nearer destination, and no coal shall again be supplied to any such ship of war in the same or any other port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, without special permission, until after the expiration of three months from the time when such coal may have been last supplied to her within British waters as aforesaid.

Armed ships of either party are interdicted from carrying prizes made by them into the ports, harbours, roadsteads, or waters of the United Kingdom, the Isle of Man, the Channel Islands, or any of Her Majesty's colonies or possessions abroad.

I have, &c.,

SALISBURY.

ORDERS

OF THE

GOVERNOR GENERAL IN COUNCIL

HAVING FORCE OF LAW



O T T A W A

PRINTED BY SAMUEL EDWARD DAWSON
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1898

ORDERS IN COUNCIL, &c.

Department of Agriculture.

By Order in Council of the 18th of March, 1898, in virtue of the provisions of section 4 of the Act 61 Victoria, chapter 23, "The San José Scale Act," the United States of America, Australia, Japan and the Hawaiian Islands were declared to be countries to which the Act applies owing to the existence of the San José scale in them.

Vide Canada Gazette, vol. xxxi., p. 2057.

By Order in Council of the 18th of March, 1898, in virtue of the provisions of section 5 of the Act 61 Victoria, chapter 23, "The San José Scale Act," the following plants which are not liable to the attack of the San José scale, viz. :—

1. Greenhouse plants with the exception of roses,
2. Herbaceous perennials,
3. Herbaceous bedding plants,
4. All conifers,
5. Bulbs and tubers,

were exempted from the operation of the above mentioned Act.

Vide Canada Gazette, vol. xxxi., p. 2057.

Department of Customs.

Department of Customs.

By Order in Council of the 12th of July, 1897, the towns of Edmonton, in the district of Alberta, and Prince Albert, in the district of Saskatchewan, and the village of McLeod, in the district of Alberta, all in the North-west Territories, were added to the list of places at which petroleum may be imported into Canada in tank cars.

Vide Canada Gazette, vol. xxxi., p. 142.

By Order in Council of the 14th of July, 1897, the following regulations were enacted for the storage of raw leaf tobacco :—

1. That the Minister of Customs be authorized to employ excise officers to act as customs lockers on the premises of licensed tobacco or cigar manufacturers, and that they be required to perform the duties of such customs lockers without other remuneration than their salaries as excise officers.

2. That when the premises of a licensed tobacco or cigar manufacturer is authorized as a customs warehouse for the bonding of raw leaf tobacco, no charge shall be made for the privilege granted the proprietor in the use of such warehouse.

Vide Canada Gazette, vol. xxxi., p. 392.

By Order in Council of the 21st July, 1897, in virtue of the provisions of the Act 60-61 Victoria, chapter 19, crude acetic acid, when complying with the conditions hereinafter mentioned, and when used as a raw material in cotton, silk and woollen mills, in the manufacture of colours, and when used by dyers, was declared to be free of excise duty :—

CONDITIONS.

1. When it has undergone but one process of distillation.
2. When it contains the pyroligneous matter natural thereto.
3. When it has been approved by the Department of Inland Revenue.
4. When it contains not more than 30 per cent of real acetic acid by weight.
5. The whole to be subject to such regulations as the Department of Inland Revenue may establish.

Vide Canada Gazette, vol. xxxi., p. 188.

By Order in Council of the 21st of July, 1897, in virtue of the provisions of section 119 of the Inland Revenue Act, as amended by section 2, chapter

Department of Customs.

35, of 57-58 Victoria, the following regulations were established for payment of drawback of duty paid on foreign leaf tobacco contained in manufactured tobacco and cigars exported in bond direct from the factory where produced :

1. A drawback of twelve and one-half cents per pound shall be allowed on all foreign raw leaf tobacco which has paid the duty of Excise, contained in manufactured tobacco or cigars, wherein the stem of the leaf is not used.

2. A drawback of ten cents per pound shall be allowed on all foreign raw leaf tobacco which has paid the duty of excise contained in manufactured tobacco wherein the stem or any portion thereof of the leaf is used.

3. No drawback shall be allowed on any manufactured tobacco containing more than twenty-five per cent of stems, nor on any description of manufactured tobacco of a class not approved by the Department of Inland Revenue.

4. No claim for drawback shall be entertained until the official certificate of the receipt of the goods at the foreign port to which consigned, has been furnished the Department of Inland Revenue.

5. No refund is to be allowed on the exportation of scraps and cuttings, stems or waste.

6. Proof of the quantity of foreign raw leaf tobacco so contained in the manufactured product and of the payment of the duty thereon shall be produced by the exporter to the satisfaction of the Department of Inland Revenue.

Vide Canada Gazette, vol. xxxi., p., 189.

By Order in Council of the 4th of September, 1897, the towns of Brampton, in the province of Ontario, and Calgary and Lethbridge, in the North-west Territories, were added to the list of places where petroleum may be imported in tank cars.

Vide Canada Gazette, vol. xxxi., p. 532.

By Order in Council of the 4th of September, 1897, in virtue of sections 22 and 245 of the Customs Act, chapter 32 of the Revised Statutes, the village of Georgetown, in the province of Ontario, was from the 1st day of October, 1897, erected into a customs outport of entry and a warehousing port, under the survey of the port of Toronto.

Vide Canada Gazette, vol. xxxi., p. 652.

By Order in Council of the 20th of September, 1897, in virtue of sections 22 and 245 of the Customs Act, chapter 32 of the Revised Statutes, Kingsport, in the province of Nova Scotia, was erected into an outport of customs and a warehousing port, under the survey of the port of Kentville, to take effect from the 1st of October, 1897.

Vide Canada Gazette, vol. xxxi., p. 652.

Department of Customs.

By Order in Council of the 26th of November, 1897, the customs outport of Rondeau and Blenheim, under the survey of the port of Chatham, Ontario, was abolished.

Vide Canada Gazette, vol. xxxi., p. 1130.

By Order in Council of the 14th of January, 1898, in virtue of the provisions of the Customs Act, chapter 32 of the Revised Statutes, the outports of Rossland and Kaslo, now under the survey of the port of Nelson, British Columbia, were, after the 1st day of April, 1898, made chief ports and warehousing ports of customs. The outport of Nakusp was, on and after the 1st April, 1898, detached from the port of Nelson and placed under the survey of the port of Kaslo; and the outport of Trail, after the 1st April, 1898, was detached from the port of Nelson and placed under the survey of the port of Rossland.

Vide Canada Gazette, vol. xxxi., 1511.

By Order in Council of the 15th of January, 1898, in virtue of the provisions of section 245 (l) of the Customs Act, cotton seed oil, when imported by manufacturers of liquid annatto to be used in their factories exclusively in the manufacture of liquid annatto, was transferred to the list of goods which may be imported into Canada free of duty of customs on and after the above date.

Vide Canada Gazette, vol. xxxi., p. 1510.

By Order in Council of the 29th of January, 1898, in virtue of the provisions of the Customs Act, the outport of Ingersoll, under the survey of the port of Woodstock, in the province of Ontario, was erected into a chief port of customs and a warehousing port, from and after the 1st day of April, 1898.

Vide Canada Gazette, vol. xxxi., p. 1623.

By Order in Council of the 10th of February, 1898, in virtue of the provisions of the Act 60-61 Victoria, chapter 20, the following regulations in relation to the importation of petroleum in bulk in tank ships, were prescribed :—

Petroleum which, when tested by the methods set forth in the Petroleum Inspection Act, will not flash at a lower temperature than 85° Fahrenheit, may be imported in tank ships at the following ports, and at any others which may from time to time be designated by the Governor General in Council, subject to the conditions hereinafter set forth, viz. :—

Halifax.	Port Stanley.	Port Hope.
Quebec.	Sarnia.	Toronto.
Prescott.	Port Arthur.	Port Dover.
Kingston.	St. John.	Windsor.
Cobourg.	Montreal.	Goderich.
Hamilton.	Brockville.	Owen Sound.

Department of Customs.

Every tank ship arriving at any of the said ports, having on board petroleum in bulk, shall hoist a red flag bearing the word "Petroleum," and shall keep such flag flying during the hours of daylight, while any petroleum is on board, and thereafter so long as she shall remain in Canadian waters—and during the same period shall by night display two red lights vertically, not less than twenty feet above the deck :

Provided that if the harbour master or the person having control of the port is satisfied that a ship after discharging the petroleum on board has been thoroughly emptied, cleaned and ventilated, he may dispense with the requirements of this rule.

Every tank ship on entering such ports shall, before taking up a position at any wharf or dock, report to the collector of customs and receive instructions as to where she shall take up her berth. During the time any tank ship having petroleum on board is within Canadian waters, no fire or lights, except the electric light shall be used on board or in the immediate vicinity of the ship, while the tanks or petroleum compartments are open or are discharging petroleum or when the hatches are off; and no person on board shall smoke or carry matches.

But the regulations shall not be deemed to prohibit engine-room fires properly banked up, or galley fires, nor, when the said tanks or compartments are not open, engine-room fires necessary to get up steam to move from her anchorage to the wharf or from the wharf to go to sea, or in stress of weather.

The master of every tank ship arriving at any of the aforesaid ports, shall, on entering his vessel inwards, and before proceeding to the berth assigned to the said ship, declare in writing to the harbour master, or in the absence of such, to the principal officer of customs :—

- (a.) What quantity of petroleum the ship is carrying.
- (b.) The number of compartments or tanks in which the oil is stored.
- (c.) The nature and quality of the oil, and whether it is covered by any or what certificate, as to the temperature at which the oil gives off an inflammable vapour.

If the master of any tank ship produces a certificate under the hand of any duly authorized Dominion official, that the said oil has been tested as required by law, and does not give off an inflammable vapour at a temperature less than 85° Fah., and makes a statutory declaration that all the petroleum on board is covered by such certificate, the harbour master or officer of customs, in absence of such harbour master, may give the ship permission to at once proceed to such wharf as he may designate

Where no such certificate is produced, the collector of customs shall cause an officer to take samples from each compartment or tank, and shall cause such samples to be forthwith submitted to an officer of customs or inland revenue duly qualified to test the same, and if said samples be found to comply with the provisions of the Act, the harbour master or collector of customs may forthwith authorize such tank ship to proceed to such wharf as he may designate, to discharge.

But if such samples are certified to give off at a lower temperature than 85° Fah. an inflammable vapour, the vessel containing the same shall be ordered to leave Canadian waters immediately.

Department of Customs.

The discharge of petroleum imported in bulk from a tank ship shall be effected by means of a hose and wrought iron pipe between sunrise and sunset.

No discharge of petroleum, whether mixed with water or not, shall be permitted into the harbour from any tank ship.

The discharge of petroleum from any one tank ship, shall not occupy more than twenty-four working hours, unless the time has been extended by the harbour master for sufficient and specific reasons.

No other ship or vessel of any kind shall go alongside any wharf at which a tank ship is discharging her cargo.

Every tank ship shall, as soon as her cargo has been discharged, be cleaned and ventilated, by the removal of all oil and vapour, unless she forthwith, with the permission of the harbour master, proceed to leave the waters of Canada.

Vide Canada Gazette, vol. xxxi., p. 1714.

By Order in Council of the 14th of February, 1898, in virtue of sections 22 and 245 of the Customs Act, chapter 32 of the Revised Statutes, Granby, in the province of Quebec, was erected into an outport of customs and a warehousing port, under the survey of the port of St. Johns, from the 1st of April, 1898.

Vide Canada Gazette, vol. xxxi., p. 1800.

By Order in Council of the 28th of February, 1898, in virtue of sections 22 and 245 of the Customs Act, Victoriaville, in the province of Quebec, was erected into an outport of customs and a warehousing port, under the survey of the port of Quebec, from the 1st of March, 1898.

Vide Canada Gazette, vol. xxxi., p. 1935.

By Order in Council of the 14th of March, 1898, the town of New Glasgow, in the province of Nova Scotia, was added to the list of places where petroleum may be imported in tank cars.

Vide Canada Gazette, vol. xxxi., p. 1999.

By Order in Council of the 21st of March, 1898, in virtue of sections 22 and 245 of the Customs Act, chapter 32 of the Revised Statutes, Neepawa, in the province of Manitoba, was erected into an outport of customs and a warehousing port, under the survey of the port of Winnipeg, from the 1st of April, 1898.

Vide Canada Gazette, vol. xxxi., p. 2172.

By Order in Council of the 28th of March, 1898, in virtue of sections 22 and 245 of the Customs Act, chapter 32 of the Revised Statutes, Windsor

Department of Customs.

Mills, in the province of Quebec, was erected into a customs outport of entry and a warehousing port, under the survey of the port of Sherbrooke in the said province of Quebec, to take effect on the 1st July, 1898.

Vide Canada Gazette, vol. xxxi., p. 2349.

By Order in Council of the 9th of April, 1898, in virtue of sections 22 and 245 of the Customs Act, chapter 32 of the Revised Statutes, Thessalon, in the province of Ontario, was erected into an outport of customs and a warehousing port, under the survey of the port of Sault Ste. Marie, from the 1st of April, 1898.

Vide Canada Gazette, vol. xxxi., p. 2312.

By Order in Council of the 12th of April, 1898, in virtue of the Customs Act, sections 22 and 245, chapter 32 of the Revised Statutes, Michipicoten River, in the district of Algoma, in the province of Ontario, was established as an outport of customs and a warehousing port, under the survey of the port of Sault Ste. Marie, from the 1st of May, 1898.

Vide Canada Gazette, vol. xxxi., p. 2312.

By Order in Council of the 13th of April, 1898, the name of the customs outport known as Beauce, under the survey of the port of Quebec, was changed into that of outport of St. François, Beauce.

Vide Canada Gazette, vol. xxxi., p. 2349.

By Order in Council of the 25th of April, 1898, in virtue of section 22 of the Customs Act, chapter 32 of the Revised Statutes, the undermentioned outports of customs and warehousing ports were abolished, from the 1st of May, 1898, viz. :—

Algoma Park—Outport and warehousing port.

Killarney—Outport, under the port of Sault Ste. Marie, Ontario.

Port Ryerse—Outport and warehousing port, under the port of Simcoe, Ontario.

Belle River—Outport, under the port of Windsor, Ontario.

Madeline River—Outport.

Ste. Anne des Monts—Outport, under the survey of the port of Gaspé, Quebec.

St. Mary's River—Outport and warehousing port, under the port of Canso, Nova Scotia.

Vide Canada Gazette, vol. xxxi., p. 2538.

Department of Inland Revenue.

Department of Inland Revenue.

By Order in Council of the 5th of July, 1897, in virtue of the provisions of section 2 of chapter 99 of the Revised Statutes of Canada, the Order in Council of the 31st October, 1887, establishing the counties of Richmond, Shefford, Brome and Stanstead, including the town of Sherbrooke, as an inspection division for the purposes of the inspection of leather and raw hides, was cancelled. It was further ordered that the counties of Stanstead, Compton, Sherbrooke, Richmond and Wolfe, including the town of Sherbrooke, should be constituted and established an inspection division for the purposes of inspection of leather and raw hides, to be known and described as the division of Sherbrooke.

Vide Canada Gazette, vol. xxxi., p. 93.

By Order in Council of the 21st of July, 1897, in virtue of the provisions of the Act 60-61 Victoria, chapter 19, amending the Inland Revenue Act, the following regulations were made for the manufacture of tobacco, cigars, and cigarettes from foreign and domestic leaf tobacco used in combination :—

REGULATIONS.

1. Such manufacture shall only be carried on in a factory specially licensed to use such leaf tobacco in combination.
2. Not less than twenty-five per cent of both foreign and domestic raw leaf tobacco shall be used in each description of manufactured tobacco, cigars or cigarettes produced in such factory.
3. No tobacco, cigars or cigarettes, the product solely of either foreign or of domestic leaf tobacco shall be manufactured in such licensed factory.
4. All foreign raw leaf tobacco when taken for use in such tobacco manufactory, except when used in the manufacture of cigarettes, shall, in addition to the duty of excise or of customs paid thereon, pay as an additional excise duty the sum of twenty cents per pound actual weight.
5. All foreign raw leaf tobacco when taken for use in such licensed tobacco manufactory in the manufacture of cigarettes, shall, in addition to the duty of excise, or of customs duty thereon, pay as an additional duty of excise the sum of thirty-seven and one-half cents per pound actual weight.
6. All foreign raw leaf tobacco when taken for use in such licensed cigar manufactory, shall, in addition to the duty of excise or of customs paid thereon, pay as an additional duty of excise the sum of sixteen cents per pound, actual weight.
7. The resultant manufactured product of factories licensed to use foreign and domestic leaf tobacco in combination, shall in addition to the duties herein provided, be subject to an excise duty at the same rate as imposed by the Inland Revenue Act on such articles when manufactured solely from domestic raw leaf tobacco.

Department of Inland Revenue.

8. The manufacture of cigarettes in such tobacco factory licensed to use foreign and raw leaf tobacco in combination shall be carried on in a compartment specially provided therefor, in which the whole process of manufacture shall be carried on, into which no material in a partially manufactured condition shall be received, and wherein no other article than cigarettes shall be produced. All raw material shall be taken into such compartment only in the presence of an officer of inland revenue. In addition to the regular books of the manufactory, the manufacturer shall keep in such compartment a book wherein he shall record as the transactions occur, the description and quantity of foreign and domestic raw leaf tobacco brought into and taken for use therein.

9. All descriptions of manufactured goods produced in a tobacco or cigar factory licensed to use foreign and domestic raw leaf tobacco in combination shall have attached thereto an inland revenue stamp of a distinctive colour.

10. No raw leaf tobacco which has been entered for use in a factory licensed to use foreign raw leaf tobacco only shall be brought into any factory licensed to use foreign and domestic raw leaf tobacco in combination.

Any person contravening any of the provisions of these regulations, shall be liable to the penalties provided by section 102 of the Inland Revenue Act.

Vide Canada Gazette, vol. xxxi., p. 189.

By Order in Council of the 29th of July, 1897, in virtue of the provisions of chapter 34 of the Revised Statutes, intituled "An Act respecting the Inland Revenue," and Acts amending the same, the following regulations were made under which spirits, tobacco and cigars may be ex-warehoused free of excise duty for "Ships' stores," on regular lines of trans-oceanic steamers and other vessels clearing from a Canadian port and sailing direct to Europe, the West Indies, South America, or any foreign ports on the Pacific Ocean or to the Seal Fisheries, viz. :—

REGULATIONS.

1st. Such goods when sent from a place other than from which the said vessels sail, shall be entered ex-warehouse as in the case of goods for export, the usual bond being taken and the goods consigned to the order of the collector of inland revenue of the division which embraces the port from which the goods are to leave the country.

2nd. Such goods shall only be consigned and delivered to vessels sailing from a port where a collector of inland revenue is stationed.

3rd. The owner or agent of vessels shall give a bond in the sum of \$5,000 that such goods shall only be used on such vessels while on the high seas, and shall in no case be reloaded in Canada, without the specific permission of the department, obtained in each case.

4th. The master or other duly authorized officer of the vessel to which such goods are delivered, shall give a receipt in writing, in duplicate therefor, and such goods shall in all cases be accompanied on board the vessel by an officer of inland revenue, and by him delivered to the master or other duly authorized officer.

Department of Inland Revenue.

5th. The collector of the division from which the vessel sails, shall forward to the collector of the division from which the goods are shipped, one copy of the receipt of the master or other duly authorized officer of the vessel as to the delivery, which receipt shall also be countersigned by the officer who accompanied the goods on board the vessel, and which receipt shall be authority for the collector for the cancellation of the bond given when the goods were entered ex-warehouse.

6th. A monthly statement shall be forwarded to the Inland Revenue Department at Ottawa, by each collector, showing in detail the name of the person who ex-warehoused the goods, the number of the export entry, the nature and quantity of the goods and the vessel to which consigned or delivered. The collector of the port where delivered shall in addition state the name of the vessel.

7th. The quantity of excisable goods so delivered at any one time, shall be a reasonable quantity required for a voyage, of which the Department of Inland Revenue shall be the judge.

Vide Canada Gazette, vol. xxxi., p. 302.

By Order in Council of the 20th of October, 1897, in virtue of the provisions of section 15 of the General Inspection Act, as amended by the Act 55-56 Vic., chap. 23, the classification of grain as established by the said Act, and thereafter amended by Orders of the Governor in Council, was further amended by adding thereto the following in respect of grain grown west of Lake Superior, namely:—

“Extra Manitoba Hard” shall consist of wheat grown wholly in Manitoba or the North-west Territories of Canada, and shall weigh not less than 62 pounds per bushel, shall be plump, sound and well cleaned, and shall contain not less than 85 per cent of Hard Red Fyfe wheat.

It was further ordered that the sample selected by the Standard Board “as a commercial grade” as authorized by subsection 4 of the said Act, should be established as the legal official grade for “Extra Manitoba Hard.”

Vide Canada Gazette, vol. xxxi., p. 792.

By Order in Council of the 20th of October, 1897, in virtue of the provisions of section 17, chapter 29, Revised Statutes of Canada, the inland revenue division of Terrebonne, in the province of Quebec, consisting of the counties of Argenteuil, Two Mountains and Terrebonne, was abolished, and the said territory was added to the inland revenue division of Montreal.

Vide Canada Gazette, vol. xxxi., p. 794.

By Order in Council of the 22nd of March, 1898, in virtue of the provisions of the Inland Revenue Act, chapter 34 of the Revised Statutes, section 9 of the Order in Council of the 25th of March, 1892, establishing regulations

Department of Inland Revenue.

for the governance of licensed bonded manufacturers in the Dominion of Canada, was repealed, and the following substituted therefor:—

“9. Dutiable vinegar produced in any bonded factory, shall, over and above the quantity of vinegar taken for “mix,” *i. e.* used in the further production of vinegar, be in the proportion of 100 gallons of standard vinegar containing 6 per cent of acetic acid to 20 gallons of proof spirits taken into the manufactory and used for its production, with such addition to the standard quantity of vinegar as may, in the opinion of the Minister of Inland Revenue, be fairly due to any other article, such as sour beer, wine, or any like article brought into the manufactory, in addition to the alcohol used for its production.”

Vide Canada Gazette, vol. xxxi., p. 2110.

By Order in Council of the 28th of March, 1898, in virtue of the provisions of section 17 of the Consolidated Revenue and Audit Act, chapter 29 of the Revised Statutes of Canada, the county of Megantic, heretofore forming part of the inland revenue division of Quebec, and the counties of Drummond, Arthabaska and Nicolet, which have hitherto formed a portion of the division of Three Rivers, were detached from their respective divisions and established as an inland revenue division, to be known and designated as the “Division of Victoriaville,” with the head office at Victoriaville, and the said division was classified under the provisions of the regulations for the governance of the excise branch of the Inland Revenue Department as class six.

Vide Canada Gazette, vol. xxxi., p. 2112.

By Order in Council of the 8th of June, 1898, in virtue of the provisions of section 2 of chapter 99 of the Revised Statutes of Canada, known and cited as the General Inspection Act and amendments thereof, the county of Chicoutimi, in the province of Quebec, was constituted a district for the inspection of leather and raw hides, under the provisions of the said Act.

Vide Canada Gazette, vol. xxxi., p. 2876.

Department of the Interior.

Department of the Interior.

By Order in Council of the 18th of June, 1897, under the provisions of section 4, chapter 47, Revised Statutes of Canada, the selection of Swamp Lands in Manitoba made by commissioners, as specified in their report dated December, 1896, was approved; and the lands enumerated in the schedule attached to said Order, comprising an area of 151,985·39 acres, were vested in Her Majesty for the purposes of the province of Manitoba.

Vide Canada Gazette, vol. xxxi., p. 93.

By Order in Council of the 14th July, 1897, sub-clause (a) of clause 3 of the Order in Council of April 29, 1895, was amended to read as follows:—

“Upon receipt of such certificate and of a fee of \$10 to be paid by the person or company constructing such works, the Minister of the Interior shall issue to such company or person a license in the form given in the schedule hereto, which license shall be registered by the company or person to whom it is issued in the Irrigation Office of the Department of the Interior at Calgary.”

By the same Order new forms of license and transfer were substituted for those of the Order in Council of the 29th of April, 1895.

Vide Canada Gazette, vol. xxxi., p. 791.

By Order in Council of the 15th of July, 1897, clause 5 of form “H” of the regulations governing “placer mining” along the Yukon River and its tributaries in the North-west Territories, established by the Governor in Council on the 21st day of May, 1897, was amended.

See amended regulations in Order in Council, dated 18th January, 1898, *post*, p. xxxix.

Vide Canada Gazette, vol. xxxi., p. 302.

By Order in Council of the 15th of July, 1897, clause 7 of the regulations governing the disposal of placer mines on the Yukon River and its tributaries, was amended.

See Order in Council of January 18th, 1898, *post*, p. xxxix.

Vide Canada Gazette, vol. xxxi., p. 303.

By Order in Council of the 15th of July, 1897, the following regulations governing the grazing of cattle on Dominion lands, were substituted in the place and stead of the regulations approved by Order in Council of the 17th September, 1889, when applied to Dominion lands situated within the Railway Belt in the province of British Columbia :

Department of the Interior.

REGULATIONS governing the grazing of cattle on Dominion Lands within the Railway Belt in the province of British Columbia.

Interpretation.

1. In the construction of these regulations the word "cattle" shall include horses, mares, geldings, colts, bulls, bullocks, cows, heifers, steers, calves and mules.

Commons.

2. The Minister of the Interior may, upon the application of two-thirds in number of residents in any tract of land not less than a township in area, cause to be proclaimed in the *Canada Gazette* a portion of the Crown lands in such tract to be a common, upon which such residents may depasture their cattle, subject to the provisions of these regulations; and the Minister of the Interior may from time to time alter, modify, cancel, or repeal any such Proclamation.

3. The extent and situation of any such common shall be defined and proclaimed by the Minister of the Interior in the *Canada Gazette* and the *British Columbia Gazette*, but in no case shall any common exceed twenty-five miles in area, nor shall lands within such common be reserved from homestead entry or sale or other disposition by the Minister of the Interior.

4. No sheep or swine shall be allowed to be pastured or kept on any such common, except while being driven from one district to another, and if the owner of any sheep or swine shall depasture or keep the same on such common, except as aforesaid, or shall in passing over such common permit the same to remain thereon for a longer period than twenty-four hours, he shall be liable to a penalty of not more than fifty dollars, to be recovered in a summary way before any justice of the peace, and in default of payment shall be imprisoned for any period not exceeding one month.

5. There shall be levied and paid upon and in respect of the cattle of every person depasturing or keeping the same upon such common, such sums as the Minister of the Interior may from time to time fix, which sums respectively shall be paid by the persons assessed before the 15th day of November in each and every year, to such officer as the Minister of the Interior shall appoint. Such sums shall not be less than ten cents or greater than twenty-five cents for each head of cattle so depastured or kept upon such common.

6. Every person pasturing or keeping cattle as aforesaid shall cause a return to be made to such officer on the first day of August in each and every year, according to the form in the schedule hereto, of all such cattle, and if any person shall fail or neglect to cause return to be made, or shall make a false return of the cattle depastured or kept by him on any such common, or shall omit to deposit the same with the said officer in manner hereby required, or shall refuse or neglect to pay the assessments hereby required, he shall be liable upon conviction to a penalty of not more than twenty-five dollars, to be recovered in a summary manner before any justice of the peace, and in default of payment thereof shall be imprisoned for any period not exceeding one month.

Department of the Interior.

Board of Overseers.

7. Upon the petition of two-thirds of the residents, holders of land within the tract referred to in clause 2 of these regulations, it shall be lawful for the Minister of the Interior to constitute in such tract a local board to be called the Board of Overseers.

8. The board shall consist of five members who shall retire annually, and shall be elected by the votes of persons actually bona fide resident in such tract, but no person shall be entitled to vote who is not a male freeholder, homesteader, or lease-holder for a term of not less than six months, nor shall any person be eligible as a candidate for the board unless he shall have been duly qualified to vote for three months previous to the election.

9. Each voter shall have five votes, but shall not be allowed to give more than one vote to each candidate.

10. The votes of electors shall be given in person by the voter, and the person appointed by the Minister of the Interior shall act as returning officer, and shall decide all questions as to qualification and disqualifications of the members elect. The first election shall take place on such day as the Minister of the Interior may appoint.

11. If any person shall cease to be a freeholder, householder, homesteader, or lease-holder for a term of not less than six months, or shall be convicted of a felony or misdemeanour, or of any malicious contravention of these regulations, or of any by-law in force in the tract made in pursuance of these regulations, he shall ipso facto vacate his seat in each case and not be eligible for re-election, save that a member vacating his seat only by reason of ceasing to have the qualification hereinbefore required, shall be again eligible at any time upon his again becoming possessed of the necessary qualifications.

12. Whenever any member shall absent himself from five or more consecutive meetings of the board, whether regular or adjourned meetings, he shall, upon a resolution passed by the board to that effect, be considered to have vacated his seat therein.

13. The Board of Overseers shall fill, by appointment, all vacancies which may arise in the said board when the same may occur, and such appointees shall hold office until the general election.

14. The board shall, subject to the provisions of the land laws and regulations in force for the time being in the Railway Belt, have power to make by-laws regulating the depasturing of cattle, sheep and swine, on lands uninclosed by a lawful fence in the said tract, and for the enforcing of such by-laws by fine or imprisonment.

15. The said by-laws shall be submitted for approval to the Dominion lands agent residing nearest to the tract in which the said board are elected, and any by-laws so approved by the government agent, or such other person as the Minister of the Interior may appoint, shall be immediately posted in the office of such agent, and a copy thereof shall immediately be forwarded to the Minister of the Interior.

Department of the Interior.

SCHEDULE—FORM "A."

day of 189 .

Return of cattle kept and pastured by Mr. _____, in Common No. _____ situate in _____ of _____, in pursuance of the Regulations approved by His Excellency the Governor General in Council, dated the 15th day of July, 1897.

AMOUNT of Cattle on Common belonging to _____ :—

Number of Common.	Owner of horses or cattle.	Horses and mules at . . cents per head.	Cattle at . . cents per head.	Amount of assessment payable.

Vide Canada Gazette, vol. xxxi., p. 303.

By Order in Council of the 17th of July, 1897, in virtue of section 45 of the North-west Irrigation Act, the following regulations were made regarding the use of any natural channel for the carriage of water therein from any reservoir or other source of water supply :—

REGULATIONS regarding the use of any natural channel for the carriage of water therein from a reservoir or other source of water supply.

Section 1.—Any individual or company who secures the right under the provisions of the North-west Irrigation Act to construct a reservoir for the storage of water or to divert water from any source, may deliver the water so stored or diverted into any natural channel, and after its flow therein, to any point where it is desired to again divert the water delivered for irrigation purposes, may take out from such channel the volume of water delivered therein from such reservoir or other source, less a deduction of such percentage of the volume delivered for each mile or pro rata for fractions of a mile, over which the said water is carried in the said natural channel : as may be determined by the official of the Department of the Interior charged with the administration of water rights under the Irrigation Act, after completing the necessary investigations on each such natural channel to fix the loss on water carried therein resulting from seepage, evaporation or other natural causes.

Section 2.—The volume of water delivered into any natural channel from a reservoir or other source of water supply, shall be measured by a suitable rating flume or flumes of a design prepared by the official of the Department of the Interior charged with the administration of water rights, such flume or

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flumes to be constructed at a point selected by such official, by the individual or company owning the works for the delivery of such water.

(b.) A suitable gauge rod shall be placed in the natural channel to be used for the carriage of water at the point where such water is delivered therein, in such a manner as to clearly indicate the rise of water in such channel, consequent upon the added flow from such reservoir or other source of supply; and a gauge rod shall also be placed at the point where the water delivered into the channel in question is to be again diverted therefrom, so as to show at that point the rise resulting from the volume of water delivered therein, less the loss resulting from seepage, evaporation or other natural causes as mentioned in section 1 of these regulations.

Section 3.—When water is delivered into any natural channel for carriage therein, it cannot be taken out at any lower point on such channel by the individual or company delivering it therein until the gauge rod placed at such point of diversion indicates the same stage of water as that shown at the point where water is delivered into the channel, less the loss resulting from seepage, evaporation and other natural causes referred to in section 1 of these regulations.

Section 4.—The owners of ditches heading in any natural channel which is being utilized for the carriage of water as provided by these regulations, shall not divert therefrom any portion of the water delivered therein by any individual or company, and as shown by the gauge rods placed in such channel in manner provided by section 2 of these regulations.

Any damage to headgates, dams, weirs, or other works connected with ditches heading in the channel utilized for carriage of water as provided by these regulations, which shall result from the flow therein of the water delivered from any reservoir, shall be paid for by the owners of such reservoir; and such damage, if any, shall be assessed by the inspecting officer appointed in accordance with the provisions of the North-west Irrigation Act.

Section 5.—Before any individual or company utilizes any natural channel for the carriage of water, a notice shall be issued by such individual or company to the owners of all ditches heading in that portion of the channel to be so utilized, informing them of the date at which the volume of water from any reservoir or other source is to be delivered into such channel, and the ditch owners shall take the necessary steps to prevent the diversion of any portion of the added flow into their ditches.

Vide Canada Gazette, vol. XXXI., p. 792.

By Order in Council of the 21st of July, 1897, the following regulations were made for the issue of leases to dredge for minerals in the submerged beds of rivers in Manitoba and the North-west Territories:—

Applications to be made to the agent of Dominion lands in whose district the portion of the river desired to be leased is situated.

REGULATIONS.

1. The lessee shall be given the exclusive right to sub-aqueous mining and dredging for minerals with the exception of coal in and along an unbroken

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extent of five miles of the river following its sinuosities, and to be described by the applicant in such manner as to be easily traced on the ground.

2. The lease shall be for a term of twenty years, at the end of which time all rights vested in, or which may be claimed by the lessee are to cease and determine. The lease may be renewable, however, from time to time, thereafter in the discretion of the Minister of the Interior.

3. The lessee's right to mining and dredging shall be confined to the submerged bed or bars in the river, below low water mark.

4. The lease shall be subject to the rights of all persons who have received or who may receive entries for bar diggings or bench claims, under the mining regulations.

5. The lessee shall have a dredge in operation within one year from the date of the lease, and if during one season, when operations can be carried on, he fails to efficiently work the same, the lease shall become null and void, unless the Minister of the Interior shall decide otherwise.

6. The lessee shall pay a rental of \$50 per annum for each dredge used, such rental to be paid in advance, and to commence to accrue on the date upon which the lease is issued. He shall also pay to the Crown a royalty of two and one-half per cent on the output after it exceeds \$10,000 as shown by sworn returns to be furnished monthly by the lessee during the period that dredging operations are being carried on. Said royalty to be paid monthly.

7. The lessee shall not interfere in any way with the general right of the public to use the river in which he may be permitted to dredge, for navigation and other purposes; the free navigation of the river shall not be impeded by the deposit of tailings in such manner as to form bars or banks in the channel thereof; and the current or stream shall not be obstructed in any material degree by the accumulation of such deposits.

8. The lease shall provide that any one who has or who may receive entry under the mining regulations shall be entitled to run tailings into the river at any point thereon, also to mine two feet below the surface of the water at low water mark by putting in wing dams.

9. The lease to be issued shall reserve all roads, ways, bridges, drains, and all other public works and improvements now existing, or which may hereafter be made in, upon or under any part of the river, and the power to enter and construct the same. It shall also provide that the lessee shall not damage nor obstruct any public way, drains, bridges, works and improvements now or hereafter to be made upon, in, over, through, or under the river; and that he will substantially bridge or cover and protect all the cuts, flumes, ditches, and sluices, and all pits and dangerous places at all points where they may be crossed by a public highway or frequented path or trail, to the satisfaction of the Minister of the Interior.

Vide Canada Gazette, vol. xxxi., p. 188.

By Order in Council of 29th of July, 1897, the regulations established by the Governor in Council on the 21st July, 1897, for the issue of leases to dredge for minerals in the submerged beds of rivers in Manitoba and the North-west Territories were amended by providing that they should not extend to the Yukon River and its tributaries.

Vide Canada Gazette, vol. xxxi., p. 303.

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By Order in Council of the 29th of July, 1897, the regulations governing the disposal of placer mining claims along the Yukon River and its tributaries in the North-west Territories, were amended.

See Order in Council of January 18th, 1898, post, p. xxxix.

Vide Canada Gazette, vol. xxxi., p. 303.

By Order in Council of the 30th of July, 1897, a tract of land embracing Townships 18 to 24, inclusive, in the third and fourth ranges, east of the first principal meridian, and also Big Black Island and the small islands lying between it and the western coast of Lake Winnipeg, set apart as a reserve for Icelanders, was thrown open for sale and homestead entry by any class of settlers who may wish to locate in that vicinity. The Orders in Council granting certain privileges to Icelanders on said reserve were also rescinded.

Vide Canada Gazette, vol. xxxi., p. 652.

By Order in Council of the 10th of August, 1897, clause 5 of the regulations governing placer mining along the Yukon River and its tributaries in the North-west Territories, established by the Order in Council of the 21st May, 1897, was amended.

See Order in Council of January 18th, 1898, post, p. xxxix.

Vide Canada Gazette, vol. xxxi., p. 488.

By a Proclamation dated August 16th, 1897, under the provisions of the Revised Statutes, chapter 50, intituled "An Act respecting the North-west Territories," and in pursuance of an Order in Council of the same date, a judicial district in the North-west Territories was set apart to be named and known as the "Yukon Judicial District," the boundaries of such judicial district to be as follows :—

Beginning at the intersection of the 141st meridian of west longitude from Greenwich with a point on the coast of the Arctic Sea, which is approximate north latitude $69^{\circ} 39'$, and named on the Admiralty charts "Demarcation Point"; thence due south, on said meridian (which is also the boundary line between Canada and Alaska) for a distance of about 650 miles, to a point in latitude about $60^{\circ} 10'$ north, at which it will intersect the disputed boundary between Canada and the United States on the North Pacific coast; thence in an easterly direction, along the said undetermined boundary, for a distance of about 55 miles (in a straight line) to its intersection with the 60th parallel of north latitude; thence due east along the parallel of latitude (which is also the north boundary of British Columbia) for a distance of about 550 miles, to the Liard River, in approximate longitude $123^{\circ} 30'$ west; thence northerly along the middle line of said river, for a distance of about 10 miles till opposite the highest part of the range of mountains which abuts upon the river

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near the mouth of Black River; thence to follow the summit of said range in a north-westerly direction to the southernmost source of the Peel River; thence to follow northward the summit of the main range of mountains which runs approximately parallel to Peel River, on the west, as far as the intersection of the said range with the 136th meridian; thereafter to run due north to the Arctic Ocean, or to the westernmost channel of the Mackenzie Delta, and along that channel to the Arctic Ocean; thence north-westerly following the windings of the Arctic coast (termination of the mainland of the continent), including Herschell Island, and all other islands which may be situated within three geographical miles, to the place of beginning.

Provided, that in respect to that part of the line between the Liard River and the southernmost source of the Peel River, the summit to be followed is the water-shed summit separating streams entering the Liard River below Black River, or flowing directly into the Mackenzie further north, from streams flowing westward either to the Yukon or to upper branches of the Liard River.

Provided, that in respect to the part of the boundary described as following northward the main range of mountains on the west side of Peel River, the line shall run along the water-shed between streams flowing eastwardly to the Peel River, and those flowing westwardly to branches of the Yukon, Porcupine, etc., except where such water-shed shall be more than 20 miles distant from the main stream of the Peel, when the highest range within that distance shall be the boundary.

Vide Canada Gazette, vol. xxxi., p. 350.

By Order in Council of the 16th of August, 1897, the regulations governing placer mining along the Yukon River and its tributaries, established by the Governor in Council on the 21st May, 1897, were amended.

See Order in Council of January 18th, 1898, post, p. xxxix.

Vide Canada Gazette, vol. xxxi., p. 489.

By Order in Council of the 26th of August, 1897, a tariff of fees set out in a schedule annexed thereto, was fixed and settled as the fees which shall be demanded, paid to and received by the registrar of the Yukon land registration district.

Vide Canada Gazette, vol. xxxi., p. 489.

By Order in Council of the 21st of September, 1897, certain lands described in a schedule attached to said Order and published in the *Canada Gazette*, were set apart in addition to the lands already reserved in the North-west Territories as watering places for stock, shelter for cattle, and approaches to water. The Minister of the Interior was also authorized under certain circumstances again to withdraw such land from the list of reserves for stock watering, shelter for cattle, and approaches to water.

Vide Canada Gazette, vol. xxxi., p. 910.

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By Order in Council of the 27th of September, 1897, certain lands described in a schedule annexed to said Order and published in the *Canada Gazette* were reserved for irrigation purposes under the provisions of section 38 of the North-west Irrigation Act as amended.

Vide Canada Gazette, vol. xxxi., p. 790.

By Order in Council of the 15th of December, 1897, and amended by Order in Council dated 3rd of February, 1898 (*Can. Gaz.*, p. 1714), certain lands lying north of the Qu'Appelle River and opposite to the Muscowpetung Indian Reserve, in Townships 21, Ranges 16 and 17 west of the 2nd Meridian, were added to the said reserve, the area of the several parcels of land required being 472.87 acres.

Vide Canada Gazette, vol. xxxi., p. 1404 and 1714.

By Order in Council of the 18th of December, 1897, the Order in Council of the 2nd of October, 1895, which divided the unorganized portions of Canada into provisional districts and made certain changes in the boundaries of one of the old districts was cancelled.

A recommendation was made to introduce at next session of Parliament such legislation as may be necessary to divide those portions of Canada not comprised within any province into nine provisional districts in accordance with the boundaries laid down upon a map attached to the Order, and described as printed at p. 2612 of the *Canada Gazette*.

If these recommendations are approved, the districts of Assiniboia, Alberta, Saskatchewan and Athabasca will remain as they were established by the Order in Council of the 2nd of October, 1895, and previous Orders, but the boundaries of Ungava, Keewatin, Mackenzie, Yukon and Franklin will be slightly changed.

Vide Canada Gazette, vol. xxxi., p. 2612.

By Order in Council of the 18th of December, 1897, the Minister of the Interior was authorized to dispose of school lands required in connection with irrigation works at such rate of compensation as may seem to him warranted by the circumstances of each case, having due regard to the interests of the School Endowment Fund, and it was ordered that the compensation money received therefor should be applied in the same way as that provided by section 25 of the Dominion Lands Act for the proceeds of the auction sales of school lands.

Vide Canada Gazette, vol. xxxi., p. 2837.

By Order in Council of the 18th of December, 1897, a "Geographic Board" was created to consist of one member for each of the Departments of the Geological Survey, Railways and Canals, Post Office and Marine and Fisheries, such member being appointed by the minister of the department; of the Surveyor General of Dominion Lands, of such other members as may, from time to time, be appointed by Order in Council, and of an officer of the

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Department of the Interior, designated by the Minister of the Interior, who shall act as secretary of the board. It was also ordered that all questions concerning geographic names in the Dominion, which arise in the departments of the public service should be referred to the board, and that all departments should accept and use in their publications the names and orthography adopted by the board.

Vide Canada Gazette, vol. xxxi., p. 2916.

By Order in Council of the 18th of January, 1898, the following regulations were made for the issue of leases to persons or companies who have obtained a free miner's certificate in accordance with the provisions of the regulations governing placer mining in the provisional district of Yukon, to dredge for minerals other than coal in the submerged beds or bars of rivers in the provisional district of Yukon, in the North-west Territories :—

1. The lessee shall be given the exclusive right to sub-aqueous mining and dredging for all minerals with the exception of coal, in and along an unbroken extent of five miles of a river following its sinuosities, to be measured down the middle thereof, and to be described by the lessee in such manner as to be easily traced on the ground; and although the lessee may also obtain as many as five other leases, each for an unbroken extent of five miles of a river, so measured and described, no more than six such leases will be issued in favour of an individual or company, so that the maximum extent of river in and along which any individual or company shall be given the exclusive right above mentioned, shall under no circumstances exceed thirty miles. The lease shall provide for the survey of the leasehold under instructions from the Surveyor General, and for the filing of the returns of survey in the Department of the Interior within one year from the date of the lease.

2. The lease shall be for a term of twenty years, at the end of which time all rights vested in, or which may be claimed by the lessee under his lease, are to cease and determine. The lease may be renewable, however, from time to time thereafter in the discretion of the Minister of the Interior.

3. The lessee's right of mining and dredging shall be confined to the submerged beds or bars in the river below low water mark, that boundary to be fixed by its position on the first day of August in the year of the date of the lease.

4. The lease shall be subject to the rights of all persons who have received or who may receive entries for claims under the placer mining regulations.

5. The lessee shall have at least one dredge in operation upon the five miles of river leased to him, within two seasons from the date of his lease, and if, during one season when operations can be carried on, he fails to efficiently work the same to the satisfaction of the Minister of the Interior, the lease shall become null and void unless the Minister of the Interior shall otherwise decide. Provided that when any company or individual has obtained more than one lease, one dredge for each fifteen miles or portion thereof shall be held to be compliance with this regulation.

6. The lessee shall pay a rental of \$100.00 per annum for each mile of river so leased to him. The lessee shall also pay to the Crown a royalty of ten per centum on the output in excess of \$15,000.00, as shown by sworn

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returns to be furnished monthly by the lessee to the gold commissioner during the period that dredging operations are being carried on; such royalty, if any, to be paid with each return.

7. The lessee who is the holder of more than one lease shall be entitled to the exemption as to royalty provided for by the next preceding regulation to the extent of \$15,000.00 for each five miles of river for which he is the holder of a lease; but the lessee under one lease shall not be entitled to the exemption as to royalty provided by the next two preceding regulations, where the dredge or dredges used by him have been used in dredging by another lessee, or in any case in respect of more than thirty miles.

8. The lessee shall be permitted to cut free of all dues, on any land belonging to the Crown, such timber as may be necessary for the purpose of his lease, but such permission shall not extend to timber which may have been heretofore or may hereafter be granted to other persons or corporations.

9. The lessee shall not interfere in any way with the general right of the public to use the river in which he may be permitted to dredge, for navigation and other purposes; the free navigation of the river shall not be impeded by the deposit of tailings in such manner as to form bars or banks in the channel thereof, and the current or stream shall not be obstructed in any material degree by the accumulation of such deposits.

10. The lease shall provide that any person who has received or who may receive entry under the placer mining regulations shall be entitled to run tailings into the river at any point thereon, and to construct all works which may be necessary for properly operating and working his claim. Provided that it shall not be lawful for such person to construct a wing-dam within one thousand feet from the place where any dredge is being operated, nor to obstruct or interfere in any way with the operation of any dredge.

11. The lease shall reserve all roads, ways, bridges, drains, and other public works, and all improvements now existing, or which may hereafter be made in, upon or under any part of the river, and the power to enter and construct the same, and shall provide that the lessee shall not damage nor obstruct any public ways, drains, bridges, works and improvements now or hereafter to be made upon, in, over, through, or under the river; and that he will substantially bridge or cover and protect all the cuts, flumes, ditches and sluices, and all pits and dangerous places at all points where they may be crossed by a public highway or frequented path or trail, to the satisfaction of the Minister of the Interior.

12. That the lessee, his executors, administrators, or assigns, shall not nor will assign, transfer or sublet the demised premises, or any part thereof, without the consent in writing of the Minister of the Interior first had and obtained.

Vide Canada Gazette, vol. xxxi., p. 1684.

By Order in Council of the 12th of January, 1898, the Minister of the Interior was authorized to instruct the registrar of each registration district in the North-west Territories, to perform, free of charge, any service which it is his duty to perform under any provision of the Land Titles Act, 1894, and which may be necessary for the registration in his office of any

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plan, transfer or other instrument relating to public road allowances or public highways surveyed in the territories which are necessary to perfect the title of the Crown in the lands contained in such road allowances, highways, or surveyed diversions thereof, and also to furnish free of charge all abstracts or searches as to the title of such lands which may be necessary in connection with the preparation of such plans, transfers or other instruments.

Vide Canada Gazette, vol. xxxi., p. 1800.

By Order in Council of the 18th of January, 1898, it was ordered that the regulations governing the issue of leases to dredge for minerals in the submerged beds of rivers in Manitoba and the North-west Territories, approved by the Governor in Council on the 21st July, 1897, as amended by an Order of the Governor in Council bearing date the 29th July, 1897, should apply to rivers in Manitoba and the North-west Territories only outside of the provisional district of Yukon; and the said regulations were amended by providing that not more than two leases, each including an unbroken extent of five miles of a river, should be issued in favour of any one applicant or company.

Vide Canada Gazette, vol. xxxi., p. 1684.

By Order in Council of the 18th of January, 1898, the regulations governing placer mining along the Yukon River and its tributaries, in the North-west Territories, made and established by an Order of the Governor in Council dated 21st May, 1897, and by subsequent Orders of the Governor in Council, were cancelled, and the following regulations governing placer mining in the provisional district of Yukon, North-west Territories, were substituted in lieu thereof:—

REGULATIONS GOVERNING PLACER MINING IN THE PROVISIONAL DISTRICT OF
YUKON, NORTH-WEST TERRITORIES.

Interpretation.

“Free miner” shall mean a male or female over the age of eighteen but not under that age, or joint stock company, named in, and lawfully possessed of, a valid existing free miner’s certificate, and no other.

“Legal post” shall mean a stake standing not less than four feet above the ground and flatted on two sides for at least one foot from the top. Both sides so flatted shall measure at least four inches across the face. It shall also mean any stump or tree cut off and flatted or faced to the above height and size.

“Close season” shall mean the period of the year during which placer mining is generally suspended. The period to be fixed by the mining recorder in whose district the claim is situated.

“Mineral” shall include all minerals whatsoever other than coal.

“Joint stock company” shall mean any company incorporated for mining purposes under a Canadian charter or licensed by the Government of Canada.

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“Mining recorder” shall mean the official appointed by the gold commissioner to record applications and grant entries for claims in the mining divisions into which the commissioner may divide the Yukon District.

FREE MINERS AND THEIR PRIVILEGES.

1. Every person over, but not under eighteen years of age, and every joint stock company, shall be entitled to all the rights and privileges of a free miner, under these regulations and under the regulations governing quartz mining, and shall be considered a free miner upon taking out a free miner's certificate. A free miner's certificate issued to a joint stock company shall be issued in its corporate name. A free miner's certificate shall not be transferable.

2. A free miner's certificate may be granted for one year to run from the date thereof or from the expiration of the applicant's then existing certificate, upon the payment therefor of the sum of \$10, unless the certificate is to be issued in favour of a joint stock company, in which case the fee shall be fifty dollars for a company having a nominal capital of \$100,000, or less, and for a company having a nominal capital of \$100,000, the fee shall be one hundred dollars. Only one person or joint stock company shall be named in a certificate.

3. A free miner's certificate shall be on the following form :—

DOMINION OF CANADA.

FREE MINER'S CERTIFICATE.

(Non Transferable.)

Date.....

No.....

Valid for one year only.

This is to certify that.....of.....has paid me this day the sum of.....and is entitled to all the rights and privileges of a free miner, under any mining regulations of the Government of Canada, for one year from the.....day of.....18....

This certificate shall also grant to the holder thereof the privilege of fishing and shooting, subject to the provisions of any Act which has been passed, or which may hereafter be passed for the protection of game and fish; also the privilege of cutting timber for actual necessities, for building houses, boats, and for general mining operations; such timber, however, to be for the exclusive use of the miner himself, but such permission shall not extend to timber which may have been heretofore or which may hereafter be granted to other persons or corporations.

4. Free miner's certificates may be obtained by applicants in person at the Department of the Interior, Ottawa, or from the agents of Dominion Lands at Winnipeg, Manitoba; Calgary, Edmonton, Prince Albert, in the North-west Territories; Kamloops and New Westminster, in the province of British Columbia; at Dawson City, in the Yukon District; also from agents of the Government at Vancouver and Victoria, B.C., and at other places which may from time to time be named by the Minister of the Interior.

5. If any person or joint stock company shall apply for a free miner's certificate at the agent's office during his absence, and shall leave the fee required by these regulations, with the officer or other person in charge of said office, he or it shall be entitled to have such certificate from the date of such application; and any free miner shall at any time be entitled to obtain a free miner's certificate commencing to run from the expira-

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tion of his then existing free miner's certificate, provided that when he applies for such certificate he shall produce to the agent, or in case of his absence shall leave with the officer or other person in charge of the agent's office, such existing certificate.

6. If any free miner's certificate be accidentally destroyed or lost, the owner thereof may, on payment of a fee of two dollars, have a true copy of it, signed by the agent, or other person by whom or out of whose office the original was issued. Every such copy shall be marked "Substituted Certificate"; and unless some material irregularity be shown in respect thereof, every original or substituted free miner's certificate shall be evidence of all matters therein contained.

7. No person or joint stock company will be recognized as having any right or interest in or to any placer claim, quartz claim, mining lease, bed-rock flume grant, or any minerals in any ground comprised therein, or in or to any water right, mining ditch, drain, tunnel, or flume, unless he or it and every person in his or its employment shall have a free miner's certificate unexpired. And on the expiration of a free miner's certificate the owner thereof shall absolutely forfeit all his rights and interest in or to any placer claim, mining lease, bed rock flume grant, and any minerals in any ground comprised therein, and in or to any and every water right, mining ditch, drain, tunnel or flume, which may be held or claimed by such owner of such expired free miner's certificate, unless such owner shall, on or before the day following the expiration of such certificate, obtain a new free miner's certificate. Provided, nevertheless, that should any co-owner fail to keep up his free miner's certificate, such failure shall not cause a forfeiture or act as an abandonment of the claim, but the interest of the co-owner who shall fail to keep up his free miner's certificate shall, ipso facto, be and become vested in his co-owners, pro rata according to their former interests; provided, nevertheless, that a shareholder in a joint stock company need not be a free miner, and, though not a free miner, shall be entitled to buy, sell, hold, or dispose of any shares therein.

8. Every free miner shall, during the continuance of his certificate, but not longer, have the right to enter, locate, prospect, and mine for gold and other minerals upon any lands in the Yukon District, whether vested in the Crown or otherwise, except upon Government reservations for town sites, land which is occupied by any building, and any land falling within the curtilage of any dwelling house, and any land lawfully occupied for placer mining purposes, and also Indian reservations.

9. Previous to any entry being made upon lands lawfully occupied, such free miner shall give adequate security, to the satisfaction of the mining recorder, for any loss or damage which may be caused by such entry; and after such entry he shall make full compensation to the occupant or owner of such lands for any loss or damage which may be caused by reason of such entry; such compensation, in case of dispute, to be determined by a court having jurisdiction in mining disputes, with or without a jury.

Nature and size of claims.

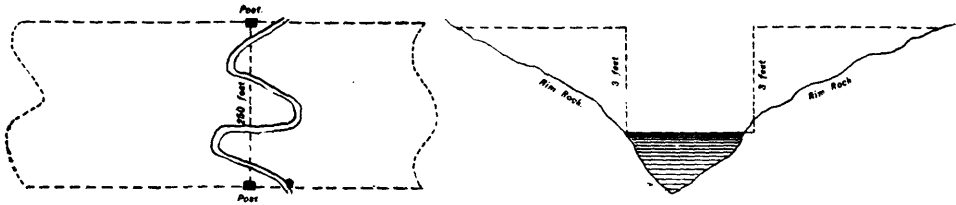
10. A creek or gulch claim shall be 250 feet long measured in the general direction of the creek or gulch. The boundaries of the claim which run in the general direction of the creek or gulch shall be lines along bed or rim rock three feet higher than the rim or edge of the creek, or the lowest general level of the gulch within the claim, so drawn or marked as to be at every point three feet above the rim or edge of the creek or the lowest general level of the gulch, opposite to it at right angles to the general direction of the claim for its length, but such boundaries shall not in any case exceed 1,000 feet on each side of the centre of the stream or gulch. (See diagram No. 1.)

Department of the Interior.

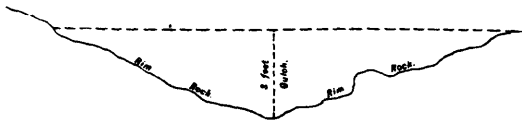
DIAGRAM No. 1.

PLAN OF CREEK OR GULCH CLAIM.

SECTIONAL PLAN OF A CREEK CLAIM.



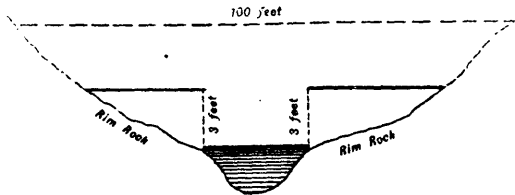
SECTIONAL PLAN OF A GULCH CLAIM.



11. If the boundaries be less than one hundred feet apart horizontally, they shall be lines traced along bed or rim rock one hundred feet apart horizontally, following as nearly as practicable the direction of the valley for the length of the claim. (See diagram No. 2.)

DIAGRAM No. 2.

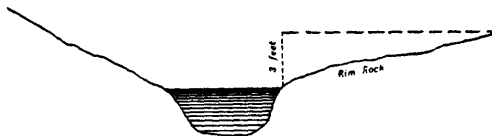
PLAN SHEWING SIDE BOUNDARIES LESS THAN 100 FEET APART



12. A river claim shall be situated only on one side of the river and shall not exceed 250 feet in length, measured in the general direction of the river. The other boundary of the claim which runs in the general direction of the river shall be lines along bed or rim rock three feet higher than the rim or edge of the river within the claim so drawn or marked as to be at every point three feet above the rim or edge of the river opposite to it at right angles to the general direction of the claim for its length, but such boundaries shall not in any case be less than 250 feet, or exceed a distance of 1,000 feet from low water mark of the river. (See diagram No. 3.)

DIAGRAM No. 3.

SECTIONAL PLAN OF A RIVER CLAIM.



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13. A "hill claim" shall not exceed 250 feet in length, drawn parallel to the main direction of the stream or ravine on which it fronts. Parallel lines drawn from each end of the base line at right angles thereto, and running to the summit of the hill (provided the distance does not exceed 1,000 feet), shall constitute the end boundaries of the claim.

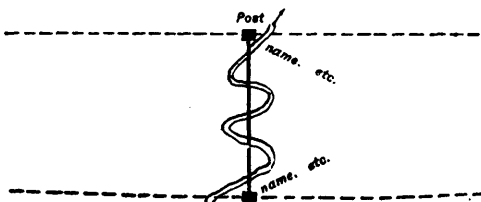
14. All other placer claims shall be 250 feet square.

15. Every placer claim shall be as nearly as possible rectangular in form, and marked by two legal posts firmly fixed in the ground in the manner shown in diagram No. 4. The line between the two posts shall be well cut out so that one post may, if

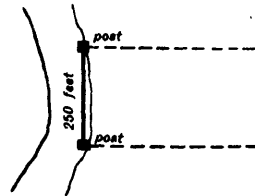
DIAGRAM No. 4.

SHEWING HOW CLAIMS ARE TO BE STAKED.

PLAN OF A CREEK OR GULCH CLAIM.



PLAN OF A RIVER CLAIM



the nature of the surface will permit, be seen from the other. The flatted side of each post shall face the claim, and on each post shall be written on the side facing the claim, a legible notice stating the name or number of the claim, or both if possible, its length in feet, the date when staked, and the full Christian and surname of the locator.

16. Every alternate ten claims shall be reserved for the Government of Canada. That is to say when a claim is located, the discoverer's claim and nine additional claims adjoining each other and numbered consecutively will be open for registration. Then the next ten claims of 250 feet each will be reserved for the Government, and so on. The alternate group of claims reserved for the Crown shall be disposed of in such manner as may be decided by the Minister of the Interior.

17. The penalty for trespassing upon a claim reserved for the Crown, shall be immediate cancellation by the mining recorder of any entry or entries which the person trespassing may have obtained, whether by original entry or purchase for a mining claim, and the refusal by the mining recorder of the acceptance of any application which the person trespassing may at any time make for a claim. In addition to such penalty, the Mounted Police, upon a requisition from the mining recorder to that effect, shall take the necessary steps to eject the trespasser.

18. In defining the size of claims, they shall be measured horizontally irrespective of inequalities on the surface of the ground.

19. If any free miner or party of free miners discover a new mine, and such discovery shall be established to the satisfaction of the mining recorder, creek, river, or hill, claims of the following size shall be allowed, namely:—

To one discoverer, one claim, 500 feet in length.

To a party of two discoverers, two claims, amounting together to 1,000 feet in length.

To each member of a party beyond two in number, a claim of the ordinary size only.

20. A new stratum of auriferous earth or gravel situated in a locality where the claims have been abandoned shall for this purpose be deemed a new mine, although the same locality shall have been previously worked at a different level.

21. The forms of application for a grant for placer mining, and the grant of the same, shall be those contained in forms "H" and "I" in the schedule hereto.

Department of the Interior.

22. A claim shall be recorded with the mining recorder in whose district it is situated, within ten days after the location thereof, if it is located within ten miles of the mining recorder's office. One extra day shall be allowed for every additional ten miles or fraction thereof.

23. In the event of the claim being more than one hundred miles from a recorder's office, and situated where other claims are being located, the free miners, not less than five in number, are authorized to meet and appoint one of their number a "free miners' recorder," who shall act in that capacity until a mining recorder is appointed by the gold commissioner.

24. The "free miners' recorder" shall at the earliest possible date after his appointment, notify the nearest Government mining recorder thereof, and upon the arrival of the Government mining recorder, he shall deliver to him his records and the fees received for recording the claims. The Government mining recorder shall then grant to each free miner whose name appears in the records, an entry for his claim on form "I" of these regulations, provided an application has been made by him in accordance with form "H" thereof. The entry to date from the time the "free miners' recorder" recorded the application.

25. If the "free miners' recorder" fails within three months to notify the nearest Government mining recorder of his appointment, the claims which he may have recorded will be cancelled.

26. During the absence of the mining recorder from his office, the entry for a claim may be granted by any person whom he may appoint to perform his duties in his absence.

27. Entry shall not be granted for a claim which has not been staked by the applicant in person in the manner specified in these regulations. An affidavit that the claim was staked out by the applicant shall be embodied in form "H" in the schedule hereto.

28. An entry fee of fifteen dollars shall be charged the first year, and an annual fee of fifteen dollars for each of the following years. This provision shall apply to claims for which entries have already been granted.

29. A statement of the entries granted and fees collected shall be rendered by the mining recorder to the gold commissioner at least every three months, which shall be accompanied by the amount collected.

30. A royalty of ten per cent on the gold mined shall be levied and collected on the gross output of each claim. The royalty may be paid at banking offices to be established under the auspices of the Government of Canada, or the gold commissioner, or to any mining recorder authorized by him. The sum of \$2,500.00 shall be deducted from the gross annual output of a claim when estimating the amount upon which royalty is to be calculated, but this exemption shall not be allowed unless the royalty is paid at a banking office or to the gold commissioner or mining recorder.

When the royalty is paid monthly or at longer periods, the deduction shall be made ratable on the basis of \$2,500.00 per annum for the claim. If not paid to the bank, gold commissioner or mining recorder, it shall be collected by the customs officials or police officers when the miner passes the posts established at the boundary of a district. Such royalty to form part of the consolidated revenue, and to be accounted for by the officers who collect the same in due course. The time and manner in which such royalty shall be collected shall be provided for by regulations to be made by the gold commissioner.

31. Default in payment of such royalty, if continued for ten days after notice has been posted on the claim in respect of which it is demanded, or in the vicinity of such claim, by the gold commissioner or his agent, shall be followed by cancellation of the claim. Any attempt to defraud the Crown by withholding any part of the revenue thus provided for, by making false statements of the amount taken out, shall be punished by cancellation of the claim in respect of which fraud or false statements have been committed or made. In respect to the facts as to such fraud or false statements or non-payment of royalty, the decision of the gold commissioner shall be final.

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32. After the recording of a claim the removal of any post by the holder thereof or by any person acting in his behalf for the purpose of changing the boundaries of his claim, shall act as a forfeiture of the claim.

33. The entry of every holder of a grant for placer mining must be renewed and his receipt relinquished and replaced every year, the entry fee being paid each time.

34. The holder of a creek, gulch or river claim may, within sixty days after staking out the claim, obtain an entry for a hill claim adjoining it, by paying to the mining recorder the sum of one hundred dollars. This permission shall also be given to the holder of a creek, gulch or river claim obtained under former regulations, provided that the hill claim is available at the time an application is made therefor.

35. No miner shall receive a grant of more than one mining claim in a mining district, the boundaries of which shall be defined by the mining recorder, but the same miner may also hold a hill claim, acquired by him under these regulations in connection with a creek, gulch or river claim, and any number of claims by purchase; and any number of miners may unite to work their claims in common, upon such terms as they may arrange, provided such agreement is registered with the mining recorder and a fee of five dollars paid for each registration.

36. Any free miner or miners may sell, mortgage, or dispose of his or their claims, provided such disposal be registered with, and a fee of two dollars paid to the mining recorder, who shall thereupon give the assignee a certificate in the form "J" in the schedule hereto.

37. Every free miner shall during the continuance of his grant have the exclusive right of entry upon his own claim for the miner-like working thereof, and the construction of a residence thereon, and shall be entitled exclusively to all the proceeds realized therefrom, upon which, however, the royalty prescribed by these regulations shall be payable; provided that the mining recorder may grant to the holders of other claims such right of entry thereon as may be absolutely necessary for the working of their claims, upon such terms as may to him seem reasonable. He may also grant permits to miners to cut timber thereon for their own use.

38. Every free miner shall be entitled to the use of so much of the water naturally flowing through or past his claim, and not already lawfully appropriated, as shall, in the opinion of the mining recorder be necessary for the due working thereof, and shall be entitled to drain his own claims free of charge.

39. A claim shall be deemed to be abandoned and open to occupation and entry by any person when the same shall have remained unworked on working days, excepting during the close season, by the grantee thereof or by some person on his behalf for the space of *seventy-two hours, unless sickness or other reasonable cause be shown to the satisfaction of the mining recorder, or unless the grantee is absent on leave given by the mining recorder, and the mining recorder, upon obtaining evidence satisfactory to himself, that this provision is not being complied with, may cancel the entry given for a claim.

40. If any cases arise for which no provision is made in these regulations, the provisions of the regulations governing the disposal of mineral lands other than coal lands, approved by His Excellency the Governor in Council on the 9th of November, 1889, or such other regulations as may be substituted therefor, shall apply.

* 72 hours means three consecutive days of 24 hours each.

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FORM H.—APPLICATION FOR GRANT FOR PLACER MINING, AND AFFIDAVIT OF APPLICANT.

I (or we).....of ... hereby apply, under the Yukon Placer Mining Regulations, for a grant of a claim for placer mining as defined in the said regulations, in (here describe locality) and I (or we) solemnly swear :—

- 1. That from indications I (or we) have observed on the claim applied for, I (or we) have reason to believe that there is therein a deposit of gold.
2. That I (or we) am (or are) to the best of my (or our) knowledge and belief the first to observe such indications ; or
3. That the said claim was previously granted to (here name the last grantee) but has remained unworked by the said grantee for not less than
4. That I (or we) am (or are) unaware that the land is other than vacant Dominion lands.
5. That I (or we) did on theday of mark out on the ground, in accordance in every particular with the provisions of the mining regulations for the Yukon District, the claim for which I (or we) make this application, and in so doing I (or we) did not encroach on any other claim or mining location previously laid out by any other person.
6. That the length of the said claim, as nearly as I (or we) could measure is feet, and that the description of this date hereto attached, signed by me (or us) sets (or set) forth in detail, to the best of my (or our) knowledge and ability, its position.
7. That I (or we) make this application in good faith, to acquire the claim for the sole purpose of mining to be prosecuted by myself (or us) or by myself and associates, or by my (or our) assigns.

SWORN before me at } (Signature)
this day of }
18 . }

FORM I.—GRANT FOR PLACER MINING.

No.....

Department of the Interior,
Agency 18....

In consideration of the payment of the fee of fifteen dollars prescribed by clause 28 of the Mining Regulations for the Yukon District, by(A.B.)of accompanying his (or their) application No..... dated 18.., for a mining claim in.....(here insert description of locality).

The Minister of Interior hereby grants to the said (A.B.)..... for the term of one year from the date hereof, the exclusive right of entry upon the claim (here describe in detail the claim granted) for the miner-like working thereof, and the construction of a residence thereon, and the exclusive right to all the proceeds realized therefrom, upon which, however, the royalty prescribed by the regulations shall be paid.

The said (A.B.) shall be entitled to the use of so much of the water naturally flowing through or past his (or their) claim, and not already lawfully appropriated, as shall be necessary for the due working thereof, and to drain his (or their) claim, free of charge.

This grant does not convey to the said (A.B.)..... any right of ownership in the soil covered by the said claim, and the said grant shall lapse and be

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forfeited unless the claim is continuously and in good faith worked by the said.....
.....(A.B.).....or his (or their) associates.

The rights hereby granted are those laid down in the aforesaid mining regulations, and no more, and are subject to all the provisions of the said regulations, whether the same are expressed herein or not.

.....
Mining Recorder.

FORM J.—CERTIFICATE OF THE ASSIGNMENT OF A PLACER MINING CLAIM.

No.

Department of the Interior,

Agency.....18....

This is to certify that(B.C.)..... of..... has (or have) filed an assignment in due form, dated18...., and accompanied by a registration fee of two dollars, of the grant to.....(A.B.)..... of of the right to mine in..... (here insert description of claim)..... for one year from the.....18....

This certificate entitles the said.....(B.C.)..... to all the rights and privileges of the said.....(A. B.)..... in respect to the claim assigned, that is to say, to the exclusive right of entry upon the said claim for the miner-like working thereof and the construction of a residence thereon, and the exclusive right to all the proceeds realized therefrom (upon which, however, the royalty prescribed by the regulations shall be paid), for the remaining portion of the year for which the said claim was granted to the said.....(A.B.)....., that is to say, until the..... day of.....18....

The said.....(B.C.)..... shall be entitled to the use of so much of the water naturally flowing through or past his (or their) claim and not already lawfully appropriated, as shall be necessary for the due working thereof and to drain his claim, free of charge.

This grant does not convey to the said.....(B.C.)..... any right of ownership in the soil covered by the said claim, and the said grant shall lapse and be forfeited unless the claim is continuously and in good faith worked by the said..... (B.C.)..... or his (or their) associates.

The rights hereby granted are those laid down in the Yukon Placer Mining Regulations, and no more, and are subject to all the provisions of the said regulations, whether the same are expressed herein or not.

.....
Mining Recorder.

Vide Canada Gazette, vol. xxxi., p. 1684.

By Order in Council of the 18th of January, 1898, the dues to be paid for permits to sell intoxicating liquor and intoxicants in the district of Yukon were increased from the rate of 25 cents per gallon to a rate of two dollars per gallon, under proof.

Vide Canada Gazette, vol. xxxi., p. 1714.

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By Order in Council of the 18th of January, 1898, the regulations for the disposal of Dominion lands containing coal, established by the Order in Council of the 17th September, 1889, were amended by providing that the fee to be paid for permission to prospect for coal under the provisions of the regulations before mentioned should be the sum of ten dollars.

Vide Canada Gazette, vol. xxxi., p. 1714.

By Order in Council of the 28th of February, 1898, it was ordered that all persons obtaining leases to dredge for minerals in the submerged beds of rivers in Manitoba and the North-west Territories outside of the provisional district of Yukon, and all persons in the employ of such persons engaged in dredging upon such rivers, should be required to take out free miners' certificates, in the manner provided for in the regulations governing placer mining in the said provisional district of Yukon, and that in default of such certificates being taken out and kept in force, such leases should be forfeited.

Vide Canada Gazette, vol. xxxi., p. 1999.

By Order in Council of the 28th of February, 1898, the following regulations governing the disposal of timber berths in the provisional district of Yukon, North-west Territories, were substituted for the regulations of the 18th December, 1897:

REGULATIONS.

1. A license to cut timber may be issued to any person who is the first applicant therefor, or it may be acquired at competition, as the Minister of the Interior may direct.
2. A bonus of not less than \$250 shall be paid for each square mile to be licensed.
3. The area of a berth shall not exceed five square miles, and a berth shall not be less than one mile in breadth.
4. Not more than five berths of five square miles in the provisional district of Yukon shall be granted to any one person or company.
5. A license to cut timber on the berth shall be issued yearly.
6. The licensee shall erect a saw-mill within a certain period to be fixed by the Minister of the Interior.
7. The licensee shall pay a stumpage of two dollars per thousand feet B.M., for the timber cut.
8. The licensee shall file in the Department of the Interior the returns of the survey of his berth when called upon by the Minister of the Interior to do so.

Vide Canada Gazette, vol. xxxi., p. 2058.

By Order in Council of the 21st of March, 1898, in virtue of the provisions of the Dominion Lands Act, the following regulations for the governance of quartz mining in Manitoba and the North-west Territories were substituted for the regulations previously existing:

Department of the Interior.

REGULATIONS for the disposal of Quartz Mining Claims on Dominion Lands in Manitoba and the North-west Territories (including the Provisional District of Yukon).

QUARTZ MINING REGULATIONS.

1. These regulations shall be applicable to all Dominion lands, with the exception of those situated in the province of British Columbia, and with the exception of lands containing coal.

INTERPRETATION.

2. In the construction of these regulations the following expressions shall have the following meanings respectively, unless inconsistent with the context :—

“Minister” shall mean the Minister of the Interior.

“Mining recorder” shall mean the agent of Dominion lands for a district, or other officer appointed by the Government or gold commissioner for the particular purpose referred to.

“Mine” shall mean any land in which any vein or lode, or rock in place, shall be mined for gold or other minerals, precious or base, except coal.

“Mineral” shall mean all valuable deposits of gold, silver, platinum, iridium, or any of the platinum group of metals, mercury, lead, copper, iron, tin, zinc, nickel, aluminum, antimony, arsenic, barium, bismuth, boron, bromine, cadmium, chromium, cobalt, iodine, magnesium, manganese, molybdenum, phosphorus, plumbago, potassium, sodium, strontium, sulphur (or any combination of the aforementioned elements, with themselves or with any other elements), asbestos, emery, mica, and mineral pigments.

Limestone, marble, clay, or any building stone when mined for building purposes shall not be considered as mineral within the meaning of these regulations.

“Rock in place” shall mean all rock in place bearing valuable deposits of mineral within the meaning of these regulations.

“Vein,” or “lode.” Whenever either of these terms is used in these regulations “rock in place” shall be deemed to be included.

“Mineral claim” shall mean the personal right of property or interest in any mine.

“Mining property” shall include every mineral claim, ditch, mill-site, or water right used for mining purposes, and all other things belonging to a mine or used in the working thereof.

“Legal post” shall mean a wooden stake standing not less than four feet above the ground, and squared or faced on four sides for at least one foot from the top, and each side so squared or faced shall measure at least four inches on its face so far as squared or faced, and any stump or tree cut off and squared or faced to the above height and size: Provided where the survey is made, the centre of the tree or stump where it enters the ground shall be taken as the point to or from which measurement shall be made.

“Mill-site” shall mean a plot of ground located, as defined by these regulations, for the purpose of erecting thereon any machinery or other works for transporting, crushing, reducing, or sampling ores, or for the transmission of power for working mines.

“Streams” shall include all natural water-courses, whether usually containing water or not, and all rivers, creeks, and gulches.

“Ditch” shall include a flume, pipe or race, or other artificial means for conducting water by its own weight, to be used for mining purposes.

“Ditch-head” shall mean the point in a natural water-course or lake, or other source where water is first taken into a ditch.

“Free miner” shall mean a person or joint stock company, named in and lawfully possessed of a valid existing free miner's certificate, and no other.

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"Record," "register," and "registration," shall have the same meaning, and shall mean an entry in some official book kept for that purpose.

"Full interest" shall mean any mineral claim of the full size, or one of several shares into which a mineral claim shall be equally divided.

"Cause" shall include any suit or action.

"Judgment" shall include "order" or "decree."

"Real estate" shall mean any mineral land in fee simple under these regulations, or any Act relating to gold mines, or to minerals other than coal.

"Joint stock company" shall mean any company duly incorporated for mining purposes under a Canadian charter, or licensed by the Government of Canada.

PART I.

FREE MINERS AND THEIR PRIVILEGES.

3. Every person eighteen years of age and over, but not under, and every joint stock company shall be entitled to all the rights and privileges of a free miner, under these regulations, and under the regulations governing placer mining or any other regulations of the Government of Canada, and shall be considered a free miner, upon taking out a free miner's certificate. A free miner's certificate issued to a joint stock company, shall be issued in its corporate name. A free miner's certificate shall not be transferable.

4. A free miner's certificate may be granted for one year to run from the date thereof, or from the expiration of the applicant's then existing certificate, upon the payment therefor of the fees set out in the schedule of fees to these regulations. Only one person or one joint stock company shall be named therein.

5. A free miner's certificate shall be in the following form :—

DOMINION OF CANADA.

FREE MINER'S CERTIFICATE.

(Not transferable.)

Date.....

No.....

Valid for one year only.

This is to certify that.....of.....has paid me this day the sum of.....and is entitled to all the rights and privileges of a free miner under any mining regulations of the Government of Canada, for one year from the..... day of.....18.....

This certificate shall also grant to the holder thereof the privilege of fishing and shooting, subject to the provisions of any Act which has been passed or which may hereafter be passed, for the protection of game and fish; also the privilege of cutting timber for actual necessities, for building houses, boats, and for general mining operations, such timber, however, to be for the exclusive use of the miner himself, but such permission shall not extend to timber which may have been heretofore, or which may hereafter be granted to other persons or corporations.

6. Any free miner shall at any time be entitled to obtain a free miner's certificate, commencing to run at the expiration of his then existing free miner's certificate, provided that when he applies for such certificate he shall produce to the mining recorder such existing certificate.

7. Free miner's certificates may be obtained by applicants in person at the Department of the Interior, Ottawa, or from the agents of Dominion Lands at Winnipeg.

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Manitoba; Calgary, Edmonton, Prince Albert, in the North-west Territories; Kamloops and New Westminster, in the province of British Columbia; at Dawson City, in the Yukon District; also from agents of the Government at Vancouver and Victoria, B.C.; and at other places which may from time to time be named by the Minister of the Interior.

8. If any free miner's certificate be accidentally destroyed or lost, the owner thereof may, on payment of the fees set out in the schedule to these regulations, have a true copy of it, signed by the mining recorder or other person by whom or out of whose office the original was issued. Every such copy shall be marked "Substituted certificate," and unless some material irregularity be shown in respect thereof, every original or substituted free miner's certificate shall be evidence of all matters therein contained.

9. Subject to the proviso hereinafter stated, no person or joint stock company shall be recognized as having any right or interest in or to any mineral claim, or to any minerals therein, or in or to any water right, mining ditch, drain, tunnel, or flume, unless he or it and every person in his or its employment, shall have a free miner's certificate unexpired. And on the expiration of a free miner's certificate the owner thereof shall absolutely forfeit all his rights and interests in or to any mineral claim, and all and any minerals therein, and in or to any and every water right, mining ditch, drain, tunnel, or flume, which may be held or claimed by such owner of such expired free miner's certificate unless such owner shall, on or before the day following the expiration of such certificate, obtain a new free miner's certificate. Provided nevertheless, should any co-owner fail to keep up his free miner's certificate, such failure shall not cause a forfeiture or act as an abandonment of the claim, but the interest of the co-owner who shall fail to keep up his free miner's certificate shall ipso facto, be and become vested in his co-owner's pro rata according to their former interests. Provided, nevertheless, that a shareholder in a joint stock company need not be a free miner, and though not a free miner, shall be entitled to buy, sell, hold, or dispose of any shares therein. And provided, also, that this section shall not apply to mineral claims for which a Crown grant has been issued. Provided, always, that if any person or company shall acquire, by purchase or otherwise, any mine or mineral claim, or interest therein, and it shall appear that some person or company through whom he or it claims title has neglected to take out or keep up a free miner's certificate, according to the provisions of these regulations, such person or company so acquiring such mine or mineral claim, or interest therein, may, within one month from the time when he or it shall first acquire knowledge thereof, pay to the mining recorder in which the claim affected is situate the fee or fees which ought to have been paid by such person or company in default as aforesaid, and thereupon the title of such person or company so acquiring the said mine or mineral claim, or interest therein, shall be deemed to be and always to have been as good and effectual as if no such default had occurred.

10. Every free miner shall, during the continuance of his certificate, but no longer, have the right personally, but not through another, to enter, locate, prospect, and mine upon any vacant Dominion lands for all minerals other than coal, and upon all lands the right whereon to so enter, prospect and mine all minerals other than coal has been, or hereafter shall be reserved to the Crown, and also to enter, locate, prospect and mine for gold and silver upon any lands the right whereon to so enter and mine such gold and silver has been, or shall be, reserved to the Crown. Excepting out of all the above descriptions of lands, all the Dominion lands situated in the province of British Columbia, and excepting also any lands occupied by any building, and any land falling within the curtilage of any dwelling house, and any orchard, and any land for the time being actually under cultivation, unless with the written consent of the owner, lessee or locatee or of the person in whom the legal estate therein is vested, and any land on which is situated any church or cemetery, and any land lawfully occupied for mining purposes and also Indian reserves, and military or naval reservations. Provided that in the event of such entry being made upon lands already lawfully occupied, such free miner

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shall give adequate security to the satisfaction of the mining recorder for any loss or damage which may be caused by such entry if requested by the owner or occupant of such land, and should he refuse to give such security when so requested, his right to such claim or mine shall cease and determine. Provided that, after such entry, he shall make full compensation to the occupant or owner of such lands for any loss or damage which may be caused by reason of such entry if demanded to do so by the said occupant or owner, such compensation in case of dispute to be determined by the court of competent jurisdiction with or without a jury.

11. Any free miner desiring to locate a mineral claim, shall, subject to the provisions of these regulations with respect to land which may be used for mining, and having discovered mineral in place within the area proposed to be located as a claim by him, enter upon the same and locate a plot of ground not exceeding 1500 feet in length by 1500 feet in breadth. All angles shall be right angles except in cases where a boundary line of a previously surveyed claim is adopted as common to both claims, but the boundaries need not necessarily be due north, south, east and west lines. In defining the size of a mineral claim it shall be measured horizontally irrespective of inequalities of the surface of the ground.

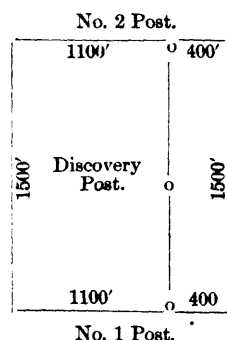
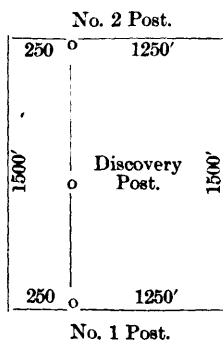
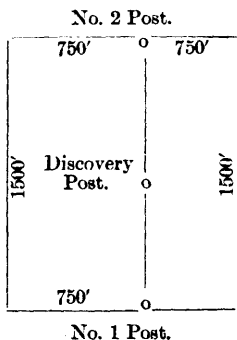
12. A mineral claim shall be marked by two legal posts placed as near as possible on the line of the lode or vein, and the posts shall be numbered 1 and 2. The distance between posts 1 and 2 shall not exceed 1,500 feet, and upon the posts shall be written the name given to the mineral claim, the Christian name and surname of the locator, and the date of the location. Upon post numbered 1 there shall be written in addition to the foregoing "Initial post," the approximate compass bearing to post numbered 2, and a statement of the number of feet lying to the right and to the left of the line from post 1 to post 2, thus:—Initial post, direction of post No. 2, feet of this claim lie to the right, and feet of this claim lie to the left of the line from post No. 1 to post No. 2.

13. All the particulars required to be put on No. 1, and No. 2 posts shall be furnished by the locator to the mining recorder in writing, at the time the claim is recorded, and shall form a part of the record of such claim.

14. When a claim has been located the holder shall immediately mark the line between posts Nos. 1 and 2 so that it can be distinctly seen; in a timbered locality, by blazing trees and cutting underbrush, and in a locality where there is neither timber nor underbrush he shall set legal posts or erect monuments of earth or rock not less than two feet high and two feet in diameter at base, so that such line can be distinctly seen.

15. The locator shall also place a legal post at the point where he has discovered mineral in place, on which shall be marked "Discovery Post."

** Examples of various modes of laying Out Claims.*



Department of the Interior.

16. It shall not be lawful to move No. 1 post, but No. 2 post may be moved by the Dominion land surveyor when the distance between Nos. 1 and 2 posts exceeds 1,500 feet in order to place No. 2 post 1,500 feet from No. 1 post on the line of location. When the distance between posts Nos. 1 and 2 is less than 1,500 feet the Dominion land surveyor has no authority to extend the claim beyond No. 2.

The "location line" shall govern the direction of one side of the claim, upon which the survey of the claim shall be extended.

17. It shall not be lawful for any person to move any location post or to deface or to alter in any manner the notices on the same.

18. Any person removing or disturbing, with intent to remove, any legal post, stake, picket or other mark placed under the provisions of these regulations or defacing or altering in any manner the notices on any of the legal posts placed thereon under these regulations, shall forfeit and pay a sum not exceeding \$100 and costs; and in default of payment of the fine and costs, may be imprisoned for any period not exceeding six months.

19. Provided that nothing in these regulations shall extend to prevent Dominion land surveyors in their operations from taking up posts or other boundary marks when necessary.

20. The holder of a mineral claim shall be entitled to all minerals, the property of the Crown, which may lie within his claim, but he shall not be entitled to mine outside the boundary lines of his claim continued vertically downwards.

21. These regulations shall not prejudice the rights of claim-owners nor claim-holders whose claims have been located under former regulations.

22. No mineral claim shall be recorded without the application being accompanied by an affidavit or solemn declaration made by the applicant on form "A" of these regulations, or if it be a fractional claim in the form "A1."

23. Provided that the failure on the part of the locator of a mineral claim to comply with any of the foregoing provisions shall not be deemed to invalidate such location, if upon the facts it shall appear to the satisfaction of the mining recorder that such locator has actually discovered mineral in place on said location, and that there has been on his part a bona fide attempt to comply with the provisions of these regulations, and that the non-observance of the formalities hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity.

24. Any location made upon Sunday or any public holiday shall not for that reason be invalid.

25. The Minister of the Interior may grant a location for the mining of iron and mica, not exceeding 160 acres in area, which shall be bounded by due north and south and east and west lines, and its breadth and length shall be equal. Provided that should any free miner making any application purporting to be for the purpose of mining iron or mica, thus obtain, whether in good faith or fraudulently, possession of a valuable mineral deposit other than iron or mica, his right in such deposit shall be restricted to the area hereinbefore prescribed for other minerals, and the rest of the location shall thereupon revert to the Crown for such disposition as the Minister may direct.

26. Provided also that all the requirements as to the location and survey of claims contained in these regulations shall govern such locations as far as they can be made to apply, and provided also that the amount to be paid to the government for such locations or the amount of work to be done on same from year to year or to obtain a Crown grant, shall be determined by the Minister of the Interior.

27. Every free miner locating a mineral claim shall record the same with the mining recorder of the district within which the same is situate, within fifteen days after the location thereof, if located within ten miles of the office of the said recorder. One additional day shall be allowed for such record for every additional ten miles, or fraction thereof. Such record shall be made in a book to be kept for the purpose in the

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office of the said mining recorder in which shall be inserted the name of the claim, the name of the locator, the number of each locator's free miner's certificate, the locality of the mine, the direction and length of the lines from posts Nos. 1 to 2, the date of location and the date of record. Such record shall be, as near as may be possible, in the form B, in the schedule of these regulations, and a certified copy thereof shall be given by the mining recorder to the free miner or his agent. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned.

28. In the event of the claim being more than one hundred miles from a recorder's office, and situated where other claims are being located, the free miners, not less than five in number, are authorized to meet and appoint one of their number a "free miner's recorder," who shall act in that capacity until a mining recorder is appointed by the gold commissioner.

29. The "free miners' recorder" shall, at the earliest possible date after his appointment, notify the nearest Government mining recorder thereof, and upon the arrival of the Government mining recorder, he shall deliver to him his records and the fees received for recording the claims. The Government mining recorder shall then grant to each free miner whose name appears in the records an entry for his claim on form "B" of these regulations, provided an application has been made by him in accordance with form "A" or "A1" thereof. The entry to date from the time the "free miners' recorder" recorded the application. If the free miners' recorder fails within three months to notify the nearest Government mining recorder of his appointment, the claims which he may have recorded will be cancelled.

29a. Any free miner shall not be entitled to a record of a mineral claim until he shall have furnished the said mining recorder with all the above particulars.

30. The record of a mineral claim shall be made at the office of the mining recorder of the district in which the claim is situate.

31. Any free miner having duly located and recorded a mineral claim shall be entitled to hold it for the period of one year from the recording of the same, and thence from year to year without the necessity of re-recording: Provided however, that during each year and each succeeding year, such free miner shall do, or cause to be done, work on the claim itself to the value of one hundred dollars, and shall satisfy the mining recorder that such work has been done, by an affidavit of the free miner in the form "C" of these regulations and corroborated by two reliable and disinterested witnesses setting out a detailed statement of such work, and shall obtain from the mining recorder a certificate of such work having been done on form "D" hereto. Provided, also, that all work done outside of a mineral claim with intent to work the same shall, if such work has direct relation and be in direct proximity to the claim, be deemed, if to the satisfaction of the mining recorder for the purpose of this section, to be work done on the claim. Provided, further, that adjoining claims, not exceeding eight in number, may be worked by the owners thereof in partnership upon filing a notice of their intention with the mining recorder and upon obtaining a certificate according to form "E" of these regulations. This certificate will allow the holder thereof to perform on any one or more of such claims all the work required to entitle him or them to a certificate of work for each claim so held by him or them. If such work shall not be done or if such certificate shall not be so obtained and recorded in each and every year, the claim shall be deemed vacant and abandoned.

32. The holder of a mineral claim may, in lieu of the work required to be done by section 31 of these regulations on a claim in each year, pay to the mining recorder, in whose office the claim is recorded, the sum of one hundred dollars, and receive from such mining recorder a receipt for such payment. Such payment and the record thereof in any year shall relieve the person making it from the necessity of doing any work during the year in and for which and upon the claim in respect of which such payment is recorded.

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33. The holder of a mineral claim on vacant Dominion lands shall be entitled to all surface rights, including the use of all timber thereon for mining or building purposes in connection with the working of said claim for the purpose of developing the minerals contained therein.

34. In case of any dispute as to the location of mineral claim the title to the claim shall be recognized according to the priority of such location, subject to any question as to the validity of the record itself, and subject, further, to the free miner having complied with all the terms and conditions of these regulations.

35. Upon any dispute as to the title to any mineral claim no irregularity happening previous to the date of the record of the last certificate of work shall affect the title thereto, and it shall be assumed that up to that date the title to such claim was perfect, except upon suit by the Attorney General of Canada based upon fraud.

36. No free miner shall be entitled to hold in his own name, or in the name of any other person, more than one mineral claim on the same vein or lode, except by purchase, but such free miner may hold by location a claim upon any separate vein or lode.

37. A free miner may at any time abandon any mineral claim by giving notice in writing of his intention to abandon to the mining recorder, and from the date of the record of such notice all interest of such free miner in such claim shall cease.

38. When a free miner abandons a mineral claim he shall have the right to take from the same any machinery and any personal property which he may have placed on the claim, and any ore which he may have extracted therefrom, within such time as shall be fixed by the mining recorder.

39. No free miner shall be entitled to re-locate any mineral claim, or any portion thereof, which he shall have failed to record within the prescribed period, or which he shall have abandoned or forfeited, unless he shall have obtained the written permission of the mining recorder to make such re-location; and he shall hold no interest in any portion of such mineral claim, by location, without such permission.

40. Where a tunnel is run for the development of a vein or lode the owner of such tunnel shall, in addition to any mineral claim legally held by him, have the right to all veins or lodes discovered in such tunnel, provided that the ground containing such veins or lodes be marked out by him as a mineral claim, and be duly recorded within fifteen days after such discovery; and provided further, that such veins or lodes are not included in any existing mineral claim. Any money or labour expended in constructing a tunnel to develop a vein or lode shall be deemed to have been expended on such vein or lode.

41. The interest of a free miner in his mineral claim shall, save as to claims held as real estate, be deemed to be a chattel interest, equivalent to a lease, for one year, and thence from year to year, subject to the performance and observance of all the terms and conditions of these regulations.

42. Any lawful holder of a mineral claim shall be entitled to a Crown grant there-of on payment to the Dominion Government of the sum of five hundred dollars in lieu of expenditure on the claim, in addition to the amount payable as provided by section 53 of these regulations. The intending purchaser shall comply with all provisions of these regulations, except such as have respect solely to the work required to be done on claims.

43. Whenever the lawful holder of a mineral claim shall have complied with the following requirements, to the satisfaction of the mining recorder, he shall be entitled to receive from the recorder a certificate of improvements, form "F," in respect of such claim, unless proceedings by the person claiming an adverse right under section 43a of these regulations have been taken.

(a.) Done or caused to be done work on the claim itself in developing a mine to the value of five hundred dollars, exclusive of all houses, buildings and other like improvements. For the purpose of this section, work done on a claim by a predecessor or

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predecessors in title shall be deemed to have been done by the applicant who receives a transfer of such claim; but in no case shall the cost of surveying be considered as improvements or work done on a claim, unless the survey is made within one year from the date of recording the claim, in which case the cost of the survey, not to exceed \$100, however, shall be counted as work done on the claim.

(b.) Found a vein or lode within the limits of such claim.

(c.) Had the claim surveyed at his own expense in accordance with instructions from the Surveyor General, by an authorized Dominion land surveyor, and had the survey thereof approved by the Surveyor General.

The surveyor shall accurately define and mark the boundaries of such claim on the ground in full compliance with the instructions issued to him, and shall, on completion of survey, forward at once to the Surveyor General at Ottawa, the original field notes and plan signed and certified as accurate, under oath. After a certificate of improvements has issued in respect of any claim so surveyed, prima facie evidence of its location upon the ground may be given by any person who has seen and can describe the position of such posts purporting to be marked as aforesaid.

(d.) Shall have posted on some conspicuous part of the land embraced in the survey a copy of the plan on the claim signed and certified as accurate under oath by the surveyor, and a legible notice in writing, in form "G" of the schedule of these regulations, of his intention to apply for a certificate of improvements, and shall also have posted a similar notice in the mining recorder's office, and such notice shall contain:—

- (1.) The name of the claim;
- (2.) The name of the lawful holder thereof;
- (3.) The number of such holder's existing free miner's certificate;
- (4.) His intention to apply for certificate of improvements at the end of sixty days, for the purpose of obtaining a Crown grant;
- (5.) The date of the notice.

(e.) Inserted a copy of such notice in a newspaper published in and circulated in the district in which the claim is situated, such paper to be approved by the mining recorder, for at least sixty days prior to such application, which insertion can be made at any time after the posting of the notice on the claim.

If no paper is published in the district, then the notice shall appear in the nearest published paper.

(f.) Shall have filed with the mining recorder a copy of the surveyor's original field notes and plan, signed and certified as accurate under oath by the surveyor, immediately after posting the notice on the claim of his intention to apply for a certificate of improvements.

(g.) Filed with the mining recorder an affidavit of the holder of the claim in the form "H" in the schedule of these regulations.

(h.) At the expiration of the term of the said publication, provided no action shall have been commenced and notice thereof filed with the mining recorder, he shall forward to the owner or agent, under form "I" of the schedule to these regulations, the documents referred to above, together with a certificate that the notice provided by section 43, subsection (d), has been posted in his office, and the field-notes and plan deposited for reference therein from the date of the first appearance of the said notice in the nearest local newspaper and continuously therefrom for a period of at least sixty days. The mining recorder shall also set out in form "I" the name of the recorded owner of the claim at the date of signing the same.

43a. (1.) A certificate of improvements when issued as aforesaid shall not be impeached in any court on any ground except that of fraud.

(2.) In case any person shall claim an adverse right of any kind, either to possession of the mineral claim referred to in the application for certificate of improvements, or any part thereof, or to the minerals contained therein, he shall, within sixty days after he first publication in the nearest local newspaper of the notice referred to in section

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43 hereof (unless such time shall be extended by special order of the court upon cause being shown), commence legal action to determine the question of the right of possession or otherwise enforce his said claim, and shall file a copy of the writ, information, bill of complaint or other initiatory proceeding in said action with the mining recorder of the district or mining division in which the said claim is situate within twenty days from the commencement of said action, and shall prosecute the said action with reasonable diligence to final judgment, and a failure to so commence or so to prosecute shall be deemed to be a waiver of the plaintiff's claim. After final judgment shall have been rendered in the said action the person or any one of the persons entitled to the possession of the claim or any part thereof may file a certified copy of the same in the office of the mining recorder. After the filing of the said judgment, and upon compliance with all the requirements of the next preceding section, such person or persons shall be entitled to the issue to him or to them of a certificate of improvements in respect of the claim or the portion thereof which he or they shall appear from the decision of the court rightly to possess. Provided that this section shall not apply to any adverse claim filed or action to enforce the same commenced prior to the date of these regulations coming into force, but the same shall be continued in the same manner as if these regulations had not been passed.

44. After the issuing and recording of such certificate of improvements, and while such certificate shall be in force it shall not be necessary to do any work on such claim.

45. On the granting and recording of such certificate of improvements in respect to a mineral claim the holder thereof shall be entitled to a Crown grant of such claim upon the payment of the purchase money required by section 46.

46. The holder of a mineral claim for which a certificate of improvements has been granted and recorded shall make application for a Crown grant through the mining recorder to the Minister of the Interior, inclosing his certificate of improvements, the mining recorder's receipts for payment of the purchase money of a claim or fractional claim at the rate of five dollars per acre, or two dollars if the mining right only is being obtained, and the Crown grant fee of five dollars, the mining recorder's certificate form "I," the field notes and plan of survey and the affidavit, form "H," within three months from the date of such certificate of improvements, and in default of such application having been made within such time such certificate of improvements shall lapse and become absolutely void.

47. If the holder of a mineral claim, after applying for a certificate of improvements shall sell and transfer such claim to another free miner, upon satisfactory proof of such sale and transfer being made to the mining recorder, the new holder of the claim shall be entitled to a certificate of improvements in his own name.

48. If a sale and transfer shall be made to any person or company after a certificate of improvements shall have been issued, upon a proper proof of such sale and transfer being made to the satisfaction of the Minister of the Interior, the Crown grant shall issue to the new holder of the claim.

49. The issuance of a Crown grant shall not invalidate any lien which may have attached to any mineral claim previous to the issuance of such Crown grant.

50. A Crown grant of a mineral claim located on any vacant Dominion lands shall be deemed to transfer and pass the surface right and right to all minerals within the meaning of these regulations (excepting coal) found in veins, lodes, or rock in place, and whether such minerals are found separately or in combination with each other, in, upon, or under the land in the said Crown grant mentioned.

51. Crown grants of mineral claims located on lands the surface rights of which have been disposed of but the right whereon to enter, prospect, and mine all minerals (other than coal) has been reserved to the Crown, shall pass to the grantee all minerals within the meaning of these regulations (other than coal) found in veins or lodes, or rock in place, and whether such minerals are found separately or in combination with

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each other, which may be in, upon, or under the land in the said Crown grant mentioned, and including all the rights given to mineral claim holders of mineral claims so located.

52. Where the mineral claim is located on land lawfully occupied under timber lease, the Crown grant shall convey the surface and minerals within the meaning of these regulations (save coal) found in veins or lodes, or rock in place, but shall reserve the timber.

53. The price to be paid for a mining location on the vacant lands of the Crown shall be at the rate of five dollars per acre cash and on other lands of which the surface rights are not available for sale, two dollars per acre cash.

53a. The patent for a mining location shall reserve to the Crown for ever whatever royalty may hereafter be imposed on the sales of the products of all mines therein, and the same royalty shall be collected on the sales which may be made prior to the issue of the patent. The royalty shall be collected in such manner as may be prescribed by the Minister of the Interior.

53b. Crown grants of mineral claims located on lands disposed of, the right whereon to enter and mine gold and silver has been reserved to the Crown, shall pass to the grantee all the gold and silver found in veins or lodes, or rock in place, which may be in, upon, or under the land in the said Crown grant mentioned, and including all the rights given to mineral claim holders of mineral claims so located.

54. If an adverse claim shall only affect a portion of the ground for which a certificate of improvements is applied, the applicant may relinquish the portion covered by the adverse claim, and still be entitled to a certificate of improvements for the undisputed remainder of his claim, upon complying with the requirements of these regulations. When judgment in such case is rendered by the court, a memorandum of such judgment shall be entered in the "Record Book" by the mining recorder; and if by any judgment the original boundaries of any claim shall be changed, a plan made by a Dominion land surveyor, and signed by the judge by whom the judgment has been given, shall be filed with the mining recorder, who shall forward it to the Department of the Interior.

55. Every conveyance, bill of sale, mortgage or other document of title relating to any mineral claim not held as real estate or mining interest, shall be recorded with the mining recorder within the time prescribed for recording mineral claims. Provided always, that the failure to so record any such document shall not invalidate the same as between the parties thereto, but such documents as to third parties shall take effect from the date of record, and not from the date of such document. And provided further, that after the issuance of a Crown grant for any mineral claim it shall not be necessary to register any transfer or other document of title executed subsequent to such Crown grant with the mining recorder of the district in which the said claim is situated; but all documents relating to the same may thereafter be registered in the same manner as are other documents of title relating to the transfer of real estate, and in the Northwest Territories all the provisions of the Land Titles Act, and any amendments thereto, shall apply to such registration.

56. No transfer of any mineral claim, or of any interest therein shall be effectual unless the same is in writing and accompanied by the record of entry (form "B"), signed by the transferrer, or by his agent authorized in writing, and recorded by the mining recorder; and, if signed by an agent, the authority of such agent shall be recorded before the record of such transfer. The assignment shall be in duplicate and when recorded the mining recorder shall return to the assignee one copy thereof with a certificate endorsed thereon that it has been recorded in his office, and retain the other copy. The mining recorder shall also endorse on form "B" the particulars of the assignment recorded, and return the form to the holder thereof. All mineral claims derived under Crown grant, and every transfer thereof, or any interest therein, shall, in the Northwest Territories, be registered under the provisions of the Land Titles Act.

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57. No mineral claims shall be open to location by any other person during the last illness, nor, unless with the permission in writing of the mining recorder, for twelve months after the death of the lawful holder.

58. No free miner shall suffer from acts of omission, or commission, or delays on the part of any government official, if such can be proven.

MILL-SITES.

59. A free miner may locate any unoccupied and unreserved Crown land not known to contain mineral, and not exceeding five acres, as a mill-site. Lands valuable for water power are excepted from location as mill-sites unless with the authority of the Governor in Council. No free miner shall be entitled to obtain and hold under this section more than one mill-site for each mineral claim lawfully held by him. Such mill-site shall be as nearly as possible in the form of a square. On locating a mill-site, the free miner shall comply with the following requirements:—

(a.) Mark out the land by placing a legal post at each corner.

(b.) Post a notice on each post stating—

(1.) The name of such free miner.

(2.) The number of his free miner's certificate.

(3.) His intention at the expiration of sixty days from the date of the notice to apply for the land as a mill-site.

(4.) The date of notice.

(c.) Post a copy of such notice on the office of the mining recorder.

60. On the expiration of sixty days after the fulfilment of the above requirements, the free miner shall deposit in the office of the mining recorder a plan and field notes made by an authorized Dominion land surveyor in accordance with instructions from the Surveyor General, and prove by affidavit that he has complied with the above requirements, and that the said land is not known to contain minerals, and is not valuable for water power, and he shall furnish such other proof of the non-mineral character of the land as the mining recorder may require.

61. If the plan and field-notes are approved by the Surveyor General and the proof referred to in the preceding paragraph has been furnished, the free miner shall then be entitled to a lease (form "J") for one year, of the said land; which lease shall be executed by the Minister of the Interior. If during the continuance of such lease, such free miner shall prove to the satisfaction of the mining recorder that he has put or constructed works, or machinery for mining or milling purposes, on the said mill-site, of the value of at least five hundred dollars (form "K"), he shall be entitled to a Crown grant of such mill-site upon payment of five dollars per acre for such land and a fee of five dollars. Any free miner now having a lease of a piece of land for a mill-site upon proving to the satisfaction of the mining recorder that he has put or constructed works, or machinery for mining or milling purposes, on the said mill-site of the value at least of five hundred dollars, shall on payment of five dollars, per acre, and a fee of five dollars for the issue of a patent, be entitled to a Crown grant of such mill-site.

62. On applying for a Crown grant of a mill-site, the free miner shall—

(1.) Pay the sum of five dollars per acre to the mining recorder.

(2.) Deposit with the mining recorder the following documents:—

(a.) Lease of the mill-site.

(b.) Plan of the mill site.

(c.) A certificate from the mining recorder that works or machinery for mining or milling purposes have been put or constructed on the mill-site to the value of at least five hundred dollars (form "L")

(d.) Application for the Crown grant (form "M")

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63. Crown grants of mill-sites shall pass to the grantee all the surface of the land in the said Crown grant mentioned, but all such Crown grants shall expressly reserve all minerals under the said land, and the right to the Crown and its licensees to enter and mine the said minerals.

TUNNELS AND DRAINS.

64. Any free miner, being the holder of a mineral claim, or mine held as real estate, may, at the discretion of the mining recorder obtain a license (form " N ") to run a drain or tunnel, for drainage or any other purpose connected with the development or working of such claim or mine, through any occupied or unoccupied lands, whether mineral or otherwise, upon security being first deposited or given to such mining recorder to his satisfaction for any damage that may be done thereby, and upon such other terms as he shall think expedient.

WATER RIGHTS.

65. A free miner who is the holder of a mineral claim or mine held as real estate, or of any mill-site, may obtain a grant to a water right of any unappropriated water, for any mining or milling purpose, in accordance with the provisions of the North-west Irrigation Act.

WORKING OF MINES OR CLAIMS, AND OTHER POWERS.

66. The mining recorder may, in his discretion, permit a free miner to re-locate a mineral claim, or any part thereof, which may have been abandoned or forfeited by such free miner. Provided that such re-locations shall not prejudice or interfere with the rights or interests of others.

67. The mining recorder may mark out a space of ground for deposit of leavings and deads from any tunnel, claim or mining ground, upon such terms as he may think just.

68. The mining recorder shall have the power to summarily order any mining works to be so carried on as not to interfere with or endanger the safety of the public or any employees of such mining works, any public work or highway, or any mining property, mineral claims, mining claims, bed-rock drains, or bed-rock flumes; and any abandoned works may by his order be either filled up or guarded to his satisfaction.

HEARING AND DECISION OF DISPUTE.

69. The mining recorder shall have power to hear and determine all disputes in regard to mining property previous to the issue of Crown grant thereof arising within his district, subject to appeal by either of the parties to the Minister of the Interior.

70. No particular forms of procedure shall be necessary, but the matter complained of must be properly expressed in writing, and a copy of the complaint shall be served on the opposite party not less than seven days before the hearing of the said complaint.

71. The complaint may, by leave of the mining recorder, be amended at any time before or during the proceedings.

72. The complainant shall, at the time of filing his complaint, deposit therewith a bond-fee of \$20, which shall be returned to him if the complaint proves to have been well founded, and not otherwise, except for special cause, by direction of the Minister of the Interior.

73. In the event of the decision of the mining recorder being made the subject of an appeal to the Minister of the Interior, the appellant shall, at the time of lodging

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the appeal, deposit with the agent a bond-fee of \$20, which shall be returned to the said appellant if his appeal proves to have been well founded, and not otherwise, except for special cause, by direction of the Minister of the Interior.

74. The appeal must be in writing, and must be lodged with the mining recorder not more than twenty days after his decision has been communicated in writing to all the parties interested, and must state the grounds upon which the said decision is appealed from.

75. If the mining recorder decides that it is necessary to a proper decision of the matter in issue, to have an investigation on the ground, or, in cases of disputed boundaries of measurements, to employ a Dominion land surveyor to measure or survey the land in question, the expense of the inspection or re-measurement or re-survey, as the case may be, shall be borne by the litigants, who shall pay into the hands of the mining recorder in equal parts, such sum as he may think sufficient for the same before it takes place; otherwise it shall not proceed, and the party who refuses to pay such sum shall be adjudged in default. The said mining recorder shall subsequently decide in what proportion the said expense should be borne by the parties respectively, and the surplusage, if any, shall then be returned to the parties, as he may order.

76. All bond-fees adjudged as forfeited and all payments retained under the last preceding section, shall, as soon as decision has been rendered, and all entry and other fees or moneys shall, as soon as they have been received by him, be paid by the said mining recorder to the credit of the Receiver General in the same manner as other moneys received by him on account on Dominion lands.

MISCELLANEOUS.

77. No person mining upon any claim shall cause damage or injury to the holder of any claim other than his own by throwing earth, clay, stones, or other material upon such other claim, or by causing or allowing water which may be pumped or baled, or may flow from his own claim to flow into or upon such other claim under the penalty of not more than \$5 and costs, and in default of the payment of the fine and costs he may be imprisoned for any period not more than one month.

78. Nothing herein contained shall, save where such intention is expressly stated, be so construed as to affect prejudicially any mining rights and interests acquired prior to the passing of these regulations; and all mining rights and privileges heretofore and hereunder acquired shall, without the same being expressly stated, be deemed to be taken and held subject to the rights of Her Majesty, her heirs and successors, and to the public rights of way and water.

79. Every free miner, on application to the mining recorder of the district, shall be entitled to a printed copy of these regulations free of charge.

80. Affidavits and declarations made under the provisions of these regulations can be made before any person duly authorized to administer an oath or declaration.

81. The Minister of the Interior, or any one deputed by him, and the mining recorder shall have the right to enter into or upon and examine any mineral claim or mine within the meaning of these regulations.

82. Where a claim has been recorded under any name, and the owner or his agent is desirous of changing the same the mining recorder may, upon application being made by such owner or agent, and upon payment of a fee of twenty-five dollars, amend the record accordingly. Provided, however, that such change of name shall not in any way affect or prejudice any proceedings or execution against the owners of the said claim.

83. Whenever through the acts or defaults of any person other than the recorded owner of a mineral claim or his agent by him duly authorized, the evidence of the location or record on the ground, or the situation of a mineral claim has been destroyed, lost or effaced, or is difficult of ascertainment, nevertheless effect shall be given to same as

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far as possible, and the court shall have power to make all necessary inquiries, directions and references in the premises, for the purposes of carrying out the object hereof, and vesting title in the first bona fide acquirer of the claim.

84. Nothing herein contained shall be construed to limit the right of the Lieutenant-Governor of the North-west Territories in Council, or of the proper authorities in any province containing Dominion lands, to lay out, from time to time, public roads across, through, along, or under any ditch, water privilege or mining right, without compensation.

85. Nothing herein contained shall affect any litigation pending at the time of the passage of these regulations.

86. Should it be proven to the satisfaction of the mining recorder that any free miner has been guilty of misrepresentation in the statement sworn to by him in recording any claim or in any of the statements required to be made by him under oath under these regulations, or to have been found removing or disturbing with intent to remove, or defacing any legal post or stake or other mark placed under the provisions of these regulations, the mining recorder may cancel the said free miner's certificate and may in his discretion order that such person be debarred from the right to obtain a free miner's certificate for any length of time he may deem advisable. The mining recorder shall forthwith upon any such decision by him notify every other mining recorder of such decision. Every free miner shall have the right to appeal from the decision of the mining recorder to the Minister of the Interior.

SCHEDULE.

FORMS IN CONNECTION WITH THE DOMINION MINING REGULATIONS.

FORM "A."

FOR A FULL CLAIM.

Dominion Lands District.

I, A.B., of in the Dominion Lands District, free miner, make oath and say:—

1. I am the holder of Free Miner's Certificate No. dated day of 18 .., and issued at

2. On the day of 18 .., I located the mineral claim, situated (*here describe position of claim as near as possible, giving the name or names of any mineral claim or claims it may join*).

3. I have placed posts No. 1 and No. 2, and a discovery post of the legal dimensions on the said claim, with the legal notices on each post.

4. I have written on the No. 1 post the following words:—.....

5. I have written on No. 2 post the following words:—.....
(*If any of the corners are indicated by witness posts the particulars as to such posts to be fully set out.*)

6. That I have found mineral in place on the said claim.

7. That I have marked the line between No. 1 and No. 2 posts, as required by section 14 of these regulations.

8. That to the best of my knowledge and belief the ground comprised within the boundaries of the said claim is unoccupied by any other person as a mineral claim; that it is not occupied by any building or any land falling within the curtilage of any dwelling house, or any orchard, or any land under cultivation, or any land reserved from entry under the mining regulations.

9. That the said claim has not heretofore been staked out by any one in my interest.

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FORM "A1."

FOR FRACTIONAL CLAIM.

Dominion Lands District.

I, A. B., of in the Dominion Lands District, free miner, make oath and say :—

1. I am the holder of Free Miner's Certificate No. dated day of 18....., and issued at

2. On the day of 18....., I located the fractional mineral claim, situated

3. This is a fractional claim bounded on the north by on the south by on the east by and on the west by and is more particularly described on the sketch plan on the back of (or attached to as the case may be) this declaration.

4. I have placed (here enumerate each of the posts placed on the ground in locating the claim) with the legal notices on each post.

5. I have written on No. 1 post the following words :—

6. I have written on No. 2 post the following words :—

7. I have written on my post at intersection with the mineral claim, the following words :—

(The particulars written on each intersection post to be fully set out.)

8. I have found mineral in place on the said fractional claim.

9. I have marked the line between No. 1 and No. 2 posts, as required by section 14 of these regulations.

10. That to the best of my knowledge and belief the ground comprised within the boundaries of the said fractional claim is unoccupied by any person as a mineral claim ; that it is not occupied by any building or any land falling within the curtilage of any dwelling house, or any orchard, or any land under cultivation, or any Indian reserve, or other reservation made in the mining regulations.

11. That the said claim has not heretofore been staked out by any one in my interest.

FORM "B."

RECORD OF A MINERAL CLAIM.

..... Mineral Claim.

Certificate No.

Located by of from whom I have this day received the sum of \$5, being the fee prescribed by the mining regulations for recording a mineral claim.

The claim is situated The direction of the line from No. 1 to No. 2 post is The distance in feet is

(If any of the corners are indicated by witness posts the particulars as to such posts to be fully set out.)

The claim was located on the day of 18..... Recorded this day of 18.....

..... Mining Recorder.

Department of the Interior.

FORM "C."

APPLICATION FOR A CERTIFICATE OF WORK.

Affidavit.

I, of in the district of free miner, make oath and say :—

That I have done, or caused to be done, work on the mineral claim, situate at in the Dominion Lands District, to the value of at least one hundred dollars, since the day of 18...

The following is a detailed statement of such work :—

(Set out full particulars of the work done in the twelve months in which such work is required to be done, as shown by section 31.)

Sworn, &c.

FORM "D."

CERTIFICATE OF WORK.

(Name of Claim.) Mineral Claim.

This is to certify that an affidavit setting out a detailed statement of the work done on the above claim since the day of 18.. made by has this day been filed in my office, and in pursuance of the provisions of the mining regulations, I do now issue this certificate of work in respect of the above claim to.....

This certificate entitles..... to continue in possession of the said claim for one year, dated from.....

..... Mining Recorder.

FORM "E."

CERTIFICATE IN CASES OF PARTNERSHIP THAT ANNUAL EXPENDITURE MAY, AFTER RECORDING CLAIMS, BE MADE ON ANY ONE OF THE CLAIMS AFFECTED BY SUCH PARTNERSHIP.

No.....

Department of the Interior, Agency, 18 ..

This is to certify that in accordance with the provisions of clause 31 of the Dominion mining regulations, (A.B.) of who obtained entry No..... for the mining location described as follows :—..... on the day of 18., and (C.D.) of who obtained entry No..... for the mining location described as follows :—..... on the day of 18., and (E.F.) of who obtained entry No..... for the mining location described as follows :—..... on the day of 18., and (G.H.) of who obtained entry No..... for the mining location described as follows :—..... on the day of 18., having complied with the conditions required by said clause 31, in so far that they have filed a certificate of a partnership entered into at , dated the day of 18., may make the annual expenditure required by each on any one of the mining locations aforementioned.

..... Mining Recorder.

Department of the Interior.

FORM "F."

CERTIFICATE OF IMPROVEMENTS.

..... Mineral Claim.

This is to certify that of in the Dominion Lands District, Free Miner's Certificate No., has proved to my satisfaction that he has complied with all the provisions of the Dominion mining regulations, to entitle him to a certificate of improvements in respect of the mineral claim, situate at in the Dominion Lands District, and in pursuance of the provisions of the said regulations I do now issue this certificate of improvements, in respect of the above claim, to.....

Dated.....

..... Mining Recorder.

This certificate will become void unless a Crown grant is applied for within three months from its date.

(Form may be altered to suit circumstances.)

FORM "G."

NOTICE.

..... Mineral Claim.

Situate in the Dominion Lands District.

(Where located)

Take notice that I Free Miner's Certificate No. intend, sixty days from the date hereof, to apply to the mining recorder for a certificate of improvements, for the purpose of obtaining a Crown grant of the above claim.

And further take notice that action, under section No. 43a, must be commenced before the issuance of such certificate of improvements.

Dated this day of 18 ..

FORM "H."

APPLICATION FOR CERTIFICATE OF IMPROVEMENTS.

Applicant's Affidavit.

I of in the Dominion Lands District, make oath and say,—

1. I am the recorded holder, and am in undisputed possession of the mineral claim, situated at in the Dominion Lands District.

2. I,, have done, or caused to be done, work on the said claim in developing a mine to the value of at least five hundred dollars, full (*) particulars whereof are hereto annexed and marked (A).

*NOTE.—Particulars must be exclusive of all houses and other like improvements.

Department of the Interior.

- 3. I, , found mineral in place within the limits of the said claim.
- 4. I, , had the claim surveyed by who has made three plans of the said claim.
- 5. I, placed one plan on a conspicuous part of the land embraced in such plan on the day of 18
- 6. I, , posted a copy of the notice hereunto annexed and marked (B), at the same place as said plan is posted, on the day of 18 and another copy in the mining recorder's office at , on the day of 18 , which said notice and plan have been posted and have remained posted for at least sixty days concurrently with the publication of the said notice in the nearest local newspaper (to be named).
- 7. I, , inserted a copy of the said notice in the , a newspaper published in and circulating in the district, or in the nearest newspaper published in the district in which the claim is situated, where it first appeared on the day of , 18 , and was continuously published for sixty days.
- 8. I, , deposited a copy of the field notes and plan in the mining recorder's office at , on the day of 18 , and they remained there for reference for sixty days concurrently with the publication of the said notice in the newspaper.

SWORN and subscribed to at , }
 this day of , 18 }

FORM "L."

MINING RECORDER'S CERTIFICATE.

. Dominion Lands District.
 Mineral Claim.

Date located Date recorded

SIR,—I herewith inclose the following documents relating to your application for a certificate of improvements to the above claim:—

- Affidavit of , applicant (form "H").
- Copy of plan of claim.
- Copy of surveyor's field-notes.

And I hereby certify that has published a notice of his intention to apply for a certificate of improvements for sixty days in the newspaper from the day of 18 That during the above period a notice in accordance with section 43, subsection (d), has been posted, and a copy of the field-notes and plan of the said claim deposited for reference in my office, and that no notice of any action having been commenced against the issuance of a certificate of improvements to the said claim has been filed in this office up to this date.

The recorded owner of the said claim at this date is

Dated 18

. *Mining Recorder.*

Department of the Interior.

FORM "J."

LEASE OF MILL-SITE.

This indenture, made the..... day of 18 , between..... the Minister of the Interior (hereinafter called the lessor), of the one part, and..... of..... in the..... Dominion Lands District, free miner (hereinafter called the lessee), of the other part, witnesseth, that in exercise of the powers vested in him by the Dominion mining regulations, he, the said lessor, doth hereby demise unto the said lessee, his executors, administrators, and assigns, all that..... (*describe the mill-site*)..... for the term of one year from the date hereof, subject to the provisions and conditions of the Dominion mining regulations relating to mill-sites.

In witness whereof, the said parties have hereunto set their hands and seals.
Signed, sealed, and delivered.

FORM "K."

MILL-SITE.

Affidavit of Applicant Prior to Crown Grant.

I,, of..... in the..... Dominion Lands District, free miner, make oath and say :—

1. I am the lawful holder of the mill-site mentioned in indenture of lease and dated and made between.....

2. During the year mentioned in such lease as the term thereof, I put or constructed works or machinery for mining or milling purposes on the said mill-site, of the value of at least five hundred dollars.

Sworn, etc.

FORM "L."

MILL-SITE.

Certificate of Improvements.

This is to certify that..... has put or constructed works or machinery, for mining or milling purposes, to the value of at least five hundred dollars, on the mill-site described in and demised by indenture dated the..... day of 18 , and made between..... during the existence of such lease.

..... *Mining Recorder.*

FORM "M."

MILL-SITE.

Application for Crown Grant.

To the Mining Recorder.....

SIR,—I inclose herewith the sum of..... dollars and the undermentioned documents :—

Lease of mill-site.

Plan of mill-site.

Surveyor's field notes.

Certificate of improvements.

Affidavit of applicant.

And I now apply for a Crown grant of the mill-site demised by the above mentioned lease.

Department of the Interior.

FORM "N."

TUNNEL OR DRAIN LICENSE.

To all whom it may concern :—

Take notice that, a free miner and the owner having given security to the amount of for any damage he may do, has this day obtained a license from me to run a tunnel (or drain) from to his said claim (or mine).

The said license is granted on these express conditions—

(Set out conditions, if any)

Dated

Mining Recorder.

SCHEDULE OF FEES TO BE CHARGED.

For a free miner's certificate (for each year).....	\$	10	00
For a free miner's certificate to a joint stock company having a nominal capital of \$100,000.00 or less (for each year)		50	00
For a free miner's certificate to a joint stock company having a nominal capital exceeding \$100,000.00 (for each year)		100	00
Every substituted certificate		2	00
Recording every claim		5	00
Recording every certificate of work		2	50
Recording any other record required to be made in the "Record Book"		2	50
Recording every abandonment, including the memorandum to be written on the record		2	50
For any other record made in the "Record of Abandonments"		2	50
For recording every affidavit, where the same does not exceed three folios of 100 words		2	50
For every folio over three, 30 cents per folio.			
The above rate shall be charged for all records made in the "Record of Affidavits."			
For all records made in the "Record of Conveyances" where the same do not exceed three folios		2	50
For every folio over three, a further charge of 30 cents per folio.			
For all copies or extracts from any record in any of the above named books, where such copy or extract shall not exceed three folios, per copy		2	50
Where such copies or extracts exceed three folios, 30 cents per folio for every folio over three.			
For filing any document		0	25
For a Crown grant		5	00
For a certificate of partnership (form "E")		2	50

Department of the Interior.

By Order in Council of the 28th of March, 1898, in virtue of the provisions of section 108 of the North-west Territories Act, chapter 50 of the Revised Statutes of Canada, the control of that part of the old trail from Edmonton to Athabasca Landing lying between Sturgeon River and Athabasca Landing, was transferred to the Lieutenant-Governor in Council for the public uses of the Territories.

Vide Canada Gazette, vol. xxxi., p. 2223.

Department of Justice.

Department of Justice.

By Order in Council of the 21st of September, 1897, it was enacted that the fees allowable to a commissioner appointed under the authority of chapters 114 and 115 of the Revised Statutes of Canada, to hold inquiries or investigations into public matters or departmental business shall not in any case exceed ten dollars for each full day's attendance or occupation in connection with the work of the commission, exclusive of the reasonable moving and living expenses of the commissioner to be allowed where the judge has to travel for the purpose of executing the commission, and that the said per diem allowance shall be deemed to cover letters and interviews on other days as well as on the days for which the commissioner is entitled to such per diem allowance, and that no further charge be allowed for such letters and interviews; and that a professional man shall not be entitled to any fees or allowances as commissioner to which other commissioners are not entitled as aforesaid.

Vide Canada Gazette, vol. xxxi., p. 1569.

By Proclamation dated 29th January, 1898, the building erected at Prince Albert, in the North-west Territories, for the purposes of a jail, was constituted and set apart as a jail for the confinement of prisoners charged with the commission of offences in the North-west Territories, or sentenced to any punishment or confinement therein.

The rules and regulations adopted by Order in Council bearing date the twenty-sixth day of January, in the year of our Lord one thousand eight hundred and ninety-one, and prescribed as the rules and regulations for the government of common jails in the North-west Territories, were made applicable to the administration of the said jail, and it was placed under the control of the Minister of Justice.

Vide Canada Gazette, vol. xxxi., p. 1622.

By Order in Council of the 2nd of April, 1898, an Act of the province of Manitoba, passed on the 30th March, 1897, and chaptered 2, and intituled "An Act respecting Corporations incorporated out of Manitoba," was disallowed.

Vide Canada Gazette, vol. xxxi., p. 2171.

Department of Marine and Fisheries.

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Department of Marine and Fisheries.

By Order in Council of the 19th of June, 1897, under the provisions of the Fisheries Act, chapter 95 of the Revised Statutes, the general fishery regulations for the province of British Columbia, established on 3rd March, 1894, were amended by rescinding section 2, and substituting the following :

“ 2. Nets for catching ‘Quinnat’ or ‘spring salmon’ in the tidal waters of British Columbia, shall only be used from the 1st day of March to the 15th day of September, both days inclusive, and the meshes of such nets shall not be less than 7 inches in extension measurement, and nothing shall be done to practically diminish the size of meshes.”

Vide Canada Gazette, vol. xxxi., p. 4.

By Proclamation dated 15th July, 1897, under the Revised Statutes of Canada, chapter 86, and intituled “An Act respecting Harbour Masters,” the said Act was applied to the port of Heron Channel, in the county of Restigouche, in the province of New Brunswick.

Vide Canada Gazette, vol. xxxi., p. 234.

By Order in Council of the 20th of September, 1897, in virtue of the provisions of the third section of the Act 54-55 Victoria, chapter 36, intituled “An Act respecting the Shipping of Live Stock,” the rules and regulations and the amendments thereto, at present in force regulating the transportation of live stock from Canada to Europe, were repealed, and the following rules and regulations, which are the consolidation of the rules and regulations already made by the Governor in Council, were substituted therefor :—

REGULATIONS.

Regulations prescribed for ships engaged in the transportation of live stock from any port or place in Canada to any port or place out of Canada, not being a port or place in the United States of America, or in Newfoundland, or in St. Pierre or Miquelon, or in Bermuda, or in any of the West India Islands, or in Mexico, or in South America.

Interpretation.—The expression “cattle” means bulls, oxen, cows and heifers one and two years old, and the expression “horses” includes mares

APPLICATION FOR INSPECTION.

No. 1. The master, owner or agent of every ship intending to take on board live stock for transportation from Canada, shall, if such ship requires to be inspected under the provisions of the Act hereinbefore mentioned, apply for inspection in writing to the inspector of the port at which the live stock is to be shipped, whereupon the inspector will take the steps necessary to inspect the vessel, and determine whether she is a safe, seaworthy and suitable ship for the transportation of live stock on the voyage intended.

Department of Marine and Fisheries.

(2.) If the inspector approves of the vessel he should notify the owner, master or agent, that he may proceed to fit up the ship as required by these regulations, but if the vessel has been previously fitted for the transportation of live stock, in a manner not consistent with these regulations, the inspector shall require compliance with these requirements in all respects before issuing his certificate.

(3.) Live stock must not be carried on any part of the vessel where they will interfere with the proper management of the ship, or with the efficient working of the necessary boats, or with the requisite ventilation of the vessel.

CATTLE AND SHEEP.

Space.

No. 2. Fat cattle carried on the upper or spar deck or any other deck must be given a space of 2 feet 8 inches clear in width by 8 feet clear in length, each, and not less than 6 feet 3 inches in height, and in no case shall more than four head of cattle be allowed in each pen except at the end of a row, where five may be allowed together, provided, however, that five cattle, each 1,000 lbs. weight or under commonly known as "stockers" may be carried in a pen instead of four fat cattle. Cows in calf are to be given the same space as fat oxen.

(2.) United States cattle shipped from any port in Canada, carried on the upper or spar deck must be allowed a space of 2 feet 6 inches in width by 8 feet in depth per head, but such United States cattle when so shipped between decks must be allowed a space of 2 feet 8 inches in width by 8 feet in depth except in the case of regular cattle ships with satisfactory ventilation, which may fit with an allowance of 2 feet 6 inches in width. No more than four head of cattle will be allowed in each pen, except at the end of a row where five may be allowed together. Provided, however, that cattle under 1,000 lbs. in weight may be allowed a width of 2 feet 3 inches.

(3.) Pens for sheep shall not be less than 7 feet in height, divided into two equal compartments, and not more than 8 or 10 sheep will be counted equal to one fat ox according to the discretion of the inspector.

DECKS.

No. 3. Cattle shall not be carried on more than three decks; and every deck on which cattle are carried must be provided with sufficient ventilation as hereinafter prescribed.

UPPER DECK FITTINGS.

No. 4. *Stanchions, Wooden.*—Stanchions must be of good sound spruce timber, not less than 3 by 5½ inches, placed at proper distances from centres, against ship's rail and secured to the rail by a hook of not less than ½-inch wrought iron with nut screw. If the bulwarks are open the foot of stanchions must be secured by filling pieces 2 by 3 inches placed outside of rail stanchions, to which the outside planking shall be nailed, and the whole secured by through bolts and nuts. A piece of 2 by 3 inches or 2-inch plank shall be fastened to outside of stanchion and run up to underneath rail to chock stanchion down. Outside stanchions shall extend up sufficient height to form stanchions for a hand-rail where necessary for the protection of the seamen. If the bulwarks are not open, the foot of the stanchion shall be secured by a bracing of 2 by 3-inch sound lumber from the back of each stanchion. Outside stanchions at top of pen shall be properly secured to fore and aft stringer beams or plates not less than 5½ by 2 inches. Inside stanchions must be placed directly in line with outboard stanchions, to be set up so that the 5½-inch way of the stanchions shall set fore and aft, and properly secured at top to fore and aft stringer beams or plates not less than 5½ by 2 inches, firmly secured at foot to deck and flooring to keep from lifting.

Department of Marine and Fisheries.

Stanchions, Iron.—These may be used in place of wooden stanchions and should not be less than 2 inches in diameter, set in iron sockets above and below and fastened with nut and bolt.

Beams.—Beams or rafters must be of good sound lumber, 2 by 6 inches, suitably placed, to run clear across the ship where practicable. Should any house or deck fittings be in the way, then butt up closely to same. These beams shall be shouldered on the stanchions and made secure with chocks nailed or otherwise properly fastened to stanchions.

Angle Iron Frames.—Angle iron frames fitted from side to side on upper deck, 10 8 inches apart, may be used instead of wooden stanchions and beams.

Head or Breast-boards.—Head-boards shall be not less than 1½ by 12 inches, of good sound lumber, and well secured on the pen side of the stanchions. A double stanchion to secure head-board shall be set up at each end of pen. A bolt of iron ⅝-inch in diameter shall pass through the double stanchions and head-board, secured by a nut and screw. All head-boards shall have holes bored through them at proper distances, to tie the animals.

Foot-boards.—Foot-boards shall be of the same material as head-boards, properly nailed to stanchions on the inside of same.

Division-boards.—Division-boards shall be of 1½-inch by 12-inch sound lumber, fitted perpendicularly and arranged so that they divide the animals into pens of four, or, at end of row into pens of five.

Flooring.—Flooring for the deck shall be of sound 1-inch boards, laid fore and aft on scantlings 2 by 3 inches laid athwart ship on the deck at 18-inch centres, and the whole well secured. Where very heavy cattle are stalled, thicker flooring should be used.

It is optional with the owners whether they use sheathing on their ships with wooden decks, or whether they secure the footlocks to the decks, but iron decks must in all cases be sheathed. Cement may be used instead of wood sheathing with footlocks moulded in the same.

Footlocks.—Footlocks shall be of good sound spruce or pine lumber, or hardwood, 1½ by 3 inches, laid fore and aft of ship, properly secured to sheathing or deck, placed 17, 16, 22, and 16 inches apart (the first one distant 17 inches from the trough), nailed when practicable with 4-inch nails through into deck strips and braced by similar locks placed athwart 18 inches apart and nailed through to deck strips.

Outside planking.—All the outside planking on open and closed railed ships, must be properly laid fore and aft of ship and nailed to the backs of stanchions, and battened after the 1st November. Nothing less than 1½-inch spruce or pine is to be used for this purpose.

Planking of Shelter Deck to be erected on Upper Decks.—The planks or boards to be nailed on this deck should be not less than 1-inch sound lumber 12 inches wide, laid on purlins, with 4 inches of space between the boards; the space to be fitted with a block of 4 by 1 inch at back and front plates or stringers, and at the purlins to give additional support to the second covering which is to be of boards of the same dimensions, laid over the 4-inch openings of lower boarding.

UNDER DECK FITTINGS.

Stanchions.—Stanchions shall be of good sound spruce lumber not less than 3 by 5½ inches, set up at proper distances from centres so that the 5½-inch way of same shall stand fore and aft and jammed in tight between the two decks, properly braced on head and from side to side of ship; this bracing shall be of 2 by 3-inch spruce or pine and be properly butted against each stanchion. Where it is found impracticable to run these braces across ship, by reason of hatches, etc., coming in the way, then they shall be well

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braced from hatch coamings and from the obstruction which prevents running braces from side to side. The heads of these stanchions shall be braced fore and aft by 2 by 3-inch pieces well nailed on each stanchion and running fore and aft close up to the lower edge of the ship beams and butted at each end of compartment and against themselves, or choked in underneath beam and well nailed to heads of stanchions. If upper and lower decks are wood then the stanchions set up between decks may be secured by well cleating to each deck by heads and heels of same.

Head or Breast-boards, Foot-boards, Division-boards, Flooring and Footlocks shall be of the same dimensions as those on the upper deck and fastened in the same manner, and shall have holes bored at proper distances to tie animals.

Troughs.—Suitable troughs whether on upper or under decks shall be formed on the foot-boards about 12 inches wide, when required. Troughs for sheep must be made water-tight.

Casing for Steering Gear.—A suitable casing must be placed over the ship's steering gear when found necessary.

Alley-ways.—Alley-ways between the pens must not be less than two feet wide, except forward and aft, where they may be not less than 18 inches for a distance of 21 feet 4 inches from the end of the ship inwards, and no feed shall be placed or stowed in alley-ways.

VENTILATION.

No. 5. Each compartment containing cattle must have at least four bell-mouthed ventilators, of not less than 18 inches inside diameter, and with tops exceeding 7 feet in height, two situated at each end of the compartment, or have some other system of ventilation of which the inspector approves, but in every case the ship must always be supplied with a sufficient number of fans worked by steam to insure good and sufficient ventilation for the cattle.

No. 6. No cattle shall be loaded along the alley-ways by engine room unless side of said engine room is covered by 1-inch lumber making a 3-inch air-space between.

No. 7. No cattle shall be loaded on hatches on decks above cattle, nor shall any merchandise, freight or food for cattle be loaded on said hatches, but said hatches shall at all times be kept clear, but cattle may be carried on the lowest hatch provided that a space on each hatch of twelve feet square be at all times kept clear and free; and no cattle shall be carried on any part of the vessel, where in ordinary course of navigation, they would interfere with the proper management of the vessel, or would interfere with the efficient working of the boats.

MISCELLANEOUS.

No. 8. Convenient and suitable stowage shall be provided under deck for feed for cattle: but hay to the extent of 50 pounds for each head of cattle for consumption in the River and Gulf of St. Lawrence, may be stowed on deck properly covered, and must be the first hay used. The inspector must be satisfied as to the quality and quantity of food and water provided for the cattle. Hay must be in bales and grain in bags, and bales and bags must be marked in a legible manner with the name of the person who ships the cattle for which the feed is intended, and the cattle shipper shall furnish the inspector with a statement of the quantity of hay and grain supplied by him, and the number of cattle shipped by him for the intended voyage.

No. 9. All vessels will carry not less than 4 hogsheads, of over 100 gallons capacity, for each 100 head of cattle, and these shall be filled with fresh cold water before sailing and re-filled as emptied, unless the vessel is fitted with water pipes suitably placed and fitted with taps for watering the cattle.

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No. 10. Shippers of cattle will require to furnish a foreman and attendants to take charge of the cattle on board ship and there shall be one man, including the foreman, for each 25 head of cattle shipped. Shippers are required to notify the inspector at least twelve hours before the sailing of the ship of the name of the foreman to be in charge of their shipment and of the names of the attendants, and must furnish the inspector with satisfactory evidence of their sobriety, experience, ability and general good conduct, and every such foreman and cattle attendant shall sign the ship's articles of agreement before the ship clears on her intended voyage, and be subject to the authority of the master, and the inspector shall see that the eating and sleeping accommodations for the cattle attendants and foreman are as good as the same accommodations provided for the crew of the ship. Every ship's articles of agreement signed by the foreman and attendants shall clearly state the wages to be paid to each. The foreman and attendants must report themselves to the inspector, at least six hours before the sailing of the ship.

No. 11. Cattle will be tied with rope not less than $\frac{5}{8}$ -inch in diameter which shall not be used more than once.

No. 12. False decks on which cattle have been loaded must be removed and the manure and dirt cleaned away before the ship receives another cargo of cattle.

No. 13. The inspector may in case he finds any of the fittings are worn, decayed or unsound, require the same to be replaced before he clears the vessel. He will also supervise the loading of cattle and see that they are properly stowed and tied and that all the requirements of these regulations have been complied with.

No. 14. Water condensers shall be on board in good working order and of sufficient capacity to provide eight gallons, every twenty-four hours, of fresh cold water for each head of cattle carried, whether the ship is fitted with water ballast tanks or not.

No. 15. Live stock shall not be taken on board until the loading of the cargo has been completed unless the consent of the inspector in writing to do otherwise is first obtained.

No. 16. The backs of pens are to be lined with 1-inch boards to the height of four feet, nailed to back stanchions on inside, making the backs of the pens flush and smooth, if the inspector deems it necessary.

No. 17. The work throughout must be well nailed and strongly put together, and to the satisfaction of the inspector.

No. 18. If the ship is not lighted by electric lights, the inspector should see that sufficient ship's lanterns are provided to light between decks, when live stock is carried.

No. 19. Passages must be left so that the scuppers can be reached and kept clean.

No. 20. Any disputes arising under these regulations in regard to providing for the health, security and safe carriage of live stock shall be referred to the Minister of Marine and Fisheries, who may decide the matter; or the Minister may refer it to any person considered competent by him, and in either event the decision of the Minister or of such person shall be final.

No. 21. For the better protection of the health of the live stock no cattle or horses shall be taken on board except cattle or horses which have been inspected and passed as regards health by a duly appointed Government veterinary inspector.

No. 22. A fee of one and one-half cent per head shall be charged on each head of cattle so shipped, and a fee of one-half cent on each sheep so shipped, under the provisions of the said the Live Stock Shipping Act.

No. 23. Horses shall not be taken on board until the loading of the cargo has been completed unless the consent of the inspector to do otherwise in writing is first obtained.

(2.) Stalls for horses shall not be less than 2 feet 6 inches wide in the clear for horses weighing 1,200 lbs. or less. For horses over 1,200 lbs. in weight, the stall shall not be less than 2 feet 8 inches in the clear. In every case the stall must be 8 feet deep.

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(3.) The materials used in the construction of stalls and fittings shall be of a substantial character and of such dimensions as the inspector deems necessary.

(4.) The inspector shall see that a sufficient supply of good food is placed on board ship for each horse, and that suitable arrangements are made for a sufficient supply of fresh water so that no condensed water shall be used. The food supply shall not be less than 15 pounds of hay, 7 pounds of bran and 3 pounds of oats for each horse per day, and the inspector may refuse to issue the certificate rendered necessary under the Act above referred to, until the inspector is satisfied as to the quantity and quality of the food on board for horses.

(5.) Shippers of horses will require to furnish attendants to take charge of the horses on board ship and there shall not be more than eighteen horses in charge of one attendant. Shippers are required to notify the inspector at least twelve hours before the sailing of the ship of the names of the attendants, and must furnish the inspector with satisfactory evidence of their sobriety, experience, ability and general good conduct, and every attendant shall sign the ship's articles of agreement before the ship clears on her intended voyage, and be subject to the authority of the master, and the inspector shall see that the eating and sleeping accommodations for the attendants are as good as the same accommodations provided for the crew of the ship. Every ship's articles of agreement signed by the attendants shall clearly state the wages to be paid to each. The attendants must report themselves to the inspector at least six hours before the sailing of the ship.

(6.) A fee of five cents shall be charged for each horse shipped and the inspector may refuse to issue his certificate until such fee has been paid.

Vide Canada Gazette, vol. xxxi., p. 686.

By Order in Council of the 20th of October, 1897, in virtue of the provisions of the 5th section of chapter 73 of the Revised Statutes, intituled "An Act respecting certificates to Masters and Mates of Ships," subsection 7 of the second section of the rules and regulations governing the examination of candidates for certificates as masters and mates of sea-going vessels, was repealed and the following substituted therefor:—

"Candidates who fail to pass the form vision test or colour ignorance test can be re-examined at intervals of three months, but candidates who fail to pass the colour vision test cannot be re-examined, except re-examination be granted by the Minister of Marine and Fisheries, and whenever an authority other than the authority which granted the certificate endorses or cancels an endorsement or a certificate issued under the Imperial Merchant Shipping Act or Order in Council, a notification of such endorsement or cancellation however or wherever effected shall be sent to the Board of Trade and to the authority which granted the certificate."

Vide Canada Gazette, vol. xxxi., p. 862.

By Order in Council of the 20th of October, 1897, in virtue of the provisions of the Port Wardens Act, chapter 85 of the Revised Statutes, the port of Bathurst, in the county of Gloucester, and province of New Brunswick, was declared to be a port to which the provisions of the said the Port Wardens Act shall apply.

Vide Canada Gazette, vol. xxxi., p. 789.

Department of Marine and Fisheries.

By Order in Council of the 20th of October, 1897, rules and regulations for the pilotage district of Hillsboro and Hopewell, in the county of Albert, and province of New Brunswick, adopted by the pilotage authority of the said district, were approved.

Vide Canada Gazette, vol. xxxi., p. 793.

By Order in Council of the 20th of October, 1897, the limits of the harbour of St. Margaret's Bay, in the county of Halifax, were declared to embrace all the waters inside of a straight line joining Black Point on the north shore of the bay, and Davy's Point on the east shore of the bay, including Ingram River, Head Harbour, and French Village Harbour.

Vide Canada Gazette, vol. xxxi., p. 794.

By Order in Council of the 1st of November, 1897, under the provisions of the Harbour Masters Act, the limits of the port of Chester, in the county of Lunenburg, and province of Nova Scotia, for harbour masters' purposes, were defined.

Vide Canada Gazette, vol. xxxi., p. 912.

By Order in Council of the 1st of November, 1897, in virtue of the provisions of the Steamboat Inspection Act, chapter 78 of the Revised Statutes and amendments thereof, new and amended rules were made for the inspection of steamboats and for the examination of engineers of marine engines and all previous rules and regulations and amendments thereto were rescinded.

These rules and regulations are set forth at length in the *Canada Gazette* of the 20th and 27th November and 4th December, 1897, and are published in separate form for the Department of Marine.

Vide Canada Gazette, vol. xxxi., p. 954, and amendment of December 10, 1897, at p. 1309.

By Order in Council of the 4th of November, 1897, in virtue of the provisions of the Wrecks and Salvage Act, chapter 81, Revised Statutes of Canada, a wreck and salvage district was established at the port of Amherstburg, in the county of Essex, the limits of such district to include all Canadian waters in the Detroit River and Lake Erie, from the division line between the townships of West Sandwich and Anderdon, produced into the river southward and eastward to a line drawn due south from Hackett's wharf, on Colchester Point.

Vide Canada Gazette, vol. xxxi., p. 911.

By Order in Council of the 4th of November, 1897, revised rules and regulations of the pilotage authority of the district of Bras d'Or Lake were approved.

Vide Canada Gazette, vol. xxxi., p. 911.

Department of Marine and Fisheries.

By Order in Council of the 15th of November, 1897, the rules and regulations, approved at a meeting of the commissioners held on the 8th of October, 1897, for the government of pilots in the pilotage district of Bathurst, county of Gloucester, New Brunswick, were sanctioned.

Vide Canada Gazette, vol. xxxi., p. 1455.

By Order in Council of the 10th of December, 1897, the following words in the first part of subsection (a) of section 53, page 20, of the rules and regulations established by the Order in Council of the 1st November, 1897, relating to the inspection of steamboats, viz. :—“The pressure on plates forming flat surfaces will be found by the following formula,” were repealed, and the following substituted therefor :—

“Section 53. (a.) On flat surfaces the allowable working pressure shall not exceed six thousand pounds to each effective square inch of sectional area of the stays supporting it ; the pressure to be allowed on plates forming flat surfaces will be found by the following formula :—”

Vide Canada Gazette, vol. xxxi., p. 1309.

By Order in Council of the 10th of December, 1897, in virtue of the provisions of the Bounty Act, 1891, 54–55 Victoria, chapter 42, the regulations governing the payment of fishing bounties established by Order of the Governor in Council dated the 24th August, 1894, were rescinded, and the following regulations substituted therefor :—

1. Resident Canadian fishermen who have been engaged in deep-sea fishing for fish other than shell-fish, salmon and shad, or fish taken in rivers or mouths of rivers, for at least three months, and have caught not less than 2,500 pounds of sea-fish, shall be entitled to a bounty : provided always that no bounty shall be paid to men fishing in boats measuring less than 13 feet keel, and not more than 3 men (the owner included) will be allowed as claimants in boats under 20 feet.

2. No bounty shall be paid upon fish caught in trap-nets, pound-nets and weirs, nor upon the fish caught in gill-nets fished by persons who are pursuing other occupations than fishing, and who devote merely an hour or two daily to fishing these nets but are not, as fishermen, steadily engaged in fishing.

3. Only one claim will be allowed in each season, even though the claimant may have fished in two vessels, or in a vessel and a boat or in two boats.

4. The owners of boats measuring not less than 13 feet keel which have been engaged during a period of not less than three months in deep-sea fishing for fish other than shell-fish, salmon or shad, or fish taken in rivers, or mouths of rivers, shall be entitled to a bounty on each such boat.

5. Canadian registered vessels, owned and fitted out in Canada, of 10 tons and upwards (up to 80 tons) which have been exclusively engaged during a period of not less than three months in the catch of sea-fish other than shell-fish, salmon or shad, or fish taken in rivers, or mouths of rivers, shall be entitled to a bounty to be calculated on the registered tonnage which shall be paid to the owner or owners.

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6. The three months during which a vessel must have been engaged in fishing, to be entitled to bounty, shall commence on the day the vessel sails from port on her fishing voyage and end the day she returns to port from said voyage.

7. Owners or masters of vessels intending to fish and claim bounty on their vessels must, before proceeding on a fishing voyage, procure a license from the nearest collector of customs or fishery overseer, said license to be attached to the claim when sent in for payment.

8. Dates and localities of fishing must be stated in the claim, as well as the quantity and kinds of sea-fish caught.

9. Ages of men must be given. Boys under 14 years of age are not eligible as claimants.

10. Claims must be sworn to as true and correct in all their particulars.

11. Claims must be filed on or before the 30th November in each year.

12. Officers authorized to receive claims will supply the requisite blanks free of charge, and after certifying the same will transmit them to the Department of Marine and Fisheries.

13. No claim in which an error has been made by the claimant or claimants shall be amended after it has been signed and sworn to as correct.

14. Any person or persons detected making returns that are false or fraudulent in any particular will be debarred from any further participation in the bounty, and be prosecuted according to the utmost rigour of the law.

15. The amount of the bounty to be paid to fishermen and owners of boats and vessels will be fixed from time to time by the Governor in Council.

16. All vessels fishing under bounty license are required to carry a distinguishing flag, which must be shown at all times during the fishing voyage at the main topmast head. The flag must be four feet square in equal parts of red and white, joined diagonally from corner to corner. Any case of neglect to carry out this regulation reported to the Department of Marine and Fisheries will entail the loss of the bounty, unless satisfactory reasons are given for its non-compliance.

Vide Canada Gazette, vol. xxxi., p. 1310.

By Order in Council of the 30th of December, 1897, an amended tariff of rates and dues adopted by the Harbour Commissioners of Three Rivers, to be levied in the harbour of Three Rivers, in the province of Quebec, was approved.

Vide Canada Gazette, vol. xxxi., p. 1405.

By Order in Council of the 14th of January, 1898, there was detached from the limits of the harbour of North Grand Manan the portion extending from its southern boundary on the east side of the island of Grand Manan, that is "from an imaginary line drawn south-east and north-west magnetically through a large white rock lying in the thoroughfare, so called, to the northward of Grand Harbour," northwards to an imaginary line drawn east and west magnetically through Farmer Ledge which lies between Long

Department of Marine and Fisheries.

Island and Bancroft Point, on the east side of Grand Manan Island, and the portion so detached was established as a separate harbour district to be known as Gull Rock Channel.

Vide Canada Gazette, vol. xxxi., p. 1510.

By Proclamation dated 15th January, 1898, in virtue of the Revised Statutes of Canada, chapter 86, and intituled "An Act respecting Harbour Masters," and an Order in Council dated January 15, 1898, the said Act was declared to apply to the port of Port Stanley, in the county of Elgin, in the province of Ontario, and the limits of said port were defined.

Vide Canada Gazette, vol. xxxi., p. 1510.

By Order in Council of the 19th of January, 1898, in virtue of the Act 55-56 Victoria, chapter 3, intituled "An Act respecting fishing vessels of the United States," authority was given to continue the issue to United States fishing vessels during the calendar year 1898, of licenses for the purposes provided for by the said Act, that is to say:—(a.) The purchase of bait, ice, seines, lines and all other supplies and outfits; (b.) The transshipment of catch and the shipping of crews.

The fee charged for such licenses to be one dollar and fifty cents per ton on actual registered tonnage, and the term thereof to expire on the 31st day of December, 1898.

Vide Canada Gazette, vol. xxxi., p. 1567.

By Order in Council of the 27th of January, 1898, in virtue of the provisions of the 2nd section of the Act 55-56 Vic., chapter 19, intituled "An Act further to amend the Steamboat Inspection Act," it was ordered that the provisions of chapter 78 of the Revised Statutes, (the Steamboat Inspection Act), and the amendments thereto, together with the Canadian rules and regulations relating to the inspection of steamboats, should apply to passenger steamboats—other than steamboats holding passenger certificates from Her Majesty's Board of Trade,—registered elsewhere than in Canada, engaged in carrying passengers to or from any port or place in Canada, to or from any port or place out of Canada, or from one port or place in Canada, to another port or place in Canada, or on any of the lakes, rivers or sea-coasts of Canada: provided, however, that the provisions of the said Act and the amendments thereto which require Canadian passenger steamboats to carry Canadian certificated engineers, be not applied, and that the Canadian rules and regulations relating to the inspection of boilers while in course of construction, be not applied, and that the boilers of such steamboats be deemed to have been inspected by a Canadian steamboat inspector, while in course of construction, and that the affidavit of the boiler maker, required by the rules and regulations, be dispensed with.

It was further ordered that the rules and regulations relating to the inspection of safety valves be not applied, and that the safety valves of the boilers of such steamboats be passed, if the inspector is satisfied that they are

Department of Marine and Fisheries.

in good reliable working order and of sufficient dimensions to discharge all the surplus steam the boilers can generate beyond the working pressure allowed, when under full fires and engine stopped, and provided that the inspector considers the construction of the valves to be such as will insure safety.

Vide Canada Gazette, vol. xxxi., p. 1623.

By Order in Council of the 14th of February, 1898, the following amendments to the rules and regulations governing the inspection of steamboats at present in force in Canada, which were made at a board meeting of the Board of Steamboat Inspectors held at Toronto, on the 26th, 27th, 28th and 29th days of January, 1898, were approved, and were established as additional subsections "d" and "e" to rule 40, part 1, of the existing regulations, and section 74 of part 2, of the present regulations, was amended by adding the following subsections "d" and "e" after subsection "c":

(d.) When horizontal furnaces of ordinary diameter are constructed of a series of rings welded longitudinally, and the ends of each ring flanged and the rings riveted together, and so forming the furnace, the working pressure is found by the following formula, provided the length in inches between the centres of the flanges of the rings is not greater than $(120 T - 12)$ and the flanging performed at one heat by a suitable flanging machine, and also the conditions which follow the formula are complied with:

$$\frac{9900 \times T}{3 \times D} \left(5 - \frac{L + 12}{60 \times T} \right) = \text{Working pressure.}$$

T = Thickness of plate in inches.

L = Length between centre of flanges in inches.

D = Outside diameter of furnace in inches.

The radii of the flanges on the fire side should be about $1\frac{1}{2}$ inch. The depth of the flanges from the fire side should be three times the diameter of the rivet plus $1\frac{1}{2}$ inch, and the thickness of the flanges should be as near the thickness of the body of the plate as practicable. The distance from the edge of the rivet holes to the edge of the flange should not be less than the diameter of the rivet, and the diameter of the rivets at least $\frac{3}{8}$ inch greater than the thickness of the plate. The depth of the ring between the flanges should be not less than three times the diameter of the rivets, the fire edge of the ring should be at about the termination of the curve of the flange, and the thickness not less than half the thickness of the furnace plate. It is very desirable that these rings should be turned.

The holes in the flanges and rings should be drilled in place if practicable, but if not drilled in place they should be drilled smaller than the size required, and afterwards when in place rimered out until the holes are quite fair, the holes should be slightly tapered and the heads of the rivets of moderate size.

After all the welding, flanging and heating is completed each ring should be efficiently annealed in one operation.

(e.) When the longitudinal seams in such furnaces are made with a single butt strap double riveted, or double butt straps single riveted, with all holes drilled in place, and the flanging of the ends is performed by hand "and then annealed" instead of at one heat by a flanging machine, with all other

Department of Marine and Fisheries.

conditions as to construction as described in subsection (d) being complied with, then 8800 is to be substituted in place of 9900 in the formula, subsection (d).

Vide Canada Gazette, vol. xxxi., p. 1741.

By Order in Council of the 9th of April, 1898, in virtue of the provisions of the Port Wardens Act, chapter 85 of the Revised Statutes, the port of Gabarus, in the county of Cape Breton, and province of Nova Scotia, was determined to be a port at which a port warden may be appointed.

Vide Canada Gazette, vol. xxxi., p. 2312.

By Order in Council of the 18th of April, 1898, in virtue of the provisions of the Fisheries Act, chapter 95 of the Revised Statutes, it was ordered that for the year 1898 only, the close season for black bass in the waters immediately around Pelee Island, in Mitchell's Bay, St. Luke's Bay and at the mouth of the River Thames, in the province of Ontario, should be fixed from the 10th May to the 15th June, both days inclusive, notwithstanding the provisions of the Order of the Governor in Council of the 16th May, 1895, whereby the close season for bass in the said province of Ontario is fixed from the 15th April to the 15th June, both days inclusive in each year.

Vide Canada Gazette, vol. xxxi., p. 2312.

By Order in Council of the 21st of April, 1898, certain rules, added by Her Majesty's Board of Trade to their rules and regulations for the examination of masters and mates and embodied in Appendix A hereto following, were adopted and embodied in the Canadian rules for the examination of masters and mates of sea-going ships, adopted by Order in Council of the 29th June, 1896:—

APPENDIX "A".

THE FOLLOWING ADDITIONS HAVE BEEN MADE TO THE EXAMINATION IN NAVIGATION FOR MATES AND MASTERS OF SEA-GOING VESSELS.

Second Mate.

An applicant for this grade of certificate will have his handwriting tested by a quarter of an hour's dictation.

He will be required to draw a rough sketch or diagram to illustrate the meaning of various astronomical and other terms used in navigation.

To work any practical problem in parallel sailing.

To find the compass course by Mercator's method, the variation and deviation being given.

To find the longitude by chronometer from the altitude of the sun by the usual methods, computing the daily rate of chronometer from errors observed, when required; also to find true azimuth of the sun and the error of the compass, and the deviation; the variation being given.

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To find the true azimuth of the sun by the "time azimuth" tables, the error of the compass; also the deviation, the variation being given.

To find on either a "true" or "magnetic" chart the course to steer and the distance from one given position to another; to find the ship's position on the chart from cross-bearings of two objects; from two bearings of the same object, the course and distance run between taking the bearings being given; also the distance of the ship from the object at the time of taking the second bearing.

He will be required to answer *viva voce* questions on the following subjects:—

The international code of signals.

The construction, use, and principle of the barometer, thermometer, and hydrometer.

Weights and measures.

In seamanship he must give satisfactory answers on questions appertaining to his duties, which the examiner may think necessary to put to him.

First Mate.

A candidate for a first mate's certificate will be required to work out any three of the nautical problems prescribed for the second mate's examination which may be given him by the examiner in addition to the chart paper and the oral subjects prescribed for that grade.

To compute the time at which a given star will be on the observer's meridian (occasionally by inspection).

To describe where tables giving the names of the principal stars passing the meridian may be found.

To describe where the meridian passage of the principal planets may be found.

To determine what bright stars will be within an hour, or more, of the observer's meridian, above the pole and above the horizon, at any given time; also the hour angle, east or west, of each of the stars, and whether to the north or south of the observer's zenith when passing the meridian.

To describe any maps or diagrams known to and preferred by the candidate, for further facilitating the recognition of the stars and planets.

To compute the approximate meridian altitude of one of the stars just found, for setting the sextant.

To find the latitude by a meridian altitude of the same star.

To find the longitude by chronometer by altitude of a star.

To find the true azimuth of a star by the "time azimuth" tables, and get the deviation therefrom.

To find the latitude by ex-meridian altitude of the sun or a star.

He will be required to answer *viva voce* questions on the following subjects:—

How to keep a ship's log-book.

How to calculate the capacity of a given bunker or hold, and work out the same on paper should the examiner require it.

How to calculate a freight and its commissions.

Department of Marine and Fisheries.

In seamanship, in addition to the qualifications required for a second mate's certificate, a first mate will be required to show a knowledge upon other subjects, as follows :—

How to dispose various kinds of cargo and weights in a stiff and in a tender vessel.

Accidents and how to deal with them, and any other questions appertaining to his duties, which the examiner may think fit to ask him.

Master.

A candidate for a master's certificate will be required to work out any twelve of the nautical problems prescribed for the grades of second and first mate, that may be given him by the examiner, in addition to the chart paper and the oral subjects prescribed for the grades of second and first mate.

He will be required to find the latitude by the altitude of the Pole star at any time.

To find the latitude by meridian altitude of the moon.

To give answers in writing to not less than twelve out of forty-five questions upon the deviation of the compass, according to the discretion of the examiner.

He will be required to answer *viva voce* questions on the following subjects :—

The law as to the engagement and discharge and management of the crew, and the entries to be made in the official log-book.

The prevailing winds and currents of the globe.

The trade routes. Tides.

No addition is made to the questions upon seamanship in the examination for master, but the examiner may put any other practical questions he considers necessary, pertaining to the duties of a master.

All candidates will have to work the chart questions.

Vide Canada Gazette, vol. xxxi., p. 2436.

By Order in Council of the 25th of April, 1898, the following regulation was added to the general rules and regulations established under the Harbour Masters Act, viz. :—

Section 40. No stones, logs, saw-dust, mill refuse or rubbish of any description whatever shall be deposited on the ice in any navigable river or harbour within any limits which has been or may be declared a port by any Order in Council under the provisions of the statute in that behalf, and any person or persons depositing stones, logs, saw-dust, mill refuse, rubbish or refuse of any description on the ice in any such navigable river or harbour shall forfeit and pay a fine of not less than \$10.00 and not more than \$50.00 for each and every such offence.

Vide Canada Gazette, vol. xxxi., p. 2538.

By Proclamation dated May 2, 1898, under the Revised Statutes of Canada, chapter 86, and intituled "An Act respecting Harbour Masters,"

Department of Marine and Fisheries.

the port of Alma, in the county of Albert, in the province of New Brunswick, was declared to be a port to which the said Act should apply, and the limits of said port were defined.

Vide Canada Gazette, vol. xxxi., p. 2607.

By Order in Council of the 9th of May, 1898, rule first of the rules and regulations for the government of pilots, in the pilotage district of Restigouche, approved by the Order in Council of the 1st of April, 1896, which specifies the limits of the said pilotage district, was cancelled and the following substituted therefor:—

That the limits of the pilotage district of Restigouche shall be held to embrace all the navigable waters, harbours, bays and rivers in the county of Restigouche, and that within the limits of the said district, the payment of pilotage dues is made compulsory.

Vide Canada Gazette, vol. xxxi., p. 2631.

By Order in Council of the 20th of May, 1898, in accordance with the provisions of the Seamen's Act, chapter 74 of the Revised Statutes of Canada, a shipping office was established at the port of Vancouver, in the province of British Columbia.

Vide Canada Gazette, vol. xxxi., p. 2730.

By Proclamation dated 30th May, 1898, under chapter 86 of the Revised Statutes of Canada, and an Order in Council dated 30th May, 1898, the said Act was applied to the port of Depot Harbour, in the district of Parry Sound, in the province of Ontario, and the limits of said port were established.

Vide Canada Gazette, vol. xxxi., p. 2915.

Department of Militia and Defence.

Department of Militia and Defence.

By Order in Council of the 7th of August, 1897, under the provisions of clause 264 of the Railway Act, the following scale of rates was adopted and established for the conveyance of troops and all military stores by rail, namely :—

1. Troops, from single individuals up to parties of 125 in number shall be conveyed at two-thirds the rate charged to private passengers for the same journey and class of accommodation.

2. Bodies of troops in numbers greater than 125 shall be conveyed at two-thirds fare for the first 125, and one-half fare for the remainder.

3. Bodies of troops numbering over 125 who make a return journey within three months' time shall pay a single ordinary fare for the double journey.

4. When special return or cheap rate tickets are in force at less rates than the above, they shall always be taken.

5. For the carriage of stores, special rates shall be agreed upon, with the special proviso that the charge in no case shall exceed what would be paid by the public.

Vide Canada Gazette, vol. xxxi., p. 350.

Department of Public Works.

Department of Public Works.

By Order in Council of the 14th of March, 1898, the tariff of tolls (printed at length in *Canada Gazette*) to be levied by the Upper Ottawa Improvement Company during the season of 1898, for the use of their works, was approved.

Vide Canada Gazette, vol. xxxi., p. 2058.

By Order in Council of the 21st of March, 1898, in virtue of the provisions of the Public Works Act, chapter 36 of the Revised Statutes, and chapter 98 of the Revised Statutes intituled "An Act respecting Tolls on Government Works for the transmission of Timber," rules and regulations (as printed at length in the *Gazette*) were enacted for the management, maintenance, proper use and protection of the Government timber slides and other works constructed to facilitate the transmission of timber, lumber and saw-logs on the St. Maurice River and its tributaries, and for the collection of tolls and dues for the use of the same, and the collection of tolls and dues upon the said works as specified was authorized, such rules, regulations, tolls and dues to be in lieu of all rules, regulations and dues heretofore in force or imposed in respect of such works. Nothing in said Order to be construed as implying that the Government is in any way responsible for the safe conveyance of timber, saw-logs, etc., down the said River St. Maurice.

Vide Canada Gazette, vol. xxxi., p. 2107.

By Order in Council of the 23rd of May, 1898, the tariff of tolls proposed to be levied by the Rouge Boom Company, during the season of 1898, for the use of their works was approved.

Vide Canada Gazette, vol. xxxi., p. 2730.

Department of Railways and Canals.

Department of Railways and Canals.

By Order in Council of the 1st of July, 1896, in accordance with the provisions of section 227 of the Railway Act, a schedule of maximum passenger fares and freight rates, adopted by a by-law passed by the board of directors of the Canada Southern Railway Company, on the 19th December, 1895, as amended by a by-law passed by the directors of the said railway company on the 17th June, 1896, was approved as set forth.

Vide Canada Gazette, vol. xxxi., p. 2171.

By Order in Council of the 7th of September, 1896, in accordance with the provisions of the Railway Act, the tariff of tolls adopted at a meeting of the directors of the Niagara River Bridge Company held on the 26th April, 1884, was approved as set forth.

Vide Canada Gazette, vol. xxxi., p. 2172.

By Order in Council of the 27th of November, 1896, in accordance with the provisions of the Railway Act, chapter 29 of 51 Vic., By-law No. 2, passed by the directors of the St. Lawrence and Adirondack Railway Company, on the 20th October, 1896, fixing the rates to be charged for freight transport on the said St. Lawrence and Adirondack Railway, and the maximum rates for passenger traffic was approved.

Vide Canada Gazette, vol. xxxi., p. 2111.

By Order in Council of the 17th of May, 1897, a by-law, being By-law No. 1, fixing passenger and freight rates, passed by the shareholders of the Irondale, Bancroft and Ottawa Railway Company at a special meeting duly held on the 20th of April, 1897, was approved.

Vide Canada Gazette, vol. xxxi., p. 1258.

By Order in Council of the 28th of June, 1897, under section 228 of the Railway Act, the freight tariff of the Cumberland Railway and Coal Company was amended by the striking out therefrom the word "lumber" in the tabulated list of rates, and of all charges set down thereunder; also by the striking out of all words at present standing in the said tariff below the tabulated charges; also in the heading "Governed by Canadian joint freight classification and the special terms and conditions herein"—by the striking out of all the said words after the word "classification."

Vide Canada Gazette, vol. xxxi., p. 2110.

Department of Railways and Canals.

By Order in Council of the 29th of July, 1897, the joint freight classification submitted by the Association of General Freight Agents of Canada on the 29th June, 1897, was approved. The same to be numbered 10 and to supersede the classification numbered 9 which was approved by the Order in Council of July 5, 1893, and the amendments thereto.

This new and amended classification is printed in detail in the issues of the *Canada Gazette* of 16th and 23rd April, 1898.

Vide Canada Gazette, vol. xxxi., p. 2234.

By Order in Council of the 26th of October, 1897, in accordance with the provisions of sections 217 and 227 of the Railway Act, two by-laws numbered 13 and 14 respectively, adopted by the shareholders of the Toronto, Hamilton and Buffalo Railway Company, on the 15th September, 1897, one No. 13, enacting that the tariff of maximum tolls and rates mentioned in a certain by-law of the directors of the said company, passed on the 28th May, 1897, be the tariff of the company; and the other, No. 14, authorizing the said company's directors, from time to time to fix the tolls, were approved as set forth in the *Canada Gazette*.

Vide Canada Gazette, vol. xxxi., p. 2170.

By Order in Council of the 22nd of January, 1898, in virtue of the provisions of section 40, of the Government Railways Act, chapter 38 of the Revised Statutes, the Order in Council of the 19th of November, 1897, which imposed certain tolls and dues specified in the mileage tariff of freight rates for the Intercolonial Railway was cancelled, and other rates in substitution therefor were imposed and authorized, the same to come into effect on the 14th day of February, 1898, the Order in Council of the 25th February, 1889, was amended to that effect, and to the further effect of cancelling section No. 26 of the general conditions of carriage established by the said Order, and the substitution therefor of the following:—

“The special regulations and conditions governing the minimum weight for carloads, to be as laid down in the Canadian joint freight classification, prescribed, or as the same may hereafter be prescribed, by the Governor in Council.”

Vide Canada Gazette, vol. xxxi., p. 2111.

By Order in Council of the 28th of February, 1898, a supplement No. 2, submitted by the Canadian Joint Freight Classification Committee, on the 31st January, 1898, was approved and the said supplement was prescribed in supersession of supplement No. 1, approved by the Order in Council of 1st November, 1897, and in amendment of classification No. 10, approved by the Order in Council of the 29th July, 1897. Said supplement as set forth in *Canada Gazette* at length.

Vide Canada Gazette, vol. xxxi., p. 2258.

Department of the Secretary of State.

Department of the Secretary of State.

By Order in Council of the 20th of September, 1897, under the authority conferred by the section substituted by section three of the Act 51 Victoria, chapter 35, intituled "An Act in amendment of the Canada Temperance Act," for section 96 of the Canada Temperance Act, the Order in Council of the 27th day of June, 1894, whereby the second part of the Canada Temperance Act was brought into force in the city of Charlottetown, was revoked.

Vide Canada Gazette, vol. xxxi., p. 574.

Letters patent have been issued, as dated below, incorporating the following companies, and notices thereof published in volume xxxi. of the *Canada Gazette* at the pages stated, viz. :—

	PAGE.
The Abbey Effervescent Salt Co. ; capital \$500,000 ; 8th October, 1897	653
The Acetylene Lighting Co. ; capital \$15,000 ; 25th February, 1898	1812
The Arctic-Ray Mining Co. ; capital \$500,000 ; 25th March, 1898	2063
The Audit Company of Canada ; capital \$25,000 ; 29th December, 1897	1359
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ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE
SIXTY-FIRST YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA

BEING THE
THIRD SESSION OF THE EIGHTH PARLIAMENT

*Begun and holden at Ottawa, on the Third day of February, and closed
by Prorogation on the Thirteenth day of June, 1898*



HIS EXCELLENCY
THE RIGHT HONOURABLE SIR JOHN CAMPBELL HAMILTON-GORDON, EARL OF ABERDEEN
GOVERNOR GENERAL

VOL. I.
PUBLIC GENERAL ACTS

OTTAWA
PRINTED BY SAMUEL EDWARD DAWSON
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY
ANNO DOMINI, 1898



61 VICTORIA.

CHAP. I.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial years ending respectively the 30th June, 1898, and the 30th June, 1899, and for other purposes relating to the public service.

[Assented to 13th June, 1898.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by Messages from His Excellency Preamble.
the Right Honourable Sir John Campbell Hamilton-Gordon, Earl of Aberdeen, Governor General of Canada, and the estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial years ending respectively the thirtieth day of June, one thousand eight hundred and ninety-eight, and the thirtieth day of June, one thousand eight hundred and ninety-nine, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act, 1898.* Short title.

2. From and out of the Consolidated Revenue Fund of \$1,425,412.91
Canada there shall and may be paid and applied a sum not granted for
exceeding in the whole one million four hundred and twenty- financial year
five thousand four hundred and twelve dollars and 1897-98.
ninety-one cents, towards defraying the several charges and expenses of the public service of Canada, from the first day of July, in the year of Our Lord one thousand eight hundred and ninety-seven, to the thirtieth day of June, in the year of Our Lord one thousand eight hundred and ninety-eight, not otherwise provided for, and set forth in schedule A to this Act, and also for the other purposes in the said schedule mentioned.

\$23,677,283.08
granted for
financial year
1898-99.

3. From and out of the Consolidated Revenue Fund of Canada there shall and may be paid and applied a sum not exceeding in the whole twenty-eight million six hundred and seventy-seven thousand two hundred and eighty-three dollars and eight cents, towards defraying the several charges and expenses of the public service of Canada, from the first day of July, in the year of Our Lord one thousand eight hundred and ninety-eight, to the thirtieth day of June, in the year of Our Lord one thousand eight hundred and ninety-nine, not otherwise provided for, and set forth in schedule B to this Act, and also for the other purposes in the said schedule mentioned.

As to private
secretaries
not in the
permanent
civil service.

4. If the private secretary of the head of a department, or of the Solicitor General, is not a member of the permanent civil service, there may be paid to him the salary payable to a private secretary under *The Civil Service Act*; and, out of the amount granted by this Act for the contingencies of the department, there may be paid to him a further salary not exceeding nine hundred dollars a year; provided the combined salaries of such secretary shall not exceed fifteen hundred dollars a year.

Special
provision as
to N. W. T.

5. The amounts granted by this Act for the Government of the North-west Territories shall not be deemed to have lapsed if not expended within the year for which they are granted.

Declaratory
as to certain
loans
authorized but
not raised.

6. And whereas there remained on the thirty-first day of May, one thousand eight hundred and ninety-eight, unborrowed and negotiable, of the loans authorized by Parliament for the construction of public works, and for general purposes, the following sums:—

Authorized and guaranteed by the Imperial Parliament for the Intercolonial Railway..	\$ 1,946,666 67
For public works and general purposes.....	14,543,069 58
	<hr/>
	\$16,489,736 25
	<hr/>

Such sums
may be raised
under R.S.C.,
c. 29.

Therefore it is declared and enacted, that the Governor in Council may authorize the raising of the several sums above mentioned, as they are required for the purposes aforesaid, respectively, under the provisions of *The Consolidated Revenue and Audit Act*, and the sums so raised shall form part of the Consolidated Revenue Fund of Canada, out of which like sums shall be applicable to the several purposes aforesaid, under the Acts and provisions thereunto relating respectively.

Application of
such sums.

SCHEDULE A.

SUMS granted to Her Majesty by this Act for the Financial Year ending 30th June, 1898, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
CHARGES OF MANAGEMENT.		
Printing Dominion notes, further amount		10,000 00
CIVIL GOVERNMENT.		
<i>Governor General's Secretary's Office</i> —Further amount for contingencies:—		
Printing and Stationery	\$ 150 00	
Sundries	2,700 00	
		2,850 00
<i>Queen's Privy Council for Canada</i> —Allowance for private secretary to Hon. R. R. Dobell, to be paid notwithstanding anything in the Civil Service Act		600 00
<i>Department of Inland Revenue</i> —Further amount for contingencies		150 00
<i>Department of Indian Affairs</i> —Additional amount for payment of extra clerks and messengers	\$ 475 00	
Gratuity to the widow of James Kearns, messenger, equal to two months' pay	55 00	
		530 00
<i>Department of Railways and Canals</i> —J. L. Payne, second-class clerk, difference between the amount of F. Beard's salary of \$1,100 as a second-class clerk, and J. L. Payne's salary of \$1,250 which he received when transferred from the Department of Militia and Defence to the Department of Railways and Canals		150 00
<i>Department of Justice</i> —Salary of Hector Verret at \$200 per annum for 44 days from 3rd February, 1898, to 18th March, 1898, both inclusive	\$ 24 11	
Increase of salary of messenger G. R. Cleland to \$360 per annum from 1st January, 1898	30 00	
Further amount for contingencies	2,500 00	
		2,554 11
<i>Department of Agriculture</i> —J. C. Farmer and C. Thompson difference in salary between \$400 and \$600 for ten months, to 30th June, 1898, notwithstanding anything in the Civil Service Act		333 34
<i>Department of Public Works</i> —C. O. Beauchemin & fils, for 12 volumes, entitled "Rapports Judiciaires Revisés du Juge Mathieu"	\$ 72 00	
Further amount for printing and stationery	700 00	
		772 00
<i>Department of Marine and Fisheries</i> —Clerical assistance	\$ 700 00	
Printing and stationery	1,000 00	
Sundries	500 00	
		2,200 00
<i>Department of Militia and Defence</i> —Lt.-Col. D. A. MacDonald, difference in salary between that of 1st class clerk at \$1,800 per year and that of Chief Clerk and Chief Superintendent of Stores at \$2,800, from 1st October, 1897 (date of taking over the work), to 30th June, 1898, notwithstanding anything in the Civil Service Act	\$ 750 00	

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
CIVIL GOVERNMENT—Concluded.		
<i>Department of Militia and Defence—Concluded.</i>		
<i>Contingencies—</i>		
Clerical and other assistance.....	\$ 1,000 00	
Printing and stationery.....	1,400 00	
Sundries.....	500 00	
	\$ 2,900 00	
<i>Post Office Department—Clerical and other assistance.....</i>	\$ 1,500 00	
Printing and Stationery.....	3,000 00	
	4,500 00	
<i>Office of the High Commissioner for Canada in London—</i>		
To provide for a salary of \$3,300 for J. G. Colmer.....	300 00	
		18,589 45
ADMINISTRATION OF JUSTICE.		
Additional salary to Mr. Justice McGuire as Judge of the Yukon Judicial District, at the rate of \$1,000 per annum from 16th August, 1897, to 30th June, 1898.....	873 97	
Additional amount for circuit allowances, British Columbia.....	2,000 00	
Additional amount for circuit allowances, Manitoba.....	500 00	
Mr. Justice Drake for services as Deputy Local Judge in Admiralty for District of British Columbia from 7th March, 1898, at \$1,000 per annum.....	320 54	
Salary of G. Neilson, Sheriff of Saskatchewan Judicial District, from 20th November, 1897, to 7th December, 1897.....	21 92	
Two District Court Judges, Ontario, one month's salary.....	333 33	
		4,049 76
PENITENTIARIES.		
<i>Balance required to meet expenses of Commissioners:—</i>		
Kingston.....	1,817 00	
St. Vincent de Paul.....	17,727 76	
Manitoba.....	2,402 55	
<i>British Columbia—</i>		
D. D. Bourke, difference in salary as Deputy Warden of Manitoba Penitentiary and that of British Columbia Penitentiary, from 5th Aug., 1895, to 1st April, 1896, notwithstanding anything in the Penitentiary Act.....	\$ 326 00	
Allowance for fuel for above period.....	50 00	
	376 00	
UNPROVIDED ITEMS, 1896-97.		
Amount required to cover unprovided items as per Auditor General's Report, 1896-97 (Page A-2).....		22,323 31
		38,018 61
LEGISLATION.		
<i>Senate.</i>		
Unforeseen expenses of Special Committees of the Senate during the present session of Parliament, printing debates and other contingencies..	5,000 00	
<i>House of Commons.</i>		
Additional amount for publishing debates.....	\$ 20,000 00	
Additional expenditure during recess for French Translation (including Experimental Farm Report, \$468, and Report of Dairy Commissioner, \$250).....	3,000 00	
Additional amount for sessional clerks, including two clerks for Whips' Rooms.....	3,568 00	
Additional amount for Committees:—Witnesses, shorthand writers, etc.....	1,000 00	
Additional amount for newspapers.....	300 00	
Sessional indemnity of the late F. Dupont.....	1,000 00	

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
LEGISLATION—Concluded.		
<i>House of Commons—Concluded.</i>		
To pay sessional indemnity and balance of travelling expenses of the late S. F. Perry, the amount to be paid as the Treasury Board may apportion and determine.....	\$ 1,105 80	
To pay balance of the sessional indemnity of the late Dalton McCarthy	975 00	
Leather trunks delivered since last session	1,298 00	
10 trunks for new members	220 00	
Sessional messengers	4,185 00	
Pages	974 00	
Allowance to restaurant steward at \$2.50 per day	312 50	
Servant's bathrooms, washrooms, etc	213 00	
Sessional charwomen	306 00	
Gas-man	32 50	
James Akister, deputy returning officer, general election in South Victoria, amount withheld by the returning officer	11 10	
Additional amount for sessional clerks and translators	488 00	
Additional for Committees	400 00	
Additional for Sessional messengers, pages, charwomen, etc..	693 00	
	40,081 90	
<i>Library of Parliament.</i>		
Pay of the following sessional messengers, during the session of 1898, viz. :—		
H. J. Meiklejohn, from 3rd February to 30th June, 148 days at \$2.50 per day	\$ 370 00	
Phileas Huot, from 7th February to 30th June, 144 days at \$2.50 per day	360 00	
	\$730 00	
John Smith, difference between \$1,000 and \$1,100 per annum, from 1st October, 1896, to 1st April, 1897.....	50 00	
	780 00	
		45,861 90
ARTS, AGRICULTURE AND STATISTICS.		
Further amount to pay outstanding accounts in connection with Territorial Exhibition held at Regina, 1894	4,000 00	
Further amount to promote the establishment and maintenance of creameries in the North-west Territories	10,000 00	
Gratuity equal to three months' salary to the widow of the late J. Kirkpatrick	100 00	
Experimental Farms	2,500 00	
Omaha Trans-Mississippi Exhibition	5,000 00	
W. H. Lynch, for 12,000 copies of "Scientific Dairying"	720 00	
		22,320 00
QUARANTINE.		
Gratuity to W. McK. McLeod, late Inspecting Physician at Sydney, N.S.	500 00	
Further amount for salaries and contingencies of organized districts, and public health in other districts	12,500 00	
Further amount for compensation for the slaughter of hogs and sheep, and all expenses connected therewith	12,000 00	
		25,000 00
IMMIGRATION.		
Further amount for the following services :—		
Salaries of agents and employees in Canada	5,000 00	
Salaries of agents in foreign countries	3,800 00	
Contingencies in Canadian, British and Foreign Agencies and general immigration expenses and for salaries of extra clerks at head office	60,000 00	
		68,800 00

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
MILITIA.	\$ cts.	\$ cts.
<i>(Chargeable to Income.)</i>		
Salary of Major Cartwright, A.A.G. at headquarters, from 15th February, 1898, to 30th June, 1898, at \$2,800	1,050 00	
Pay of Permanent Corps, Schools of Instruction, etc., further amount	25,000 00	
Salaries and wages of civil employees, Outside Service—Further amount	5,500 00	
Provisions and supplies for Permanent Corps—Further amount	10,000 00	
Supplies, transport and expenses of militia force sent to Yukon.....	100,000 00	
Transport—Further amount.....	10,000 00	
Dominion Cartridge Factory—Further amount for wages and general expenses.....	10,000 00	
		161,550 00
RAILWAYS AND CANALS.		
<i>(Chargeable to Capital.)</i>		
RAILWAYS.		
<i>Intercolonial.</i>		
Land claims and damages, and engineers and other charges in connection with Indiantown Branch.....	4,000 00	
Improvements to Dalhousie Wharf.....	3,600 00	
Increased accommodation at Moncton.....	40,000 00	
Replacing a wooden trestle by masonry culvert and solid embankment.....	2,450 00	
Dredging at deep water terminus at St. John.....	5,000 00	
To complete increased accommodation at Causapscah.....	250 00	
Snow plough for Cape Breton district.....	2,500 00	
To lengthen engine stalls and turntables.....	5,000 00	
Pictou Harbour Commissioners for a wharf, and costs in connection therewith, viz.:—		
Property purchased.....	\$2,500 00	
Costs.....	221 50	
		2,721 50
Stewart & Jones interest at 6 p.c. on \$38,915.37, amount of finding of commissioner <i>re</i> "Hard-pan claims," viz.: On \$38,055.37, from 7th January, 1893, date of finding, to 20th September, 1893, date of payment; and on \$860, from 7th January, 1893, date of finding, to 9th October, 1894, date of payment, amounting in all to	1,694 99	
		67,216 49
RAILWAYS AND CANALS.		
<i>(Chargeable to Income.)</i>		
RAILWAYS.		
<i>Crow's Nest Pass.</i>		
Salary and expenses of superintending engineer.....	\$ 2,500 00	
<i>Drummond County.</i>		
Salary and expenses of inspecting engineer.....	2,000 00	
CANALS.		
<i>Trent.</i>		
To complete work at Burleigh.....	\$ 1,400 00	
<i>Rideau.</i>		
J. K. Read, late lockmaster at Hogsback, for certain outbuildings and improvements to lockhouse done by him at his own expense.....	\$200 00	
To rebuild sill of lock No. 2 at Long Island.....	750 00	
To take down and rebuild upper wing wall at Burritts.....	30 00	
To repair bulkhead at Old Sly's.....	450 00	
To complete payment for land damages at Kingston Mills.....	350 00	
	1,780 00	
		3,180 00

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Concluded.	\$ cts.	\$ cts.
<i>(Chargeable to Income)</i> —Concluded.		
MISCELLANEOUS.		
Towards expenses of an exploratory survey to ascertain the most practical route for an all-Canadian railway from some point on an existing railway into the Yukon district	5,000 00	12,680 00
PUBLIC WORKS.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS.		
<i>Nova Scotia.</i>		
Halifax Dominion Building—Remodelling present system of electric lighting, overhauling gas pipes, etc.....	\$ 1,000 00	
Windsor Public Building—Reconstruction of building destroyed by fire on 17th Oct., 1897.....	15,000 00	
Windsor Drill Shed—Reconstruction of building destroyed by fire on 17th October, 1897.....	3,000 00	
	\$19,000 00	
<i>Quebec.</i>		
Rimouski—Post office and custom-house, etc., to complete	1,560 00	
<i>Ontario.</i>		
Toronto Inland Revenue Building—To pay Toronto city corporation the Dominion government's share of the cost of paving the lanes around this building with asphalt, as per agreement.....	\$ 534 29	
Toronto Post Office—Fitting up rented rooms at Grand Trunk Railway, Union Station.....	1,000 00	
Public Buildings, Ottawa—Scoria block pavement in tramway to boiler house, Parliament Building, etc.....	2,033 50	
	3,567 79	
<i>North-west Territories.</i>		
Prince Albert court house and jail accommodation—New works and repairs.....	\$ 6,900 00	
Regina Council Buildings, etc.—Refund to the Territorial Government amount expended for repairs, renewals, etc.....	855 69	
	7,755 69	
<i>Rents, Repairs, Furniture, Heating, etc.</i>		
Dominion Quarantine Buildings Maintenance—Partridge Island	\$ 4,265 00	
Public Buildings, Ottawa—Increased heating apparatus and gas fixtures, etc., Langevin Block	1,700 00	
Geo. Bailey, for locksmith's, tinsmith's, blacksmith's and brass founder and finisher's work in the Langevin Block, 1889 to 1896, inclusive of fittings, etc., supplied.....	1,560 00	

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
(Chargeable to Income)—Continued.		
PUBLIC BUILDINGS—Concluded.		
<i>Rents, Repairs, Furniture, Heating, etc.—Concluded</i>		
Public Buildings, Ottawa—Concluded.		
Repairs, materials, furniture, etc., urgent and unexpected amounts expended for works not provided for when estimates were prepared for fiscal year 1897-98, viz.:—		
Printing Bureau—Repairs to roof, etc.	\$ 727 00	
Supreme Court—Repairs to walls, ceilings, etc.	500 00	
Geological Museum—Fitting up rented building (Baskerville), partitions, tables, furnace, etc.	1,800 00	
French Translators' Offices, Sussex St.—Additional accommodation, etc.	300 00	
Secretary of State—Document cabinet files.	330 00	
Privy Council—Pigeon holes, double windows, etc.	825 00	
Langevin Block—Interior Department, partitions, furniture, double windows in attic, alterations, etc.	3,390 00	
Agriculture Department—Partitions, fitting large room with iron shelving for archives, leather covering for shelves, removal of models from Langevin Block to Slater's Block, Sparks St., etc., fitting up post office in messenger's room	3,380 00	
Customs Department—Combination cabinet files, etc.	250 00	
Post Office Department—Furniture, etc., steel netting and iron shelving in the treasury vaults for storing supply of postage stamps, etc.	950 00	
Langevin Block—Fire escape in the attic.	600 00	
Eastern Block—Linoleum in the passages	886 79	
Summer House—Repairing and painting, etc.	600 00	
Marine Department—Fitting up rooms over Molsens Bank.	100 00	
Inland Revenue Department—Alterations in electric testing room.	100 00	
Additional amounts for replacing furniture destroyed and repairing damages by fire of the 11th February, 1897, of the various departments of the Western Block, viz.:—		
Customs Department.	950 00	
Marine and Fisheries Department.	1,040 00	
Trade and Commerce Department.	350 00	
North-west Mounted Police Rooms.	800 00	
Public Works Department.	800 00	
Militia and Defence Department.	2,340 00	
Sundry urgent works in various Departments in May and June	2,750 00	
Dominion Public Buildings—Electric and other power used for running elevators, stamp cancelling machines, etc.	1,500 00	
	\$ 32,793 79	
		64,617 27

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Concluded.		
<i>(Chargeable to Income)—Concluded.</i>		
HARBOURS AND RIVERS.		
<i>Nova Scotia.</i>		
Grand Etang (Inverness Co.) for work done	\$ 1,000 00	
Georgeville—Extension of wharf, additional amount for work done	70 00	
Yarmouth Harbour—Repairs to breakwater	234 51	
Meteghan — Breakwater repairs, additional amount for work done	42 00	
	\$ 1,976 51	
<i>New Brunswick.</i>		
St. John Harbour—Hydrographic Survey, additional amount for disbursements in 1897-98	178 72	
<i>Quebec.</i>		
Coteau Landing—Dredging	11,000 00	
<i>Ontario.</i>		
Kingston Harbour—Dredging	6,000 00	
<i>British Columbia.</i>		
Stikine River and other rivers in the Yukon—Examination, improvements, etc.	14,000 00	
	33,155 23	
DREDGING.		
Nova Scotia, Prince Edward Island and New Brunswick	\$ 8,000 00	
Quebec and Ontario	3,000 00	
	11,000 00	
ROADS AND BRIDGES.		
Bow River Bridge at Banff, repairs	2,500 00	
TELEGRAPH LINES.		
Telegraph line between Margaree and Cheticamp—Re-poling	1,228 00	
MISCELLANEOUS.		
W. C. Harris, Architect, professional services 1887 to 1894, in connection with the construction and maintenance of public buildings, harbour works, etc., in Prince Edward Island	\$ 142 05	
Widow of the late William Comper, a gratuity equal to three months of his salary as caretaker of the Public Buildings at St. Johns. P. Q.	37 50	
Widow of the late D. McFarlane, Deputy Slide-master at the Chats Station on the Ottawa River, a gratuity equal to three months of his salary	140 00	
Widow of the late William Byrne, messenger at the Dominion Building, Charlottetown, a gratuity equal to three months of his salary	112 50	
	432 05	
		112,932 55

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.		
	\$ cts.	\$ cts.
Line of steamers to run between St. John, Halifax and London	25,000 00	
Line of steamers to run during the winter season of 1897-98, between St. John and London, Liverpool or Manchester	15,000 00	
Steam service between Halifax, St. John's, Newfoundland, and Liverpool, in the year ended 30th June, 1897.	15,000 00	
Steam and mail service between Liverpool and Canada. One extra trip in July, 1897.	1,216 67	
		56,216 67
OCEAN AND RIVER SERVICE.		
Repairs to steamer "Stanley"	5,000 00	
Department of Printing and Stationery for Registration Books to replace those destroyed by the fire	436 40	
Further amount for Seal Island Life-boat Station, and to reimburse the British Government for gratuities for services rendered Canadian seamen	600 00	
Further amount for winter mail service	2,800 00	
Further amount for Tidal Service	500 00	
		9,336 40
SCIENTIFIC INSTITUTIONS.		
Purchase money for land for the new observatory near Toronto	400 00	
Additional amount to pay salaries of officers of Meteorological Service	500 00	
		900 00
FISHERIES.		
Repairs to Fishery Protection Service steamers	10,000 00	
Customs and other officers, for services in compiling and forwarding daily reports in connection with the Fisheries Intelligence Bureau for season 1897, viz.: \$15 each to J. P. Brennan, C. P. Lelacheur, E. G. Randall, T. C. Cook, J. M. Veits, R. McLean, Chas. Owen, J. C. Bourinot, J. H. Dunlop, J. R. Ruggles, P. O'Toole, L. McKeen, J. M. McNutt, M. A. Dunn, Geo. Rowlings, A. G. Hamilton, P. T. Fougere, E. D. Tremaine, J. W. Taylor, E. E. Letson, D. Murray, J. A. D'Entrement, R. H. Bolman, W. S. Henley, D. McCaulay, D. Urquhart; \$10 to C. E. Aucoin, and \$5 each to S. Aucoin and J. Clarke.	410 00	
Collectors of customs for services in connection with issuing of fishing licenses to United States vessels during 1897	244 57	
Compensation to parents of Weldon Outhouse, one of the crew of the cruiser "Curlew," drowned while on duty, 12 months' pay	180 00	
Balance of legal expenses of Fisheries Reference Appeal to Privy Council	5,608 38	
Further amount for Behring Sea Claims Commission	20,000 00	
		36,442 95
DEPARTMENT OF INDIAN AFFAIRS.		
ONTARIO AND QUEBEC.		
Repayment to the Seminary of St. Sulpice, the value, at 50 cents an acre, of 21,209 acres of land not used for Indian occupation in the Township of Gibson, Ontario, with interest from 26th January, 1892, to 30th June, 1898.	\$14,696 05	
To restore to the account for the payment of Robinson Treaty annuities the amount at 5 per cent overdrawn, viz.:—		
Ojibbewas of Lake Huron	\$826 46	
do Lake Superior	576 68	
	1,403 14	
Cooking ranges and desks for the Shingwauk Home	330 20	
Additional amount for relief and seed grain, Province of Quebec	1,000 00	
		17,429 39

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
DEPARTMENT OF INDIAN AFFAIRS—Concluded.		
NOVA SCOTIA.		
Additional amount for medical attendance and medicines... \$ 1,000 00		
Fence between the Indian Reserve, County of Antigonish, and the lands of D. Chisholm..... 100 00		
	1,100 00	
NEW BRUNSWICK.		
Additional amount for medical attendance and medicines.....	500 00	
PRINCE EDWARD ISLAND.		
Further sum for medical attendance.....	300 00	
MANITOBA AND THE NORTH-WEST TERRITORIES.		
Salary of J. H. Antliff, D.L.S., from 1st July to 30th September, 1897..... \$ 300 00		
Additional amount for destitute Indians..... 6,000 00		
Additional amount for surveys..... 1,600 00		
	7,900 00	
GENERAL.		
Additional amount for the travelling expenses of Inspectors Macrae and Chitty.....	500 00	
		27,729 39
GOVERNMENT OF THE NORTH-WEST TERRITORIES.		
Further amount for expenses connected with the Lieutenant Governor's office.....	750 00	
Further amount for insane patients in Manitoba asylums.....	6,000 00	
		6,750 00
GOVERNMENT OF THE YUKON PROVISIONAL DISTRICT.		
Salaries and expenses connected with the administration of the District, including \$5,000 for the purpose of paying a gratuity to William Ogilvie, D.L.S., in recognition of his distinguished public services in connection with the survey and exploration of the District.....	50,000 00	
To maintain a force of mounted police in the District.....	500,000 00	
		550,000 00
DOMINION LANDS.		
<i>(Chargeable to Capital.)</i>		
Further amount for surveys, examination of survey returns, printing of plans, etc.....	40,000 00	
Gratuity to the late J. I. Dufresne.....	250 00	
		40,250 00
DOMINION LANDS.		
<i>(Chargeable to Income.)</i>		
Further amount for salaries of extra clerks at Ottawa, advertising, etc....	700 00	
Further amount for salaries of clerks, etc., in the outside service.....	3,200 00	
		3,900 00
MISCELLANEOUS.		
Fencing, etc., in the Rocky Mountains Park of Canada.....	2,500 00	
Expenses in connection with the settlement of land claims in the Island Railway Belt, etc., British Columbia.....	1,150 00	
To recoup the North-west Mounted Police for assistance to destitute half-breeds during the years 1896-97 and 1897-98.....	500 00	

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
MISCELLANEOUS—Concluded.		
	\$ cts.	\$ cts.
Expenses of commission in Crow's Nest Pass Railway inquiry	6,500 00	
Further amount for the expenses of government in the District of Keewatin	856 00	
Payments in connection with the expropriation of part of the S.W. 2-26-4 W. of 2nd Meridian, required by the Manitoba and North-western Railway Company for right of way purposes	500 00	
Expenses in connection with the enforcement of the Alien Labour Law in Manitoba and the North-west Territories	2,000 00	
Payment of balance of account <i>re</i> well-augers, for use in the North-west Territories	36 80	
Classification of old records in the office of the Privy Council, to be paid notwithstanding anything in the Civil Service Act	1,000 00	
O'Connor & Hogg, legal expenses in the case of Woodburn <i>v.</i> The Queen..	300 00	
Additional amount to meet expenses of the Canadian International Deep Waterways Commission	959 49	
Further amount for expenses in connection with the Quebec Landslide Commission, and the payment of claims thereunder, 1897	187 45	
Legal expenses <i>re</i> Belgian and German Treaties	3,569 61	
To assist in publication of Vol. V., "Cases on the British North America Act," by J. R. Cartwright	250 00	
Contribution for Canadian Law Library, London, England	250 00	
Expenses of Chief Justice Strong in connection with sittings of Judicial Committee of Privy Council	1,000 00	
Towards the relief of the sufferers by the forest fires in the Counties of Prescott and Russell during the summer of 1897	10,000 00	
Balances due to the <i>Hansard</i> reporters who reported the evidence given before the Royal Commission on the Liquor Traffic, and also to pay Messrs. Horton and Owens for their services during the time they acted as secretaries to the Commission, as follows:—		
Mrs. Richardson, widow of late T. J. Richardson	\$ 349 55	
S. A. Abbott	396 15	
A. Horton	483 45	
T. P. Owens	465 15	
E. J. Duggan	87 00	
J. O. Marceau	3 30	
A. Desjardins	5 95	
	1,790 55	
Further amount for Hudson Bay Expedition, printing report, etc.	4,000 00	
J. C. Roland, wharfinger at Sault Ste. Marie, balance of salary for 1896 ..	291 66	
Expenses of investigation in connection with the pilotage matters in the District of Montreal	2,500 00	
		40,141 56
COLLECTION OF REVENUE.		
CUSTOMS.		
Board of Customs laboratory	\$ 500 00	
Customs service in Yukon District	6,000 00	
Miscellaneous—Further amount for printing	5,000 00	
Repairs to the government steamer "Argus," at Halifax, N.S	1,100 00	
		12,600 00
EXCISE.		
Further amount for contingencies	\$ 4,500 00	
Further amount for preventive service	3,000 00	
		7,500 00
CULLING TIMBER.		
Further amount for salaries	\$ 620 00	
To enable the department to pay Geo. Bellerive the same salary as other clerks in the Cullers' office, Quebec, from 1st Jan. to 30th June, 1896	125 00	
Further amount for contingencies	600 00	
		1,345 00

SCHEDULE A—Concluded.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
COLLECTION OF REVENUE—Concluded.		
WEIGHTS AND MEASURES.		
Further amount for contingencies.....	\$ 6,000 00	
Specimen sets of metric weights and measures for educational purposes.....	200 00	
	6,200 00	
MINOR REVENUES.		
Printing of law stamps.....	500 00	
RAILWAYS AND CANALS.		
<i>Railways.</i>		
Intercolonial—Estate of A. Kirk, for damages by fire.....	\$ 689 37	
<i>Canals.</i>		
Culbute—To repair drawbridge over the locks.....	100 00	
Lachine—Repairs.....	5,000 00	
Beauharnois—Contingencies and repairs.....	4,700 00	
Williamsburg—Gratuity, equal to three months' salary as collector of canal tolls, to George Reid, late collector, whose services were dispensed with.....	187 50	
Cornwall—Three months' salary as a retiring allowance to ex-superintendent A. P. Ross, the office having been abolished.....	350 00	
General expenses of investigations on government railways and canals.....	2,500 00	
	13,526 87	
PUBLIC WORKS.		
Land and cable telegraph lines of the sea coast and islands of the Lower River and Gulf of St. Lawrence and Maritime Provinces, including cost of working steamer "Newfield" or other vessels when employed on cable service.....	2,000 00	
POST OFFICE.		
To provide for the permanent appointment of C. J. Hollister, who, from the 1st January, 1895, served as a temporary railway mail clerk in the London District, at his present salary of \$480 a year, from the 1st of April, 1898, notwithstanding anything in the Civil Service Act.....	\$ 120 00	
Compensation to B. F. Shepheard, 3rd Class Clerk in the Victoria Post Office, for special services rendered by him, and injury to clothing in attending to the fumigation of the mails entering the port at Victoria, B.C., notwithstanding anything in the Civil Service Act.....	100 00	
Mileage allowance to F. W. Blizzard, a railway mail clerk in the New Brunswick District, from 13th September, 1897, to 30th June, 1898, who was granted leave of absence with pay on account of injury received while on duty, which amount is based upon Mr. Blizzard's average mileage allowance of \$53.42 per month.....	512 00	
	732 00	44,403 87
Total.....		1,425,412 91

SCHEDULE B.

SUMS granted to Her Majesty by this Act for the Financial Year ending 30th June, 1899, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
CHARGES OF MANAGEMENT.		
Office of the Assistant Receiver General, Toronto.....	7,000 00	
do do Montreal.....	5,600 00	
do do Halifax.....	8,000 00	
do do St. John.....	6,400 00	
do do Winnipeg.....	5,400 00	
do do Victoria.....	3,900 00	
do do Charlottetown.....	4,200 00	
Country Savings Banks, New Brunswick and Nova Scotia—		
Salaries.....	5,850 00	
Contingencies.....	1,500 00	
Commission for payment of interest on Public Debt, purchase of Sinking Funds and transfer of stock.....	34,193 80	
Brokerage on purchase for Sinking Fund.....	5,800 00	
English bill stamps, postage, telegrams, etc.....	5,000 00	
Expenses in connection with the issue and redemption of Dominion notes.....	5,000 00	
Printing Dominion notes.....	40,000 00	
Printing, advertising, inspection, expressage and miscellaneous charges, including commutation of stamp duty.....	15,000 00	
		152,848 80
CIVIL GOVERNMENT.		
<i>Governor General's Secretary's Office</i>	\$ 11,450 00	
<i>Queen's Privy Council Office</i>	29,750 00	
Henry Potter, messenger, notwithstanding anything in the Civil Service Act.....	360 00	
<i>Department of Justice</i> .—Including allowance to the private secretary to the Solicitor General, notwithstanding anything in the Civil Service Act.....	25,160 00	
Penitentiary Branch.....	3,150 00	
To increase salary of G. R. Cleland, messenger, to \$400 per annum.....	100 00	
<i>Department of Militia and Defence</i> .—Including \$2,400 to J. W. Borden, \$2,800 to Lt.-Col. D. A. Macdonald and \$1,400 to provide for the promotion of Lt.-Col. Guy, notwithstanding anything in the Civil Service Act.....	41,200 00	
One 1st Class Clerk, F. X. Lambert, left out of main estimates.....	1,800 00	
One messenger, A. E. Watterson.....	360 00	
<i>Department of the Secretary of State</i>	36,500 00	
<i>Department of Public Printing and Stationery</i>	27,800 00	
To increase salary of J. O. Patenaude, 3rd Class Clerk, notwithstanding anything in the Civil Service Act.....	150 00	
P. Mungovan, for four months, at the rate of \$400 per annum, notwithstanding anything in the Civil Service Act.....	133 33	
<i>Department of the Interior</i>	104,824 00	
<i>Office of the Controller of the North-west Mounted Police</i>	10,350 00	
<i>Department of Indian Affairs</i>	45,070 00	
<i>Office of the Auditor General</i>	26,750 00	
Additional amount for expenses of examining accounts of returning officers under the Plebiscite Bill, including \$650 to be paid to D. McLennan, a graduate of Toronto University, notwithstanding the provisions of the Civil Service Act under which he is entitled to receive only \$430.....	1,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
CIVIL GOVERNMENT—Continued.		
	\$ cts.	\$ cts.
<i>Department of Finance</i>	\$ 50,840 00	
<i>Department of Customs</i>	37,000 00	
<i>Department of Inland Revenue</i>	37,000 00	
Statutory increases, 1 clerk, \$25, 2 messengers, \$30 each...	85 00	
<i>Department of Agriculture</i>	48,422 50	
<i>Department of Marine and Fisheries</i>	55,830 00	
Amount short estimated for the salary of J. F. Fraser....	25 00	
Salaries of W. J. Quinn and Lucien Bance, extra clerks, \$600 each, notwithstanding anything in the Civil Service Act.....	1,200 00	
<i>Department of Public Works</i>	45,550 00	
<i>Department of Railways and Canals</i>	39,680 00	
<i>Department of the Geological Survey</i>	51,950 00	
Increases of \$50 each for Messrs. Ami, Fletcher and Eills, \$250 to R. G. McConnell, and \$200 to A. P. Low, technical officers of Geological Survey.....	600 00	
Increase in the salary of James White, geographer, not- withstanding anything in the Civil Service Act.....	100 00	
<i>Department of Trade and Commerce</i> .—Including \$1,550 for the salary of J. P. Nutting, notwithstanding anything in the Civil Service Act.....	8,780 00	
<i>Post Office Department</i>	197,160 00	
Amount required to pay those officers of the Savings Bank Branch engaged in the balancing of and computing interest on depositors' accounts, to 30th June, 1898.....	2,950 00	
Increase of \$50 each, to two Chief Clerks, E. P. Stanton and W. J. Johnstone.....	100 00	
Increase of \$50 each, to eight 3rd Class Clerks.....	400 00	
<i>Office of the High Commissioner for Canada in London</i> .— Including \$1,700 to C. F. Just, notwithstanding anything in the Civil Service Act.....	9,300 00	
Contingencies, rent and insurance on office, income tax, fuel, light, stationery, etc., and the amount (\$2,000) required towards the contingent expenses (water, light, fuel, car- riage hire and railway fare) of the High Commissioner, and \$1,200 for contingencies (rates, taxes, insurance, ground rent, etc.) of the official residence, including the income tax on the High Commissioner's salary.....	11,700 00	
To provide a salary of \$3,300 for J. G. Colmer.....	300 00	
Salaries of Examiners and other expenses under the Civil Ser- vice Act, including \$250 for the secretary, and \$100 for a clerk, which sums may be paid to members of the Civil Service, notwithstanding anything in the Civil Service Act.....	2,275 00	
<i>Contingencies.</i>		967,494 83
<i>Governor General's Secretary's Office</i> —		
Clerical and other assistance.....	\$ 1,100 00	
Printing and stationery.....	1,200 00	
Sundries.....	11,200 00	
	\$ 13,500 00	
<i>Queen's Privy Council for Canada</i> —		
Clerical and other assistance.....	\$ 1,500 00	
Further amount, notwithstanding any- thing in the Civil Service Act.....	1,000 00	
Printing and stationery.....	3,000 00	
Sundries.....	3,000 00	
	8,500 00	
<i>Department of Justice</i> —		
Clerical and other assistance.....	\$ 1,900 00	
Printing and stationery.....	4,000 00	
Sundries.....	3,700 00	
	9,600 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
CIVIL GOVERNMENT—Continued.		
<i>Contingencies—Continued.</i>		
Department of Militia and Defence—		
Clerical and other assistance.....	\$ 1,500 00	
Printing and stationery.....	2,600 00	
Sundries.....	3,000 00	
	\$ 7,100 00	
Department of the Secretary of State—		
Clerical and other assistance.....	\$ 1,900 00	
Further amount.....	250 00	
Printing and stationery.....	2,000 00	
Sundries.....	1,600 00	
	5,750 00	
Department of Printing and Stationery—		
Clerical and other assistance.....	\$ 2,000 00	
Printing and stationery.....	1,200 00	
Sundries.....	1,800 00	
	5,000 00	
Department of the Interior—		
Clerical and other assistance, including \$700 for J. A. Bollard and \$395 for T. W. Hodgins, notwithstanding anything in the Civil Service Act.....	\$ 2,895 00	
Further amount for clerical assistance, etc	330 00	
Printing and stationery.....	8,500 00	
Sundries.....	7,000 00	
	18,725 00	
Department of Indian Affairs—		
Clerical and other assistance.....	\$ 2,040 00	
Extra clerical assistance.....	1,000 00	
Printing and stationery.....	3,050 00	
Sundries.....	3,000 00	
	9,090 00	
Office of the Auditor General—		
Clerical and other assistance.....	\$ 2,000 00	
Printing and stationery.....	1,250 00	
Sundries.....	450 00	
	3,700 00	
Department of Finance and Treasury Board—		
Clerical and other assistance.....	\$ 1,630 00	
Printing and stationery.....	2,460 00	
Sundries.....	2,710 00	
	6,800 00	
Department of Customs—		
Clerical and other assistance.....	\$ 2,320 00	
Further amount, notwithstanding any- thing in the Civil Service Act.....	1,750 00	
Printing and stationery.....	2,000 00	
Sundries.....	2,730 00	
	8,800 00	
Department of Inland Revenue—		
Clerical and other assistance.....	\$ 1,250 00	
Printing and stationery.....	2,000 00	
Sundries.....	3,000 00	
	6,250 00	
Department of Public Works—		
Printing and stationery.....	\$ 3,800 00	
Sundries.....	3,200 00	
	7,000 00	
Post Office Department—		
Clerical and other assistance.....	\$ 23,855 00	
Printing and stationery.....	15,500 00	
Further amount.....	3,000 00	
Sundries.....	3,500 00	
	45,855 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
CIVIL GOVERNMENT—Continued.		
<i>Contingencies—Concluded.</i>		
Department of Agriculture—		
Clerical and other assistance, including \$600 each to C. Thompson and John T. Farmer, and \$400 to John Leafloor, notwithstanding anything in the Civil Service Act....	\$ 10,000 00	
Printing and stationery	3,250 00	
Sundries	3,250 00	
	\$ 16,500 00	
Department of Marine and Fisheries—		
Clerical and other assistance.....	\$ 3,000 00	
Printing and stationery	6,000 00	
Sundries	2,000 00	
	11,000 00	
Department of Railways and Canals—		
Printing and stationery.....	\$ 5,500 00	
Sundries.....	2,500 00	
	8,000 00	
Department of Trade and Commerce—		
Sundries, including clerical and other assistance.....	\$ 4,700 00	
Printing and stationery.....	1,500 00	
Clerical assistance, additional to W. A. Warne, \$140, and Miss A. C. Kennedy, \$70, notwithstanding anything in the Civil Service Act.....	210 00	
	6,410 00	
Sundry Departments—		
To provide for the payment for the year 1897-98, notwithstanding anything in the Civil Service Act, of an additional salary of \$300 each to such private secretaries as are in receipt of no higher salary than \$1,200, viz.: the private secretaries of the Ministers of the departments of Finance, Inland Revenue, Customs, Interior, Marine and Fisheries, Post Office and Secretary of State.....	2,100 00	
Care and cleaning of departmental buildings, including amount of \$100 required to pay for firing noon gun, which amount may be paid to a member of the Civil Service, notwithstanding anything in the Civil Service Act.....	27,000 00	
Printing Bureau, cleaning, etc.....	1,750 00	
	228,430 00	
ADMINISTRATION OF JUSTICE.		
MISCELLANEOUS.		
Miscellaneous expenditure, including North-west Territories..	\$ 37,000 00	
Salary of three Judges, Circuit Court of Montreal, at \$3,000.	9,000 00	
Travelling expenses of Judges in the North-west Territories..	3,000 00	
Circuit allowances, British Columbia.....	13,000 00	
Travelling allowances, Court of Queen's Bench and County Court Judges, Manitoba	2,500 00	
Circuit allowances to Judges <i>ad hoc</i>	200 00	
Travelling expenses of Judges holding weekly sittings of High Court of Justice at London and Ottawa	1,500 00	
Expenditure under R.S.C., c. 181	700 00	
Additional salary to Mr. Justice McGuire as Judge of the Yukon Judicial District	126 03	
Judges' travelling expenses, Yukon District.....	1,060 00	
	68,026 03	
SUPREME COURT OF CANADA.		
The Reporter	\$ 1,850 00	
Assistant Reporter, 1st Class Clerk	1,450 00	

1,195,924 83

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
ADMINISTRATION OF JUSTICE—Concluded.		
SUPREME COURT OF CANADA—Concluded.		
Clerk in the office of the Registrar, 2nd Class Clerk.....	\$ 1,150 00	
Second Clerk do do 3rd do	750 00	
Librarian	1,150 00	
3rd Class Clerk	900 00	
Caretaker.....	700 00	
3 Messengers, at \$500 each	1,500 00	
Contingencies and disbursements, salaries of officers (Sheriff, Registrar as editor and publisher of Reports, usher, etc.), balance for printing catalogue and books for Judges, not exceeding \$300	4,000 00	
Printing, binding and distributing Supreme Court Reports..	3,500 00	
Law books and works of reference for the Supreme Court Library.....	4,000 00	
	20,950 00	
EXCHEQUER COURT OF CANADA.		
1st Class Clerk.....	\$ 1,500 00	
3rd do	1,000 00	
3rd do	550 00	
Messenger.....	450 00	
Contingencies, Judge's and Registrar's travelling expenses, salaries of Sheriffs, printing, stationery, etc., and \$50 for Judge's books	4,000 00	
Printing, binding and distributing Exchequer Court Reports Additional to Registrar as editor and publisher of Reports..	800 00	
L. A. Audette, increase of salary from 1st July, 1898, to 30th June, 1899, as authorized heretofore.....	275 00	
Charles Morse for furnishing reports of Exchequer Court decisions to legal periodicals, notwithstanding anything in the Civil Service Act	50 00	
Salary of Registrar in Admiralty, Quebec.....	666 66	
do Marshal do do	333 34	
Accommodation when necessary for Exchequer Court in Admiralty.....	300 00	
Travelling allowance for Local Judges and other officers.....	300 00	
	10,525 00	
		99,501 03
DOMINION POLICE.		
Dominion Police.....	22,000 00	
To purchase cameras and signaling instruments for the purpose of introducing in the five penitentiaries the Bertillon System for Identification of Criminals and fitting up a Central Bureau at Ottawa under the supervision of the Commissioner of Dominion Police for recording and distributing the information obtained.....	1,000 00	
		23,000 00
PENITENTIARIES.		
General expenses.....	3,400 00	
Kingston	167,000 00	
St. Vincent de Paul.....	96,200 00	
Dorchester.....	48,700 00	
Manitoba	40,400 00	
British Columbia	45,700 00	
Regina Jail	9,800 00	
Prince Albert Jail.....	6,000 00	
Surgeon of Kingston Penitentiary for services as medical superintendent of insane ward, notwithstanding anything in the Penitentiary Act..	300 00	
		417,500 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
LEGISLATION.		
<i>Senate.</i>		
Salaries and contingent expenses of the Senate.....	63,338 00	
<i>House of Commons.</i>		
Salary of the Deputy Speaker	\$ 2,000 00	
Salaries	70,000 00	
Expenses of Committees, Sessional and extra clerks, etc....	14,200 00	
Contingencies, including \$300 for clerical assistance for the Leader of the Opposition.....	17,400 00	
Publishing Debates.....	40,000 00	
Estimate of Serjeant-at-Arms	33,862 50	
Contingent expenses in connection with the Voters' Lists....	2,500 00	
George F. Bruce, returning officer, and Messrs. Kerr, Mac- donald, Davidson & Paterson, solicitors, Toronto, for costs and expenses in connection with litigation arising out of a partial election for the House of Commons, held in the North Riding of the County of Ontario, on the 4th February, 1897.....	204 14	
French translation during recess of 1898-99.....	2,500 00	
Additional amount for newspapers.....	300 00	
One additional charwoman (Mrs. Barrett).....	75 00	
	183,041 64	
<i>Library of Parliament.</i>		
Salaries of the Officers of the Library	\$ 16,650 00	
Books for the General Library, including binding, etc.....	12,000 00	
do Library of American History.....	1,000 00	
Contingencies	2,600 00	
	32,250 00	
<i>General.</i>		
Printing, binding and distributing the laws	\$ 6,000 00	
Printing, printing paper and binding.....	85,000 00	
	91,000 00	
<i>Prohibition Plebiscite.</i>		
Expense of the plebiscite on the question of prohibiting the liquor traffic, including procuring and printing electoral lists.....	250,000 00	
		619,629 64
ARTS, AGRICULTURE AND STATISTICS.		
Archives	8,000 00	
Patent Record.....	9,000 00	
Collection and compilation of Criminal Statistics (R.S.C., c. 60)	1,800 00	
Statistical Year-Book	4,000 00	
General Statistics.....	3,200 00	
Aid to Agricultural Societies, N. W. Territories	7,000 00	
Paris Exhibition (Towards preparation for).....	20,000 00	
Experimental Farms.....	75,000 00	
Printing and Distribution of Reports and Bulletins of Farms	4,000 00	
Dairying Service.....	30,000 00	
To promote the establishment and maintenance of Creameries in the North-west Territories.....	5,000 00	
To promote Dairying interests by advances for milk and cream, and for making butter and cheese, to be recouped out of the proceeds of sales of such butter and cheese, to be placed to the credit of the Consoli- dated Revenue Fund.....	80,000 00	
Cold Storage on Steamships, on Railways, at Warehouses, and at Cream- eries, and for expenses in connection with trial shipments of products, and for securing recognition of the quality of the same outside of Canada.....	85,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
ARTS, AGRICULTURE AND STATISTICS—Concluded.		
A dwelling at the dairy station, Nappan, N.S.	1,200 00	
For classifying all Canadian patents and preparing drawings of same for classification, and for exchange with the United States in return for their patents, to be paid notwithstanding anything in the Civil Service Act.	5,000 00	
Further amount for the Trans-Mississippi Exhibition at Omaha.	3,000 00	
Dr. Wm. Kingsford, for historical researches.	1,000 00	
		342,200 00
QUARANTINE.		
Salaries and Contingencies of Organized Districts and Public Health in other Districts.	50,000 00	
Tracadie Lazaretto.	5,000 00	
Winnipeg and St. Boniface Hospitals.	4,000 00	
Cattle Quarantine.	30,000 00	
Compensation for slaughter of hogs and sheep, and all other expenses connected therewith.	10,000 00	
Towards the prevention of the spread of tuberculosis in cattle throughout the Dominion.	15,000 00	
Further amount for organized districts, and public health in other districts.	5,000 00	
		119,000 00
IMMIGRATION.		
Salaries of Agents and Employees in Canada.	40,000 00	
Salaries of Agents and Employees in Great Britain.	20,000 00	
Salaries of Agents in Foreign Countries.	22,000 00	
Women's National Immigration Society.	1,000 00	
Contingencies in Canadian, British and Foreign Agencies, and General Immigration expenses, and for salaries of extra clerks at Head Office.	117,000 00	
Further amount for the following services:—		
Salaries of Agents and Employees in Canada.	5,000 00	
Salaries in Foreign Countries.	3,500 00	
Contingencies and General Immigration Expenses.	50,000 00	
		258,500 00
PENSIONS.		
Annuity to:—		
Mrs. Delaney.	400 00	
Mrs. Gowanlock.	400 00	
Miss Harriet Fraser.	250 00	
Mr. Roderick Fraser.	150 00	
On account of Fenian raid.	2,892 00	
Probable amount required for pensioners of the War of 1812.	90 00	
Compensation to pensioners in lieu of land.	214 06	
Militiamen, on account of the Rebellion of 1885, and active service generally Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885.	20,000 00	
Mrs. Colebrooke and child.	2,920 66	
	219 00	
		27,535 72
SUPERANNUATION.		
Extra allowance to Mr. Wallace, ex-postmaster at Victoria, B.C.		240 00
MILITIA.		
<i>(Chargeable to Capital.)</i>		
Arms, ammunition, etc.	231,600 00	
Arms and accoutrements.	50,000 00	
		281,600 00

SCHEDULE B—Continued

SERVICE.	Amount.	Total.
MILITIA.	\$ cts.	\$ cts.
<i>(Chargeable to Income.)</i>		
Pay and allowances, etc.....	335,600 00	
Annual drill.....	300,000 00	
Salaries and wages of civil employees.....	60,000 00	
Military properties.....	100,000 00	
Warlike stores.....	39,000 00	
Clothing and necessaries.....	150,000 00	
Provisions and supplies.....	110,000 00	
Transport and freight.....	30,000 00	
Rifle association grants.....	37,000 00	
Miscellaneous and unforeseen expenses.....	15,000 00	
Royal Military College.....	55,000 00	
Dominion Cartridge Factory.....	65,000 00	
Defence of Esquimalt, etc.....	76,500 00	
Gratuities to officers.....	15,000 00	
Claim of Thos. B. Winnett.....	71 50	
Land purchased for Chrysler's Farm monument.....	200 00	
New rifle range at Hamilton.....	5,000 00	
New rifle range at Victoria.....	6,000 00	
Maintenance and repairs of military properties.....	10,000 00	
Repairs to walls at Quebec and Kingston.....	10,000 00	
25 acres of land at London, Ont., for a training and camping ground.....	25,000 00	
Medals for militiamen serving during Penian raids of 1866 and 1870.....	5,000 00	
Gratuities to the following:—		
On account of error in length of service when calculating gratuity last year, viz:—		
Prof. R. C. Harris, R.M.C.....	\$ 45 00	
Prof. A. D. Duval.....	28 80	
Lt.-Col. C. T. Irwin, A.A.G.A.....	652 00	
Major J. Fraser, Supt. of Stores at Winnipeg.....	1,127 00	
Lt.-Col. d'Orsennens, D.A.G. at St. Johns, P.Q.....	1,347 90	
	3,200 70	
Children of the late Lt.-Col. Prevost, Superintendent of Cartridge Factory.....	333 33	
Joseph Larose, shot at Côte St. Luc.....	1,000 00	
Loronzo McCarroll, for loss of eyesight while on duty as a marker.....	500 00	
Widow and children of Jaa. Cosman, accidentally killed by shot fired by Yarmouth Garrison Artillery.....	500 00	
Lt.-Col. P. B. Worsley, D.A.G. at Halifax.....	3,799 00	
Thos. Moor, sr., for loss of his son, killed at Batoche in 1885.....	1,500 00	
Lt.-Col. John Gray, Inspector of Stores, 9 years' and 2 months' service.....	1,436 75	
Mrs. Thos. Christian, for loss of her husband, shot at drill shed, Ottawa.....	500 00	
Outstanding liabilities incurred by Dominion Rifle Association in connection with the erection of a building at Bisley, England.....	5,000 00	
Further grant to Dominion Artillery Association, \$2,000 of which is to provide for entertainment of visiting English team.....	4,100 00	
Alteration of ten million rounds of defective .303 inch ammunition, purchased from the War Office, this sum to be refunded by the Imperial Government.....	15,000 00	
Expenses of calling out the militia in aid of the civil power in October, 1897, fire at Windsor, N.S.....	500 00	
Yukon Contingent, transport, supplies and 14 months' pay.....	140,000 00	
		1,626,741 28

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS.		
(<i>Chargeable to Capital.</i>)		
RAILWAYS.		
<i>Canadian Pacific.</i>		
Balance for work under award.....	\$ 8,600 00	
Land damages, etc.....	2,000 00	
	\$ 10,600 00	
<i>Intercolonial.</i>		
Increased accommodation at Halifax.....	\$ 135,000 00	
Land damages, Oxford and New Glasgow and Cape Breton Divisions	2,000 00	
Original construction.....	2,000 00	
Extension to deep water at North Sydney.....	30,100 00	
Increased accommodation at Moncton.....	20,000 00	
To increase strength of iron bridges.....	50,000 00	
Passenger and freight shed at Richmond.....	1,500 00	
To build snow fences on Oxford and New Glas- gow and Cape Breton Divisions.....	6,000 00	
To dredge at Pictou Landing wharf.....	3,000 00	
To dredge at Pictou wharf.....	1,000 00	
To improve accommodation at Mulgrave.....	1,000 00	
Electric light apparatus for steamer "Mulgrave" Increased station and other accommodation at various points	3,000 00 6,000 00	
Rolling stock fittings, freight cars.....	20,000 00	
Rolling stock.....	600,000 00	
To provide increased accommodation at St. John, N.B.....	250,000 00	
To build an elevator at St. John.....	75,000 00	
To build an elevator at Halifax.....	75,000 00	
To build bridge over the rock-cut north of Elm Tree River	900 00	
To provide a station-house and siding at Hum- phreys.....	2,000 00	
Increased accommodation at Lévis.....	48,500 00	
	1,332,000 00	
<i>Prince Edward Island.</i>		
To shorten the main line by the removal of cer- tain curves therein.....	\$ 15,000 00	
Additional rolling stock.....	3,500 00	
	18,500 00	
	1,361,100 00	
CANALS.		
<i>Construction and Enlargement, etc.</i>		
Soulanges—Construction.....	\$ 1,610,000 00	
Cornwall—Enlargement	150,000 00	
Farran's Point do	325,000 00	
Rapide Plat do	60,000 00	
Galops do	1,225,000 00	
North Channel—Straightening and deepening.....	250,000 00	
Galops do do	50,000 00	
River reaches.....	50,000 00	
Lake St. Francis—Removal of boulders.....	50,000 00	
Trent—Construction	600,000 00	
Sault Ste. Marie—Construction	45,000 00	
Construction and equipment.....	30,000 00	
Lachine—Enlargement	125,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Continued.		
(Chargeable to Capital)—Concluded.		
CANALS—Concluded.		
Construction and Enlargement, etc.—Concluded.		
Lachine—Deepening River St. Pierre.....	\$ 15,000 00	
do do do.....	15,000 00	
Lake St. Louis Channel—Straightening and deepening....	65,000 00	
Grenville—Enlargement.....	40,000 00	
Cornwall—J. G. Snetsinger, interest on \$12,000 from the date of expropriation of his property, 12th January, 1894, to date of payment, 13th August, 1897.....	2,582 00	
	4,707,582 00	6,068,682 00
RAILWAYS AND CANALS.		
(Chargeable to Income.)		
RAILWAYS.		
Intercolonial.		
Extension to Montreal, to pay rental to Grand Trunk Railway Company and Drummond County Railway Company, for railway from Chaudière to Montreal, to be operated as part of the Intercolonial Railway.....	210,000 00	
CANALS.		
Lachine.		
Renewing Black's Bridge at Montreal.....	\$ 15,000 00	
A. Aubertin for damages to his property by leakage from the Lachine Canal from 1st January, 1893, to 1st October, 1897, 3 years and 9 months at \$100 per year.....	375 00	
	\$ 15,375 00	
Chambly.		
To build a bridge at Ste. Thérèse Island.....	\$ 2,000 00	
To continue and complete the drainage works and culverts at St. Johns, P.Q.....	14,000 00	
	16,000 00	
Trent.		
To remove blasted rock above Hastings.....	\$ 2,500 00	
To construct one dump scow.....	700 00	
To construct three sluices in dam at Hastings... ..	3,000 00	
	6,200 00	
Cornwall.		
To repair recess platforms and tail bays locks Nos. 15 and 17.	10,000 00	
Williamsburg.		
Combined gate and stone lifter to be used on river reaches.....	\$ 5,000 00	
To build one pair of lock gates for lock.....	4,000 00	
	9,000 00	
Murray.		
Floating landing stage at collector's office.....	1,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
RAILWAYS AND CANALS—Concluded.		
<i>(Chargeable to Income)—Concluded.</i>		
CANALS—Concluded.		
<i>Rideau.</i>		
To renew and widen bulkhead at Kilmarnock...\$	750 00	
Portland cement for foundation.....	125 00	
	\$ 875 00	
<i>Beauharnois.</i>		
To purchase certain land from Auguste Langevin (Bergevin).....	1,000 00	
<i>Welland.</i>		
To continue the renewal of the superstructure of the Port Dalhousie piers.....	\$ 20,000 00	
To continue the renewal of the swing bridge fender cribs.....	8,300 00	
To renew the bridge over the Welland raceway and clean out the raceway.....	3,000 00	
To improve the feeder back ditches.....	800 00	
To renew the Dunnville dam and bridge.....	39,000 00	
To remove slides which have occurred this spring.....	6,000 00	
	77,100 00	
		136,550 00
MISCELLANEOUS.		
Miscellaneous works not provided for.....	\$ 5,000 00	
Arbitrations and awards.....	4,000 00	
Surveys and inspections—Canals.....	3,000 00	
do do Railways.....	8,000 00	
do do Crow's Nest Pass Railway.....	3,000 00	
Railway statistics.....	1,600 00	
Salaries of extra clerks, copyists and messengers, other than those who have passed the Civil Service examinations, notwithstanding anything in the Civil Service Act.....	2,000 00	
Salaries of engineers, draughtsmen, extra clerks and messengers as below. The salaries herein mentioned may be paid notwithstanding anything in the Civil Service Act:— 1 at \$2,800, 1 at \$2,600, 1 at \$2,400, 1 at \$1,800, 1 at \$1,670, 1 at \$1,650, 3 at \$700, 1 at \$650, 1 at \$600, 2 at \$540, 1 at \$500, 1 at \$450, 2 at \$400.....	19,100 00	
Reporting evidence before the Railway Committee of Privy Council, and before the Minister.....	500 00	
Costs of litigation in connection with Railways and Canals..	6,000 00	
Annual subscription to International Railway Congress at Brussels.....	97 33	
Exploratory survey to ascertain the most practicable route for an all-Canadian railway from some point on an existing railway into the Yukon district.....	40,000 00	
Exploratory survey and report as to a railway route between Stikine River and an ocean port in British Columbia....	35,000 00	
Towards constructing a stone protection wall along the shore of Lake St. Francis.....	2,500 00	
To defray expenses in gathering information and otherwise with reference to a Railway Commission.....	5,000 00	
	134,797 33	
		481,347 33

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS.		
<i>(Chargeable to Capital.)</i>		
HARBOURS AND RIVERS.		
<i>Quebec.</i>		
River St. Lawrence Ship Channel.....	\$256,000 00	
<i>Ontario.</i>		
River Kaministiquia.....	15,000 00	
	271,000 00	
PUBLIC BUILDINGS.		
<i>Ottawa.</i>		
Towards reconstruction of portion of Western Departmental Block, destroyed by fire, 11th February, 1897.....	50,000 00	
		321,000 00
PUBLIC WORKS.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS.		
<i>Nova Scotia.</i>		
Halifax Drill Hall.....	\$ 18,000 00	
Kentville Public Building.....	5,000 00	
Liverpool Public Building.....	5,000 00	
Halifax Drill Hall.....	26,000 00	
Windsor Public Building—Reconstruction of building destroyed by fire, 17th October, 1897.....	11,000 00	
Windsor Drill Shed—Reconstruction of building destroyed by fire, 17th October, 1897—Ad- ditional amount.....	3,000 00	
	\$ 68,000 00	
<i>New Brunswick.</i>		
Marysville Public Building.....	\$ 8,000 00	
St. John Quarantine Station—Partridge Island— Artesian well.....	1,500 00	
	9,500 00	
<i>Maritime Provinces Generally.</i>		
Dominion Public Buildings—Renewals, improve- ments, repairs, etc.....	8,000 00	
<i>Quebec.</i>		
Dominion Public Buildings—Renewals, improve- ments, repairs, etc.....	\$ 12,000 00	
Grosse Isle Quarantine Station.....	2,000 00	
Montreal Public Buildings—Improvements, alterations, renewals, repairs, etc.....	5,000 00	
Quebec Post Office—New wing, repairs and alter- ations to old building, furniture, etc.....	3,500 00	
Quebec Immigration Buildings on Louise Em- bankment and breakwater and Queen's wharf buildings.....	2,000 00	
Montreal Post Office—To re-cover roof with copper.....	8,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.	\$ cts.	\$ cts.
<i>(Chargeable to Income)</i> —Continued.		
PUBLIC BUILDINGS—Continued.		
<i>Quebec</i> —Concluded.		
Quebec Custom House—Renewals, Improvements, repairs, etc.	\$ 6,000 00	
Quebec Post Office—Improvements, etc.	2,600 00	
Quebec Custom House and Examining Warehouse—New cement sidewalks	1,400 00	
Montreal Examining Warehouse—New floor.	3,000 00	
Quebec Immigration buildings on Louise Embankment and breakwater, and Queen's wharf buildings—Additional amount.	3,000 00	
	\$ 48,500 00	
<i>Ontario.</i>		
Dominion Public Buildings—Renewals, improvements, repairs, etc.	\$ 10,000 00	
Toronto Dominion Public Buildings—Improvements, renewals, repairs, etc.	7,000 00	
Arnprior Post Office, Custom-house, etc., under contract	4,900 00	
Kingston Drill Hall.	10,000 00	
Ingersoll Public Building.	5,000 00	
Port Colborne Public Building—Mansard roof for caretaker's quarters, etc.	1,200 00	
Woodstock Public Buildings.	5,000 00	
Rat Portage Public Building—Proper site given free of cost by municipality	5,000 00	
Public Buildings, Ottawa—Grounds—New sidewalks and foot ways on Parliament Square.	9,000 00	
Removal of old sheds in rear of Supreme Court building, and erection of new green-house.	5,000 00	
Sarnia Public Building.	5,000 00	
Alexandria Reformatory.	14,000 00	
Public Buildings, Ottawa—To pay the estate of the late Samuel Howell in full and final settlement of all claims for damages caused by reason of the flow of water from the roof of the Langevin Block on their Sparks street property.	600 00	
Langevin Block, improvement to fire proof character of the attic and roof, including steel shelving and additional vault accommodation.	33,000 00	
4 new boilers in West Block.	7,000 00	
New elevator in East Block.	4,000 00	
Repairs to basement masonry walls.	4,000 00	
Arnprior Public Building.	1,100 00	
Belleville Post Office—New box fronts.	1,600 00	
St. Catharines Public Building—Alterations and improvements, etc.	800 00	
Rat Portage Public Building—Proper site given free of cost by municipality.	8,000 00	
Sarnia Public Building.	5,000 00	
Woodstock Public Building.	5,000 00	
Ingersoll Public Building.	5,000 00	
Major's Hill Park—To complete stone fence on McKenzie Avenue with iron railing thereon.	3,880 00	
Brockville Public Building—New boilers.	700 00	
	160,780 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.	\$ cts.	\$ cts.
(Chargeable to Income)—Continued.		
PUBLIC BUILDINGS—Continued.		
<i>Manitoba.</i>		
Dominion Public Buildings—Renewals, improvements, repairs, etc.	\$ 5,000 00	
Portage la Prairie Post Office, etc.	8,000 00	
Winnipeg Custom-house—Repairs and improvements.	1,800 00	
	\$ 14,800 00	
<i>North-west Territories.</i>		
Court-houses, lock-up and police accommodation	\$ 1,000 00	
Dominion Public Buildings—Renewals, improvements, repairs, etc.	4,000 00	
Medicine Hat Court House, etc.—To replace court house destroyed by fire.	6,000 00	
Regina—Steel roller shelves for Land Titles Office	792 00	
Regina Land Titles Office.	12,000 00	
Yorkton Immigrant Building.	2,500 00	
	26,292 00	
<i>British Columbia.</i>		
Dominion Public Buildings—Renewals, improvements, repairs, etc.	\$ 5,000 00	
Victoria Public Building—Treasury Vault.	16,000 00	
William's Head Quarantine Station—Quarters for crew, alterations, improvements, furniture, instruments, etc.	4,000 00	
Vancouver Drill Hall—New Westminster District—Site given free of cost.	20,000 00	
Kamloops Public Building.	3,000 00	
Vancouver Post Office—Improvements, etc.	2,000 00	
	50,000 00	
<i>Public Buildings Generally.</i>		
Public Buildings generally.	5,000 00	
<i>Experimental Farms.</i>		
New building and improvements, renewals, repairs, etc., in connection with existing buildings, fences, etc.	\$ 6,000 00	
Rebuilding laboratory destroyed by fire, and improvements, renewals, etc., in connection with existing buildings, fences, etc.—Additional amount.	4,000 00	
	10,000 00	
<i>Rents, Repairs, Furniture, Heating, etc.</i>		
Public Buildings, Ottawa, including ventilation and lighting—Repairs, materials, furniture, etc.	\$ 75,000 00	
Rideau Hall, including grounds—Renewals, improvements, repairs, furniture and maintenance.	17,000 00	
Allowance for fuel and light, Rideau Hall.	8,000 00	
Grounds, Public Buildings, Ottawa.	5,000 00	
Removal of snow, Public Buildings, Ottawa, including Rideau Hall.	2,000 00	
Heating Public Buildings, Ottawa, including salaries of engineers, firemen, elevator attendants and caretakers	65,000 00	
Gas and electric light, Public Buildings, Ottawa, including roads and bridges.	13,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.	\$ cts.	\$ cts.
(Chargeable to Income)—Continued.		
PUBLIC BUILDINGS—Concluded.		
<i>Rents, Repairs, Furniture, Heating, etc.</i> —Concluded.		
Water, Public Buildings, Ottawa, including Rideau Hall	\$ 16,500 00	
Telephone Service, Public Buildings, Ottawa...	4,000 00	
Major's Hill Park, Ottawa	3,500 00	
Rents—Dominion Public Buildings.....	18,000 00	
Furniture	5,000 00	
Salaries of engineers, firemen, caretakers, etc., of Dominion Public Buildings.....	70,000 00	
Heating Dominion Public Buildings, fuel, etc. . .	55,000 00	
Lighting Dominion Public Buildings	45,000 00	
Water for Dominion Public Buildings—Generally	16,000 00	
Sundry supplies for caretakers, engineers, fire- men, etc., Dominion Public Buildings.....	5,000 00	
Dominion Immigration Buildings, repairs, furni- ture, etc.	2,000 00	
Dominion Quarantine Buildings—Maintenance.	4,000 00	
Dominion Public Buildings—Electric and other power for running elevators, stamp cancelling machines, etc.	5,000 00	
	\$434,000 00	
HARBOURS AND RIVERS.		834,872 00
<i>Nova Scotia.</i>		
Oyster Pond, Guysboro' Co.—Beach protection. \$	2,100 00	
Port Hood—Repairs to wharf.....	500 00	
Arisaig—Repairs to wharf	600 00	
Cribbin's Point—Repairs to wharf.....	400 00	
Judique—New wharf.....	4,000 00	
Morden—Repairs to wharf	500 00	
Margaree—Extension of pier.....	4,000 00	
North River, St. Ann's Wharf at Seymour Point	2,000 00	
East Ragged Island—Wharf	2,500 00	
Eastern Passage—Boat harbour or channel.....	2,000 00	
Meteghan Breakwater—Repairs.....	1,000 00	
Windsor Harbour—Shear dams, training dykes and deepening channel, River Avon.....	4,000 00	
L'Ardoise—Repairs to breakwater	3,500 00	
Whycocomagh—Wharf	1,000 00	
Port Joli—Repairs to wharf	1,800 00	
Port Latour—Breakwater, etc.	4,000 00	
Clark's Harbour—Breakwater, etc.....	5,000 00	
Iona—Wharf	2,000 00	
Ingonish—North Bay—Breakwater	2,000 00	
Englishtown—Wharf	1,500 00	
West Arichat—To complete repairs to wharf. . .	700 00	
Petit de Grat—Reconstruction of protection work and dredging.....	1,500 00	
Cow Bay—Breakwater repairs.. ..	5,000 00	
New Harbour—Breakwater.....	4,000 00	
Port Hilford—Breakwater.....	4,000 00	
Salmon River, Halifax Co.—Wharf	1,650 00	
Tancook Island—Repairs to wharf.....	1,500 00	
White Point—Breakwater repairs, and to remove ledge	1,200 00	
Western Head—Repairs to breakwater	1,500 00	
McNutt's Island—Beach protection.....	1,000 00	
Swim's Point—Wharf	2,000 00	
Jordan Bay, East—Repairs to breakwater.....	2,500 00	
Upper Wood's Harbour—Wharf.....	2,500 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>Nova Scotia—Concluded.</i>		
Upper Port Latour—Wharf	\$ 2,000 00	
Louis Head—Repairs to cribwork beach protection	600 00	
Sanford (or Cranberry Head)—Breakwater.....	3,500 00	
Coffin's Island—Repairs and extension of beach protection	1,000 00	
Port Maitland, Yarmouth County—Repairs to breakwater	700 00	
Meteghan River—Reconstruction of superstructure, etc., of breakwater	4,000 00	
Belliveau Cove—Rebuilding top of north breakwater.....	2,000 00	
Hampton Pier—Repairs.....	3,000 00	
Hall's Harbour—To restore destroyed portion of breakwater	3,600 00	
Canada Creek—Breakwater repairs.....	1,000 00	
River Herbert Village—Wharf.....	1,200 00	
Advocate Harbour—Wharf.....	2,000 00	
Merigomish Harbour—Extension of wharf.....	900 00	
Pictou Island—Repairs to old work and new block	800 00	
Pictou Light—Beach protection.....	2,800 00	
Merigomish Big Island—Wharf.....	950 00	
Livingston Cove—Wharf.....	3,000 00	
McNair's Cove—Repairs to wharf.....	900 00	
East Tracadie—Reconstruction of breakwater.....	3,500 00	
Judique—New wharf—Additional amount	11,500 00	
Port Hood—Additional amount for repairs	600 00	
Cheticamp—Repairs to wharf.....	2,000 00	
	\$125,000 00	
<i>Prince Edward Island.</i>		
General repairs to piers and breakwaters.....	\$ 6,000 00	
Souris—Strengthening of breakwater.....	15,000 00	
New London—Repairs.....	750 00	
West Point wharf.....	7,400 00	
Tignish—Repairs to breakwater and extension..	7,000 00	
Belfast—Approach to pier.....	500 00	
Brae—Breakwater	1,000 00	
Creosoted piles for general repairs to wharfs, piers and breakwaters	2,000 00	
Red Point wharf—Repairs.....	1,000 00	
China Point—Reconstruction of head pier.....	2,000 00	
Hickey's Pier—Repairs	750 00	
McConnel's Pier—Renewals, etc.....	500 00	
St. Mary's Bay Pier—Repairs.....	500 00	
St. Peter's Bay Pier—Reconstruction.	500 00	
Mink River Pier—Repairs.....	500 00	
Miminegash Harbour Works—Repairs.....	2,000 00	
Addition to northern breakwater.....	2,500 00	
McGee's Pier—Repairs and strengthening.....	1,500 00	
Summerside Harbour.....	30,000 00	
	81,400 00	
<i>New Brunswick.</i>		
Negro Point breakwater—St. John Harbour	\$ 5,000 00	
River St. John, including tributaries.....	16,000 00	
St. John Harbour—Repairs to and extension of protection works at base of Fort Dufferin...	1,400 00	
Dredging between St. John River and Grand Lake.	1,500 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<i>PUBLIC WORKS—Continued.</i>		
<i>(Chargeable to Income)—Continued.</i>		
<i>HARBOURS AND RIVERS—Continued.</i>		
<i>New Brunswick—Concluded.</i>		
Two Rivers—Wharf.	\$ 3,000 00	
Dalhousie—Repairs to ballast wharf.	3,800 00	
Shippegan Harbour—Extension of protection works and repairs to same.	4,000 00	
Clifton—Repairs to breakwater.	500 00	
Cape Tormentine—Repairs to breakwater.	8,000 00	
Upper Tobique River—Improvement of channel.	800 00	
Black River—Repairs to wharf.	450 00	
St. John Harbour—Hydrographic survey, to complete.	2,500 00	
Mispec—Repairs to breakwater.	800 00	
Main River Bridge—Wharf.	1,200 00	
Richibucto—Piers—Repairs and dredging.	8,000 00	
Buctouche—Repairs to wharf.	1,000 00	
Cocagne—Repairs to wharf.	3,000 00	
Chatham—Repairs to Custom-house wharf.	1,000 00	
Tracadie—Additional block—Purchase and re- pairs, etc.	1,200 00	
Clifton Breakwater—Creosoted block, stone talus and repairs.	9,000 00	
Caraquet—Wharf repairs.	500 00	
Campbellton—Repairs to ballast wharf.	2,500 00	
Dalhousie—Repairs to ballast wharf.	1,700 00	
Burnt Church—Wharf.	8,000 00	
	\$ 84,850 00	
<i>Maritime Provinces Generally.</i>		
General repairs and improvements to harbour and river works	10,000 00	
<i>Quebec.</i>		
Grande Rivière—Repairs to wharf.	\$ 800 00	
General repairs and improvements to harbour, river and bridge works.	10,000 00	
Laprairie—Works in connection with ice piers, dredging steamboat channel, etc.	5,000 00	
Piers—Lake St. John, including improvement of approaches.	2,500 00	
River Richelieu—Belœil channel guide piers.	5,500 00	
Lower St. Lawrence—Removal of rocks.	3,000 00	
Port Daniel—Repairs to wharf.	800 00	
St. Irénée—Repairs to and extension of wharf to shore.	3,000 00	
Touladié River—Improvement of.	3,000 00	
St. Anicet—Wharf wing or return at outer end and repairs.	1,500 00	
St. Roch des Aulnaies—Wharf.	1,000 00	
Anse à Beaufils—Improvement of entrance to harbour.	1,000 00	
St. Jean des Chaillons—Improvement of harbour	5,000 00	
Point Claire—Wharf.	4,000 00	
Isle Perrot—Addition to wharf, north side.	2,500 00	
Rivière Beauport—Improvement of river channel on foreshore of St. Lawrence, also high water harbour at mouth of river.	4,000 00	
Cacouna—Extension of wharf.	5,000 00	
Rivière à la Pipe—Wharf on Lake St. John near mouth of river.	2,000 00	
St. Fulgence—Pier and improvements.	1,500 00	
Ste. Anne du Saguenay wharf—Works of con- struction, etc.	1,000 00	
St. Nicholas—Construction of a public wharf.	7,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<i>PUBLIC WORKS—Continued.</i>		
<i>(Chargeable to Income)—Continued.</i>		
<i>HARBOURS AND RIVERS—Continued.</i>		
<i>Quebec—Concluded.</i>		
Anse aux Gascons (Port Daniel East)—Breakwater	\$ 5,000 00	
Matane—Extension of training pier southwardly	5,000 00	
Sorel ice piers	3,600 00	
Berthier en haut—Dredging Berthier Channel	7,000 00	
Iberville—Wharf	8,000 00	
St. Laurent—Repairs to wharf	2,000 00	
Maria—Wharf	5,000 00	
Magdalen Island—Breakwater	5,000 00	
Newport—Repairs to retaining wall	1,700 00	
River Cap de Chatte—Pier	3,500 00	
Rimouski—Urgent repairs to pier	1,800 00	
St. Nicholas Wharf—Additional amount	3,000 00	
St. Alphonse (Bagotville)—Landing pier repairs	2,000 00	
L'Anse St. Jean—Pier repairs	1,000 00	
Anse à l'Eau (Tadoussac)—Landing slip, etc.	1,500 00	
Pointe aux Esquimaux—Wharf	1,000 00	
Saguenay River, below Chicoutimi—Dredging	3,000 00	
St. Alexis, Baie des Ha! Ha!—Pier	4,000 00	
Chicoutimi—Wharf freight shed	1,500 00	
Rivière du Loup Wharf (en bas)—Repairs	3,800 00	
Les Eboulements—Repairs to wharf	1,500 00	
Ile aux Coudres—Repairs to wharf	1,000 00	
Baie St. Paul, Cap aux Corbeaux—Extension 200 feet and repairs to wharf	10,000 00	
St. Irénée—Repairs to, and extension of wharf shoreward, to complete	2,000 00	
St. Roch des Aulnaies—Wharf, additional amount	4,000 00	
L'Islet—Wharf	1,500 00	
Lauzon—Repairs to pontoon and construction of a shed thereon	1,000 00	
Grosse Ile—Repairs to wharf	2,000 00	
Rivière du Sud—Protection works	3,000 00	
Berthier (en bas)—Repairs to wharf	500 00	
Kamouraska—Repairs and extension to wharf	7,000 00	
Sillery Cove—Wharf at Point à Pizeau	5,000 00	
Cap Santé—Removal of boulders	650 00	
Rivière St. Maurice—Improvement of channel between Grandes Piles and La Tuque, dredging	2,500 00	
Doucet's Landing—Dredging	4,000 00	
Rivière du Loup (en haut)—Dredging channel from Lake St. Peter to Louiseville	6,000 00	
Ste. Anne de Sorel—Extension of pier to shore	1,600 00	
Longueuil—Extensive repairs to wharf	10,000 00	
Laprairie—Dredging steamboat channel	7,000 00	
Cedars Wharf—Repairs, etc.	1,500 00	
Coteau Landing—Dredging	10,000 00	
Port Lewis—Wharf	2,500 00	
Chateauguay River—Dredging	5,000 00	
Rivière du Lièvre—For the settlement of claims for damages done to riparian properties through flooding caused by the Little Rapids Dam	160 00	
	\$226,910 00	
<i>Ontario.</i>		
Collingwood Harbour—Improvement of	\$ 30,000 00	
Rainy River—Improvement of navigable channel	15,000 00	
General repairs and improvements to harbour, river and bridge works	10,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>Ontario—Concluded.</i>		
Kingston Harbour, Lake Ontario	\$ 15,000 00	
Owen Sound Harbour—Dredging, etc.	10,000 00	
Toronto Harbour—Works at eastern entrance, etc	20,000 00	
Burlington Channel—Repairs to piers	2,000 00	
Goderich—Reconstruction of breakwater and repairs to piers	33,000 00	
Kincardine—Repairs to piers	2,500 00	
L'Orignal—Reconstruction of wharf	6,000 00	
Port Burwell—Improvement of harbour	25,000 00	
Thornbury—Repairs to wharf	1,000 00	
Port Stanley—Repairs to piers and dredging . . .	11,000 00	
Assistance towards harbour improvements	10,000 00	
Bowmanville Harbour	2,000 00	
North Bay—Pile wharf	15,000 00	
Meaford—Pilework and dredging	8,500 00	
River Ottawa—Improvement of steamboat chan- nel through Narrows at Petewawa, above Pembroke	7,200 00	
Port Elgin—Extension of breakwater, etc	5,000 00	
Port Hope—Repairs to piers and dredging, etc..	8,500 00	
Kingston Graving Dock—Electric light	1,500 00	
Kingston Harbour—Dredging	15,000 00	
Pictou Harbour—Dredging	7,000 00	
Newcastle—Dredging and repairs to piers	1,750 00	
Oshawa—Repairs to pier "providing harbour is transferred to City Corporation and that Corporation will agree to maintain it in future"	8,000 00	
Oakville—Repairs to pier and dredging	7,500 00	
Jordan Harbour—Dredging	5,000 00	
Owen Sound—Dredging—To reimburse town for sum expended under authority of the late government	3,263 21	
Rondeau Harbour—Dredging	2,500 00	
Repairs to pier	3,500 00	
Little Bear Creek—Dredging	2,000 00	
Bayfield—Dredging	1,200 00	
Thornbury Harbour—Dredging	2,000 00	
Goderich Harbour—Dredging	10,000 00	
Port Albert—Dredging and repairs to pier	1,000 00	
Sydenham River—Dredging	5,000 00	
Saugeen River—Dredging	4,500 00	
Southampton—Dredging	2,000 00	
Hawkesbury, Ottawa River—Dredging	3,000 00	
Bruce Mines—Wharf	5,000 00	
Richard's Landing, St. Joseph's Island—Pur- chase of wharf	3,000 00	
	\$330,413 21	
<i>Manitoba.</i>		
General repairs and improvements to harbour, river and bridge works	\$ 3,000 00	
Lake Manitoba—Opening of additional outlets to prevent overflow of lake, and maintenance of same at proper level for navigation purposes	25,000 00	
Wharf on Lake Winnipeg	5,000 00	
	33,000 00	
<i>North-west Territories.</i>		
General repairs and improvements to harbour, river and bridge works, including approaches	5,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Concluded.		
<i>British Columbia.</i>		
Nanaimo Harbour—Improvement of south channel, etc.	\$ 10,000 00	
Columbia River—Improvements above Golden..	5,000 00	
Removal of rocks above Revelstoke.....	2,000 00	
Improvements in Narrows between Upper and Lower Arrow Lakes.	5,000 00	
Fraser River—Improvement of ship channel....	20,000 00	
General repairs and improvements to harbour, river and bridge works	3,000 00	
Skeena River.....	3,500 00	
Duncan River—Improvement of.....	3,000 00	
Improvements on the Kootenay River below Fort Steele	5,000 00	
Williams Head—Quarantine Station, additional wharf accommodation and improvement of water service.....	6,000 00	
Fraser River—Improvement of channel, etc., additional amount.....	20,000 00	
	\$ 82,500 00	
<i>Yukon Provisional District.</i>		
Stikine River from Fort Wrangel to Glenora, Teslin Lake and Rivers Lewes, Hootalinqua and Yukon—Examination and improvements.....	16,000 00	
<i>Generally.</i>		
Harbours and rivers generally.....	5,000 00	
		1,000,073 21
DREDGING.		
<i>Including the salaries of Engineers, Superintendents and Clerks connected with the Service.</i>		
New dredging plant.....	\$ 60,000 00	
Dredge vessels, repairs	30,000 00	
Dredging—Nova Scotia.....	} 60,000 00	
do Prince Edward Island.....		
do New Brunswick.....		
do Quebec and Ontario		60,000 00
do Manitoba.....		8,000 00
do British Columbia.....	15,000 00	
do General service.....	5,000 00	
		238,000 00
SLIDES AND BOOMS.		
Slides and booms.....		5,000 00
ROADS AND BRIDGES.		
Bridges—Ottawa City, over the Ottawa River, the Slides, the Rideau Canal and approaches thereto—Ordinary repairs	\$ 7,000 00	
Dominion traffic bridges throughout Canada, including approaches	5,000 00	
Bridge across the Saskatchewan at Edmonton, N. W. T.	25,000 00	
Sappers' Bridge, Ottawa—Extraordinary repairs.....	2,000 00	
Maria Street Bridge over the Rideau Canal, Ottawa—Reconstruction.....	10,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Concluded.		
<i>(Chargeable to Income)—Concluded.</i>		
ROADS AND BRIDGES—Concluded.		
Maria Street Bridge over the Rideau Canal, Ottawa—Additional amount for reconstruction	\$ 10,000 00	
Des Joachims Bridge—Reconstruction of, providing interested parties contribute balance required	15,000 00	
Spray River—Bridge at Banff, new	2,500 00	
Trail from Edmonton towards Yukon District	15,000 00	
	91,500 00	
TELEGRAPH LINES.		
Land and cable telegraph lines for the sea coasts and the islands of the Lower River and Gulf of St. Lawrence and the Maritime Provinces :—		
Land line on north shore of St. Lawrence—To improve roadway, repair line and increase operating facilities generally, between Godbout and Pointe aux Esquimaux	\$ 1,000 00	
Land line on the north shore of St. Lawrence—Extension from Pointe aux Esquimaux eastward	15,000 00	
Telegraph lines, British Columbia—For an alternative line connecting Cape Beale and Carmanah with Victoria by extending the French Creek-Alberni Line, southwardly to the south-west coast of Vancouver Island	4,600 00	
Telegraph line between Mabou and Margaree—Repoling	1,900 00	
Telegraph line between Meat Cove and Ingonish—Repoling	2,500 00	
Dingwall to Meat Cove line—Telegraph connection	600 00	
Land line between Battleford and Clark's Crossing, N.W.T.—Thomas Dewan for poles supplied, etc., in connection with G. F. Tupper's contract for delivery of telegraph poles between Humbolt's and Clark's Crossing, dated 16th April, 1897.	369 82	
To connect Nicola Lake, British Columbia, with Canadian Pacific Railway telegraph system	3,000 00	
	28,969 82	
MISCELLANEOUS.		
Surveys and inspections	\$ 25,000 00	
National Art Gallery	2,000 00	
Salaries of engineers, draughtsmen and clerks, Chief Engineer's office	42,000 00	
Salaries of architects, draughtsmen and clerks, Chief Architect's office	20,000 00	
Salary of staff, telegraphic service	2,900 00	
Temporary, clerical and other assistance, inclusive of services of all persons required who were first employed after 1st July, 1882, notwithstanding anything in the Civil Service Act	25,000 00	
Towards a monument for the Hon. Alexander Mackenzie	7,000 00	
Towards a statue of Her Majesty the Queen in celebration of the Diamond Jubilee	7,000 00	
One-half of the salary of the Departmental photographer, the other half of his salary having been provided for by the Department of Railways and Canals	700 00	
To cover balances of expenditures for works already authorized for which the appropriations may be insufficient. The amounts expended under this appropriation to be shown under the heading of the several works affected, provided the amount for each work does not exceed one hundred dollars	3,000 00	
Costs due W. B. A. Ritchie, Halifax, defending actions in connection with the funeral of the late Sir John Thompson	750 00	
	135,350 00	
		2,333,765 03

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.		
Pending completion of arrangement for the establishment of the Fast Line Service :—		
For Ocean and Mail service between Great Britain and Canada . . .	126,533 33	
Steam service fortnightly between St. John and Liverpool, Great Britain, during the winter season of 1898-99, not less than ten round trips . . .	20,000 00	
Steam service between Halifax, St. John's, Newfoundland, and Liverpool, from 1st July, 1898, to 30th June, 1899 . . .	20,000 00	
Steam service between St. John and Glasgow, during the winter of 1898-99 . . .	7,500 00	
Steam service between St. John, Dublin and Belfast, during the winter of 1898-99 . . .	7,500 00	
A line or lines of steamers to run between St. John, Halifax and London . . .	25,000 00	
A line or lines of steamers to run during the winter months between St. John and London direct . . .	15,000 00	
Steam communication between St. John and Digby from 1st July, 1898, to 30th June, 1899 . . .	12,500 00	
A line or lines of steamers to run between St. John and Halifax, or either, and the West Indies and South America . . .	78,000 00	
Steam service between Victoria and San Francisco . . .	5,000 00	
Steam communication between Halifax and Newfoundland, via Cape Breton ports . . .	2,000 00	
Steam communication during the season of 1898, <i>i. e.</i> , from the opening to the closing of navigation, between the mainland and the Magdalen Islands . . .	9,000 00	
Steam communication during the season of 1898, <i>i. e.</i> , from the opening to the closing of navigation, between Prince Edward Island and the mainland . . .	10,000 00	
Steam communication from 1st July, 1898, to 30th June, 1899, between Grand Manan and mainland . . .	4,000 00	
Steam communication during the season of 1898, <i>i. e.</i> , from the opening to the closing of navigation, between Gaspé Basin and Dalhousie . . .	12,500 00	
Steam communication during the season of 1898, <i>i. e.</i> , from the opening to the closing of navigation, between Pictou and Cheticamp . . .	2,000 00	
Steam communication during the season of 1898, <i>i. e.</i> , for not less than 32 full round trips, between St. John and Halifax, via Yarmouth and other way ports . . .	7,000 00	
Steam communication during the season of 1898, <i>i. e.</i> , from the opening to the closing of navigation, between St. John and Minas Basin ports . . .	3,000 00	
Steam communication from 1st July, 1898, to 30th June, 1899, between Pictou, Murray Harbour, Georgetown and Montague Bridge . . .	1,200 00	
Steam communication from 1st April, 1898, to 31st March, 1899, daily, between Port Mulgrave, Arichat and Canso; four trips a week between Port Mulgrave and Guysboro', and from opening of navigation, 1898, to 30th November, 1898, semi-weekly between Port Mulgrave and Port Hood, such trips to be extended once each week to Margaree and Cheticamp . . .	8,000 00	
Steam communication from 1st July, 1898, to 30th June, 1899, between Quebec and Gaspé Basin, touching at intermediate ports . . .	5,000 00	
Steam communication between a port or ports in Prince Edward Island and a port or ports in Great Britain . . .	5,000 00	
Direct fortnightly steam service between Montreal, Quebec and Manchester, England, during the summer season, and between St. John, Halifax and Manchester during the winter season . . .	38,933 33	
To promote direct communication and trade between Canada and South Africa . . .	5,000 00	
Steam communication daily during the season of 1898, <i>i. e.</i> , from the opening to the closing of navigation, between Baddeck, Grand Narrows and Iona, and one trip each fortnight to Big Pond and East Bay . . .	4,000 00	
Steam communication daily during the season of 1898, <i>i. e.</i> , from the opening to the closing of navigation, between Port Mulgrave and St. Peters, to extend twice each week to Irish Cove . . .	4,000 00	

437,666 66

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
OCEAN AND RIVER SERVICE.		
	\$ cts.	\$ cts.
Maintenance and repairs to Government steamers.	112,000 00	
Examination of masters and mates.	5,000 00	
Rewards for saving life, including life saving stations.	7,000 00	
Investigations into wrecks.	1,000 00	
Registry of shipping.	500 00	
Tidal service.	2,500 00	
Removal of obstructions in navigable rivers.	1,000 00	
Winter mail service.	7,000 00	
Construction of a new steamer to take the place of the steamer "Stanley" between Prince Edward Island and the mainland.	180,000 00	
Additional for Tidal Service.	1,500 00	
Marine Biological Station in the Gulf of St. Lawrence.	7,000 00	
Salaries and expenses of cattle inspection.	2,800 00	
Unforeseen expenditures generally.	5,000 00	
		332,300 00
LIGHTHOUSE AND COAST SERVICE.		
Salaries and allowances of lightkeepers.	207,000 00	
Agencies, rents and contingencies.	15,510 00	
Maintenance and repairs to lighthouses, etc.	230,000 00	
Construction of lighthouses, etc.	45,000 00	
Signal service.	6,000 00	
Repairs to wharfs.	3,000 00	
		506,510 00
SCIENTIFIC INSTITUTIONS AND HYDROGRAPHIC SURVEYS.		
Observatory, Toronto.	2,700 00	
Meteorological Service.	62,000 00	
Hydrographic Surveys.	16,000 00	
Cost of telegraphing in connection with the issue of forecasts in the pro- vince of British Columbia.	3,500 00	
Construction of new observatory near Toronto, rendered necessary by electric currents in Toronto destroying the observations.	3,000 00	
		87,200 00
MARINE HOSPITALS.		
Care of sick seamen in Marine hospitals and other hospitals in the Mari- time provinces.	35,000 00	
Shipwrecked seamen.	3,000 00	
		38,000 00
STEAMBOAT INSPECTION.		
Steamboat inspection.	27,000 00	
Inspection of Dominion steamers and fog-alarms.	1,300 00	
		28,300 00
FISHERIES.		
Salaries and disbursements of Fishery Inspectors, Overseers and Guard- ians.	95,000 00	
Building and maintenance of Fishbreeding Establishments and Lobster Hatchery.	34,500 00	
Fisheries Protection Service.	95,000 00	
Building fishways and clearing rivers.	1,500 00	
Legal and incidental expenses.	4,000 00	
Canadian Fishery Exhibit.	1,000 00	
Persons employed in the Department of Marine and Fisheries for services in connection with the distribution of the fishing bounty, notwith- standing anything in the Civil Service Act.	5,000 00	
Oyster Culture.	7,000 00	
		243,000 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
SUPERINTENDENT OF INSURANCE.		
Expenses in connection with this service, including \$750 for the salary of J. R. Morton, notwithstanding anything in the Civil Service Act...	\$ cts.	\$ cts.
		8,000 00
GEOLOGICAL SURVEY.		
Explorations and Surveys	50,000 00	
Printing and publication, reports, maps, etc.		
Wages of assistant explorers, draughtsmen, clerks and others (persons having special and professional or technical qualifications, as defined by the Act respecting the Department of the Geological Survey, 1890, c. 11, s. 4, may be employed, and may be paid out of this sum at a rate of more than \$400 per annum, notwithstanding anything in the Civil Service Act).		
Specimens, books, instruments, stationery, mapping material, maintenance of museum, laboratory apparatus, chemicals, advances to explorers, express charges, telegrams, etc.		
To continue Artesian boring in the North-west Territories.	10,000 00	
Extra expenditure in field work connected with sending two parties to the Yukon District.	5,000 00	65,000 00
DEPARTMENT OF INDIAN AFFAIRS.		
SUNDRIES.		
Relief of distress, and for seed, province of Quebec	\$ 3,600 00	
Relief of distress and medical attendance, Ontario	1,100 00	
Blankets and clothing, Ontario and Quebec	500 00	
Schools: Ontario, Quebec and Maritime provinces	35,490 00	
Salaries of chiefs, Cape Croker and Gibson reserves, and of agent at St. Regis	150 00	
Removal of Lake of Two Mountains Indians from Oka to Gibson	200 00	
Payment of Robinson treaty annuities	16,806 00	
Survey of Indian reserves	500 00	
Overdrawn accounts of the Indian Land Management Fund, Province of Quebec Fund, and the Indian School Fund	14,000 00	
Grant for Agricultural Society, Munceys of Thames	90 00	
Expenses of prosecution of persons selling liquor to Indians who have no funds of their own	500 00	
To assist in repairing and remodelling buildings at the Mount Elgin Industrial School, Munceytown, Ontario	3,500 00	
	76,436 00	
NOVA SCOTIA.		
Salaries	\$ 1,100 00	
Relief and seed grain	2,000 00	
Medical attendance and medicine	2,300 00	
Miscellaneous and unforeseen	100 00	
To repair roads on Indian reserves in Nova Scotia	725 00	
	6,225 00	
NEW BRUNSWICK.		
Salaries	\$ 1,260 00	
Relief and seed grain	2,300 00	
Medical attendance and medicine	1,740 00	
Miscellaneous and unforeseen	300 00	
	5,600 00	
PRINCE EDWARD ISLAND.		
Salaries and travelling	\$ 300 00	
Relief and seed grain	925 00	
Medical attendance and medicine	350 00	
Office and miscellaneous expenses	75 00	
Farming instruction to Indians of Lennox Island	200 00	
	1,850 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
DEPARTMENT OF INDIAN AFFAIRS—Concluded.		
MANITOBA AND NORTH-WEST TERRITORIES.		
Annuities and commutations	\$122,750 00	
Implements, tools and hardware	8,000 00	
Field and garden seeds	1,570 00	
Live stock	10,600 00	
Supplies for destitute and working Indians	177,943 00	
Triennial clothing	2,752 00	
Day, boarding and industrial schools	283,523 00	
Surveys	3,425 00	
Sioux	5,233 00	
Grist and saw-mills	1,100 00	
General expenses	112,151 00	
Transport and expenses of commission to negotiate treaties with the Indians in the Districts of Athabasca, Lesser Slave Lake and Peace River	6,000 00	
Gratuities to 2,700 Indians at \$7 a head	18,900 00	
One year's annuity to said Indians at \$5	13,500 00	
Provisions and supplies required for said Indians	4,765 00	
Further amount for boarding schools	8,820 00	
Further amount for general expenses	9,922 00	
Improvements in irrigation ditch, Blackfoot Reserve, to purchase a pair of horses, and to repair damage caused by flood	850 00	
Thomas Nixon, purveyor for the Indian Department in Manitoba and the North-west Territories from 10th February, 1877, to 30th June, 1879, at \$500 per annum ..	1,194 93	
	793,003 93	
BRITISH COLUMBIA.		
Salaries	\$ 19,840 00	
Relief	3,500 00	
Seed	1,000 00	
Medical attendance and medicines	8,500 00	
Day schools	7,375 00	
Industrial and boarding schools	60,650 00	
Travelling	5,000 00	
Office and miscellaneous	10,920 00	
Steamer "Vigilant"	2,000 00	
Surveys and reserve commission	3,200 00	
	121,985 00	
GENERAL.		
Inspector of Indian Agencies and Reserves	\$ 1,400 00	
Inspector of Timber	1,000 00	
Travelling expenses of these officers	1,200 00	
Increase to the salary of G. L. Chitty, Timber Inspector	200 00	
	3,800 00	
NORTH-WEST MOUNTED POLICE.		
Pay of force	182,500 00	
Subsistence, forage, fuel and light	107,125 00	
Clothing, repairs and renewals, horses, arms and ammunition, medical stores and stationery	34,125 00	
Scouts, guides, billeting, transport of men, horses and stores, and contingencies	20,000 00	
New buildings and repairs	10,000 00	
	353,750 00	
GOVERNMENT OF THE NORTH-WEST TERRITORIES.		
Expenditure connected with the Lieut.-Governor's Office	5,880 00	
Incidental justice, etc.	2,000 00	
Registrars, etc.	15,000 00	
Insane patients, N.W.T., in Manitoba asylum	50,000 00	
	73,880 00	
		1,008,899 93

SCHEDULE B—Continued.

SERVICE	Amount.	Total.
	\$ cts.	\$ cts.
GOVERNMENT OF THE NORTH-WEST TERRITORIES—Con.		
Grant for schools, official assistance, printing, etc., to be paid half yearly in advance	282,979 00	
Schools in unorganized districts	2,600 00	357,859 00
GOVERNMENT OF THE YUKON PROVISIONAL DISTRICT.		
Salaries and expenses in connection with the administration of the district	50,200 00	
Services of North-west Mounted Police in the district	346,250 00	
Purchase and equipment of a steambot and one or more launches for the use of the officers of the government of the district	25,000 00	421,450 00
DOMINION LANDS.		
<i>(Chargeable to Capital.)</i>		
Surveys, examination of survey returns, printing of plans, etc.		150,000 00
DOMINION LANDS.		
<i>(Chargeable to Income.)</i>		
Commissioner's salary	3,000 00	
Superintendent of Mines' salary	3,000 00	
Homestead Inspectors' salaries	8,400 00	
Dominion Lands and Crown Timber Agents' salaries	16,945 00	
Salaries of clerks, etc., in outside service	27,256 25	
Inspection Expenses; travelling expenses of Superintendent of Mines and Homestead Inspectors; contingencies of Dominion Lands and Crown Timber Agents and at head office, removal expenses, etc., and stationery and printing and forest protection	31,000 00	
Members of the Board of Examiners of Dominion Land Surveyors; including contingent expenses of the Board (the authority required by the Civil Service Act is hereby given for paying out of this sum such amounts as may be required to pay for services of members of the Board who are members of the Civil Service)	700 00	
Salaries of extra clerks at head office, advertising, etc.	3,000 00	
Salary of one carpenter	732 00	
Further amount to pay salaries of sub-agents, etc., in the outside service	3,000 00	97,033 25
RAILWAY SUBSIDIES.		
The Halifax Banking Company, attorney of the Nova Scotia Central Railway Company, balance of amount earned and unpaid of sum appropriated by chapter 2 of the statutes of 1893, in aid of the construction of this road, payment having been delayed owing to a dispute as to who should receive the money	4,500 00	
Amounts remaining unpaid of sum appropriated by chapter 3 of the statutes of 1889, and chapter 2 of the statutes of 1890 in aid of the Central Railway Company of New Brunswick, the date for finishing work named in contract having expired before final completion thereof; this sum being acknowledged as due, notwithstanding that the changes made in the specifications for the work were not legally authorized	61,461 00	65,961 00
MISCELLANEOUS.		
Canada Gazette	6,000 00	
Miscellaneous printing	25,000 00	
Expenses in connection with the distribution of parliamentary documents	1,000 00	
Plant for Printing Bureau	5,000 00	
Unforeseen expenses, expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament within the first fifteen days of the next session	20,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<i>MISCELLANEOUS—Concluded.</i>		
	\$ cts.	\$ cts.
Commutation in lieu of remission of duties on articles imported for the use of the army and navy.....	2,250 00	
Expenses of government in the District of Keewatin.....	1,660 00	
Maintenance of lunatics of Keewatin.....	3,000 00	
Relief of distressed Canadians in foreign countries other than the United States.....	500 00	
Maintenance, construction of roads, bridges, and other necessary works in connection with the Hot Springs Reservation near Banff Station, North-west Territories.....	5,500 00	
Expense of delimiting the boundary between Canada and the United States.....	25,000 00	
Cost of litigated matters (Interior).....	1,000 00	
Expenses of litigated matters which may be paid for services in connection with the litigation conducted within the Department of Justice, notwithstanding anything in the Civil Service Act.....	15,000 00	
Expenses in connection with the Canada Temperance Act.....	500 00	
Compensation to members of the North-west Mounted Police for injuries received in the discharge of duty.....	2,000 00	
Salaries and contingencies of the office of the Paris agency.....	3,500 00	
Payments of extra clerks for services rendered in preparation of returns ordered by Parliament.....	2,500 00	
Academy of Arts.....	2,000 00	
To assist in the publication of the proceedings of the Royal Society.....	5,000 00	
Costs of arbitration respecting the accounts between the Dominion of Canada and the provinces of Ontario and Quebec. Payments on account of services rendered may be made to members of the Civil Service, notwithstanding anything in the Civil Service Act.....	5,000 00	
Expenses of taking evidence concerning the Public Accounts and reporting the same to the Auditor General under authority of section 57 of the Consolidated Revenue and Audit Act; and to pay for legal advice to the Auditor General.....	500 00	
Classification of old records of Canada in the office of the Privy Council. Payments on account of this service may be made notwithstanding anything in the Civil Service Act.....	1,000 00	
Five hundred copies of the proceedings of the first annual convention of the International Deep Water-ways Association held at Cleveland, Ohio, September 24th, 25th and 26th, 1895.....	1,000 00	
In aid of the annual meeting for 1898 of the American Public Health Association to be held in Ottawa.....	1,000 00	
Five hundred copies of the Parliamentary Guide.....	1,000 00	
Further amount for expenses connected with the Rocky Mountains Park of Canada.....	1,000 00	
Retiring gratuities to employees of the outside service of the Department of the Interior.....	6,500 00	
Costs of litigation caused by re-survey of Township 16, Range 16, west of 1st Meridian, illegally authorized by Department of the Interior in 1895.....	2,300 00	
Refund to Messrs. Smith and Berry of the amount paid by them in March, 1886, on account of purchase of Pincher Creek Indian Supply Farm, the sale to Messrs. Smith and Berry being cancelled on account of misunderstanding as to terms thereof.....	1,875 00	
To assist in defraying the cost of the publication of documents issued by the Canadian Mining Institute.....	1,000 00	
To pay that part of the award unappealed from in the case of Woodburn v. the Queen, for work done prior to 1896.....	26,000 00	
Balance of judgment and costs of litigation commenced against the Crown in 1894 and 1895 in cases of Canada Sugar Refining Co., and Toronto Street Railway Co.....	28,000 00	
Costs in connection with the Manitoba School Case litigation.....	10,607 03	
For the enforcement of the Alien Labour Law.....	3,000 00	
J. P. M. Lecourt, amount contributed by him to superannuation fund, with interest at 5 per cent.....	273 30	
Towards the expenses of the proposed Joint High Commission between Great Britain and the United States for the purpose of settling outstanding differences between the two countries in respect of Canada.....	20,000 00	

236,465 33

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
COLLECTION OF REVENUE.		
CUSTOMS.		
Salaries and contingent expenses of the several ports—		
Province of Nova Scotia	\$107,270 00	
do New Brunswick	88,250 00	
do Prince Edward Island	18,500 00	
do Quebec	212,295 00	
do Ontario	300,455 00	
do Manitoba	32,945 00	
do North-west Territories	12,050 00	
do British Columbia	75,915 00	
Generally—unforeseen expenditures	5,000 00	
Salaries and travelling expenses of Inspectors of Ports, and travelling expenses of other officers on inspection and preventive service.....	60,000 00	
Board of Customs—Expenditure in connection therewith, including \$800 salary of Commissioner of Customs as Chairman of the Board.....	60,000 00	
Customs Laboratory—Expenditure in connection with the testing of molasses, etc., including pay of officers appointed or employed for that purpose.....	4,100 00	
Miscellaneous—Day-books, ledgers, book-binding, printing and stationery, subscriptions to commercial papers, flags, dating stamps, locks, instruments, etc., for various ports of entry and for legal expenses.....	25,000 00	
Expenses of maintenance of Government cruiser "Constance" for preventive service on the Lower St. Lawrence.....	25,000 00	
Expenses of maintaining additional revenue cruisers and preventive service.....	25,000 00	
Department of Justice—Amounts to be disbursed and accounted for to it for secret preventive service	5,000 00	
Further customs service in British Columbia and Yukon District.....	12,000 00	
Board of Customs Laboratory, further amount.....	4,000 00	
	987,780 00	
EXCISE.		
Salaries of officers and Inspectors of Excise, and to provide for increase depending upon the result of Excise examinations.....	\$305,076 25	
Extra duty pay at large distilleries and other factories	6,000 00	
Duty pay to officers serving long hours at other than special survey	1,000 00	
Preventive service	12,000 00	
Travelling expenses, rent, fuel, stationery, etc.....	48,000 00	
Stamps for imported and Canadian tobacco.....	19,000 00	
Collectors of Customs, allowance on duty collected by them for 1897-98.....	5,500 00	
Commission to sellers of stamps for Canadian twist tobacco	100 00	
L. A. Fréchette, for special translation	100 00	
To enable the Department to supply methylated spirits to manufactories, the cost of which will be recouped by manufacturers to whom they are supplied, and to pay for rent, light, power, freight, salaries, etc.....	55,000 00	
	451,776 25	
CULLING TIMBER.		
Salary of Supervisor	\$ 2,100 00	
Specification clerks	3,000 00	
Book-keeper	750 00	
Pay of cullers.....	4,900 00	
Superannuated cullers.....	5,600 00	
Contingencies.....	3,000 00	
	19,350 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
COLLECTION OF REVENUE—Continued.		
WEIGHTS, MEASURES, GAS AND ELECTRIC LIGHT INSPECTION.		
Salaries of Officers, Inspectors and Assistant Inspectors of Weights and Measures	\$ 42,010 00	
Salaries of Inspectors of Gas	14,850 00	
Rent, fuel, travelling expenses, postage, stationery, etc., for Weights and Measures	16,000 00	
Rent, fuel, travelling expenses, postage, stationery, etc., for Gas and Electric Light Inspection	6,000 00	
Standard instruments, salaries, etc., in connection with Electric Light Inspection	3,000 00	
Specimen sets of metric weights and measures for educational purposes	250 00	
	82,110 00	
INSPECTION OF STAPLES.		
Purchase and distribution of Standards of Grains and Flour, and other expenditure under the Act	4,500 00	
ADULTERATION ACT, AND THE LAW RELATING TO FRAUDULENT MARKING.		
Expenditure	25,000 00	
MINOR REVENUES.		
Inland Revenue	\$ 200 00	
Ordnance Lands	1,000 00	
Further amount for payment of surveys	1,000 00	
	2,200 00	
RAILWAYS AND CANALS.		
<i>Railways.</i>		
Intercolonial, including Montreal extension	\$3,650,000 00	
Prince Edward Island	245,000 00	
Windsor Branch	20,000 00	
	\$3,915,000 00	
<i>Canals.</i>		
Repairs and operating expenses	\$535,600 00	
Salaries and contingencies, canal office	34,600 00	
Additional amounts to persons permanently employed in the public service, and remuneration to any other persons for services rendered for and in connection with passing vessels through the canals of the Government of Canada from midnight on Saturdays to midnight on Sundays, notwithstanding anything in the Civil Service Act	15,000 00	
	585,200 00	
	1,500,200 00	
PUBLIC WORKS.		
Collection of slide and boom dues	\$ 4,000 00	
Repairs and working expenses, harbours, docks and slides	96,400 00	
Upper Ottawa Improvement Company, authorized allowance for management, etc., in connection with logs to be passed through the Chenaux boom, Ottawa River, during fiscal year 1898-99	1,800 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
COLLECTION OF REVENUE—Continued.		
PUBLIC WORKS—Concluded.		
Telegraph line between Prince Edward Island and the mainland	\$ 2,000 00	
Land and cable telegraph lines of the sea coasts and islands of the Lower River and Gulf of St. Lawrence and Maritime Provinces, including cost of working steamer "Newfield" or other vessels when required for cable service	28,000 00	
Telegraph lines, North-west Territories	20,000 00	
Telegraph lines, British Columbia	12,000 00	
Telegraph and signal service generally	2,750 00	
Public Works agency, British Columbia	2,500 00	
	169,450 00	
POST OFFICE.		
Mail Service	\$2,207,000 00	
Salaries and allowances	1,171,081 00	
Increase of salaries of 105 letter carriers at \$30 each, and 24 clerks at \$40 each	4,110 00	
Miscellaneous expenses	212,120 00	
Compassionate allowance	2,000 00	
Increase of salary of \$30 each to 148 temporary employees in the outside service whose salaries do not exceed \$450 each a year	4,400 00	
Increase of salary of \$40 each to four 3rd Class Clerks in the Victoria Post Office	160 00	
Increase of salary of \$15 each to six Letter Carriers in the Brantford Post Office, from 1st January to 30th June, 1899, whose salaries do not exceed \$360 each a year	90 00	
Additional 2nd Class Clerk in the Toronto Post Office	900 00	
To increase the salaries of H. S. Allen and J. A. Gorman, 2nd Class Clerks in the Toronto Post Office, by \$50 each	100 00	
One additional 3rd Class Clerk in the Toronto Post Office Inspector's Office	400 00	
To promote W. E. Lemon, of the Toronto Post Office, from 3rd to 2nd Class Clerkship	100 00	
To compensate B. F. Shephard, 3rd Class Clerk in the Victoria Post Office, for special services rendered by him and injury to clothing in attending to the fumigation of the mails entering the port of Victoria, B.C., notwithstanding anything in the Civil Service Act	50 00	
Additional letter carrier in the Winnipeg Post Office	360 00	
Addition to salary of Halifax postmaster, subject to the provisions of the Civil Service Act	400 00	
To increase the salaries of B. Trainer and J. M. Campbell of Charlottetown Post Office, \$50 each	100 00	
	3,603,411 00	
TRADE AND COMMERCE.		
Administration of the Chinese Immigration Act, including remuneration to Trade and Commerce and Customs Officers	\$ 3,500 00	
Canada's proportion of expenditure in connection with the International Customs Bureau	600 00	
Commercial Agencies, including expenses in connection with negotiations with treaties or in extension of commercial relations	20,000 00	
	24,100 00	

SCHEDULE B—*Concluded.*

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE— <i>Concluded.</i>	\$ cts.	\$ cts.
SLIDES AND BOOMS.		
Collection of dues, including salaries of clerks connected with this service.	1,000 00	9,870,877 25
Total.....		28,677,283 08

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61 VICTORIA.

CHAP. 2.

An Act to amend chapter 11 of the Statutes of 1897 intituled "An Act to restrict the importation and employment of Aliens."

[Assented to 13th June, 1898.]

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

1. Section 9 of chapter 11 of the statutes of 1897, is here- 1897. c. 11, s. 9.
by amended by adding thereto the following subsection:—

"2. Evidence of any such law or ordinance of a foreign country may be given,—

"(a.) by the production of a copy thereof purporting to be printed by the Government Printer or at the Government Printing Office of such foreign country or contained in a volume of laws or ordinances of such country purporting to be so printed; or

How evidence may be given as to countries to which the Act applies.

"(b.) by the production of a copy thereof purporting to be certified to be true by some officer of state of such foreign country who also certifies that he is the custodian of the original of such law or ordinance, in which case no proof shall be required of the handwriting or official position of the person so certifying."

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61 VICTORIA.

CHAP. 3.

An Act respecting the north-western, northern and north-eastern boundaries of the province of Quebec.

[Assented to 13th June, 1898.]

WHEREAS in and by *The British North America Act*, 1871, c. 28 (Imperial.) 1871, it is enacted that the Parliament of Canada may, from time to time, with the consent of the legislature of any province, increase, diminish or otherwise alter the limits of such province, upon such terms and conditions as may be agreed to by the said legislature, and may, with the like consent, make provision respecting the effect and operation of any such increase or diminution or alteration of territory in relation to any province affected thereby; and whereas it has been agreed between the Governments of the Dominion of Canada and the province of Quebec that the north-western, northern and north-eastern boundaries of the province of Quebec shall be those hereinafter described, and the Legislature of Quebec has, by chapter 6 of the statutes of 1898, expressed its consent that the Parliament of Canada should declare the said boundaries to be the north-western, northern and north-eastern limits of the said province: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1898, c. 6
(Quebec.)

1. The north-western, northern and north-eastern boundaries of the province of Quebec are hereby declared to be the following:—Commencing at the head of Lake Temiscamingue, thence along the eastern boundary of the province of Ontario due north to the shore of the part of Hudson Bay commonly known as James Bay, and thence north-easterly following upon the said shore to the mouth of the East Main River, and thence easterly ascending along the middle of the said river up to the confluence of the branch thereof flowing from Patamisk Lake, and thence ascending along the middle of the said branch up to Patamisk Lake, and thence along the middle of the said lake to the most northerly point thereof, the said point being about fifteen miles south from the Hudson's Bay Company's

Boundaries described.

pany's post on Lake Nichigun, and approximately in latitude fifty-two degrees fifty-five minutes north, and longitude seventy degrees forty-two minutes west of Greenwich; thence due east along the parallel of latitude of the said point to the intersection of the river discharging the waters of Lake Ashuanipi, which river is known under the names of Hamilton or Ashuanipi or Great Esquimaux River, and thence descending along the middle of the said river through Menihek, Marble, Astray and Dyke Lakes to the most southerly outlet of Dyke Lake, and thence along the middle of the said outlet to Birch Lake, and thence along the middle of Birch and Sandgirt Lakes to the most southerly outlet of Sandgirt Lake, and thence along the middle of the southern channel of the Hamilton River to Flour Lake, and thence along the middle of Flour Lake to its outlet, and thence along the middle of the Hamilton River to the Bay du Rigolet or Hamilton Inlet, and thence easterly along the middle of the said bay or inlet until it strikes the westerly boundary of the territory under the jurisdiction of Newfoundland, and thence southerly along the said boundary to the point where it strikes the north shore of the Anse Sablon, in the Gulf of St. Lawrence, the said line being shown in red as far as Hamilton Inlet, upon the plan accompanying the copy of the Order of the Governor General in Council number two thousand six hundred and twenty-three, dated the eighth of July, one thousand eight hundred and ninety-six, transmitted to the Lieutenant Governor of Quebec, and now deposited among the archives of the Provincial Secretary of that province.

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61 VICTORIA.

CHAP. 4.

An Act respecting the Manitoba Debt Account.

[Assented to 13th June, 1898.]

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

1. The Governor in Council may direct that the sum of two hundred and sixty-seven thousand and twenty-six dollars and forty-three cents, being the cost of the erection of the legislative buildings and government house at Winnipeg, which sum was charged against the "Province of Manitoba Debt Account," be, on or from the first day of July, one thousand eight hundred and ninety-eight, credited to the said account, and that the interest payable to the said province on the said first day of July, one thousand eight hundred and ninety-eight, on the balance at the credit of the said debt account be calculated on the balance at the credit of the said account after the said sum of two hundred and sixty-seven thousand and twenty-six dollars and forty-three cents has been credited as herein provided.

Cost of legislative buildings and government house at Winnipeg.

2. The Governor in Council may, on or after the said first day of July, one thousand eight hundred and ninety-eight, pay to the Government of the province of Manitoba the sum of two hundred and thirty-one thousand five hundred and seventy-five dollars and forty-seven cents, being the total of the amounts which would have been payable to the province of Manitoba by the Dominion, in excess of the amounts actually paid, as interest from time to time payable on the balances at the credit of the said debt account, had the cost of the erection of the said legislative buildings and government house at Winnipeg not been charged against the said debt account, together with interest at the rate of five per cent per

Payment of interest to Manitoba.

annum on each of the amounts so payable in excess of the amounts actually paid, from the date when they would have been payable to the said first day of July, one thousand eight hundred and ninety-eight.

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most Excellent Majesty.



61 VICTORIA.

CHAP. 5.

An Act further to amend the Acts respecting the North-west Territories.

[Assented to 13th June, 1898.]

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

1. Subsection 1 of section 14 of *The North-west Territories Act*, chapter 50 of the Revised Statutes, is hereby amended by striking out the words "Lieutenant Governor in Council" and substituting therefor the words "Legislative Assembly." R.S.C., c. 50, s. 14 amended.

2. Subsection 2 of the said section 14 is hereby repealed. Further amended.

3. Section 49 of the said Act is hereby repealed and the following is substituted therefor:— New section 49.

"49. The court shall sit in banc at such times and places as the Lieutenant Governor in Council appoints; the senior judge present shall preside, and three judges of the court shall constitute a quorum." Sittings of Supreme Court.

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61 VICTORIA.

CHAP. 6.

An Act to provide for the Government of the Yukon District.

[Assented to 13th June, 1898.]

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

1. This Act may be cited as *The Yukon Territory Act*. Short title.

2. The Yukon Judicial District, as constituted by the proclamation of the Governor in Council bearing date the sixteenth day of August, one thousand eight hundred and ninety-seven, and contained in the schedule to this Act, is hereby constituted and declared to be a separate territory under the name of the Yukon Territory, and the same shall no longer form part of the North-west Territories. The Yukon Territory defined and constituted.

3. The Governor in Council may, by instrument under the Great Seal, appoint for the Yukon Territory a chief executive officer to be styled and known as the Commissioner of the Yukon Territory. Commissioner.

4. The Commissioner shall administer the government of the territory under instructions from time to time given him by the Governor in Council or the Minister of the Interior. Administration of Government.

5. The Governor in Council by warrant under his privy seal may constitute and appoint such and so many persons from time to time not exceeding in the whole six persons, as may be deemed desirable to be a Council to aid the Commissioner in the administration of the territory, and such persons so appointed to the Council shall before entering upon the duties of their offices take and subscribe before the Commissioner such oaths of allegiance and office as the Governor in Council may prescribe. Council.

Quorum. 2. The majority of the Council including the Commissioner shall form a quorum.

3. Each judge of the court shall be *ex officio* a member of the Council, but the total number of members of the Council, including the judges, shall not exceed six.

Powers to make ordinances.

6. The Commissioner in Council shall have the same powers to make ordinances for the government of the territory as are at the date of this Act possessed by the Lieutenant Governor of the North-west Territories, acting by and with the advice and consent of the Legislative Assembly thereof to make ordinances for the government of the North-west Territories, except as such powers may be limited by order of the Governor in Council.

Disallowance by Governor in Council.

7. A copy of every such ordinance made by the Commissioner in Council shall be despatched by mail to the Governor in Council within ten days after the passing thereof, and shall be laid before both Houses of Parliament as soon as conveniently may be thereafter, and any such ordinance may be disallowed by the Governor in Council at any time within two years after its passage.

Governor in Council may make certain ordinances.

8. Subject to the provisions of this Act, the Governor in Council may make ordinances for the peace, order and good government of the territory and of Her Majesty's subjects and others therein, but no ordinance made by the Governor in Council or the Commissioner in Council shall,

Restrictions as to such ordinances.

(a.) impose any tax or any duty of customs or any excise or any penalty exceeding one hundred dollars, or

(b.) alter or repeal the punishment provided in any Act of the Parliament of Canada in force in the territory for any offence, or

(c.) appropriate any public money, lands or property of Canada without authority of Parliament :

Proviso.

Provided that this section shall not apply to any law extending or applying or declared applicable to the territory by any Act of the Parliament of Canada.

Existing laws to remain in force until altered by the proper legislative authority.

9. Subject to the provisions of this Act, the laws relating to civil and criminal matters and the ordinances as the same exist in the North-west Territories at the time of the passing of this Act, shall be and remain in force in the said Yukon Territory in so far as the same are applicable thereto until amended or repealed by the Parliament of Canada or by any ordinance of the Governor in Council or the Commissioner in Council made under the provisions of this Act.

Territorial Court constituted.

10. There is hereby constituted and appointed a superior court of record in and for the said territory, which shall be called the Territorial Court.

The said court shall consist of one or more judges, who shall be appointed by the Governor in Council by letters patent under the Great Seal. Judges.

2. Any person may be appointed judge of the court who is or has been a judge of a superior or a county court of any province of Canada or of the North-west Territories, or a barrister or advocate of at least ten years' standing at the bar of any such province or of the North-west Territories. Their qualifications.

3. A judge of the court shall not hold any other office or emolument under the Government of Canada, or of any province of Canada or of the said territory, but this provision shall not prevent a judge from being eligible for appointment as a member of the Council of the said territory. Their dis-qualifications.

11. The law governing the residence, tenure of office, oath of office, rights and privileges of the judge or judges of the court, and the power, authority and jurisdiction of the court shall be the same, *mutatis mutandis*, as the law governing the residence, tenure of office, oath of office, rights and privileges of the judges, and the power, authority and jurisdiction of the Supreme Court of the North-west Territories, except as the same are expressly varied in this Act. Law as to judges and jurisdiction of the court.

12. Sittings of the court presided over by a judge or judges shall be held at such times and places as the Governor in Council or the Commissioner in Council shall appoint. Sittings of the court.

13. The Governor in Council may appoint such officers of the court as may be deemed necessary, and may define and specify the duties and emoluments of the officers so appointed. Officers of the court.

14. The judge of the Supreme Court of the North-west Territories assigned to the Yukon Judicial District at the time this Act comes into force, and the officers of that court for the said district, shall be the judge and officers of the Territorial Court until otherwise provided, but the said judge may at his option, at any time within twelve months after this Act comes into force, resume his office as one of the judges of the Supreme Court of the North-west Territories, his transfer to that court being in such case made by Order of the Governor in Council. Provisional appointment of judge and officers.

15. The procedure in criminal cases in the Territorial Court shall, subject to the provisions of any Act of the Parliament of Canada, conform as nearly as possible to the procedure existing in like cases in the North-west Territories at the time of the passing of this Act. Procedure in criminal cases.

16. While in the said Yukon Territory the Commissioner of the territory, each member of the Council thereof, every judge of the court, and every commissioned officer of the North-west Mounted Police, shall *ex officio* have, possess and exercise Justices of the peace.

exercise all the powers of a justice of the peace, or of two justices of the peace, under any laws or ordinances, civil or criminal, in force in the said territory, and the Governor in Council may, by commission, appoint such other persons justices of the peace or police commissioners, having each the authority of two justices of the peace within the said territory, as may be deemed desirable.

Jurymen to be British subjects.

17. No person shall be summoned or sworn as a jurymen on any trial in the Territorial Court unless he is a British subject.

Penitentiaries, jails and places of confinement.

18. Every lock-up, guard-room, guard-house or place of confinement provided by or for or under the direction of the North-west Mounted Police Force, or the regular military force, or a municipal body, or by the Commissioner or Commissioner in Council of the territory, shall be a penitentiary, jail, and place of confinement for all persons sentenced to imprisonment in the territory, and the Commissioner of the territory shall direct in which such penitentiary, jail or place of confinement any person sentenced to imprisonment shall be imprisoned.

Governor in Council to make rules and regulations as to penitentiaries, etc.

2. The Governor in Council shall have power to make rules and regulations respecting the management, discipline and policy of every penitentiary, jail or place of confinement used as such in the territory.

Coroners.

19. All persons possessing the powers of two justices of the peace in the territory shall also be coroners in and for the said territory.

Appointment of necessary officers, fixing of fees, etc.

20. The Governor in Council may appoint such officers as are necessary for the due administration of justice in the territory, may fix the fees or emoluments of such officers and may fix the fees or emoluments of coroners, justices of the peace, jurors, witnesses and other persons attending or performing duties in relation to the administration of criminal justice, and provide the manner in which such fees and emoluments shall be paid.

Provision for case of Commissioner's death.

21. In case of the death of the Commissioner the senior member of the Council shall act as Commissioner until a successor is appointed.

SCHEDULE.

ABERDEEN.

[L.S.]

CANADA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To all to whom these presents shall come or whom the same may in anywise concern,—GREETING :

A PROCLAMATION.

E. L. NEWCOMBE, } WHEREAS it is in and by the
Deputy of the Minister of } Revised Statutes, chapter 50,
Justice, Canada. } and intituled "An Act respecting
the North-west Territories" in effect enacted, that the Govern-
nor in Council may at any time by Proclamation divide the
Territories into judicial districts, and give to each such district
an appropriate name, and in like manner from time to time,
alter the limits and extent of such districts.

And whereas by an Order of Our Governor in Council, bearing date the 16th day of August A.D. 1897, the establishment of a judicial district in the said Territories was authorized, to be known as the Yukon Judicial District, and to be bounded as hereinafter mentioned :

Now Know Ye, that We do hereby and by virtue of the authority vested in Us by the said Act, and the said Order in Council respectively establish and set apart a judicial district in the North-west Territories to be named and known as the "Yukon Judicial District," the boundaries of such judicial district to be as follows :—

Beginning at the intersection of the 141st meridian of west longitude from Greenwich with a point on the coast of the Arctic Sea, which is approximate north latitude, 69° 39', and named on the Admiralty charts "Demarcation Point;" thence due south, on said meridian (which is also the boundary line between Canada and Alaska) for a distance of about 650 miles, to a point in latitude about 60° 10' north, at which it will intersect the disputed boundary between Canada and the United States on the North Pacific coast; thence in an easterly direction, along the said undetermined boundary, for a distance of about 55 miles (in a straight line) to its intersection with the

60th parallel of north latitude; thence due east along the parallel of latitude (which is also the north boundary of British Columbia) for a distance of about 550 miles, to the Liard River, in approximate longitude $123^{\circ} 30'$ west; thence northerly along the middle line of said river, for a distance of about 10 miles till opposite the highest part of the range of mountains which abuts upon the river near the mouth of Black River; thence to follow the summit of said range in a north-westerly direction to the southernmost source of the Peel River; thence to follow northward the summit of the main range of mountains which runs approximately parallel to Peel River, on the west, as far as the intersection of the said range with the 136th meridian; thereafter to run due north to the Arctic Ocean, or to the westernmost channel of the Mackenzie Delta, and along that channel to the Arctic Ocean; thence north-westerly following the windings of the Arctic Coast (termination of the mainland of the Continent), including Herschel Island, and all other islands which may be situated within three (3) geographical miles, to the place of beginning.

Provided, that in respect to that part of the line, between the Liard River and the southernmost source of the Peel River, the summit to be followed is the water-shed summit separating streams entering the Liard River below Black River, or flowing directly into the Mackenzie further north, from streams flowing westward either to the Yukon or to upper branches of the Liard River.

Provided, that in respect to the part of the boundary described as following northward the main range of mountains on the west side of Peel River, the line shall run along the watershed between streams flowing eastwardly to the Peel River, and those flowing westwardly to branches of the Yukon, Porcupine, etc., except where such water-shed shall be more than 20 miles distant from the main stream of the Peel, when the highest range within that distance shall be the boundary.

Of all which Our loving subjects and all others whom these presents may concern, are hereby required to take notice and to govern themselves accordingly.

In Testimony Whereof, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness, Our Right Trusty and Right Well-Beloved Cousin and Councillor the Right Honourable Sir JOHN CAMPBELL HAMILTON-GORDON, Earl of Aberdeen; Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland; Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom; Baronet of Nova Scotia; Knight Grand Cross of Our most Distinguished Order of Saint Michael and Saint George, etc., etc., Governor General of Canada.

At Our Government House, in Our City of Ottawa, in Our said Dominion, this sixteenth day of August, in the year of Our Lord one thousand eight hundred and ninety-seven, and in the sixty-first year of Our Reign.

By Command,

JOSEPH POPE,
Under-Secretary of State.

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61 VICTORIA.

CHAP. 7.

An Act to authorize certain contracts with steamship companies for Cold Storage accommodation.

[Assented to 13th June, 1898.]

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

1. The Governor in Council may enter into contracts with Furness, Withy and Company, Limited, and with the Manchester Liners, Limited, to provide cold storage on steamships from Montreal, St. John and Halifax, to the United Kingdom, during the seasons of one thousand eight hundred and ninety-eight, one thousand eight hundred and ninety-nine, and one thousand nine hundred, on such terms and conditions as the Governor in Council deems expedient,—the sum to be paid for such cold storage not to exceed twelve thousand dollars in any one year.

Contracts authorized for cold storage on certain steamships to Great Britain.

Limitation of amount to be paid.

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61 VICTORIA.

CHAP. 8.

An Act to confirm a certain award in favour of the
Dominion Atlantic Railway Company.

[Assented to 13th June, 1898.]

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

1. The award of the Honourable George Wheelock Burbidge, judge of the Exchequer Court of Canada, a copy of which forms the schedule to this Act, is hereby ratified and confirmed. Award in schedule confirmed.

2. There may be paid to the Dominion Atlantic Railway Company, out of the Consolidated Revenue Fund, the sum of one hundred thousand two hundred and seventy-six dollars and twenty cents, for the commutation and release of the right or privilege referred to in the said award, and in full satisfaction and discharge of all claims and demands of the said Company under the said award, including the costs thereof. Payment of \$100,276.20 to Dominion Atlantic Railway Company authorized.

SCHEDULE.

TO ALL TO WHOM THESE PRESENTS SHALL COME: I, George Wheelock Burbidge, of the City of Ottawa, in the Province of Ontario, judge of the Exchequer Court of Canada, send greeting:

Whereas by a Memorandum of Agreement made on the twenty-fifth day of February, in the year of Our Lord one thousand eight hundred and ninety-six, between the Honourable William Bullock Ives, Her Majesty's then Minister of Trade and Commerce for Canada, acting for and on behalf of His Excellency the Governor in Council of the one part, and the Dominion Atlantic Railway Company of the other part, after reciting that "By a contract or agreement entered into between the Chief Commissioner of Railways for the Province of Nova Scotia and William Henry Punchard, Frederick Barry and Edwin Clark, dated on or about the

twenty-second day of November, one thousand eight hundred and sixty-six, and the Act of the Legislature of Nova Scotia, 30th Victoria, chapter 36, incorporating the Windsor and Annapolis Railway Company and confirming the said agreement, the Windsor and Annapolis Railway Company was granted a drawback of the amount of Customs or import duties paid upon all materials and stores required for the construction and working of the railway belonging to that company ;” and that, “by an Act of the Parliament of Canada, passed in the 58th and 59th years of Her Majesty’s reign, chapter 47, incorporating the Dominion Atlantic Railway Company, the said Company was given power to purchase all the property in Canada of the Windsor and Annapolis Railway Company, with all its lands, franchises, powers, rights, privileges, equipments, stations, plant, rolling stock, materials, stores and appurtenances” ; And that “On the twentieth day of September in the year of our Lord one thousand eight hundred and ninety-five the Dominion Atlantic Railway Company entered into an Agreement to purchase the said lands, privileges, franchises, and other property of the Windsor and Annapolis Railway Company and the transfer thereof was or was about to be made thereunder” ; And that “By the said last-mentioned Act it was also provided that the Governor in Council might enter into an Agreement with the Dominion Atlantic Railway Company for the commutation and release of any right or privilege with respect to the drawback of Customs or import duties granted to the Windsor and Annapolis Railway Company as aforesaid, and also that the said Company might so agree with Her Majesty” ; And that “The Dominion Atlantic Railway Company and the Governor in Council have agreed to enter into an agreement for the future commutation and release of the said right or privilege to take effect as hereinafter provided ;” And that “The Dominion Atlantic Railway Company had demanded the sum of one hundred thousand dollars for the commutation and release of the said right or privilege and the Governor in Council considered the sum of seventy-five thousand dollars as sufficient to fully compensate the Dominion Atlantic Railway Company therefor :”

It was thereby, amongst other things, agreed by and between the said parties to refer the matter in difference respecting the amount which should be paid by Her Majesty to the Dominion Atlantic Railway Company for the commutation and release of the right or privilege with respect to the drawback of Customs or import duties granted to the Windsor and Annapolis Railway Company as aforesaid to the sole award, order and final determination of me the said George Wheelock Burbidge, Judge of the Exchequer Court of Canada, I the said Arbitrator to make and publish my award in writing and signed by me of and concerning the matters referred ready to be delivered to the

parties or either of them on or before the thirty-first day of March then next, or on or before any other day to which I, the said Arbitrator, should by any writing signed by me endorsed on the said Memorandum of Agreement of Submission from time to time enlarge the time for making my award, and that the costs of the reference and award should be in the discretion of me, the said Arbitrator, who might tax or settle the amount thereof and might direct to and by whom and in what manner the same or any part thereof shall be paid.

And whereas on the twenty-fourth day of March in the year of Our Lord one thousand eight hundred and ninety-six I the said Arbitrator, by a writing signed by me endorsed on the said submission did extend the time within which my award might be made and published in the premises to the first day of June then next.

And whereas on the nineteenth day of May in the year of our Lord one thousand eight hundred and ninety-six I, the said Arbitrator, by a writing signed by me, endorsed on the said submission, did further extend the time within which my award might be made and published in the premises to the first day of November then next.

And whereas on the twenty-fourth day of October in the year of our Lord one thousand eight hundred and ninety-six, by a writing signed by me endorsed on the said submission, I, the said Arbitrator, did further extend the time within which my award might be made and published in the premises to the first day of May in the year of our Lord one thousand eight hundred and ninety-seven.

And whereas on the twenty-ninth day of April in the year of our Lord one thousand eight hundred and ninety-seven, by a writing signed by me, endorsed on the said submission, I, the said Arbitrator did further extend the time within which my award might be made and published in the premises to the first day of November in the year of our Lord one thousand eight hundred and ninety-seven.

Now know ye that I, the said Arbitrator, having taken upon me the said award and arbitrament, and having been attended by the said parties, and their respective solicitors, and having heard and considered the allegations and evidence of both the said parties and their witnesses concerning the premises, do award as follows, that is to say:—I do award and determine that Her Majesty shall pay to the Dominion Atlantic Railway Company the sum of one hundred thousand dollars (\$100,000) for the commutation and release of the said right or privilege with respect to the drawback of Customs or import duties granted to the Windsor and Annapolis Railway Company as aforesaid.

And I do further award and determine that the costs of the award, the amount of which I hereby settle at the sum of two hundred and seventy-six dollars and twenty cents (\$276.20) be borne and paid by Her Majesty, and in case the same should

in the first instance be discharged by the Dominion Atlantic Railway Company, that Her Majesty repay the same to the said Company; and as to the other costs of the reference I do award and determine that each party bear its own costs thereof.

In witness whereof I the said Arbitrator have hereunto set my hand the third day of September, in the year of Our Lord one thousand eight hundred and ninety-seven.

Signed and published }
in the presence of }

GEO. W. BURBIDGE.

CHAS. MORSE.
DUNCAN CLARK.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



61 VICTORIA.

CHAP. 9.

An Act respecting the repayment of the moneys advanced to the Saint John Bridge and Railway Extension Company.

[Assented to 13th June, 1898.]

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

1. The Governor in Council may extend the time for the repayment of the moneys advanced by the Government of Canada to the Saint John Bridge and Railway Extension Company, under and by virtue of chapter 26 of the statutes of 1883, for a period of fifteen years from the expiration of the present term of fifteen years, mentioned and provided in the said statute and the schedule thereto, such extension to be subject to all the conditions and provisions of this Act.

Governor in Council may extend time for repayment of advances to Company.

2. Interest shall be computed during such extended period on the said moneys so advanced at the rate of four per cent per annum, and shall be paid by the Company at that rate, and shall be payable annually on or before the thirtieth day of June.

Interest.

3. The said advances and interest thereon shall remain and be during such extended period, as now, a first charge and lien on all the property, real and personal, of the Company, and on all their rights, franchises, easements and privileges; and all the provisions of the indenture or mortgage deed, dated the tenth day of December, in the year one thousand eight hundred and eighty-three, and made and executed by the Company under the provisions of and in accordance with the said statute, shall continue and remain in full force and effect during such extended period.

Security.

4. The Government may, if it is found advisable, take possession of the bridge, railway and appurtenances of the Company at any time within five years from the date of the beginning of such extended period, on payment of the difference between

Government may take over bridge, etc.

between the amount then due to the Government for advances and interest and the sum of the total amount expended by the Company as the cost of the said bridge, railway and works, and ten per cent on such amount.

Deeds to be executed.

5. The Company shall execute, to the satisfaction of the Minister of Justice, any deeds, mortgages, or instruments necessary for the proper carrying into effect of the terms and provisions of this Act.

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61 VICTORIA.

CHAP. 10.

An Act respecting the Transport Contract between Her Majesty and the Winnipeg Great Northern Railway Company.

[Assented to 13th June, 1898.]

WHEREAS, under the authority of chapter 8 of the statutes Preamble.
of 1895, a transport contract, dated the twelfth day of May, one thousand eight hundred and ninety-six, was entered into between Her Majesty and the Winnipeg Great Northern Railway Company, for payment to that Company of the moneys therein mentioned on the completion by the Company of the line of railway therein mentioned; and whereas it is in the public interest that instead of the said line being constructed to the mouth of the Saskatchewan River it should be constructed as hereinafter defined, and the Company is willing so to construct it: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Instead of a line to the Saskatchewan River, the Winnipeg Great Northern Railway Company may, before the thirty-first day of December, one thousand eight hundred and ninety-nine, construct a line of railway commencing on the Lake Manitoba Railway and Canal Company's line at a point between Dauphin Station and Lake Winnipegosis, thence towards the Swan River district northerly and westerly for one hundred and twenty-five miles, the location to be approved by the Governor in Council; and, upon the Company giving its assent thereto, the contract mentioned in the preamble shall apply to the line hereby authorized instead of to the line mentioned in the said contract, and upon such assent the construction of the line hereby authorized shall entitle the Company to the payments under the said contract to which it would be entitled upon the construction of the line therein mentioned, and the Company's land subsidy shall apply to the line hereby authorized.

Change in location of railway.

Application of contract and land subsidy.



61 VICTORIA.

CHAP. II.

An Act to amend the Act to provide for Bounties on
Iron and Steel made in Canada.

[Assented to 13th June, 1898.]

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

1. The provisions of chapter 6 of the statutes of 1897, Date of coming into force of c. 6 of 1897.
intituled *An Act to provide for Bounties on Iron and Steel
made in Canada*, shall be held to have come into force on the
twenty-third day of April, in the year one thousand eight
hundred and ninety-seven.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's
most Excellent Majesty.



61 VICTORIA.

CHAP. 12.

An Act respecting the payment of grants in aid of the construction of public works.

[Assented to 13th June, 1898.]

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

1. Whenever by an Act of Parliament a grant in aid of the construction of any work has been made payable on the completion of sections thereof, or otherwise, the Governor in Council may authorize payment on account thereof according to progress estimates to be furnished by the engineers of the Department of Railways and Canals, notwithstanding that the work so aided, or any section thereof, has not been wholly completed, where the non-completion thereof is not due to delay on the part of the contractors, or to pecuniary causes, or to causes within the reasonable control of the contractors, and where the amount proposed to be paid as having been earned by the contractors will not be less than sixty-four thousand dollars, after withholding from the amount which would be earned by the completion a sum sufficient, in the opinion of the Minister of Railways and Canals, to cover the cost of completing the whole of such work or the section thereof with respect to which payment is being made.

Mode of payment of parliamentary grants in certain cases of uncompleted public works.

2. This Act shall only apply to the contracts made with the Grand Trunk Railway Company of Canada in aid of the construction of the Victoria Bridge and the Canadian Pacific Railway Company in aid of the construction of the Crow's Nest Pass Railway.

Application of Act.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



61 VICTORIA.

CHAP. 13.

An Act to make further provision respecting Grants of Land to members of the Militia Force on active service in the North-west.

[Assented to 13th June, 1898.]

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

1. Notwithstanding any limits of time prescribed in chapter 73 of the statutes of 1885, or in chapter 29 of the statutes of 1886, or in chapter 13 of the statutes of 1891, or in chapter 6 of the statutes of 1892, or in chapter 3 of the statutes of 1893, or in chapter 24 of the statutes of 1894, the Governor in Council may grant a free homestead or scrip, as therein provided, to any person who is entitled thereto under the said Acts, or any of them, but has not already been granted such homestead or scrip; Provided that such person complies within two years after the first day of January, one thousand eight hundred and ninety-eight, with the conditions required by the said Acts or any of them, to be complied with on or before the first day of August, one thousand eight hundred and eighty-six; Provided, also, that the provisions of the said Acts shall, so far as applicable, apply to grants of land or scrip under the authority of this Act.

Grants of land authorized.

1885, c. 73 ;
1886, c. 29 ;
1891, c. 13 ;
1892, c. 6 ;
1893, c. 3 ;
1894, c. 24 .

Limitation of time.

Previous Acts to apply.



61 VICTORIA.

CHAP. 14.

An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act.

[Assented to 13th June, 1898.]

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

1. This Act may be cited as *The Franchise Act, 1898.* Short title.
2. This Act shall not apply to the North-west Territories. Application.
3. *The Electoral Franchise Act*, being chapter five of the Revised Statutes, and all Acts amending it, are hereby repealed. R.S.C., c. 5, and amending Acts, repealed.
4. In this Act, unless the context otherwise requires,—
 - (a.) The expression “electoral district” means any place or territorial area in Canada entitled to return a member to serve in the House of Commons; Interpretation.
“Electoral district.”
 - (b.) The expression “Dominion election” or “election,” means an election of a member to serve in the House of Commons; “Dominion election.”
“Election.”
 - (c.) The expression “provincial election” means an election of a member to serve in the Legislative Assembly, or House of Assembly or General Assembly of a province of Canada, and in the province of Prince Edward Island means an election of an assemblyman; “Provincial election.”
 - (d.) The expression “voters’ list,” or “list of voters,” includes, when provincial lists are referred to, any official list of persons entitled to vote at a provincial election; “Voters’ list.”
“List of voters.”
 - (e.) The expression “polling division” includes, when used in reference to provincial elections, any polling subdivision, polling district or subdistrict or other territorial area for which there is a separate voters’ list, or in which a poll may be held. “Polling division.”
5. For the purposes of any Dominion election held within the limits of a province, except as hereinafter otherwise provided,— Provisions as to elections.

Provincial franchises adopted.

(a.) The qualifications necessary to entitle any person to vote thereat shall be those established by the laws of that province as necessary to entitle such person to vote in the same part of the province at a provincial election ;

Provincial polling division adopted.

(b.) The polling divisions shall be those established by or under the laws of that province for the purposes of provincial elections within the territory comprised in the electoral district for which such election is held ;

Provincial voters' lists adopted.

(c.) The voters' lists shall be those prepared for the several polling divisions so established and which on the sixtieth day next preceding the day fixed for the nomination of candidates for such Dominion election were in force or were last in force under the laws of that province for the purposes of provincial elections ;

When under provincial law there are no polling divisions, but polling places are fixed.

(d.) Where, for any part of the province, polling divisions are not established by or under the laws of the province, but by or under such laws places are fixed where polls shall be opened and held at provincial elections and lists of the voters entitled to vote at such places at such elections have been prepared and are or have been in force, polls shall be opened and held in that part of the province at the same places, and the voters' lists so prepared and which are or were last in force shall be the voters' lists for the purposes of such Dominion election ;

Duty of returning officer as to polling divisions.

(e.) It shall be the duty and shall be within the power of the returning officer appointed by the Governor in Council to constitute polling divisions, and to appoint and fix polling places and polling stations in all cases where, under the laws of the province, it is respectively the duty or within the power of the returning officer or any other officer or person at provincial elections to do so ; and the returning officer shall, in all cases, indicate such polling places and polling stations in the election proclamation ;

Non-resident voters.

(f.) The provisions of the law of the province as to the places where non-resident electors shall vote shall apply *mutatis mutandis* to such Dominion election, and the returning officer at such election shall have the powers and be charged with the duties of the sheriff or returning officer under those provisions ; but nothing herein shall enable any person to vote by schedule or otherwise than by appearing personally.

Provincial disqualifications not adopted.

6. No person possessed of the qualifications generally required by the provincial law to entitle him to vote at a provincial election, shall be disqualified from voting at a Dominion election merely by reason of any provision of the provincial law disqualifying from having his name on the list or from voting—

(a.) the holder of any office, or

(b.) any person employed in any capacity in the public service of Canada or of the province, or

(c.) any person belonging to or engaged in any profession, calling, employment or occupation, or

(d.) any one belonging to any other class of persons who, although possessed of the qualifications generally required by the provincial law, are by such law declared to be disqualified by reason of their belonging to such class.

2. Any person possessed of the qualifications so generally required, except that his name has been omitted from the list of voters by reason or on account of some such disqualifying provision, may, nevertheless, if not otherwise disqualified, vote at a Dominion election at the place where, but for such omission, he would have been entitled to vote under subsection 1 of this section on his taking or offering to take before the deputy returning officer or other officer or person in charge of the polling place, the following oath, in addition to the oath which he might have been required to take if his name had been on the list, so far as such last mentioned oath is applicable, viz. :—

I (A.B.) do swear that I am legally qualified to vote at this election, and that I verily believe that my name was omitted from the list of voters by reason of my being

at the time such list was prepared

and for no other reason.

3. Nothing in this Act shall be deemed to repeal, or to affect otherwise than is provided by section 18 of this Act, the provisions of section 42 of *The Dominion Elections Act*, as that section has been heretofore amended, or to repeal or affect the provisions of sections 96, 98 or 99 of the said Act, or of section 15 of chapter 14 of the statutes of 1894, intituled *An Act to disfranchise voters who have taken bribes*.

4. Any person who, at the time of an election, is a prisoner in a jail or prison undergoing punishment for a criminal offence, or is a patient in a lunatic asylum, or is maintained in whole or in part as an inmate receiving charitable support or care in a municipal poor house or house of industry, or is an inmate receiving charitable support in an institution receiving aid from the government of the province under any statute in that behalf, shall be disqualified and incompetent to vote at an election.

7. Where a polling division has more than three hundred qualified voters according to the voters' list, the returning officer shall provide separate and additional polling stations or rooms according to the total number of qualified voters on the voters' list, near to one another, for the polling of the votes in such polling division, and so that not more than three hundred, and, when practicable, not less than two hundred qualified voters' names shall be on the list for each polling station or room.

2. The returning officer in such cases shall prepare, or cause to be prepared, from the voters' list for the polling division, a separate list for each polling station or room, made up in alphabetical order according to the initial letter of the surname of each voter. Each separate polling station or room shall be

If voter's name has been omitted from list on account of provincial disqualification.

Certain provisions not affected.

Disqualification of criminals, lunatics and paupers.

Additional polling stations where there are over 300 voters in polling division.

Separate list for each station.

Station to be designated by letters.

designated by the initial letters of the voters on the list who are to vote in such station or room, in the following manner, that is to say: From A to K, and from L to R, and from S to Z, or as the case may be.

Where elector shall vote.

3. Every voter, the initial letter of whose name is included within the letters of the alphabet designating a polling station or room and contained in such list, shall vote in the station or room so designated.

Deputy returning officer for each station.

4. The returning officer shall appoint a deputy returning officer for each such station or room, and shall deliver to such deputy in due time a list certified by him to be a correct list of all voters on the voters' list whose surnames commence with the letters of the alphabet included within the letters by which such polling station or room is designated.

Case of polling division not wholly within one electoral district.

8. Where any provincial polling division, as constituted at the time of the receipt by the returning officer of the writ for an election, lies only partly within the electoral district for which such election is to be held, the part thereof within such electoral district shall, for the purpose of that election, form a separate polling division, or it may be attached by the returning officer to an adjoining polling division; and the returning officer shall as soon as possible after the receipt of the writ prepare from the existing voters' lists a separate voters' list containing the names of the persons entitled to have their names placed on the list for such part of such polling division.

If provincial lists are more than one year old.

9. Where under the laws of a province the voters' lists for any provincial electoral district or division or any of them are prepared not at regular intervals, but at such times as are fixed by the Lieutenant Governor in Council or some other provincial or local authority or only from time to time for the purpose of a general or other election in immediate contemplation, the last preceding voters' lists so prepared shall be used for the purpose of any Dominion election in the territory comprised in such provincial electoral district or division or the parts thereof for use in which they were prepared if such lists have been prepared not more than one year before the date of the writ for such Dominion election; otherwise, new voters' lists shall be prepared, and for the purpose of preparing and giving effect to such voters' lists the Governor in Council may appoint all necessary officers and confer upon them all necessary powers, and in the preparation and revision and bringing into force of such new voters' lists the provisions of the laws of the province regulating the preparation and revision and bringing into force of the provincial voters' lists in such cases shall, as far as possible, be observed and followed.

New lists to be prepared.

Certified copies of provincial lists to be transmit-

10. Within ten days after the final revision of every list of voters for the purposes of provincial elections, it shall be the duty of the custodian thereof to transmit to the Clerk of the

Crown in Chancery, by registered mail, a copy of such list, certified under the hand of such custodian, and having every alteration, addition or erasure therein identified by his initials. The fees to be paid for such certified copy shall be those fixed by the provincial law for furnishing such copies to applicants therefor, and if there is no fee fixed by the provincial law, shall be twenty-five cents for each one hundred names including additions and descriptions and fifty cents for the certificate.

ted to Clerk
of the Crown
in Chancery.

Fees for
copies.

2. For the purposes of Dominion elections, such certified copy shall be deemed to be the original and legal list of voters for the polling division for which the list of which it is a copy was prepared, so long as that list remains in force, subject, however, to such changes and additions as are, subsequent to revision, made in such list under the provisions of the provincial law.

To be deemed
originals.

3. It shall be the duty of the Clerk of the Crown in Chancery, immediately upon receipt by him of any such certified copy of a list of voters, to cause it to be printed by the Queen's Printer, and he shall thereafter retain such certified copy of record in his office.

To be printed
by Queen's
Printer.

4. Immediately after printing such list, the Queen's Printer shall send, by registered mail, twenty copies thereof to the sitting member for the electoral district to which the list belongs, and twenty copies to the defeated candidate at the last Dominion election therein; and the Governor in Council may, by regulation, provide for the issue to members and candidates of such additional copies as are thought proper.

Printed
copies to be
sent to
members and
defeated
candidates.

5. The Clerk of the Crown in Chancery and the Queen's Printer shall supply copies of any lists so printed to any person applying therefor and paying for them a price proportionately sufficient to cover the cost of printing them, but such price shall not exceed ten cents for each copy of the list for a polling division.

Copies to be
furnished on
payment.

6. All voters' lists so printed by the Queen's Printer shall be authenticated by his imprint in the same manner as other parliamentary documents, and every copy of a voters' list bearing such imprint shall be deemed to be for all purposes an authentic copy of the original list of record in the office of the Clerk of the Crown in Chancery.

Queen's
Printer's
imprint.

7. If, under the provincial law, any changes in or additions to a list of voters have been made since the final revision, it shall be the duty of the official having a record of such changes and additions, upon the request of any person presenting for the purpose any such printed copy of the list, and paying or tendering the sum of fifty cents, to make corresponding changes in and additions to such printed copy, and to certify under his hand as to the correctness of such changes and additions; and such printed copy, with such changes and additions and so certified, shall be deemed to be, for all purposes, an authentic copy of the list of voters as it exists and is in force at the time of such certification.

Changes in
printed lists
to be certified
by provincial
officer.

Queen's
Printer to
keep latest
lists in type.

8. The Queen's Printer shall keep standing, in type, every list of voters so printed by him until he is furnished by the Clerk of the Crown in Chancery with a duly certified copy of a later list for the same polling division, or of a later list or later lists showing some change in the polling division, whereupon he shall correct such list so that it shall correspond with such later list, or shall make such other changes as are necessary, and he shall then keep such list so corrected, or any new resulting list or lists, standing in type until he has been furnished with a certified copy of a later list or lists affecting the same, and so on, so that there shall always, so far as practicable, be kept standing in type a correct copy of every finally revised provincial list of voters.

Penalty for
non-feasance
by provincial
officer.

9. Every officer or person who, under the provincial law, is the custodian of any list of voters, or has the official record of any change in or additions to any such list since the last final revision thereof, and who refuses or omits to perform any duty imposed upon him by this section, is guilty of an indictable offence, and for each such refusal or omission shall incur a penalty of not more than one thousand dollars and not less than one hundred dollars.

Failing certi-
fied copies,
what lists
shall be used.

10. So long as and whenever, for any reason, a certified copy of any list of voters as finally revised has not been transmitted to or received by the Clerk of the Crown in Chancery pursuant to the provisions of this section, the original and legal list for Dominion elections shall be the same as that for provincial elections.

Interpretation
of R.S.C., c. 8.

11. The expression "polling district" in *The Dominion Elections Act*, chapter 8 of the Revised Statutes, shall have the same meaning as the expression "polling division" has in this Act.

The same.

12. In the said Act the expressions "list of voters," "voters' list," "elector," and "voter" shall have the same meaning as the same expressions have in this Act.

Section 7
amended.

13. Paragraph (e) of section 7 of the said Act is hereby amended by striking out the words "or revising officers."

New section
13.

14. Section 13 of the said Act, as amended by section 1 of chapter 19 of the statutes of 1891, is hereby repealed and the following is substituted therefor:—

Returning
officer to
obtain voters'
lists, etc.

"13. Forthwith after the receipt of the writ for a Dominion election the returning officer shall obtain from the officers who are the legal custodians thereof, or of duly certified duplicates, or copies thereof, such provincial voters' lists or such certified copies thereof or extracts therefrom, and such certified copies of by-laws, orders, proclamations or other documents or proceedings defining the several provincial polling divisions situate either wholly or partially within the territory comprised in the electoral district for which such election is

to be held as are necessary, or as he deems necessary, to the performance of his duties as returning officer; and every such officer who omits or refuses to furnish within a reasonable time any such voters' list or copy thereof, or extract therefrom, or any such copy of a by-law, or order, or proclamation or other document or proceeding demanded by the returning officer shall be guilty of an indictable offence and incur a penalty not exceeding two thousand dollars and not less than two hundred dollars." Penalty for not furnishing them.

15. Subsection 2 of section 20 of the said Act is hereby repealed. Section 20 amended.

16. Paragraph (b) of section 30 of the said Act is hereby repealed and the following substituted therefor:— Section 30 amended.

"(b.) furnish each deputy returning officer with a certified copy of the list of voters in the polling district for which he is appointed, if there is any such list."

17. Section 41 of the said Act is hereby repealed. Section 41 repealed.

18. Section 42 of the said Act is hereby amended by striking out the words "revising officers" in paragraph (a) of subsection 2. Section 42 amended.

19. Section 43 of the said Act shall not apply to Prince Edward Island. Application of section 43.

20. Subsection 1 of section 45 of the said Act is hereby repealed and in lieu thereof it is hereby enacted that not more than one elector for each compartment shall, at any one time, enter the room where the poll is held, and each elector upon so entering shall declare his name and addition, and in the province of Prince Edward Island his qualification also, which shall be entered or recorded by the poll clerk in the poll book provided for that purpose, which shall be kept in the form R in the first schedule to *The Dominion Elections Act*; and if the name is found on the list of voters for the polling district of such polling station, or if in any polling division where by the provincial law no list of voters is required or provided such elector is found entitled to vote, or if his name is not on the list of voters but he claims the right to vote under subsection 2 of section 6 of this Act and takes the oath prescribed by that subsection, he shall receive from the deputy returning officer a ballot paper, on the back of which such deputy returning officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it, and on the counterfoil to which he has placed a number corresponding to that placed opposite the voter's name in the poll book. Section 45 amended. Regulations for voting and conduct of electors and deputy returning officer.

21. Subsection 2 of the said section 45 of the said Act, as amended by section 7 of chapter 11 of the statutes of 1888, is hereby Section 45 further amended.

Oath by
elector.

hereby repealed and in lieu thereof it is hereby enacted that an elector, if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present shall, before receiving his ballot paper, take such oath of qualification as by the law of the province he may in the like case at a provincial election be required to take, such changes being made in the form of oath as are necessary to make it applicable to the election being held, which oath the deputy returning officer and poll clerk are each of them hereby authorized to administer.

Oaths, etc., in
P.E.I.

22. In the province of Prince Edward Island an elector, if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present, shall, before receiving his ballot paper, answer such questions and produce such certificate or receipt, (or in case such certificate or receipt cannot be produced, take the oath in such cases prescribed), and take such other oath of qualification as by the law of the province he may in the like case at a provincial election be required to answer, produce, or take, such changes being made in the form of oaths as are necessary to make them applicable to the election being held, which oaths the deputy returning officer and poll clerk are each of them hereby authorized to administer.

Objections to
voters in
P.E.I.

23. In the province of Prince Edward Island, if any person desires to vote whose right to vote is objected to on the ground of want of qualification, and if a candidate, or any agent of a candidate, or (in the absence of such agent) any elector acting in the interest of a candidate, so objects in the presence of the elector, the deputy returning officer shall number and place his initials upon the ballot paper before delivering it to such person, and shall place opposite to the name of such person in the poll book a corresponding number, and thereupon such person shall be entitled to receive such ballot paper and to vote.

Section 50
repealed.

24. Section 50 of the said Act is hereby repealed.

Section 51
repealed.

25. Section 51 of the said Act is hereby repealed, and in lieu thereof it is hereby enacted that the poll clerk shall enter in the poll book, opposite the name of each elector voting, the word "*Voted*," as soon as his ballot paper has been deposited in the ballot box, and he shall enter in the same book the word "*Sworn*" or "*Affirmed*" opposite the name of each elector to whom the oath of qualification has been administered, and the words "*Refused to be sworn*," or "*Refused to affirm*," or "*Refused to answer questions put to him*," or "*Refused to produce evidence of qualification*," opposite the name of each elector who has refused to take the oath or to affirm, or has refused to answer questions or produce evidence of qualification which he has been lawfully required to answer or produce, and in the province of Prince Edward Island the words "*Objected to*"

to" opposite the name of such person voting whose right to vote has been objected to under section 23 of this Act.

2. The poll clerk shall also enter in the poll book the words "*Provincial disqualifications oath taken*" opposite the name of each elector to whom the oath prescribed by subsection 2 of section 6 of this Act has been administered, and the words "*Refused to take provincial disqualifications oath,*" opposite the name of each elector who has refused to take that oath.

26. Section 52 of the said Act is hereby repealed, and in lieu thereof it is hereby enacted that no voter who has refused to take the oath or affirmation, or to answer questions or produce evidence as to qualification as aforesaid, when required to do so, shall receive a ballot paper or be admitted to vote.

Voter refusing to be sworn or to answer questions.

27. Section 54 of the said Act shall be applicable also to electors entitled to vote otherwise than by being named on the list of voters.

Section 54, application extended.

28. Subsection 3 of section 56 of the said Act is hereby repealed.

Section 56 amended.

29. In the province of Prince Edward Island the deputy returning officer shall also, in counting the ballots, place in a separate envelope or parcel all ballot papers numbered and initialled under section 23 of this Act.

Counting ballot papers in P. E. I.

30. Section 57 of the said Act shall not apply, in the province of Prince Edward Island, to the determination of the qualification or non-qualification of any voter whose ballot paper has been numbered and initialled under section 23 of this Act.

Application of section 57.

31. Section 58 of the said Act, as enacted by section 8 of chapter 11 of the statutes of 1888, is hereby further amended by striking out all the words from "candidate" in line four to "of" in line nine, and by inserting after the word "papers" in line ten the words "and of the ballot papers numbered and initialled by him under section 23 of this Act."

Section 58 amended.

32. Subsection 1 of section 64 of the said Act is hereby amended by striking out all the words from "or" in line fourteen to "he" in line twenty-eight, and by substituting therefor: "(3.) In the province of Prince Edward Island that any person not duly qualified to vote in such electoral district has so voted."

Section 64 amended.

2. Subsection 2 of the said section 64 is hereby repealed.

3. Subsection 4 of the said section 64 is hereby amended by striking out all the words from "including" in line eight to "appeals" in line thirteen.

4. Subsection 6 of the said section 64 is hereby amended by striking out all the words from "and" in line three to "thereat" in line twenty-four.

Form S
repealed.

33. Form S in the first schedule to the said Act, as amended by section 11 of chapter 11 of the statutes of 1888, by section 16 of chapter 19 of the statutes of 1891, and by section 22 of chapter 14 of the statutes of 1894, is hereby repealed.

Form X
repealed.

34. Form X in the said schedule is hereby repealed.

Second
schedule
amended.

35. The second schedule to the said Act is hereby amended by inserting after the item numbered 7 the following item :—
"7a. For necessary disbursements under section 13, the fees to be paid for copies of documents furnished to the returning officer thereunder to be those provided for similar services under the provincial law, and where no provision is made by the provincial law, ten cents per folio of one hundred words, and for the certificate of the custodian, fifty cents.

Forms of
oaths

36. It shall be lawful for the Governor in Council to prepare, as schedules to this Act, the oaths in the form required to be taken by voters at an election held under the authority of this Act.

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61 VICTORIA.

CHAP. 15.

An Act further to amend the Act respecting the Senate and House of Commons.

[Assented to 13th June, 1898.]

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

1. For the present session of Parliament, and for each session of Parliament hereafter held, the deduction of eight dollars per day mentioned in section 26 of the *Act respecting the Senate and House of Commons*, being chapter 11 of the Revised Statutes, shall not be made for fifteen days in the case of a member who has been absent from a sitting of the House of which he is a member, or of some committee thereof, during such number of days; but this provision shall not operate to extend the maximum amount mentioned in section 25 of the said Act, nor in the case of a member elected since the commencement of a session shall it apply to days prior to his election.

Days of absence of members.

Proviso.

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61 VICTORIA.

CHAP. 16.

An Act further to amend the Act respecting Public Officers.

[Assented to 13th June, 1898.]

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

1. Section 22 of the Revised Statute respecting Public Officers, as said section is enacted by chapter 9 of the statutes of 1887, is hereby repealed and the following is substituted therefor :—

R.S.C., c. 19,
s. 22 and 1887
c. 9, s. 1
amended.

“22. The Governor in Council may direct that whenever any person is required to give security as aforesaid, for the due performance of his office, trust or employment, and for his duly accounting for all public moneys entrusted to him or placed under his control, or for the due fulfilment in any way of his duty, or of any obligation undertaken towards the Crown, the bond or policy of guarantee of any incorporated or joint stock company, incorporated and empowered to grant guarantees, bonds, covenants or policies, for the integrity and faithful accounting of public officers or other like purposes, and named in the Order in Council, or a conditional assignment of a deposit standing in the name of such public officer in the books of the Post Office or any other Government Savings Bank, may be accepted as such security, upon such terms as are determined by the Governor in Council; but in the case of an assignment of a deposit as aforesaid, the interest shall be payable to the depositor, until forfeiture of the security, in like manner as if no such assignment had been made.

Acceptance of certain securities may be authorized by Governor in Council.

Guarantee bonds or policies.

Assignment of deposit in Government Savings Bank.

“2. The Governor in Council may direct that in all cases, or in any case or class of cases in which the bond or policy of guarantee of an incorporated or joint stock company is accepted as such security, the money necessary to pay the premium upon such bond or policy may be deducted from the

Premiums may be deducted from officer's salary.

the salary or pay of the person or persons for whom the security is given, either by monthly instalments or otherwise.

Indemnification fund may be established.

“ 3. The Governor in Council may from time to time make regulations for the establishment and maintenance of a fund to be derived from moneys contributed by, or deducted from the salaries or pay of, the persons concerned, wherewith to make good to the Crown any loss sustained by reason of the failure of any person required to give security as aforesaid to duly discharge the duties of his office, trust or employment, or to duly account for public moneys entrusted to him or placed under his control.

Application of regulations as to indemnification fund.

“ 4. Such regulations may apply generally to all persons required to give security as aforesaid, or to any class or classes of such persons, and, if the Governor in Council thinks fit, may provide as to all or any of the persons or classes of persons affected by them that the security afforded by such fund shall be in substitution or in partial substitution for the security so required to be given as aforesaid.”

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61 VICTORIA.

CHAP. 17.

An Act to provide for the abolition of the Civil Service Superannuation Act and for the retirement of members of the Civil Service.

[Assented to 13th June, 1898.]

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

1. This Act may be cited as *The Civil Service Retirement Act*, 1898. Short title.

2. This Act shall apply, instead of *The Civil Service Superannuation Act*,— To whom Act shall apply.

(a.) to every person hereafter appointed to the Civil Service ;

(b.) to every person now in the Civil Service who before the first day of January, one thousand eight hundred and ninety-nine, with the consent of the Governor in Council, elects to accept the provisions of this Act in lieu of those of *The Civil Service Superannuation Act*.

3. The Civil Service for the purposes of this Act shall include all officers, clerks, employees and other persons mentioned or referred to in section 2 of *The Civil Service Superannuation Act*. Who shall be deemed civil servants.

4. A fund, to be called the “retirement fund,” shall be formed for the retirement of the persons to whom this Act applies, subject to the conditions and qualifications hereinafter contained. Retirement fund.

5. The said fund shall be created by the reservation out of the salary of each person of five per cent of his salary ; in addition to which, in the case of any person now in the service who has been subject to any such deduction, and who, with the consent of the Governor in Council, elects to accept the provisions of this Act in lieu of those of *The Civil Service Superannuation Act*. Formation of fund.

Superannuation Act, there shall be transferred to his credit and form part of the said fund, a sum equal to the amount of all such deductions from his salary, and interest, compounded half-yearly, at the rate of four per cent per annum.

Separate account for each person.

6. The amount reserved, in the case of each person, together with any sum transferred to his credit as in the next preceding section mentioned, shall be entered in a separate account; and interest at the rate of four per cent per annum shall be computed on the first days of January and July in each year on all sums, whether of principal or interest, to the credit of the retirement fund, and such interest shall be credited thereto and form part thereof.

Interest.

No claim while in service.

7. No person shall, during his continuance in office, have any claim or right to any part of the retirement fund.

Payment on retirement or dismissal.

8. On the retirement or dismissal of any person, the amount to his credit in the retirement fund shall be payable to him: Provided always, that if he is, in the opinion of the Governor in Council, unfit to manage his own affairs, such amount may be dealt with for the benefit of such person, or of his wife or children or other next of kin, in such manner as the Governor in Council determines.

If person is mentally infirm.

Payment on death.

9. If a person dies while in the Civil Service, the amount to his credit in the retirement fund shall be paid to his legal representatives.

Commencement of Act.

10. This Act shall come into force on the first day of July, one thousand eight hundred and ninety-eight.



61 VICTORIA.

CHAP. 18.

An Act further to amend the Act respecting the Department of the Geological Survey.

[Assented to 13th June, 1898.]

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

1. When the services of temporary assistants having special professional or technical qualifications are required in the department of the Geological Survey, the Minister of the Crown presiding over that department may, upon the requisition of the Deputy Head and Director of the department, employ such number of temporary assistants as are necessary, having the qualifications requisite for appointment as technical officers of the department under section 4 of the *Act respecting the Department of the Geological Survey*, chapter 11 of the statutes of 1890.

Temporary assistants in Geological Survey.

2. Notwithstanding anything contained in *The Civil Service Act* or any Act in amendment thereof, it shall not be necessary that any person appointed a temporary assistant under the next preceding section shall have passed any examination under *The Civil Service Act*, and such person may be paid at the rate of more than four hundred dollars a year and out of moneys voted by Parliament for the contingencies of the department, or any other moneys voted by Parliament and applicable to such payment, although such moneys may not have been specially voted for such purpose.

Examination not required.

Payment of salaries.

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61 VICTORIA.

CHAP. 19.

An Act further to amend the Militia Act.

[Assented to 13th June, 1898.]

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

1. Section 37 of *The Militia Act*, chapter 41 of the Revised Statutes, is hereby repealed and the following is substituted therefor:—

R.S.C., c. 41,
new sec. 37.

“37. There shall be appointed an officer who holds the rank of colonel or rank superior thereto in Her Majesty’s regular army, who shall be charged, under the orders of Her Majesty, with the military command and discipline of the Militia, and who, while he holds such appointment, shall have the rank of Major General in the Militia, and shall be paid a salary at the rate of four thousand dollars per annum, and in addition thereto, in lieu of allowances, such sum, not exceeding two thousand dollars per annum, as is determined by the Governor in Council.

Qualification
and appoint-
ment of com-
manding
officer.

Rank and
pay.

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61 VICTORIA.

CHAP. 20.

An Act further to amend the Post Office Act.

[Assented to 13th June, 1898.]

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

1. On all letters transmitted by post for any distance within Canada, except in cases otherwise specially provided for, there shall be charged and paid one uniform rate of two cents per ounce weight, any fraction of an ounce being chargeable as an ounce, and such postage rate of two cents shall be prepaid by postage stamp or stamps at the time of posting the letter.

Rate of postage on letters within Canada.

2. Letters wholly unpaid shall not be forwarded by post; but letters which are addressed to any place in Canada and on which any postage has been prepaid by stamp shall be forwarded to their destination charged with double the amount of the postage thereon not so prepaid, which amount shall be collected on delivery.

Prepayment obligatory.

Exception.

3. This section shall not have force or effect until a day to be named by the Governor General by his proclamation, and upon such day the section substituted for section 20 of *The Post Office Act* by section 4 of chapter 20 of the statutes of 1889 shall be deemed to be repealed, and this section substituted therefor.

Commencement of this section upon proclamation.

2. Subsection 1 of section 9 of *The Post Office Act*, as amended by section 1 of chapter 26 of the statutes of 1897, is hereby further amended by adding thereto the following paragraph:—

R.S.C., c. 35, s. 9 amended.

“(s.) make regulations providing that in the case of mail matter which bears upon the cover thereof the name and address of the sender, and which is mailed unpaid, the postmaster at the office of mailing may notify the sender thereof of such non-payment and allow him to supply the short postage for the purpose of being affixed thereto by the postmaster, and that in the case of imperfectly addressed mail

Letters not prepaid or insufficiently addressed.

matter which indicates on the cover the sender's name, the postmaster may afford the sender an opportunity of enabling the postmaster to complete the address."

New s. 26.

3. Section 26 of the said Act, as amended by section 7 of chapter 20 of the statutes of 1889, and except as hereinafter otherwise provided, is hereby repealed and the following is substituted therefor:—

Rates of postage on newspapers and periodicals after 1st January, 1899.

"26. On and after the first day of January, one thousand eight hundred and ninety-nine, newspapers and periodicals, printed and published in Canada, mailed by the publisher in the post office at the place where they are published and addressed to regular subscribers or newsdealers in Canada, resident elsewhere than in the place of publication, shall be transmitted by mail to their respective addresses as follows:— If they are required to be transmitted by mail a distance within twenty miles from the place of publication or within a circular area of a diameter not exceeding forty miles, and if their publication is of no greater frequency than once a week, they shall be so transmitted free of postage within one or other of such areas to be selected by the publisher in accordance with regulations in that behalf to be established by the Postmaster General; if they are required to be transmitted a greater distance, or if their publication is of greater frequency than once a week, then in either of such cases postage thereon shall be paid on and after the said first day of January, and until and inclusive of the thirtieth day of June next following, at the rate of one-quarter of one cent, and thereafter at the rate of one-half of one cent, for each pound weight or any fraction of a pound weight, which shall be prepaid by postage stamps or otherwise, as the Postmaster General from time to time directs; provided that—

Intervals of publication.

"(a.) such newspaper or periodical is known and recognized as a newspaper or periodical in the generally received sense of the word, and consists wholly or in great part of political or other news or of articles relative thereto or to other current topics, and is published regularly at intervals of not more than one month;

Title, date and place of publication.

"(b.) the full title, place and date of publication, and the distinguishing number of the issue are printed at the top of the first page, and every subsequent page, and also on any paper, print, lithograph or engraving purporting to be a supplement to it and sent with it;

To whom to be addressed.

"(c.) it is addressed to a *bonâ fide* subscriber, or to a known newsdealer in Canada; and—

Delivery into post office.

"(d.) it is delivered into the post office under such regulations as the Postmaster General, from time to time, makes for that purpose.

Weight, how determined.

"2. For the purpose of determining the weights of such newspapers or periodicals, each newspaper or periodical transmitted separately through the mails shall be held to weigh not less than one-half of one ounce.

“3. The Postmaster General may decide whether any publication, for which transmission at the rates herein mentioned is claimed, is or is not a newspaper or periodical within the meaning and intent of this section, and whether the requirements thereof have or have not been complied with in regard to it, and from time to time may make any regulations he deems necessary to give full effect to the provisions of this section, or to prevent fraudulent evasions thereof.”

Powers of
Postmaster
General.

4. Section 42 of the said Act is hereby amended by adding thereto the following subsection :—

Section 42
amended.

“8. Books for the use of the blind shall be free of Canada postage under such regulations as are from time to time made in that respect by the Postmaster General.”

Books for the
blind, free of
postage.

5. The subsection substituted for subsection 1 of section 44 of the said Act by section 10 of chapter 20 of the statutes of 1889, is hereby repealed and the following is substituted therefor :—

New section
44.

“44. Except as in this Act otherwise provided, letters or other articles which, from any cause, remain undelivered in any post office, or which, having been posted, cannot be forwarded by post, shall, under such regulations as the Postmaster General makes, be transmitted by postmasters to the Post Office Department, or to such other places as the Governor in Council directs, as dead letters, there to be opened and returned to the writers or senders on payment of any postage due thereon with three cents additional on each dead letter to defray the cost of returning it, less, in the case of insufficiently prepaid letters or other mailable matter posted in Canada, such amount of postage as has been prepaid thereon; or such dead letters may, in any case or class of cases, be otherwise disposed of as the Postmaster General directs; provided always that with regard to letters the only places other than Ottawa to which they may be so transmitted and dealt with as dead letters, shall be the cities of Montreal, Toronto, Victoria, Winnipeg and Halifax, subject to such regulations as are approved by the Governor in Council.”

Dead letters,
how dealt
with.

6. Hereafter clerks employed in post offices shall not be required to pass the promotion examination provided for by section 39 of *The Civil Service Act*, but shall be examined on the work of the post office, at such times and by such persons as are from time to time designated by the Postmaster General.

Examination
of post office
clerks.



61 VICTORIA.

CHAP. 21.

An Act in further amendment of the Post Office Act.

[Assented to 13th June, 1898.]

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

1. Subsection 1 of section 9 of *The Post Office Act*, chapter 35 of the Revised Statutes, is hereby further amended by adding thereto the following paragraph :—

“(t.) make regulations establishing a system of special delivery of mailable matter, fixing rates of charges for such special delivery, and the method of payment thereof, and providing such other details as may be deemed necessary for the carrying out of such system, including payment of messengers, notwithstanding anything in *The Civil Service Act*.”

R.S.C., c. 35,
s. 9 amended.

Special
delivery.

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61 VICTORIA.

CHAP. 22.

An Act further to amend the Railway Act.

[Assented to 13th June, 1898.]

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

1. Section 240 of *The Railway Act* is hereby amended by inserting in its sixth line next after the word “vehicles” the words “and likewise to every other carrier of passengers or goods by land or by water.” 1888, c. 29, s. 240 amended.

2. In any case in which the toll charged by a company for a carriage partly on a railway and partly on a steamship or line of steamships is expressed in a single sum, the Railway Committee, for the purpose of determining whether a toll has been charged, which is discriminatory or contrary in any way to the provisions of *The Railway Act*, may definitely determine what portion of such single sum is to be properly assumed as having been charged in respect of the railway transportation, and may decide accordingly. Determination of discriminatory toll.

3. Section 52 of *The Railway Act* is hereby amended by inserting, in the fifth line next after the word “directors,” the words “unless otherwise provided by by-law.” 1888, c. 29, s. 52 amended.

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61 VICTORIA.

CHAP. 23.

An Act to protect Canada against the introduction of the insect pest known as the San José Scale.

[Assented to 18th March, 1898.]

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

- 1.** This Act may be cited as *The San José Scale Act*. Short title.
- 2.** The importation of any trees, shrubs, plants, vines, grafts, cuttings or buds, commonly called nursery stock, from any country or place to which this Act applies is prohibited. Importation of nursery stock from certain places prohibited.
- 3.** Any nursery stock so imported shall be forfeited to the Crown and may be destroyed, and any person importing nursery stock from any such country or place, or causing or permitting it to be so imported, shall be deemed to be guilty of an offence under section 6 of *The Customs Tariff*, 1897, and shall be liable to the penalty prescribed by that section. Penalty.
- 4.** The Governor in Council may from time to time declare that this Act applies to any country or place as to which it has been made to appear that San José scale exists therein; and, when satisfied that the importation of nursery stock from any country or place to which this Act has been applied may safely be permitted, he may in like manner declare that this Act no longer applies to such country or place. Application of Act to be regulated by Governor in Council.
- 5.** The Governor in Council, upon its being made to appear to his satisfaction that any class of plants is not liable to the attack of the San José scale, may exempt plants of such class, and grafts, cuttings or buds thereof from the operation of this Act. Exemption of plants which are not liable to San José scale.
- 6.** The Governor in Council may from time to time, notwithstanding anything contained in this Act, permit the importation Importation for scientific purposes.

importation from any country or place to which this Act applies of such nursery stock as is required for scientific purposes.

Publication of
Orders in
Council.

7. All Orders in Council made under sections 4 and 5 of this Act shall be published in the *Canada Gazette*.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



61 VICTORIA,

CHAP. 24.

An Act further to amend the Adulteration Act.

[Assented to 13th June, 1898.]

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

1. The section substituted, by section 1 of chapter 26 of the statutes of 1890, for section 2 of *The Adulteration Act*, chapter 107 of the Revised Statutes, is hereby amended by adding the following sub-paragraph to paragraph (e) thereof:—
“(8.) If it is so coloured or coated or polished or powdered that damage is concealed, or if it is made to appear better or of greater value than it really is;”

R.S.C., c. 107,
s. 2 amended.

2. The said section is hereby further amended by repealing sub-paragraph (1) of paragraph (g) thereof, and substituting the following therefor:—

S. 2 further
amended.

“(1.) If any matter or ingredient not injurious to health has been added to the food or drug because it is required for the production or preparation thereof as an article of commerce, in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure of the food or drug, or to conceal the inferior quality thereof, if each package, roll, parcel or vessel containing every such article manufactured, sold or exposed for sale is distinctly labelled as a mixture, in conspicuous characters forming an inseparable part of the general label, which shall also bear the name and address of the manufacturer.”

Addition of
non-injurious
matter.

3. The said section is hereby further amended by repealing sub-paragraph (4) of paragraph (g) thereof, and substituting the following therefor:—

S. 2 further
amended.

“(4.) If any articles of food not injurious to the health of the person consuming them are mixed together and sold or offered for sale as a compound, and if each package, roll, parcel or vessel containing such articles is distinctly labelled as

Compounds of
non-injurious
articles.

a mixture, in conspicuous characters forming an inseparable part of the general label, which shall also bear the name and address of the manufacturer."

New s. 22.

4. Section 22 of *The Adulteration Act* is hereby repealed and the following is substituted therefor:—

Penalty for adulteration of food or drug.

If injurious to health.

"22. Every person who wilfully adulterates any article of food or any drug, or orders any other person so to do, shall,—

"(a.) if such adulteration is, within the meaning of this Act, deemed to be injurious to health, for the first offence, incur a penalty not exceeding five hundred dollars and costs, or six months' imprisonment, or both, and not less than fifty dollars and costs, and for each subsequent offence a penalty not exceeding one thousand dollars and costs, or one year's imprisonment, or both, and not less than one hundred dollars and costs;

If not injurious.

"(b.) if such adulteration is, within the meaning of this Act, deemed not to be injurious to health, incur a penalty not exceeding two hundred dollars and costs, or three months' imprisonment, and for each subsequent offence a penalty not exceeding five hundred dollars and costs, or six months' imprisonment, or both, and not less than one hundred dollars and costs."

New s. 23.

5. Section 23 of the said Act, as amended by section 9 of chapter 26 of the statutes of 1890, is hereby repealed and the following is substituted therefor:—

Penalty for selling adulterated article.

If injurious.

"23. Every person who, by himself or his agent, sells, offers for sale, or exposes for sale, any article of food or any drug, which is adulterated within the meaning of this Act, shall,—

"(a.) if such adulteration is, within the meaning of this Act, deemed to be injurious to health, for a first offence incur a penalty not exceeding two hundred dollars and costs, or three months' imprisonment, or both, and for each subsequent offence a penalty not exceeding five hundred dollars and costs, or six months' imprisonment, or both, and not less than fifty dollars and costs;

If not injurious.

"(b.) if such adulteration is, within the meaning of this Act, deemed not to be injurious to health, incur for each such offence a penalty not exceeding one hundred dollars and costs, and not less than five dollars and costs.

Proviso: as to knowledge of offender.

"2. Provided that if the person accused proves to the court before which the case is tried that he had purchased the article in question as the same in nature, substance and quality as that demanded of him by the purchaser or inspector, and with a written warranty to that effect,—which warranty, in the form in the third schedule to this Act, is produced at the trial of the case,—and that he sold it in the same state as when he purchased it, and that he could not with reasonable diligence have obtained knowledge of its adulteration, he shall be discharged from the prosecution, but shall be liable to pay the

costs incurred by the prosecutor, unless he has given due notice to him that he will rely on the above defence, and has called the party from whom he purchased the said article into the case, as provided for by the next following subsection of this section, in which case he shall be liable only to the forfeiture provided by section 21 of this Act.

“3. The person presenting the defence referred to in the next preceding subsection shall, upon his sworn declaration that he purchased the article in good faith, and as provided for in the said subsection, obtain a summons to call such third party into the case; and the court shall at the same time hear all the parties, and decide upon the entire merits of the case, not only as regards the person originally accused, but also as regards the third party so brought into the case.”

Summons to person from whom he purchased.

6. Section 27 of the said Act is hereby repealed and the following is substituted therefor:—

New s. 27.

“**27.** It shall be the duty of any officer entrusted with the enforcement of this Act, when he is required thereto by any person, to purchase from the vendor of any article sold or exposed for sale a sample thereof and submit it for analysis in accordance with the provision of this Act, provided the person so requiring such purchase and analysis deposits with such officer at the time such a demand is made, a sum of money sufficient to pay for such sample and analysis.

Duty of analyst.

“2. If, upon analysis, such article is found to be adulterated within the meaning of this Act, the person at whose instance the analysis is made, may prosecute the vendor of the article, or may require such officer to prosecute the vendor upon making a deposit of twenty-five dollars with the collector of Inland Revenue, as security for the costs of such prosecution, and every person so prosecuting shall be entitled to a moiety of the penalty imposed, upon conviction of the person accused.

Prosecution of vendor of adulterated article.

“3. Nothing herein contained shall be held to preclude such officer, or the Department of Inland Revenue, from prosecuting the vendor of such article so adulterated: Provided that a second prosecution shall not be instituted for the same offence.”

Prosecution by department.

7. The said Act is hereby further amended by inserting the following sections immediately after section 27:—

Sections added.

“**27A.** Nothing herein contained shall be held to preclude any person from submitting any sample of food, drug, or agricultural fertilizer for analysis to any public analyst, or from prosecuting the vendor thereof, if it is found to be adulterated within the meaning of this Act.

Employment of public analyst.

“2. Any public analyst shall analyse such sample on payment of the fee prescribed with respect to such article or class of articles by the Governor in Council.”

His fee.

Division into three parts of article to be analysed.

“**27B.** The person purchasing any article with the intention of submitting it to analysis shall, after the purchase is completed, forthwith notify to the seller or his agent selling the article his intention to have it analysed by the public analyst, and shall offer to divide the article into three parts to be then and there separated, each part to be marked and sealed or fastened up in such manner as its nature will permit of, and shall, if required to do so, proceed accordingly, and he shall deliver one of the parts to the seller or his agent, retain one of the parts for future comparison, and submit the third part to the analyst, if he deems it right to have the article analysed.”

Division by analyst.

“**27c.** If the seller or his agent does not accept the offer of the purchaser to divide in his presence the article purchased, the analyst receiving the article for analysis shall divide it into two parts, and shall seal or fasten one of those parts, and shall cause it to be delivered, either upon receipt of the sample or when he supplies his certificate, to the purchaser, who shall retain such part for production in case proceedings are afterwards taken in the matter.”

Section 28 amended.

8. The section substituted for section 28 of the said Act by section 11 of chapter 26 of the statutes of 1890 is hereby amended by adding thereto the following subsection :—

Costs of prosecution.

“**2.** Such expenses of prosecution shall also include a reasonable counsel fee, in the discretion of the judge ; and in the case of a private prosecutor, if the prosecution is dismissed as being instituted without reasonable and probable cause, the costs of defence shall be taxed against such prosecutor.”

Section added.

9. The said Act is hereby further amended by adding at the end thereof the following section :—

Other remedies not affected.

“**31.** Nothing in this Act contained shall affect the power of proceeding by indictment or take away any other remedy against any offender under this Act.”

Schedule amended.

10. The said Act, as amended by chapter 26 of the statutes of 1890, is hereby further amended by inserting in the first schedule thereto, after the words “picric acid,” the words “salicylic acid,” and by adding the following schedule thereto :—

Schedule added.

“THIRD SCHEDULE.

“*Form of Warranty.*”

“I hereby warrant that the undermentioned articles manufactured by myself or by persons known to me and sold by me to _____ on the dates opposite thereto,

thereto, are pure and unadulterated within the meaning of the Adulteration Act.

"Date.	Article.

"(Signature of manufacturer or vendor.)"

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61 VICTORIA.

CHAP. 25.

An Act further to amend the General Inspection Act.

[Assented to 13th June, 1898.]

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

1. Section 20 of *The General Inspection Act*, chapter 99 of the Revised Statutes, is hereby amended by adding thereto the following subsection :—

“2. Every inspector shall cause to be stencilled upon every package inspected by him a representation of a crown with the letters ‘V.R.’ and the words ‘Canada Inspection,’ in such form as is determined by departmental regulations; and, in cases where the inspector issues a certificate of inspection, such certificate shall bear upon it the same representation and words; and every person, not being an inspector or deputy inspector, who causes such marks to be placed upon any package or certificate, shall incur a penalty of forty dollars for each such offence.”

R.S.C., c. 99,
s. 20 amended.

Packages to
be marked.

Certificates.

Penalty.

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61 VICTORIA.

CHAP. 26.

An Act further to amend the Gas Inspection Act.

[Assented to 13th June, 1898.]

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

1. Subsection 1 of section 36 of *The Gas Inspection Act*, R.S.C., c. 101, chapter 101 of the Revised Statutes, is hereby amended by striking out the word “purchasers” wherever it occurs therein and substituting therefor the word “meters.” s. 36 amended.
2. The section substituted for section 46 of the said Act by section 3 of chapter 25 of the statutes of 1890, is hereby amended by striking out the words “purchasers” and “customers” wherever they occur therein and substituting therefor the word “meters.” Section 46 amended

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61 VICTORIA.

CHAP. 27.

An Act further to amend the Inland Revenue Act.

[Assented to 13th June, 1898.]

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

1. Section 121 of *The Inland Revenue Act*, chapter 34 of the Revised Statutes, as amended by section 3 of chapter 46 of the statutes of 1891, is hereby further amended by adding thereto the following paragraph :—

“(i.) The expression “beer,” “wash,” or “wort,” as applied to distilleries, means and includes all liquor, fermented or unfermented, made in whole or in part from grain, malt, or any saccharine matter.”

Interpretation.

2. Section 157 of the said Act is hereby repealed and the following is substituted therefor :—

Section 157 repealed.

“157. No spirits shall be removed from a distillery at any time in casks or packages containing less than ten standard gallons each; and any spirits removed in violation of this section shall be forfeited to the Crown, and shall be seized by any officer of Inland Revenue, and dealt with accordingly.”

Least quantity removable in one cask or package.

3. Paragraphs (e), (f) and (g) of section 159 of the said Act, as amended by section 6 of chapter 19 of the statutes of 1897, are hereby repealed and the following are substituted therefor :—

Section 159 amended.

“(e.) has in his possession, in any place, any such still, worm, rectifying or other apparatus, or any part or parts thereof, or any beer or wash suitable for the manufacture of spirits, without having given notice thereof as required by this Act, except in cases of registration provided for by section 125 of this Act, or in whose place or upon whose premises such things are found; or

“(f.) conceals or keeps, or allows or suffers to be concealed or kept, in any place or premises owned or controlled by him, any such still, worm, rectifying or other apparatus, or part thereof, or any beer or wash suitable for the manufacture of spirits; or

“(g.) conceals by removing, or removes, or assists in concealing by removing or otherwise, any such still, worm, rectifying or other apparatus, or part thereof, or any beer or wash suitable for the manufacture of spirits.”

Section 260
amended.

4. The paragraphs substituted for paragraphs (b), (c) and (e) of subsection 1 of section 260 of the said Act, by section 15 of chapter 15 of the statutes of 1889, are hereby repealed and the following are substituted therefor:—

Packing of
fine-cut, etc.

“(b.) all fine-cut chewing tobacco, and all other kinds of tobacco not otherwise provided for, in packages containing one-twentieth, one-sixteenth, one-fifteenth, one-fourteenth, one-thirteenth, one-twelfth, one-eleventh, one-tenth, one-ninth, one-eighth, one-seventh, one-sixth, one-fifth, one-fourth, or one-half of one pound, or one pound—except that fine-cut chewing tobacco, when of a quality and description identical with a sealed sample approved by departmental regulations in that behalf, and deposited in the office of the collector of Inland Revenue for the division in which the tobacco is manufactured or where any such tobacco is imported, may, at the option of the manufacturer or importer, be put up in wooden packages containing five or ten pounds each;

Cut and
granulated
tobacco.

“(c.) all cut and granulated tobacco other than fine-cut chewing, all shorts, the refuse of fine-cut chewing tobacco, which has passed through a riddle of thirty-six meshes to the square inch, and all refuse scraps, cuttings, and sweepings of tobacco, in packages containing one-twentieth, one-sixteenth, one-fifteenth, one-fourteenth, one-thirteenth, one-twelfth, one-eleventh, one-tenth, one-ninth, one-eighth, one-seventh, one-sixth, one-fifth, one-fourth, or one-half of one pound, or one pound each;

Cigarettes.

“(e.) all cigarettes, in packages containing six, seven, ten, twenty, fifty, or one hundred cigarettes each.”



61 VICTORIA.

CHAP. 28.

An Act further to amend the Inland Revenue Act.

[Assented to 13th June, 1898.]

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

1. Section 258 of *The Inland Revenue Act*, as amended by section 13 of chapter 19 of the statutes of 1897, is hereby further amended by adding thereto the following subsections:—

R.S.C., c. 34,
s. 258
amended.

“2. On and after the first day of July, one thousand eight hundred and ninety-eight, the weight upon which the duty on raw leaf tobacco shall be computed, as provided by paragraphs (m) and (n) of subsection 1 of this section, shall be the weight with reference to the standard mentioned in paragraph (c) of section 247.

Duty on raw
leaf tobacco.

“3. The provisions of the said paragraphs (m) and (n) shall apply to foreign raw leaf tobacco in excise warehouse on the twenty-third day of April, one thousand eight hundred and ninety-seven, or transferred thereto thereafter free of customs duties.”

2. Section 14 of chapter 19 of the statutes of 1897 is hereby repealed.

1897, c. 19,
s. 14 repealed.

3. In amendment of a clerical error in section 4 of chapter 19 of the statutes of 1897, the words “section 1 of chapter 25 of the statutes of 1895” are hereby substituted for the words “section 4 of chapter 46 of the statutes of 1891”; and the said section 4 shall be construed as if it had been originally enacted as hereby amended.

1897, c. 19,
s. 4 amended.



61 VICTORIA.

CHAP. 29.

An Act further to amend the Petroleum Inspection Act.

[Assented to 13th June, 1898.]

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

1. The section substituted for section 22 of *The Petroleum Inspection Act*, chapter 102 of the Revised Statutes, by section 10 of chapter 36 of the statutes of 1893, is hereby amended by inserting after the word “use” in the first line, the words “or has in his possession.” R.S.C., c. 102, s. 22 amended.

2. Paragraph (a) of section 23 of the said Act is hereby amended by inserting after the word “use” in the first line, the words “or has in his possession.” Section 23 amended.

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61 VICTORIA.

CHAP. 30.

An Act further to amend the Weights and Measures Act.

[Assented to 13th June, 1898.]

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

1. Auctioneers, second-hand dealers, repairers and adjusters having in their possession, for sale, repair or adjustment, any weight, measure, or weighing machine, shall be deemed to be “dealers” within the meaning of *The Weights and Measures Act* and of this Act. “Dealers” defined.

2. Section 16 of *The Weights and Measures Act* is hereby repealed, and the following is substituted therefor :— R.S.C., c. 104, s. 16 amended.

“16. In contracts for the sale and delivery of any of the undermentioned articles, the bushel shall be determined by weighing, unless a bushel by measure is specially agreed upon—the weight equivalent to a bushel being as follows :— Bushel of certain articles determined by weight.

- Wheat, sixty pounds ;
- Lime, eighty pounds ;
- Indian corn, fifty-six pounds ;
- Rye, fifty-six pounds ;
- Peas, sixty pounds ;
- Barley, forty-eight pounds ;
- Malt, thirty-six pounds ;
- Oats, thirty-four pounds ;
- Beans, sixty pounds ;
- Clover seed, sixty pounds ;
- Timothy seed, forty-eight pounds ;
- Buckwheat, forty-eight pounds ;
- Flax seed, fifty-six pounds ;
- Hemp seed, forty-four pounds ;
- Blue grass seed, fourteen pounds ;
- Castor beans, forty pounds ;
- Potatoes, turnips, carrots, parsnips and beets, sixty pounds ;
- Onions, fifty pounds ;
- Bituminous coal, seventy pounds.

Standard bag of potatoes in Quebec. “2. In the province of Quebec when potatoes are sold or offered for sale by the bag, the bag shall contain at least eighty pounds.

Penalty for contravention. “3. Every person who violates any provision of this section shall be liable, for a first offence, to a penalty not exceeding twenty-five dollars, and for each subsequent offence, to a penalty not exceeding fifty dollars.”

Section 44 repealed. 3. Section 44 of the said Act is hereby repealed.

New s. 48. 4. Section 48 of the said Act is hereby repealed and the following is substituted therefor :—

Re-inspection at certain periods. “48. Within four months after the expiration of two years from the first verification and stamping, and once in two years after each subsequent verification, every weight, measure and weighing machine shall be again inspected and verified, and a new certificate of such inspection and verification obtained from the proper inspector; and the production of the certificate shall be *prima facie* evidence of the verification or stamping, or re-verification, having taken place within the period prescribed by law.

Regulations as to certain scales. “2. The Governor in Council may, however, make regulations providing for the more frequent verification of elevator, railway, colliery and public scales, and spring balances, and may require the owners thereof to provide suitable and safe storage for such standard weights as are necessary for the proper conduct of such verification, and may establish fees therefor.”

Having weights, etc., which cannot be verified. 5. No manufacturer of or dealer in weights, measures and weighing machines, shall have in his possession for purposes of trade, any weight, measure or weighing machine except such as can, after adjustment, be admitted to verification.

Penalty. 2. Every manufacturer of or dealer in weights, measures or weighing machines who violates this section shall be liable to a penalty not exceeding ten dollars for the first offence, and a penalty not exceeding twenty dollars for each subsequent offence; and such weights, measures and weighing machines shall be seized and confiscated.

Unnecessary number of weights. 6. No trader shall use with a weighing machine a greater number of weights than is required by its certified capacity.

2. No weighing machine used for weighing or determining the weights of any of the articles mentioned in section 16 of *The Weights and Measures Act* shall be of less certified capacity than one bushel.

Penalty. 3. Every trader who violates this section shall be liable to a penalty not exceeding ten dollars for the first offence, and not exceeding twenty dollars for each subsequent offence, and to the confiscation of the weights.

7. In case of dispute as to the correctness of a weight, measure or weighing machine, if an inspector or assistant inspector is requested to inspect such weight, measure or weighing machine, the fees for such inspection shall be paid by the person against whom the decision is given. ^{Payment of inspector's fees.}

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61 VICTORIA.

CHAP. 31.

An Act further to amend the Dominion Lands Act.

[Assented to 13th June, 1898.]

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

1. Sub-clause 1 of clause 34 of *The Dominion Lands Act* R.S.C., c. 54, is hereby amended by striking out the words “or, in his absence, the senior clerk performing his duties,” in the second and third lines, and inserting in lieu thereof the words “or his senior assistant.” clause 34 amended.

2. Sub-clause 4 of the said clause 34 is hereby amended by striking out the words “or, in his absence, the senior clerk performing his duties,” in the fifth line, and inserting in lieu thereof the words “or his senior assistant.” Clause 34 further amended.

3. Clause 37 of the said Act is hereby amended by adding the following sub-clause thereto :— Clause 37 amended.

“2. The Minister may withdraw from general sale and from settlement under the ordinary homestead provisions of this Act, any available Dominion lands, including both odd-numbered and even-numbered sections or parts thereof, in tracts of one or more townships or sufficient part or parts of a township or townships, for associations of settlers who desire to engage in co-operative farming, upon receiving, in the case of each association, an application from ten or more persons who are members thereof,—each of whom as well as every member of the association must be eligible, under the provisions of this Act, to obtain a homestead entry,—stating that they have formed an association for the purpose of engaging in co-operative farming; that for such purpose one or more townships or a part or parts of a township or townships are necessary to be reserved and set aside; that out of such lands, until they have all been entered for by members of the association, each member will be entitled to the privilege of obtaining an entry for a part of the tract so reserved, not exceeding one quarter-section, Case of co-operative farming association.

as his homestead ; and that, for the purpose of the association and for the reasons specified in sub-clause 1 of this clause, the members of the association desire to settle together in a hamlet or village within the boundaries of the lands so reserved ; and asking that in lieu of the residence and cultivation conditions which a settler has to comply with to obtain letters-patent for the land entered for by him, as a homestead, under the ordinary homestead provisions of this Act, the residence by the settler within the said hamlet or village, for a period of not less than three years within the meaning of this Act, and the cultivation of parcels of land, to be set aside for that purpose by the association, near the village or hamlet, out of the tract so reserved for the association, and the improvement of the remainder of the tract by the association, shall be accepted as sufficient to warrant the Minister in issuing to such settler, or his legal representative, letters-patent for the land so entered for by him, as a homestead : Provided that, before any settler who has obtained entry for a homestead under this sub-clause, or his legal representative, is entitled to the issue of letters-patent therefor, the value of his residence within the said hamlet or village, and of the out-buildings and other improvements connected therewith, shall be equal at least to the value of the residence, out-buildings, and other improvements of an ordinary homesteader, and that the total value of all improvements and cultivation done to the tract by the members of the association in connection with its scheme of co-operative farming, shall be equal at least to one hundred and fifty dollars, for each member of the association at the date of the settler's application."

Clause 38
amended.

4. Sub-clause 1 of clause 38 of the said Act is hereby amended by striking out the words "or, in his absence, the senior clerk performing his duties," in the fourth and fifth lines, and inserting in lieu thereof the words "or his senior assistant."

Clause 38
further
amended.

5. The sub-clause substituted for sub-clause 5 of the said clause 38, by section 3 of chapter 15 of the statutes of 1892, is hereby amended by striking out all the words after "Interior" in the twelfth line.

Clause 38
further
amended.

6. Sub-clause 9 of the said clause 38, as amended by section 4 of chapter 29 of the statutes of 1897, is hereby repealed and the following is substituted therefor :—

Second home-
stead entry.

"9. If a settler has obtained a patent for his first homestead, or a certificate for the issue of such patent countersigned in the manner prescribed by this Act, and has obtained entry for a second homestead, the requirements of this Act as to residence prior to obtaining patent may be satisfied by residence upon the first homestead.

“(a.) If the father (or the mother, if the father is deceased) of any person who is eligible to make a homestead entry under the provisions of this Act, resides upon a farm in the vicinity of the land entered for by such person as a homestead, the requirements of this Act as to residence prior to obtaining patent may be satisfied by such person residing with the father or mother; and in the event of the death of the father or mother before the person is entitled to his patent, the requirements of this Act as to residence prior to obtaining patent may be satisfied by such person continuing to reside on the property which was the residence of the father or mother, or by removing to a residence upon his own homestead.”

7. Sub-clause 10 of the said clause 38, as amended by section 4 of chapter 29 of the statutes of 1897, is hereby amended by striking out the words “or as a pre-emption” in the third line thereof, and by substituting for paragraph (a) thereof the following:—

Clause 38
further
amended.

“(a.) That he has fulfilled three years’ residence within the meaning of this clause.”

8. Clause 109 of the said Act is hereby repealed, and the following is substituted therefor:—

New clause
109.

“109. Every person who, subsequently to the fourteenth day of April, one thousand eight hundred and seventy-two, was or becomes duly qualified by certificate, diploma or commission, to survey lands in any province of Canada, and who, in order to become so qualified, has served a term under articles to a surveyor, similar to the term prescribed by this Act, and has passed an examination in the subjects prescribed by clauses 102 and 118 of this Act, before the board of examiners of such province, shall be entitled to obtain a commission as Dominion land surveyor without further service and without being subjected to any examination other than with respect to the system of survey of Dominion lands; but it shall rest with the board of examiners to decide whether the service of such person is equivalent to that prescribed in this Act for the pupils of Dominion land surveyors, and whether the subjects of examination for the certificate, diploma or commission of a surveyor of Crown lands in such province are sufficiently similar to those set forth in the said clauses to entitle him, under the foregoing provisions, to such commission; and if such service or subjects of examination are, in the opinion of the board, not sufficiently similar to those required by this Act, the board may, in its discretion, require any candidate for admission as a Dominion land surveyor under the provisions of this clause to complete such further term of service or practice in surveying, and may examine him in such of the subjects set forth in clauses 102 and 118 of this Act, as may appear necessary.”

As to admis-
sion of
provincial
land survey-
ors.

Clause 138 amended.

Penalty for illegally having possession of land-mark.

9. Clause 138 of the said Act is hereby amended by adding the following sub-clause thereto:—

“3. Every person who, not being a Dominion land surveyor, knowingly and wilfully has in his custody and possession, and not for any lawful purpose in connection with a survey of Dominion lands, any such post or monument, or any post or monument intended, or apparently intended to be used for the purposes of any such survey, or to mark any such limit, boundary or angle, is guilty of an offence and is liable on summary conviction to imprisonment for a term not exceeding six months, or to a penalty not exceeding one hundred dollars, or to both such fine and imprisonment.”

Homesteader may select part of quarter-section.

Fee.

10. Any person who is entitled to make a homestead entry for land under the provisions of the said Act may select as his homestead one or more of the legal subdivisions of any section which comprise one quarter-section thereof; and if the area so selected and entered for is not greater than eighty acres he may be granted his entry therefor for one-half of the amount of the fee which is exacted for a homestead entry for a whole quarter-section.

Exchange of Crown lands between Manitoba and Canada.

11. An exchange of any Crown lands within and now the property of the province of Manitoba, for Dominion lands of equal value, may be made between that province and the Dominion of Canada; and when such exchange has been completed the Crown lands so granted to the Dominion shall be deemed to be and shall be “Dominion lands” within the meaning of the said Act, and may be administered under its provisions as if title thereto had always remained vested in Her Majesty, as represented by the Dominion.

Disposal of arid lands.

12. The Minister of the Interior may withdraw from general sale and from settlement under the homestead provisions of the said Act, any lands in the North-west Territories which he believes to be so arid as to be unsuited for proper cultivation without the aid of irrigation, and he may dispose thereof to any person for such price, upon such terms, and subject to such conditions as to the colonization or settlement thereof and as to the cultivation thereof by the aid of irrigation, as the Governor in Council fixes and determines.

Disposal of lands when sale has been cancelled.

13. Any male person, who has attained the age of eighteen years, may select any quantity of land not exceeding one quarter-section which, being of the class of land open for sale, was previously sold to a purchaser who failed to comply with the conditions of sale and whose purchase of the land has therefore been cancelled: provided that any person, or the legal representative of any person, who selects any land under these provisions shall not be entitled to a patent therefor until he has paid to the Minister of the Interior an amount equivalent

equivalent to a price per acre to be fixed by the Minister, and not less than one dollar per acre, and until he has furnished the proof, required by clause 38 of the said Act, of having duly complied with the ordinary homestead conditions of the said Act as to his residence upon and cultivation of the said land.

14. When any person is wrongfully or without lawful authority in possession of any Dominion lands and refuses to vacate or abandon possession thereof, the Minister of the Interior, or any officer or agent of the Department of the Interior authorized by the Minister for that purpose, may, upon evidence of the facts by solemn declaration made in accordance with provisions of *The Canada Evidence Act*, 1893, apply to the judge of the county court for the county within which the lands are situated, if the lands are in the province of Manitoba, and to the judge of the judicial district in which the lands are situated, if the lands are in the North-west Territories, for a summons directed to such person calling upon him forthwith to vacate or abandon the said lands, or within thirty days after service of the said summons to show cause why an order or warrant for his removal from the said lands should not be made; and if, upon the return of the summons, it appears that he has not vacated or abandoned possession of the said lands, or if he does not show good cause to the contrary, the judge shall make an order or warrant for his summary removal from the said land, and the said order or warrant shall be executed by the sheriff, bailiff, constable or other person to whom it is delivered.

Ejectment of person wrongfully in possession of Dominion lands.

15. It shall be sufficient service of the summons if a copy thereof is left with a grown-up person found on the said lands, and another copy is put in some conspicuous place thereon, or, where no grown-up person is found on the lands, if a copy is put up in each of two conspicuous places thereon.

Service of summons.

16. The officer or person to whom any order or warrant is addressed under the foregoing provisions shall forthwith remove the person named thereon from the said lands, and in the execution of the said order or warrant shall have all the powers, rights, immunities and privileges enjoyed by a sheriff, constable or other peace officer in the execution of his duty.

Execution of warrant.

17. Any person remaining upon Dominion lands after having been ordered to vacate them, or returning thereto after having vacated them in obedience to a summons, or after having been removed therefrom under an order or warrant as aforesaid, shall, upon summary conviction thereof before a judge, stipendiary or police magistrate or two or more justices of the peace, be liable to a fine of not less than twenty dollars and not more than one hundred dollars.

Penalty for disobeying summons, etc.



61 VICTORIA.

CHAP. 32.

An Act further to amend the Land Titles Act, 1894.

[Assented to 13th June, 1898.]

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

1. In this Act, unless the context otherwise requires, the expression “the said Act” means *The Land Titles Act, 1894*, chapter 28 of the statutes of 1894. Interpretation.

2. Paragraph (k) of section 2 of the said Act, is hereby amended by inserting after the words “relating to” in the fifth line thereof the words “or affecting.” 1894, c. 28, s. 2 amended.

3. Section 26 of the said Act is hereby amended by inserting after the word “filed” in the twelfth line thereof the words “in his office, and the other shall be filed.” Section 26 amended.

4. Subsection 2 of section 33 of the said Act is hereby repealed, and the following is substituted therefor:— Section 33 amended.

“2. The registrar shall not receive or enter in the day-book, any instrument, except executions against lands, caveats, mechanics’ liens, transfers by a sheriff or by order of a court or a judge, transfers on sale of land for taxes, or certificates or orders of a court or a judge, and except a mortgage before issue of grant pursuant to subsection 2 of section 73, unless required by the order of a court or judge, until the duplicate for the land affected by such instrument is produced therewith to him so as to enable him to enter the proper memorandum thereon.” Duplicate of instrument to be produced.

5. Section 39 of the said Act is hereby amended by adding the following subsection thereto:— Section 39 amended.

“6. A notification to the registrar from any member of the Executive Council of the North-west Territories, authorized in that behalf by the Lieutenant Governor of the North-west Territories in Council, that the land which is described in such notification Notification by Government of N.W.T. to be equivalent to letters-patent.

notification and which is part of any road allowance or trail which has been closed by the Lieutenant Governor in Council, has been transferred to the person named as transferee in such notification, or in a transfer attached thereto, shall be accepted by the registrar and be dealt with by him in all respects as if such notification were letters-patent in favour of such person. The notification shall state the nature of the grant and shall specify any mines, minerals, easements or rights which are excepted from the grant."

Section 41
amended.

6. Paragraph (d) of subsection 1 of section 41 of the said Act is hereby repealed.

Section 56
amended.

7. Paragraph (b) of section 56 of the said Act is hereby repealed, and the following paragraph is substituted in lieu thereof:—

"(b.) all unpaid taxes."

Section 56
further
amended.

8. The said section 56 is hereby further amended by adding the following paragraph thereto:—

"(g.) any right of way or other easement granted or acquired under the provisions of *The North-west Irrigation Act*."

Section 73
amended.

9. Section 73 of the said Act is hereby amended by adding the following proviso thereto:—

Registration
prohibited of
transfers
contrary to
R.S.C., c. 54,
s. 42.

"3. Provided, however, that nothing in this Act contained shall entitle a settler who is entered for a homestead or homestead and pre-emption under the provisions contained in *The Dominion Lands Act*, to mortgage the land entered for by him as a homestead or pre-emption prior to issue of a patent to him therefor or until he has been recommended for patent by the local agent and has received a certificate of recommendation in accordance with the provisions of the said Act; it being hereby declared that notwithstanding anything contained in this Act such mortgage is in the nature of the assignment or transfer which is prohibited by section 42 of the said Act; and for the purpose of preventing the acceptance and registration of any such mortgage, the registrar is hereby empowered to refuse to register any mortgage for land for which the patent is not of record in the Land Titles Office, unless the applicant for the registration of such mortgage first satisfies the registrar that he is entitled to execute such mortgage, by an affidavit, in the form AA in the schedule to this Act, and to be filed by the registrar with the mortgage if the latter is accepted and filed or registered by him."

Registrar may
require
affidavit.

Section 74
amended.

10. Section 74 of the said Act is hereby amended by striking out all the words therein after the word "charged" in the third line.

11. Section 75 of the said Act is hereby repealed and the following is substituted therefor:—

“**75.** Proceedings to enforce payment of moneys secured by mortgage or encumbrance, or to enforce the observance of the covenants, agreements, stipulations or conditions contained in any mortgage or encumbrance, or for the sale of the lands mortgaged or encumbered, or to foreclose the estate, interest or claim of any person in or upon the land mortgaged or encumbered, as also proceedings to redeem or discharge any land from any such mortgage or encumbrance, shall be had and taken in the Supreme Court of the North-west Territories, under the practice and procedure of the said court.”

New section
75.

Proceedings
to foreclose,
redeem, etc.

12. Sections 76, 77 and 78 of the said Act are hereby repealed.

Sections 76,
77 and 78
repealed.

13. Section 98 of the said Act is hereby amended by inserting after the word “require” in the ninth line thereof the following words:—“or, if such marriage was solemnized within the Territories, upon production to the registrar of such evidence as would be sufficient to establish the marriage in any court in the Territories.”

Section 98
amended.

14. Subsection 1 of section 99 of the said Act is hereby repealed and the following subsection is substituted therefor:—

“**99.** Any person claiming to be interested under any will, settlement or trust deed, or any instrument of transfer or transmission, or under any unregistered instrument, or under an execution where the execution creditor seeks to affect land in which the execution debtor is interested beneficially but the title to which is registered in the name of some other person, or otherwise, in any land, may lodge a caveat with the registrar to the effect that no registration of any transfer or other instrument affecting the said land shall be made, and that no certificate of title therefor shall be granted, until such caveat has been withdrawn or has lapsed as hereinafter provided, unless such instrument or certificate of title is expressed to be subject to the claim of the caveator as stated in such caveat.”

Section 99
amended.

Who may
lodge caveats
and for what
purposes.

15. Subsection 6 of the said section 99 is hereby repealed and the following subsection is substituted therefor:—

“**6.** Such caveat shall lapse after the expiration of twenty-one days from the service on the caveator or at his address for service, proved to the satisfaction of the registrar, of a notice that such caveat shall lapse, unless the proper proceedings hereinafter in this subsection set forth are taken by the caveator, or, if no such notice is meanwhile served, then after the expiration of three months from the receipt by the registrar of such caveat, unless within such period of twenty-one days or three months, as the case may be, proper proceedings in a court of competent jurisdiction have been taken

Section 99
further
amended.

Lapse of
caveat.

to establish the caveator's title to the estate or interest specified in the caveat and an injunction or order has been granted restraining the registrar from granting a certificate of title or otherwise dealing with the land."

Section 115
further
amended.

16. Subsection 2 of the said section 115 is hereby amended by inserting after the word "land" in the second line thereof the words "or of such other person as the registrar believes to be acquainted with the value of the land, and whose oath or affirmation the registrar is willing to accept."

Section 121
amended.

17. Subsection 2 of section 121 of the said Act is hereby amended by inserting after the word "cases" in the fifth line thereof the words "cancellation in whole or in part, or"

Section 138
amended.

18. Section 138 of the said Act is hereby amended by adding the following subsection thereto:—

Security for
costs by non-
resident.

"4. Whenever any proceeding is taken under this Act, whether by motion or summons, or by the filing with or the delivery to the registrar of a caveat, mechanics' lien, or copy of an execution against lands, or other such proceeding, and any party to such proceeding or the person in whose behalf or against whose interest such caveat, lien or execution has been so filed or delivered is not a resident in the North-west Territories, a judge may, upon the application of a party to such proceeding or interested therein, or affected by such caveat, lien or execution, grant an order requiring such non-resident to give security for the costs of the applicant of such order in prosecuting or resisting such proceedings, or in removing or maintaining such caveat, lien or execution; and it may be a term of such order that in default such proceeding may be deemed granted or dismissed, or such caveat, lien or execution may be deemed removed or maintained; and such order may also provide for a stay of proceedings. The practice and procedure for obtaining such order and giving such security shall be as nearly as may be the same as upon an application for security for costs in civil causes in the said Supreme Court, and the judge may direct payment of the costs incident to such application or order to be taxed and recovered as is provided in the case of the costs mentioned in subsection 3 of this section."

Extinguishing
of priorities
between
execution
creditors.

19. Any provisions heretofore enacted by the Legislative Assembly of the North-west Territories, and not repealed, with regard to the extinguishing of priorities between execution creditors as against the same execution debtor may be extended by enactment of the said Legislative Assembly to moneys realized by sheriffs under execution as against lands: and it is hereby declared that the said Legislative Assembly had and has the power to legislate as to the disposal of moneys so realized, notwithstanding anything contained in *The Land Titles Act, 1894.*

Declaratory
as to power of
Assembly of
N. W. T.

20. The owner of any estate, leased or demised to him, or to the person from whom he claims a title, for a life or for lives, or for a term of more than three years, in any land for which the grant from the Crown has been registered, may apply to have his title registered, and to have a certificate of title issued to him therefor under the provisions of the said Act; and all certificates of title heretofore issued for any estate of that nature are hereby confirmed.

Registration of estate for life or for more than three years.

21. Any plan which has been prepared in accordance with the provisions of *The Railway Act* or of *The North-west Irrigation Act*, or of any other Act of the Parliament of Canada, and which has been lodged or filed with the registrar under or in accordance with the said provisions, shall be dealt with and recognized by him, in so far as it is capable of being dealt with and recognized, as if it had been prepared and filed or registered under and in accordance with the provisions of *The Land Titles Act, 1894*.

Plans.

22. The form T in the schedule to the said Act is hereby repealed and the following is substituted therefor:—

New form T.

“FORM T.

“REVOCATION OF POWER OF ATTORNEY.

“I, A.B., of _____ hereby revoke the power of attorney given by me to _____, dated the _____ day of _____, 18____, and recorded in the Land Titles Office at _____ for the _____ Land Registration District, on the _____ day of _____, 18____, as Number _____.

“In witness whereof I have hereunto subscribed my name this _____ day of _____ 18____.

“Signed by the above named }
A.B., in the presence of } (Signature.)”

23. The form V in the schedule to the said Act is hereby repealed and the following is substituted therefor:—

New form V.

“FORM V.

“CAVEAT.

“To the Registrar _____ District.

“Take notice that I, A. B., of (insert description) claiming (here state the nature of the estate or interest claimed, and the grounds upon which such claim is founded) in (here describe land and refer to certificate of title) forbid the registration of any



61 VICTORIA

CHAP. 33.

An Act to amend the Mounted Police Pension Act,
1889.

[Assented to 13th June, 1898.]

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

1. *The Mounted Police Pension Act, 1889*, is hereby amended by striking out the words “twenty-five” wherever they occur in sections 3, 7 and 8 thereof, and inserting instead the words “twenty.” 1889, c. 26, sections 3, 7 and 8 amended.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



61 VICTORIA

CHAP. 34.

An Act further to amend the Indian Act.

[Assented to 13th June, 1898.]

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

1. Section 33 of *The Indian Act*, chapter 43 of the Revised Statutes, is hereby repealed and the following is substituted therefor :— R.S.C., c. 43,
new section
33.

“**33.** Indians residing upon any reserve shall be liable, if so directed by the Superintendent General, or any officer or person by him thereunto authorized, to perform labour upon the public roads laid out or used in or through, or abutting upon such reserve, which labour shall be performed under the sole control of the Superintendent General, or officer or person aforesaid, who may direct when, where and how and in what manner such labour shall be applied, and to what extent the same shall be imposed upon Indians who are resident upon any of the said lands ; and the Superintendent General, or officer or person aforesaid, shall have the like power to enforce the performance of such labour by imprisonment or otherwise, as may be done by any power or authority under any law, rule or regulation in force in the province or territory in which such reserve is situate, for the non-performance of statute labour ; but the labour to be so required of any such Indian shall not exceed in amount or extent what may be required of other inhabitants of the same province, territory, county or other local division, under the laws requiring and regulating such labour and the performance thereof.” Indians liable
to labour on
public roads
in reserves.

Enforcing
labour.

Amount of
labour
limited.

2. The section substituted for section 38 of the said Act by section 1 of chapter 35 of the statutes of 1895, is hereby repealed and the following is substituted therefor :— New section
38.

“**38.** No reserve or portion of a reserve shall be sold, alienated or leased until it has been released or surrendered to the Crown for the purposes of this Act : provided that the Superintendent General may lease, for the benefit of any Indian, Sale or lease
of reserves.

upon his application for that purpose, the land to which he is entitled without such land being released or surrendered, and may, without surrender, dispose to the best advantage, in the interests of the Indians, of wild grass and dead or fallen timber."

Section 39 amended.

3. Subsection (b) of section 39 of the said Act, as amended by section 2 of chapter 30 of the statutes of 1891, is hereby repealed and the following is substituted therefor:—

Proof of assent.

"(b.) The fact that such release or surrender has been assented to by the band at such council or meeting shall be certified on oath by the Superintendent General, or by the officer authorized by him to attend such council or meeting, and by some one of the chiefs or principal men present thereat and entitled to vote, before some judge of a superior, county or district court, stipendiary magistrate or justice of the peace, or, in the case of reserves in Manitoba or the North-west Territories, before the Indian Commissioner for Manitoba and the North-west Territories, and in the case of reserves in British Columbia, before the visiting Indian Superintendent for British Columbia, or, in either case, before some other person or officer specially thereunto authorized by the Governor in Council; and when such assent has been so certified, as aforesaid, such release or surrender shall be submitted to the Governor in Council for acceptance or refusal."

New section 56.

4. Section 56 of the said Act, is hereby repealed and the following is substituted therefor:—

License must describe land and kind of trees to be cut.

"**56.** Every license shall describe the lands upon which the trees may be cut, and the kind of trees which may be cut, and shall confer, for the time being, on the licensee the right to take and keep possession of the land so described, subject to such regulations as are made; and every license shall vest in the holder thereof all rights of property in all trees of the kind specified, cut within the limits of the license during the term thereof, whether such trees are cut by the authority of the holder of such license or by any other person, with or without his consent; and every license shall entitle the holder thereof to seize, in revendication or otherwise, such trees and the logs, timber or other product thereof, if found in the possession of any unauthorized person, and also to institute any action or suit against any wrongful possessor or trespasser, and to prosecute all trespassers and other offenders to punishment, and to recover damages, if any; and all proceedings pending at the expiration of any license may be continued to final termination, as if the license had not expired."

Rights of licensees as to trespassers.

Continuing proceedings.

New section 66.

5. Section 66 of the said Act is hereby repealed and the following is substituted therefor:—

Sale of trees, etc., seized, in default of notice of claim.

"**66.** All trees, logs, timber or other product thereof seized under this Act, shall be deemed to be condemned, unless the person from whom they are seized, or the owner thereof,

within one month from the day of the seizure, gives notice to the seizing officer, or nearest officer or agent of the Superintendent General, that he claims, or intends to claim them, and unless within one month from the day of giving such notice he initiates, in some court of competent jurisdiction, proceedings for the purpose of establishing his claim; and in default of such notice and initiation of proceedings, the officer or agent seizing shall report the circumstances to the Superintendent General, who may order the sale, by the said officer or agent, of such trees, logs, timber or other product thereof."

6. The section substituted for section 70 of the said Act by section 2 of chapter 35 of the statutes of 1895, is hereby repealed and the following is substituted therefor:—

"70. The Governor in Council may, subject to the provisions of this Act, direct how, and in what manner, and by whom, the moneys arising from the disposal of Indian lands, or of property held or to be held in trust for Indians, or timber on Indian lands or reserves, or from any other source for the benefit of Indians (with the exception of such sum, not exceeding ten per cent of the proceeds of any lands, timber, or property, as is agreed at the time of the surrender to be paid to the members of the band interested therein), shall be invested from time to time, and how the payments or assistance to which the Indians are entitled shall be made or given; and he may provide for the general management of such moneys, and direct what percentage or proportion thereof shall be set apart, from time to time, to cover the cost of and incidental to the management of reserves, lands, property and moneys under the provisions of this Act, and may authorize and direct the expenditure of such moneys for surveys, for compensation to Indians for improvements or any interest they have in lands taken from them, for the construction or repair of roads, bridges, ditches and water-courses on such reserves or lands, for the construction of school buildings, and by way of contribution to schools attended by such Indians."

New section 70.

Investment and management of Indian funds may be regulated by Governor in Council.

7. Section 72 of the said Act, as enacted by section 4 of chapter 32 of the statutes of 1894, is hereby repealed and the following is substituted therefor:—

"72. The Superintendent General may stop the payment of the annuity and interest money of, as well as deprive of any participation in the real property of the band, any Indian who is proved, to the satisfaction of the Superintendent General, guilty of deserting his family, or of conduct justifying his wife or family in separating from him, or who is separated from his family by imprisonment; and the Superintendent General may apply the same towards the support of the wife or family of such Indian. The Superintendent General may also stop the payment of the annuity and interest money of any Indian parent of an illegitimate child, and apply the same to the support of such child."

New section 72.

Payment of annuity may be stopped in case of marital desertion.

New section
73.

8. The section substituted for section 73 of the said Act by section 9 of chapter 33 of the statutes of 1887, is hereby repealed and the following is substituted therefor :—

Similar provi-
sion as to
Indian
woman.

“**73.** The Superintendent General may also stop the payment of the annuity and interest money of, as well as deprive of any participation in the real property of the band, any woman who deserts her husband or family and lives immorally with another man, and the Superintendent General may apply the same to the support of the family so deserted.”

New section
75.

9. The section substituted for section 75 of the said Act by section 3 of chapter 35 of the statutes of 1895, is hereby repealed and the following is substituted therefor :—

Governor in
Council may
provide for
election of
chiefs, etc.

“**75.** Whenever the Governor in Council deems it advisable, for the good government of a band, to introduce the elective system of chiefs and councillors or headmen, he may provide that the chief and councillors or headmen of any band shall be elected, as hereinafter provided, at such time and place as the Superintendent General directs; and they shall in such case be elected for a term of three years. The councillors or headmen may be in the proportion of two for every two hundred Indians; but no band shall have more than one chief and fifteen councillors or headmen: provided, however, that any band composed of at least thirty members may have a chief.

Term of office.

Number.

As to present
life chiefs, etc.

“**2.** Life chiefs and councillors or headmen now living may continue to hold rank until death or resignation, or until their removal by the Governor in Council for dishonesty, intemperance, immorality or incompetency; but in the event of the Governor in Council providing that the chief and councillors or headmen of a band shall be elected, the life chiefs and councillors or headmen shall not exercise powers as such unless elected under the provision aforesaid.

Reason for
which election
may be set
aside.

“**3.** An election may be set aside by the Governor in Council, on a report of the Superintendent General, if it is proved by two witnesses before the Indian agent for the locality, or such other person as is deputed by the Superintendent General to take evidence in the matter, that fraud or gross irregularity was practised at the said election; and every Indian who is proved guilty of such fraud or irregularity, or connivance thereat, may be declared ineligible for re-election for a period not exceeding six years, if the Governor in Council, on the report of the Superintendent General, so directs.

Punishment
of fraud, etc.,
at election.

Grounds on
which chief,
etc., may be
deposed.

“**4.** Any elected or life chief and any councillor or headman, or any chief or councillor or headman chosen according to the custom of any band, may, on the ground of dishonesty, intemperance, immorality or incompetency, be deposed by the Governor in Council and declared ineligible to hold the office of chief or councillor or headman for a period not exceeding three years.”



61 VICTORIA

CHAP. 35.

An Act to amend and consolidate the North-west Irrigation Acts of 1894 and 1895.

[Assented to 13th June, 1898.]

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

1. This Act may be cited as *The North-west Irrigation Act, 1898.* Short title.

2. In this Act, unless the context otherwise requires,—
(a.) The expression “Minister” means the Minister of the Interior; Interpretation
“Minister.”

(b.) The expression “Department” means the Department of the Interior at Ottawa; “Department.”

(c.) The expression “Commissioner” means the Commissioner of Public Works for the North-west Territories; “Commissioner.”

(d.) The expression “Chief Engineer” means the Chief Engineer and Surveyor of the Department of Public Works for the North-west Territories; “Chief Engineer.”

(e.) The expression “Dominion land surveyor” means a surveyor duly authorized, under the provisions of *The Dominion Lands Act*, to survey Dominion lands; “Dominion land surveyor.”

(f.) The expression “company” means any incorporated company, the object and powers of which extend to or include the construction or operation of irrigation or other works under this Act, or the carrying on thereunder of the business of the supply or the sale of water for irrigation or other purposes, and includes any person who has been authorized or has applied for authority to construct or operate such works or carry on such business, or who has obtained a license under section 11 of this Act, and also includes any irrigation district incorporated under an ordinance of the North-west Territories; “Company.”

(g.) The expression “works” means and includes any dykes, dams, weirs, flood-gates, breakwaters, drains, ditches, basins, reservoirs, canals, tunnels, bridges, culverts, cribs, embankments, “Works.”

ments, headworks, flumes, aqueducts, pipes, pumps, and any contrivance for carrying or conducting water or other works which are authorized to be constructed under the provisions of this Act;

“Duty of water.”

(h.) The expression “duty of water” means the area of land that a unit of water will irrigate, which unit is the discharge of one cubic foot of water per second;

“Licensee.”

(i.) The expression “licensee” means any person or company who is granted a license in accordance with the provisions of this Act.

Application.

3. This Act shall apply to the North-west Territories, except the provisional districts of Yukon, Mackenzie, Franklin and Ungava.

Right to use waters.

4. The property in and the right to the use of all the water at any time in any river, stream, watercourse, lake, creek, ravine, cañon, lagoon, swamp, marsh or other body of water shall, for the purposes of this Act, be deemed to be vested in the Crown, unless and until and except only so far as some right therein, or to the use thereof, inconsistent with the right of the Crown, and which is not a public right or a right common to the public, is established; and, save in the exercise of any legal right existing at the time of such diversion or use, no person shall divert or use any water from any river, stream, watercourse, lake, creek, ravine, cañon, lagoon, swamp, marsh or other body of water, otherwise than under the provisions of this Act.

Rights of grantee of Crown lands.

5. Except in pursuance of some agreement or undertaking existing at the time of the passing of this Act, no grant shall be hereafter made by the Crown of lands or of any estate, in such terms as to vest in the grantee any exclusive or other property or interest in or any exclusive right or privilege with respect to any lake, river, stream or other body of water, or in or with respect to the water contained or flowing therein, or the land forming the bed or shore thereof.

Right to use waters may be acquired only under this Act.

6. After the passing of this Act, no right to the permanent diversion or to the exclusive use of the water in any river, stream, watercourse, lake, creek, ravine, cañon, lagoon, swamp, marsh or other body of water, shall be acquired by any riparian owner or any other person by length of use or otherwise than as it may be acquired or conferred under the provisions of this Act unless it is acquired by a grant made in pursuance of some agreement or undertaking existing at the time of the passing of this Act.

Persons already holding right must obtain license.

7. Every company or person who holds water rights of a class similar to those which may be acquired under this Act, or who, with or without authority, has constructed or is operating

ating works for the utilization of water, shall obtain a license under this Act before the first day of July, one thousand eight hundred and ninety-eight.

2. If such license is obtained within the time limited, the exercise of such rights may thereafter be continued, and such works may be carried on under the provisions of this Act, otherwise such rights or works, and all the interest of such person therein, shall without any demand or proceeding be absolutely forfeited to Her Majesty and may be disposed of or dealt with as the Governor in Council sees fit.

If license is not obtained within stated time.

3. Except in case of applications for water for domestic purposes, as hereinafter provided, the applications for such license shall be made in the same manner as for other licenses under this Act and the like proceedings shall be had thereon and like information furnished in connection therewith.

Application for license.

8. Any water the property in which is vested in the Crown may be acquired, for domestic, irrigation, or other purposes, upon application therefor as hereinafter provided; and all applications made in accordance with the provisions of this Act shall have precedence, except applications under section 7, according to the date of filing them with the commissioner.

Application for water rights which are vested in the Crown.

2. The purposes for which the right to water may be acquired are of three classes, namely: First, domestic purposes, which shall be taken to mean household and sanitary purposes and the watering of stock, and all purposes connected with the working of railways or factories by steam, but shall not include the sale or barter of water for such purposes; second, irrigation purposes; and, third, other purposes.

Water rights classified.

9. No application for any purpose shall be granted where the proposed use of the water would deprive any person owning lands adjoining the river, stream, lake or other source of supply of whatever water he requires for domestic purposes.

Rights of riparian proprietors.

10. Any person contemplating or projecting any works under this Act, may, upon submitting a general description of such works and upon payment of a fee of three dollars, obtain from the chief engineer a license to do the necessary preliminary work in connection with the location of such works; and after he obtains such license, he may, with such assistants as are necessary, enter into and upon any public or private lands to take levels, make surveys, and do other necessary work in connection with such location, doing no unnecessary damage.

Preliminary work by licensee.

Entering lands.

11. Every applicant for license under this Act, except as hereinafter provided, shall file with the commissioner the following documents:—

Form of application.

(a.) a memorial, in duplicate, on forms provided by the commissioner, in which the applicant shall set forth his name,

Memorial.

residence and occupation, his financial standing, the source from which water is to be diverted, the point of diversion, the probable quantity of water to be used, the size and character of the works to be constructed, the area and location of the land to be irrigated, the value of such land in its present state, including improvements, the probable number of consumers, and the rate, if any, to be charged for water sold; but if the applicant is an incorporated company, the memorial shall also set forth the names of its directors and officers and their places of residence, the date of its incorporation, the amount of the company's subscribed capital, the amount of its paid-up capital, the proposed method of raising further funds, if needed, and the purposes for which the company is incorporated;

If applicant is an incorporated company.

Application to cross road allowance or surveyed road.

(b.) an application, on forms provided by the commissioner, for the right to construct any canal, ditch, reservoir, or other works referred to in the memorial, across any road allowance or surveyed public highway, which may be affected by such works;

General plan.

(c.) a general plan, in duplicate, on tracing linen, drawn to a scale of not less than one inch to a mile, showing the source of supply, the position of the point of in-take, the location of the main canals or ditches, the tract of land to be irrigated, the name of the owner of each parcel of land crossed by the canal, or ditch, or by any reservoir or other works connected therewith, or to be irrigated therefrom, and the position and area of all ponds, reservoirs and basins intended to be constructed for the storage of water; and

Detail plan.

(d.) a plan, in duplicate, on tracing linen, showing in detail all headworks, dams, flumes, bridges, culverts or other structures to be erected in connection with the proposed undertaking.

Additional plans in the case of certain canals.

12. In the case of all ditches or canals carrying more than twenty-five cubic feet of water per second, in addition to the above information the applicants shall furnish the following maps or plans, in duplicate:—

(a.) a longitudinal profile of the ditch, showing the bottom and the proposed service water line, the horizontal scale being not less than one inch to four hundred feet, and the vertical scale not less than one inch to twenty feet;

(b.) a plan showing cross-sections at a sufficient number of points to fully illustrate all the different forms which the ditch when constructed will take, particularly on side-hills or elsewhere where any portion of the water is to be conveyed in fill. When water is to be conveyed in cut there shall also be shown on this plan cross-sections at points where the shortest horizontal distance from either side of the bottom of the ditch to the surface of the ground is less than double the bottom width of the ditch at that point. This plan shall be drawn on a horizontal and vertical scale of one inch to twenty feet;

(c.) plans of any dams, cribs, embankments or other works proposed to obstruct any river, stream, lake or other source of water supply, or in order to create a pond, reservoir or basin of water anywhere, or which may have that effect, prepared on a longitudinal scale of not less than one inch to one hundred feet, and for cross-sections on a scale of not less than one inch to twenty feet, and showing what material is intended to be used and how placed in such works. The timber, brush, stone, brick or other material used in such works shall be shown in detail to a scale of not less than one inch to four feet ;

Plans of works
in connection
with
reservoirs.

(d.) cross-section maps or plans showing the surface of the ground under such pond, reservoir or basin of water, and also the surface of the water proposed to be held therein ; the horizontal scale of the said maps or plans shall be not less than one inch to one hundred feet ; and the vertical scale shall be not less than one inch to twenty feet ; and a sufficient number of lines of levels shall be shown, so that the contents of the pond, reservoir or basin of water may be accurately determined. If the maps or plans show the levels by contour lines, they shall be on a scale sufficiently large that the contour lines shall show a vertical distance between them not exceeding one foot. The maps or plans shall have sufficient information to show clearly the property likely to be affected by the creation of such ponds, reservoirs or basins of water, and the manner in which affected, and shall show in detail, on a scale of not less than one inch to four feet, the proposed manner of controlling and drawing off the water from any such pond, reservoir or basin.

Plans of
grounds under
reservoirs.

13. The memorials and plans filed as above prescribed, or a true copy thereof, shall be open for examination by the public at all times in the department and at the office of the commissioner at Regina.

Memorials
and plans to
be open for
inspection.

14. In any case in which he thinks proper, the Minister may direct that a copy of the memorial and plans shall be filed in such other place or with such other official or person as he names for that purpose, and such copy also shall be open to public inspection.

Filing
elsewhere.

15. Public notice of the filing of the memorial and plans shall forthwith be given by the applicant in some newspaper published in the neighbourhood, to be named by the commissioner, not less than once a week for a period of thirty days, within which time all protests against granting the rights applied for shall be forwarded to the Minister, and such notice shall contain a statement of the nature of the rights applied for, and the general character and location of the proposed works ;

Public notice
of application.

2. The Minister, after considering all protests filed, may authorize, as hereinafter provided, the construction of the proposed works, with such changes or variations as he deems necessary.

Protests to be
considered by
Minister.

Memorial and plans to be examined and approved.

16. The memorial and plans filed with the commissioner as herein provided shall be examined by the chief engineer, and, after having been approved by him, one copy shall be forwarded for record purposes in the department; and, upon receipt of such memorial and plans, properly approved, together with a certificate that the proper notice of the filing of such memorial and plans has been published, and that permission has been granted by the commissioner to construct such works across road allowances or surveyed public roads affected thereby, the Minister may authorize the construction of the proposed works, fixing in such authorization a term within which the construction of the works is to be completed.

Changes in plans to be filed.

2. Any changes and variations ordered by the Minister regarding the plans of the proposed works must be filed by the applicant in the office of the commissioner and shall form a portion of the record open for public inspection.

Deviation from plans.

3. No material deviation from the plans filed shall be made without permission, and any question arising as to whether any deviation is material or otherwise shall be decided by the chief engineer or such other officer as the Minister designates.

Filing of plans may be waived in certain cases.

17. In the case of applications for water for domestic or irrigation purposes the Minister may, if he sees fit, waive the necessity for filing the plans required by section 11 of this Act, and may require the applicants to file a memorial only, but he may order that such memorial shall contain all the information necessary to a full and complete understanding of the rights applied for.

Inspection of works.

18. Any works authorized under this Act shall, if the Minister so determines, be constructed subject to inspection during construction by the chief engineer or any other officer to be named by the Minister; and the cost of such inspection or such portion thereof as the Minister decides, shall be borne by the person or company constructing such works.

Inspection on application of proprietor near works.

2. Should any person residing on or owning land in the neighbourhood of any works, either completed or in course of construction, apply to the Minister in writing desiring an inspection of such works, the Minister may order an inspection thereof.

Deposit to be made by applicant.

3. The Minister may require the applicant for inspection to make a deposit of such sum of money as the Minister thinks necessary to pay the expenses of an inspection, and in case the application appears to him not to have been justified may cause the whole or part of the expenses to be paid out of such deposit.

Enforcing payment of costs.

4. In case the application appears to the Minister to have been justified, he may order the person or company to pay the whole or any part of the expenses of the inspection, and such payment may be enforced as a debt due to Her Majesty.

5. Upon any inspection under the provisions of this section the Minister may order the person or company to make any addition or alteration which he considers necessary for their security to or in any works of the person or company, and non-compliance with such order may be dealt with in the same manner as is provided with respect to an order of the Minister under section 40 of this Act.

Works to be made secure.

6. Provided that where under section 17 the Minister waives the necessity for plans this section shall not apply.

19. The person or company, immediately after the receipt of the authorization, may proceed with the construction of the works authorized, and for the purposes of such construction shall have the powers conferred by *The Railway Act* upon railway companies so far as the same are applicable to the undertaking of the person or company and are not inconsistent with the provisions of this Act or with the authority given to the person or company, the provisions conferring such powers being taken for this purpose to refer to any work of the person or company where in the said Act they refer to the railway.

When work may be commenced.

Powers under c. 29 of 1888.

20. The construction of any work authorized under this Act shall be commenced not later than two months after the date of the authorization, unless such two months expire between the first day of November and the first day of May following, in which case the time of commencement shall not be later than the first day of May following, and shall proceed continuously until sufficiently completed to supply water to all applicants within the area described in the authorization, provided there is sufficient water available for that purpose; and the Minister or such officer as he designates, shall be the sole arbiter as to whether the work is being prosecuted with sufficient vigour.

Time for commencing works limited.

2. Should any unforeseen disaster intervene to prevent the construction or completion of the works within the time limited, or for any other reasons which he deems sufficient, the Minister may authorize an extension of time for the commencement or completion of the works.

Extension of time in case of disaster.

3. Upon the expiration of the time limited for the completion of the works, the rights granted to the person or company shall cease and determine, except in so far as they are necessary for effectually operating the works then completed; and any works at the date of such forfeiture constructed or acquired, may be taken over and operated or disposed of by the Minister in the manner and upon the terms hereinafter provided.

Forfeiture of right if works are not completed within time limited.

21. Lands required for the works of the person or company, as shown by the maps and plans filed, in whomsoever they are vested, whether in Her Majesty or in any person or company

Power to take lands.

company under this Act, or in any railway company, or in any other person whomsoever, or any interest in or right or privilege with regard to such land which is so required, may be taken and acquired by the person or company; and to this end all the provisions of *The Railway Act* which and so far as they are applicable to such taking and acquisition, shall apply as if they were included in this Act, the Minister of the Interior and the Department of the Interior being substituted for the Minister of Railways and Canals and the Department of Railways and Canals, respectively, wherever in the provisions of the said Act the latter minister and department are referred to: Provided, that the Minister of the Interior may impose such terms and conditions as he thinks proper in the public interest in connection with the acquisition under this section of any lands which are vested in any person or company under this Act, or in any railway company, or of any interest in such lands or any right or privilege affecting such lands.

Compensation for damages.

2. All the provisions of *The Railway Act* which are applicable shall in like manner apply to fixing the amount of and the payment of compensation for damages to lands arising out of the construction or maintenance of the works of the person or company or the exercise of any of the powers granted to the person or company under this Act.

Maps, &c., to be certified and filed.

22. All maps, plans and books of reference showing any lands other than Crown lands necessary to be acquired under the provisions of this Act, by any person or company for right of way or for any purpose in connection with the construction and maintenance of their works, must be signed and certified correct by a duly qualified Dominion land surveyor. Such maps, plans and books of reference shall be prepared in duplicate, and one copy shall be filed in the office of the commissioner and the other registered by the applicant in the land titles office for the registration district within which the lands affected by such surveys are situated.

Disputes as to lands taken.

23. The Minister or such officer as he designates shall, in case of dispute, be the sole arbiter as to the area of land which may be taken by the person or company without the consent of the owner for any purpose in the construction or maintenance of their works.

Inspection of works on completion and issue of certificate for license.

24. Upon the expiration of the time mentioned in the authorization for the construction of any works, or at any time before such date, if the construction is sooner completed, an inspection shall be made by the chief engineer or such other officer as the Minister appoints; and a certificate shall be issued by the chief engineer and be forwarded to the department setting forth that the works have been completed in accordance with the application, that the right of way for the works has been obtained, that agreements have been entered into for the

supply of water for the irrigation of lands which are not the property of the applicant, and that the works as constructed are capable of carrying and utilizing a stated quantity of water.

2. Upon receipt of such certificate the Minister shall issue a License. license to the applicant for the quantity of water to which he is entitled, and such license shall be recorded in the office of the commissioner at Regina.

25. Licensees shall have priority among themselves according to the number of their licenses, so that each licensee shall be entitled to receive the whole of the supply to which his license entitles him, before any licensee whose license is of a higher number has any claim to a supply; and if a complaint is made to the Minister, or to an officer authorized by him to receive such complaints, that any licensee is receiving water from a source of supply to which another licensee is entitled by virtue of priority of right, and that the licensee having such priority of right is not receiving the supply to which he is entitled, some officer to be named by the Minister or the officer to whom complaint is so made, as the case may be, shall inquire into the circumstances of the case, and, if he finds that there is ground for the complaint, shall cause the head-gates of the ditch or other works of the licensee who is receiving an undue supply of water to be closed, so that the supply to which the other licensee is entitled shall pass and flow to his works. Priority of right. Settlement of disputes.

26. When any works for carrying water are not of sufficient capacity to carry the quantity of water acquired by their owner, his exclusive right shall be limited to the quantity which such ditch, flume or other contrivance is capable of carrying; and in case of dispute as to such quantity the Minister may order an inspection of the works; and the report and finding of the inspecting officer as to the capacity thereof shall, for the purposes of this section, be final and conclusive. Licensee's rights limited by capacity of works.

27. When the land to be irrigated by the water granted to a licensee is land for which letters-patent from the Crown have not been issued, being held by the licensee under a homestead or other conditional entry or a lease in accordance with the provisions of *The Dominion Lands Act*, or under an agreement to purchase such land, the license for such water shall be cancelled upon receipt by the Minister of a certificate of the cancellation of such homestead or other conditional entry, lease or sale agreement; but the water right necessary for the irrigation of such land may be reserved for such time as the Minister determines, and may be disposed of, together with all works connected therewith, to the next occupant or purchaser of such land, upon such terms and conditions as the Minister determines; and the new license issued for such water shall have the same number and hold the same priority of right as the original or cancelled license. Cancellation of license and reservation of water right in certain cases.

Information to be afforded to inspecting engineer.

28. Every person and every company and the officers and directors thereof shall afford to any inspecting officer such information as is within their knowledge and power in all matters inquired into by him, and shall submit to such inspecting officer all plans, specifications, drawings and documents relating to the construction, repair or state of repairs of the works or any portion thereof.

Proof of his authority.

2. The production of instructions in writing signed by the Minister or his deputy or the secretary of the Department of the Interior, shall be sufficient evidence of the authority of such inspecting officer.

Penalty for obstructing him.

29. Every person who wilfully obstructs an inspecting officer in the execution of his duty shall be liable, on summary conviction, to a penalty not exceeding twenty dollars, or to imprisonment for a term not exceeding two months, with or without hard labour, or to both.

Penalty for obstructing engineer or surveyor.

30. Every person who interrupts, molests or hinders in his work any engineer or Dominion land surveyor engaged in making surveys or levels, or in other operations in connection with any work authorized under this Act, is guilty of an offence, and liable, on summary conviction, to a penalty not exceeding twenty dollars, or to imprisonment for a term not exceeding two months, or to both.

Penalty for improper diversion by any person.

31. Every person who, wilfully without authority, takes or diverts any water from any river, stream, lake or other waters or from any works authorized under this Act, or who takes or diverts therefrom any greater quantity of water than he is entitled to, is guilty of an offence, and liable, upon summary conviction, to a fine not exceeding five dollars per day or fraction of a day for each unit or fraction of a unit of water improperly diverted, or to imprisonment for a term not exceeding thirty days, or to both, and upon indictment to a fine not exceeding five dollars per day or fraction of a day for each unit or fraction of a unit of water improperly diverted, or to imprisonment for a term not exceeding thirty days, or to both.

Penalty for improper diversion of water.

32. No licensee shall divert more water than the quantity actually granted by his license, and any licensee so doing shall be guilty of an offence punishable on summary conviction by a fine not exceeding five dollars per day, or fraction of a day, for each unit or fraction of a unit of water so diverted.

Disputes as to quantity of water diverted.

2. In case of dispute as to the quantity of water diverted, the Minister may order an inspection of the works of the licensee by an officer named by him for that purpose; and for the purposes of this section, the report and finding of such officer as to the quantity diverted shall be final and conclusive.

33. When any licensee abandons or ceases to use or wastes any waters to which his license entitles him and any charge of such abandonment or ceasing to use or wasting waste water is made to the Minister, such charge may be inquired into by him or by any person or officer appointed by him for that purpose; and the Minister, if he deems just and proper, may, by order declare a forfeiture of the license, and the license so ordered or declared to be forfeited shall be cancelled and shall cease and determine.

Forfeiture of licensee's rights by waste or non-user.

34. Any licensee shall dispose of any surplus water flowing in his works which is not being utilized or used for the purposes authorized, to any person applying therefor for irrigation purposes and tendering payment for one month in advance at the regular prices.

Disposal of surplus water to applicants.

2. Persons so applying shall pay an amount equal to the cost and expense of the works required to convey the surplus water to them, or shall themselves construct such works; and until this is done the delivery of surplus water need not be made.

Payment by applicant.

3. When the necessary works have been constructed and the payment or tender herein provided for has been made, the applicant shall be entitled to the use of so much of the surplus water as such works have the capacity to carry.

Quantity of water to which applicant is entitled.

4. Nothing in this section shall be construed to give to any person acquiring the right to use surplus water any right to the said surplus water when it is needed by the licensee for the purposes authorized, or to waste or sell or dispose thereof after being used by him, or shall prevent the original owners from retaking, selling or disposing thereof in the usual or customary manner after it has been so used as aforesaid.

Limitation.

35. No licensee undertaking to sell water conveyed by his works shall, subsequent to the first four years after the construction of such works as are necessary to convey the water to the user, discriminate between the users of such water regarding the price thereof.

No discrimination in prices after stated time.

2. If from any cause the whole amount of water agreed to be supplied by a licensee is not available, then each user shall have furnished to him by the licensee so much water as shall bear to the available water the same proportion as his usual supply bears to the whole amount agreed to be furnished.

If supply of water is insufficient.

3. Any licensee violating these provisions shall be guilty of an offence against this Act and liable upon summary conviction to a fine not exceeding one thousand dollars for each and every such offence, or to imprisonment for a period not exceeding two months, or to both.

Penalty.

36. The Minister may grant to any licensee the right to store for irrigation purposes during periods of floods or high water, or during those portions of the year when water is not required for irrigation purposes, any water not being used during such periods.

Storage of water.

Utilization for
that purpose
of existing
works.

2. Should there be any works for the carriage of water which are not being utilized to their full capacity by their owner, and which can with advantage be utilized to carry the whole or any portion of the water desired to be stored any portion of the distance it is required to be so carried or conducted, without interfering with the use made of the said works by their owner, then the said works shall be placed at the disposal of the licensee desiring to so use it; and if the parties cannot agree upon the compensation to be paid for such service, the Minister may fix the rate to be paid therefor.

Highway
crossings.

37. Any person or company constructing any works under the provisions of this Act, shall during such construction keep open for safe and convenient travel all public highways theretofore publicly travelled as such, when they are crossed by such works, and shall, before water is diverted into, conveyed or stored by any such works extending into or crossing any such highway, construct, to the satisfaction of the Minister, a substantial bridge, not less than fourteen feet in breadth, with proper and sufficient approaches thereto, over such works; and every such bridge and the approaches thereto shall be always thereafter maintained by such person or company.

Unit of
measurement

38. Under this Act the discharge of one cubic foot of water per second shall be the unit of measurement of flowing water, and the cubic foot or acre foot, the unit of measurement of quantity. The acre foot is equivalent to forty-three thousand five hundred and sixty cubic feet.

Annual return
by company.

39. Companies obtaining a license under this Act shall, on or before the thirty-first day of January in each year, make a return to the Minister, attested by the oath of its president and secretary, for the year ending the thirty-first day of December preceding, showing:

- The amount expended on construction;
- The amount expended on repairs;
- The amount received from shareholders;
- The amount of bonds issued;
- The amount received for water supplied for irrigation;
- The amount received from other sources;
- The amount of dividend declared and paid;
- The amount of capital stock authorized;
- The amount of capital stock subscribed;
- The amount of capital stock paid up to date;
- The amount of bonded indebtedness;
- The amount bonds sold for;
- The rate of interest bonds bear;
- The amount of indebtedness other than bonds, and the rate of interest such indebtedness is bearing;
- The cost of management;
- A statement of the works, and their extent and character;

The number of miles of canals, ditches, etc. ;
 The number of users ;
 The number of acres actually under irrigation ;
 The number of acres of irrigable land in the system ;
 The names of officers and employees ;
 The proposed extensions during ensuing years and the acreage to be covered thereby ;
 Such other data as the Governor in Council sees fit to order.

2. Attached to such annual return shall be a copy of the by-laws of the company, showing all amendments thereto during the year covered by the said return. Copy of by-laws.

3. The returns required by this section may be waived by the Minister in the case of a private person supplying water solely to himself. Exception.

40. When a complaint, under oath of the complainant and of at least one witness, is made to the Minister or the commissioner by a consumer of water who has paid his rates, that a licensee who has engaged or is under obligation to supply him with water is failing to do so, or is failing to keep his works in proper condition, the Minister or some person or officer appointed by him for the purpose may make immediate inquiry and take all necessary steps to ascertain the truth of the complaint, and, if he considers the complaint established, may order and direct that the licensee shall take forthwith such action as he considers necessary in order as far as possible to remove the cause of complaint. Order by minister in case of complaint against licensee.

2. If the licensee fails to obey such order, the Minister shall forthwith issue a certificate to that effect, reciting all the facts, which certificate being presented to the judge of the Supreme Court for the judicial district within which such works lie, the judge shall hear and determine the matter in a summary manner, and shall order the licensee to proceed with all despatch to take such measures as he considers necessary in the premises ; and refusal or neglect to obey any order made by a judge under this section may be treated and punished as contempt of court, and such other proceedings may be had and taken thereon as in the case of non-compliance with any other mandatory order of the said court or a judge thereof. Reference to judge.

Refusal to obey order of judge.

41. The Governor in Council may authorize two or more companies whose works are contiguous, to unite and form one company with a view to providing increased water supply and extending their works, when he is satisfied that the holders of more than fifty per cent of the capital stock of each company are in favour of the union, that users dependent upon the water supply will not be injured, and that the companies to be united have the necessary financial means for carrying out the proposed undertaking,—the same particulars being furnished to the Governor in Council as are required to be furnished upon an application for authorization to construct works under this

Amalgamation of companies.

Act; and public notice of the authorization of the united companies and their proposed works shall be given in the manner prescribed under section 15.

Minister
may issue
summons.

Penalty for
disobeying it.

42. The Minister or any one specially authorized by him may, when he deems it necessary for the satisfactory carrying out of the provisions of this Act or the regulations to be framed under it, summon before him any person by subpoena, examine such person under oath, and compel the production of papers and writings; and for neglect to obey such summons or refusal to give evidence, or to produce the papers or writings demanded of him, the Minister or the person authorized may, by warrant under his hand, order the person in default to be imprisoned in the nearest common jail as for contempt of court, for a period not exceeding fourteen days.

Before whom
affidavits may
be taken.

43. All affidavits, oaths, solemn declarations or affirmations required to be taken under this Act or any regulations made thereunder, may be taken before the chief engineer, or any persons specially authorized by the Minister to take them, or any other persons authorized to take affidavits in the North-west Territories; and the Minister may require any statement called for under this Act, or under any such regulation, to be verified by oath, affidavit, affirmation or declaration.

The Minister
may order
surveys, etc.

44. The Minister may take such steps as he deems necessary at any time to secure a complete or partial survey of the sources of the water supply for irrigation and other purposes, with an estimate of the extent and location of irrigable lands, and of the site or sites suitable for ponds, basins and reservoirs for water storage, and may reserve lands forming such sites from general sale and settlement and dispose thereof by sale or lease to be utilized for purposes within the purview of this Act. He may also take such steps as he thinks necessary to protect the sources of water supply and to prevent any act likely to diminish or injure the said supply.

High water
marks,
analysis of
water, etc.

45. The Minister may from time to time authorize the establishing in rivers, streams, lakes, and other waters, water gauges for computing the approximate volume and discharge of waters, the placing of high water marks on rivers and streams, lakes and other waters when in flood, the taking of steps for securing analyses of the water of rivers, streams, lakes and other waters, and the adopting of such other measures and proceedings for promoting the beneficial use of water, and for controlling and regulating the diversion and the application thereof as he finds necessary and expedient and as are consistent with the provisions of this Act.

Expropriation
of works by
Government.

46. The Governor in Council may, if in the public interest it is at any time deemed advisable so to do, take over and operate or otherwise dispose of the works of any licensee

authorized under this Act : Provided, that compensation shall be paid for such works at their value,—such value to be ascertained by reference to the Exchequer Court, or by arbitration, one arbitrator to be appointed by the Governor in Council, the second by the licensee, and the third by the two so appointed, or, in case these cannot agree as to the third arbitrator, by the Exchequer Court,—and in estimating such value the court or the arbitrators may take into account the expenditure of the licensee and interest on such expenditure, and the value of his property, works and business : Provided also, that no person who at such date is using the water of the said works, shall be deprived of the quantity of water he is entitled to : Provided further, that in any such case the Governor in Council shall have due regard to the claims to consideration of any persons who have prepared or have in course of preparation any land to be supplied with water by the works taken over.

Proviso.

Proviso.

Proviso.

47. The by-laws and regulations of companies operating under this Act shall not contain anything contrary to the true intent and meaning of this Act, and shall be subject to revision and approval by the Minister; and no tariff of charges for water furnished by any licensee shall come into operation until it has been approved by the Minister.

By-laws of company.

48. Any company authorized under this Act may issue bonds, debentures or other securities to the amount of its subscribed capital, or double the amount of its paid-up capital, whichever is the smaller amount.

Issue of bonds by company.

49. Any company authorized under this Act may acquire land by purchase or lease for improvement by irrigation, and shall dispose thereof within fifteen years after its acquisition, otherwise such land shall revert to the Crown; excepting however such lands as are actually under cultivation or are being used for farming, gardening, stock-raising, dairying, horticulture, tree-planting and forestry : Provided that the lands so excepted do not comprise more than ten per cent of the total area of land brought under irrigation by the company.

Acquisition of lands by company.

Exceptions.

50. Any company authorized under this Act may for the purposes of its undertaking construct or acquire electric telegraph and telephone lines or any other contrivances for the transmission of messages through or along wires, rods, tubes or other appliances, and may acquire any land necessary for the construction and operation of such lines or contrivances, and the lands necessary to be taken and acquired for this purpose may be acquired under the provisions of section 21 of this Act.

Company may construct telegraph and telephone lines, etc.

51. The Minister may—
define the manner in which the measure of water shall be arrived at ;

General powers of Minister.

- define the duty of water according to locality and soil ;
- define the portion of the year during which water shall be supplied for irrigation ;
- fix the fee or charge to be paid for licenses issued under this Act,—which fees or charges may be varied according to the capital employed or volume of water diverted ;
- regulate the extent of diversion from rivers, streams, lakes or other waters ;
- regulate the passage of logs, timber and other products of the forests through or over any dams or other works erected in rivers, streams, lakes and other waters under the authority of this Act ;
- regulate from time to time the water rates which may be charged by licensees, and the publication of tariffs of rates ;
- prescribe forms to be used in proceedings under this Act ;
- impose penalties for violations of any regulation made under the authority of this Act,—which penalties shall in no case exceed a fine of two hundred dollars or three months' imprisonment, or both ;
- regulate the manner in which water is to be supplied to persons entitled thereto, whether continuously or at stated intervals, or under both systems ;
- authorize some person or officer, whose decision shall be final and without appeal, to decide in cases of dispute as to what constitutes surplus water as mentioned in this Act ;
- make such orders as are deemed necessary, from time to time, to carry out the provisions of this Act according to their true intent, or to meet any cases which arise and for which no provision is made in this Act ; and further, make any regulations which are considered necessary to give the provisions of this Act full effect.

Publication of regulations.

52. All regulations made and forms prescribed by the Minister under this Act shall be published in the *Canada Gazette* and shall be laid before both Houses of Parliament within the first fifteen days of the session next after the date thereof.

Application of Act to companies now existing.

53. Any companies already formed to promote irrigation shall be subject to all the provisions of this Act, except so far as the powers mentioned in section 48 are concerned.

Exemption.

54. The provisions of sections 41, 48 and 49 of this Act shall not apply to any irrigation district incorporated under an ordinance of the North-west Territories.

Repeal.

55. *The North-west Irrigation Act*, being chapter 30 of the statutes of 1894, and chapter 33 of the statutes of 1895, in amendment thereof, are hereby repealed.



61 VICTORIA

CHAP. 36.

An Act further to amend the Customs Act.

[Assented to 13th June, 1898.]

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

1. Section 105 of *The Customs Act*, chapter 32 of the Revised Statutes, is hereby repealed and the following is substituted therefor :—

R.S.C., c. 32,
new section
105.

“105. Warehoused goods may be delivered as ship’s stores for any vessel of the registered tonnage of fifty tons and upwards, bound on a voyage to a port out of Canada, or engaged in trade between an Atlantic port and a Pacific port of Canada, or in trade on inland waters along the international boundary between the United States and Canada, or for any vessel bound for and engaged in the deep-sea fishing, proof being first made by affidavit of the master or owner, or his agent, to the satisfaction of the proper officer, that the stores are necessary and intended for the purposes aforesaid : Provided, that the Minister of Customs may define and limit the kind, quantity and class of goods which may be so delivered as ship’s stores; and provided also, that he may define and limit the kind, quantity and class of articles arriving in Canada as stores of vessels which may be used free of duty on board such vessels in Canadian waters, or which shall be treated as surplus stores of vessels.”

As to ware-
housed goods
taken as ship’s
stores.

Proviso.

“2. If such stores or any part thereof are or is re-landed, sold or disposed of in Canada without due entry and payment of duty, such stores and the vessel for or from which they were delivered shall be seized and forfeited.”

Forfeiture for
re-landing,
etc., without
paying duty.

2. Section 245 of the said Act is hereby amended by adding the following paragraphs thereto immediately after the word “regulations” in the fourth line of paragraph (p) :—

Section 245
amended.

“(q.) for fixing and establishing uniform standards of purity, quality and fitness for consumption of all kinds of teas imported into Canada, and for determining the places where the duplicates of such standards shall be kept, and the condi-
tions

Fixing stan-
dards for tea

tions on which such standards shall be supplied to importers and dealers in tea, and the manner in which imported teas shall be examined and tested and their fitness for use finally decided ; provided that all teas or goods described as tea, of purity, quality and fitness for consumption inferior to such standards, shall be deemed within the prohibition of the laws relating to the Customs ;

Transportation of goods in bond or duty paid.

“(r.) for prescribing the rule and conditions under which goods imported in bond or duty paid, and products or manufactures of Canada, may be transported from one port or place in Canada to another port or place therein, over any territory or waters outside the limits of Canada ; provided that the goods so transported shall, upon arrival in Canada from any place beyond the limits of Canada, be treated, with regard to the liability to, or exemption from duty, as if the transportation had taken place entirely within the limits of Canada.”

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



61 VICTORIA.

CHAP. 37.

An Act to amend the Customs Tariff, 1897.

[Assented to 13th June, 1898.]

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

1. Section 6 of *The Customs Tariff, 1897*, is hereby repealed and the following is substituted therefor:—

“**6.** The importation into Canada of any goods enumerated, described or referred to in schedule C to this Act is prohibited; and any such goods imported shall thereby become forfeited to the Crown and shall be destroyed or otherwise dealt with as the Minister of Customs directs; and any person importing any such prohibited goods, or causing or permitting them to be imported, shall for each offence incur a penalty not exceeding two hundred dollars.”

1897, c. 16.
new s. 6.

Prohibited
goods.

2. On and after the first day of August, one thousand eight hundred and ninety-eight, section 17 of the said Act shall be repealed and the following shall be substituted therefor:—

“**17.** Articles which are the growth, produce or manufacture of any of the following countries may, when imported direct into Canada from any of such countries, be entered for duty or taken out of warehouse for consumption in Canada at the reduced rate of duty provided in the British preferential tariff set forth in schedule D to this Act:—

New s. 17.

British
preferential
tariff.

“(a.) The United Kingdom;

“(b.) The British colony of Bermuda;

“(c.) The British colonies commonly called the British West Indies, including the following:—

The Bahamas;

Jamaica;

Turks and Caicos Islands;

The Leeward Islands (Antigua, St. Christopher-Nevis, Dominica, Montserrat, and the Virgin Islands);

The Windward Islands (Grenada, St. Vincent and St. Lucia);
Barbados;
Trinidad and Tobago;

“(d.) British Guiana;

“(e.) Any other British colony or possession the customs tariff of which is, on the whole, as favourable to Canada as the British preferential tariff herein referred to is to such colony or possession.

Application to certain articles only.

“ Provided, however, that manufactured articles to be admitted under such preferential tariff shall be *bona fide* the manufactures of a country or countries entitled to the benefits of such tariff, and that such benefits shall not extend to the importation of articles into the production of which there has not entered a substantial portion of the labour of such countries. Any question arising as to any article being entitled to such benefits shall be decided by the Minister of Customs, whose decision shall be final.

Raw sugar.

“ 2. Raw sugar, including all sugar described in item 436 of schedule A, may, when imported direct from any British colony or possession, be entered for duty or taken out of warehouse for consumption in Canada at the reduced rate of duty provided in the British preferential tariff.

Application to certain colonies, how determined.

“ 3. The Minister of Customs, with the approval of the Governor in Council, shall determine what British colonies or possessions shall be entitled to the benefits of the preferential tariff under paragraph (e) of subsection 1 of this section.

Regulations.

“ 4. The Minister of Customs may, with the approval of the Governor in Council, make such regulations as are deemed necessary for carrying out the intention of this section.”

New item 221.

3. Item 221 in schedule A to the said Act is hereby repealed and the following substituted therefor:—

“ 221. India-rubber boots and shoes; rubber belting, rubber cement and all manufactures of India rubber and gutta percha, n.o.p., twenty-five per cent *ad valorem*.....25 p.c.”

New items 435 and 436.

4. Items 435 and 436 in schedule A to the said Act are hereby repealed and the following are substituted therefor:—

“ 435. All sugar above number sixteen Dutch standard in colour, and all refined sugars of whatever kinds, grades or standards, testing not more than eighty-eight degrees by the polariscope, one dollar and eight cents per one hundred pounds, and for each additional degree one and one-half cent per one hundred pounds. Fractions of five-tenths of a degree or less not to be subject to duty, and fractions of more than five-tenths to be dutiable as a degree.

“ 436. Sugar n.e.s. not above number sixteen Dutch standard in colour, sugar drainings or pumpings drained in transit, melado or concentrated melado, tank bottoms and sugar

concrete, testing not more than seventy-five degrees by the polariscope, forty cents per one hundred pounds, and for each additional degree one and one-half cent per one hundred pounds. Fractions of five-tenths of a degree or less not to be subject to duty, and fractions of more than five-tenths to be dutiable as a degree. The usual packages in which imported to be free."

5. On and after the first day of July, one thousand eight hundred and ninety-eight, items 445 and 446 in schedule A to the said Act shall be repealed. Items 445 and 446 repealed.

6. On and after the said first day of July, the following item shall be inserted in schedule B to the said Act instead of item 616 :— New item 616.

"616. Tobacco, unmanufactured, for excise purposes under conditions of the Inland Revenue Act."

7. On and after the first day of August, one thousand eight hundred and ninety-eight, schedule D to the said Act shall be repealed and the following substituted therefor :— New schedule D.

"SCHEDULE D.

"BRITISH PREFERENTIAL TARIFF.

"On articles entitled to the benefits of this preferential tariff under section seventeen, the duties mentioned in schedule A shall be reduced as follows: The reduction shall be one-fourth of the duty mentioned in schedule A, and the duty to be levied, collected and paid shall be three-fourths of the duty mentioned in schedule A.

"Provided, however, that this reduction shall not apply to any of the following articles and that such articles shall in all cases be subject to the duties mentioned in schedule A, viz., wines, malt liquors, spirits, spirituous liquors, liquid medicines and articles containing alcohol; tobacco, cigars and cigarettes.

"Provided further, that the reduction shall only apply to refined sugar, when evidence satisfactory to the Minister of Customs is furnished that such refined sugar has been manufactured wholly from raw sugar produced in the British colonies or possessions."

8. Except as herein otherwise provided, this Act shall be held to have come into force on the sixth day of April, in the present year, one thousand eight hundred and ninety-eight. Commencement of Act.



61 VICTORIA.

CHAP. 38.

An Act further to protect the Customs and Fisheries.

[Assented to 13th June, 1898.]

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

1. If any ship, vessel or boat liable to seizure or examination under any Act of the Parliament of Canada does not bring to when required so to do, in the Queen's name, by any commissioned officer of Her Majesty's navy, or any officer of Customs or of the Fishery Protective Service or person employed as such, or any stipendiary magistrate, on board of any cruiser or vessel belonging to, or in the service of, the Government of Canada and employed in the service of protecting the Customs or Fisheries, or upon signal made by any such Government vessel or cruiser, by hoisting the pendant and ensign approved and appointed for such purpose by order of the Governor in Council, the master or officer in charge of such ship, vessel or boat shall incur a penalty of four hundred dollars, and the ship, vessel or boat may be seized and detained until such penalty is paid.

Resistance to lawful seizure or examination of ship.

Penalty.

2. On any such ship, vessel or boat so failing to bring to when required being chased by any such Government vessel or cruiser having such pendant and ensign hoisted, the captain, master or other person in charge of such Government vessel or cruiser may, after first causing a gun to be fired as a signal, fire at or into such ship, vessel or boat; and such captain, master or other person, as well as any person acting in his aid or by his direction, is hereby indemnified and discharged from any indictment, penalty, action, or other proceeding for so doing.

Chase by Government cruiser.

Protection of officers.

3. If during chase by such Government vessel or cruiser, or before such ship, vessel or boat brings to, any person on board of such ship, vessel or boat throws overboard, or staves or destroys, any part of her cargo to prevent seizure, such ship, vessel or boat shall be forfeited.

Penalty for destroying cargo during chase.

Who may
seize.

Procedure.

R.S.C., c. 32.

Penalties and
forfeitures.

4. Any ship, vessel or boat liable to seizure or detention under this Act may be seized or detained by any officer of customs or any other officer mentioned in this Act; and suits and proceedings for the forfeiture or sale of such ship, vessel or boat, or for the recovery and enforcement of any penalty imposed by this Act, may, in addition to any other remedy provided by law, be had, commenced and completed as if this Act were an amendment of *The Customs Act*; and the proceeds of such penalties and forfeitures shall be dealt with in the same manner as the proceeds of penalties and forfeitures under the laws relating to the Customs.

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61 VICTORIA.

CHAP. 39.

An Act further to amend the Fisheries Act.

[Assented to 13th June, 1898.]

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

1. The subsection substituted for subsection 14 of section 14 of the *The Fisheries Act* by section 4 of chapter 51 of the statutes of 1894, is hereby repealed and the following is substituted therefor:—

R.S.C., c. 95,
s. 14 amended.

“14. From the time of low water nearest six of the clock in the afternoon of every Saturday, to the time of low water nearest six of the clock in the forenoon of every Monday, in tidal waters, and from six of the clock in the afternoon of every Saturday to six of the clock in the forenoon of the following Monday, in non-tidal waters, all sedentary fishing stations and weirs, and all pound and trap nets, seines, gill nets and other apparatus used for catching fish, whether under license or not, shall be so raised, closed or adapted as to admit of the free passage of fish through, by or out of such apparatus; and during such close time no one shall catch fish in such apparatus, whether under license or not.”

Fish to be allowed free passage on Sunday.

2. Section 14 of the said Act is hereby further amended by adding thereto the following subsection:—

Section 14 further amended.

“19. Whenever the size of the meshes of nets or apparatus for the capture of fish is fixed by this Act, or by any fishery regulation under it, it shall be unlawful to so arrange or adapt the nets or fishing apparatus as to practically diminish the size of such meshes.”

Size of meshes of nets not to be reduced.

3. The subsection substituted for subsection 1 of section 18 of the said Act by section 7 of chapter 51 of the statutes of 1894, is hereby repealed and the following is substituted therefor:—

Section 18 amended.

“18. Except as herein otherwise provided, every one who violates any provision of this Act, or of the regulations under it, shall be liable to a penalty of not more than five dollars, or such other sum as may be provided by the regulations.”

Penalty in cases where no other is provided.

it, shall be liable to a penalty not exceeding one hundred dollars and costs, and, in default of payment, to imprisonment for a term not exceeding three months; and any fishery officer or justice of the peace may grant a warrant of distress for the amount of such penalty and costs."

Section 18
further
amended.

Forfeiture of
articles used
and of fish
taken, etc., in
contravention
of this Act.

4. The subsection substituted for subsection 3 of the said section 18 by section 8 of chapter 51 of the statutes of 1894, is hereby repealed and the following is substituted therefor:—

"3. All vessels, boats, canoes, rafts, vehicles of any description, nets, fishing gear, materials, implements or appliances used in violation of this Act or any regulation under it, and any fish or other marine animal taken, caught, killed, conveyed, bought, sold or had in possession in violation of this Act or any regulation under it, and all other fish, shell-fish or marine animals otherwise legally taken, caught, killed, conveyed, bought, sold, or had in possession, and of whatever size and description, which are intermixed therewith, shall be confiscated to Her Majesty, and may be seized and confiscated, on view, by any fishery officer, or taken and removed by any person for delivery to any fishery officer or justice of the peace."

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61 VICTORIA.

CHAP. 40.

An Act in further amendment of the Fisheries Act.

[Assented to 13th June, 1898.]

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

1. Subsection 2 of section 15 of *The Fisheries Act*, as enacted by section 1 of chapter 27 of the statutes of 1895, shall not apply or be deemed to have applied to the owners or employees of any saw-mill constructed and in operation on the twenty-ninth day of June, one thousand eight hundred and ninety-seven, with respect to putting or permitting to pass before the first day of January, one thousand eight hundred and ninety-nine, any saw-dust or mill rubbish from such saw-mill into any waters which were on the thirtieth day of April, one thousand eight hundred and ninety-eight, excepted from the operation of the said subsection.

Exception
from applica-
tion of R.S.C.
c. 95, s. 15.

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61 VICTORIA

CHAP. 41.

An Act further to amend the Act respecting the Protection of Navigable Waters.

[Assented to 13th June, 1898.]

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

1. Subsection 1 of section 7 of the *Act respecting the Protection of Navigable Waters*, chapter 91 of the Revised Statutes, is hereby amended by adding thereto the following paragraph :—

R.S.C., c. 91,
s. 7 amended.

“(a.) No person shall throw or deposit, or cause or permit to be thrown or deposited, any ballast, ashes, cinders, or material or rubbish which would sink to the bottom, into any navigable tidal waters of Canada where there are not at least twelve fathoms of water at low tide ; and every person who violates the provisions of this paragraph shall, on summary conviction, be liable to a penalty not exceeding three hundred dollars and not less than twenty dollars ; and in any case where such things are thrown from a vessel and conviction is obtained therefor, such vessel shall be liable for the penalty and may be detained by any port warden or collector of customs until it is paid.”

No ashes,
rubbish, etc.,
to be thrown
into navigable
tidal waters.

Penalty.

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61 VICTORIA.

CHAP. 42.

An Act further to amend the Act respecting the Government Harbours, Piers and Breakwaters.

[Assented to 13th June, 1898.]

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

1. Section 2 of chapter 84 of the Revised Statutes, intituled *An Act respecting the Government Harbours, Piers and Breakwaters*, is hereby repealed, and the following is substituted therefor:—

R.S.C., c. 84,
new section 2.

2. The Governor in Council may appoint or direct such officers or persons as he thinks proper, who shall have, under the direction of the Minister of Marine and Fisheries, the charge of the works hereby placed under the management and control of the said Minister, and who shall collect the tolls and dues thereon; and the Governor in Council may determine the remuneration to be allowed them respectively for such services, and such remuneration shall be retained from the tolls and dues collected.”

Appointment
of officers to
collect tolls,
etc.

2. Section 5 of the said Act is hereby repealed, and the following is substituted therefor:—

New section 5.

5. After deducting the remuneration mentioned in section 2 of this Act, the remainder, if any, of all tolls and dues received under this Act shall be paid over by the person receiving them to the Minister of Finance and Receiver General, at such times and in such manner as the Governor in Council directs; but an account thereof shall also be rendered to the Minister of Marine and Fisheries at such times and in such manner as he directs; and an account of all such moneys, and of all expenditure incurred in the collection thereof, or otherwise under this Act, shall be laid before Parliament at

Application
of tolls.

Accounts to
be rendered.

the session next after the close of the fiscal year in which such moneys have been received and such expenditure has been incurred.”

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61 VICTORIA.

CHAP. 43.

An Act further to amend the Act respecting Government Harbours, Piers and Breakwaters.

[Assented to 13th June, 1898.]

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

1. Chapter 84 of the Revised Statutes, intituled *An Act respecting Government Harbours, Piers and Breakwaters*, is hereby amended by adding thereto the following section immediately after section 4A :—

R.S.C., c. 84,
section added

“4B. If at any time the average annual receipts from any wharf for the three years previous have not exceeded one hundred dollars, the Minister of Marine and Fisheries may lease it to the municipality within which it is situated, for a term not exceeding three years, for an annual sum, payable in advance, not less than such average annual receipts, and on such other terms or conditions as to him seem advisable.”

Lease of
wharfs to
municipali-
ties.

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61 VICTORIA.

CHAP. 44.

An Act for better securing the safety of certain Fishermen.

[Assented to 13th June, 1898.]

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

1. No dory, flat, whaler or other boat whatsoever shall set out from any vessel engaged in deep-sea or Bank fishing, or be launched therefrom for the purpose of fishing with hooks and lines, trawls or other similar appliances, or with intent that the same shall be used in so fishing, or for the purpose of examining trawls, set lines or other similar appliances for fishing, unless there is placed in such boat to be retained therein during absence from such vessel a mariner's compass, and unless there is placed in such boat at least two quarts of drinking water and two pounds of solid food for each man of the crew of such boat.

Boats not to set out from vessels without compass, water and food.

2. The owner of such vessel shall supply her at the commencement of her voyage with as many serviceable mariner's compasses as she carries boats, in addition to the vessel's compass, and also with the necessary utensils for holding water and with a serviceable fog-horn or trumpet.

Owner to supply compass, &c.

2. The owner of any vessel who makes default in the performance of the duty imposed upon him by the preceding section, and the master of every vessel from which any boat is launched or set out in contravention of the provisions of the preceding section, shall be guilty of an offence against *The Fisheries Act*, chapter 95 of the Revised Statutes of Canada, and shall be liable for each offence to a penalty not exceeding one hundred dollars or to imprisonment for a term not exceeding two months.

Penalties.

3. This Act shall be read and construed as if it formed part of *The Fisheries Act*.

R.S.C., c. 95.

Commence-
ment of Act.

4. This Act shall come into force and effect on and after the first day of October, one thousand eight hundred and ninety-eight.

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most Excellent Majesty.



61 VICTORIA.

CHAP. 45.

An Act further to amend the Act respecting Certificates to Masters and Mates of Ships.

[Assented to 13th June, 1898.]

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

1. Section 17 of the *Act respecting certificates to Masters and Mates of Ships*, chapter 73 of the Revised Statutes, is hereby repealed and the following substituted therefor :—

R.S.C., c. 73,
new section
17.

“**17.** The Board of Trade in the United Kingdom, or the Minister, may suspend or cancel the certificate, whether of competency or service, of any master or mate or second mate of a sea-going ship who has received a certificate from such Minister, in the following cases, that is to say : if, upon any investigation duly authorized by the Minister under *The Wrecks and Salvage Act*, such master or mate is reported to be incompetent, or to have been guilty of any gross act of misconduct, drunkenness or tyranny ; or it is reported that the loss or abandonment of, or serious damage to any ship, or loss of life, has been caused by his wrongful act or default ; or if it is shown, to the satisfaction of the said Board of Trade, or of the said Minister, that such certificate was granted on false or erroneous information.”

Suspension
and cancella-
tion of cer-
tificates.

2. The said Act is hereby further amended by adding the following sections thereto after section 25 :—

Sections
added.

“**26.** The Minister, upon a report of a duly appointed and qualified examiner of masters and mates, may grant a temporary certificate as master to an applicant sufficiently qualified by his knowledge and experience to take charge of a steamboat of not more than ten tons, gross tonnage, and certificated to carry not more than ten passengers, plying within specified limits in the minor inland waters of Canada,—which steamboat and limits shall be described in the certificate.

Temporary
certificates.

“**2.** Such temporary certificate may be issued and be in force for a term not exceeding one year, but may be suspended or cancelled for cause by the Minister.

Duration.

Fee. "3. For every such temporary certificate the applicant shall pay the sum of five dollars.

Exemption from penalty in such case. "4. No person who holds a certificate issued under this section, and no person who employs him as holding such certificate, shall be liable to any of the penalties provided by this Act if he is acting on the vessel and within the limits specified in the said certificate."

Recovery of penalties. "27. All pecuniary penalties imposed under the authority of this Act may be recovered by summary proceedings as provided by Part LVIII. of *The Criminal Code*, 1892."

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61 VICTORIA.

CHAP. 46.

An Act respecting the inspection of Steamboats, and the examination and licensing of Engineers employed on them.

[Assented to 13th June, 1898.]

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

SHORT TITLE.

1. This Act may be cited as *The Steamboat Inspection Act*, Short title. 1898.

INTERPRETATION . .

2. In this Act, unless the context otherwise requires,—

(a.) the expression “steamboat” includes any vessel used in navigation or afloat on navigable water, and propelled wholly or in part by steam, or by any machinery or power other than sails or oars, and includes steam dredges and floating elevators ;

Interpretation “Steamboat.”

(b.) the expression “owner” means the registered owner only ;

“Owner.”

(c.) for the purpose of collecting the yearly rate or duty hereinafter imposed, the expression “year” means the calendar year, commencing on the first day of January and ending on the thirty-first day of December, and for the purpose of the inspection hereinafter rendered imperative the expression “year” means twelve calendar months from the date of the certificate of inspection ;

“Year.”

(d.) the expression “boilers and machinery” includes the steam engine or engines, and every part thereof or thing connected therewith, employed in propelling the steamboat, and any donkey or pony engine used on board, and the boiler or boilers for supplying steam thereto, and the furnaces, chimneys, flues, safety and blow-off valves, gauges, braces, stays, pipes,

“Boilers and machinery.”

pipes, steam pumps, and all other apparatus and things attached to or connected therewith or used with reference to any such engine or under the care of the engineer ;

“Hull and equipment.” (e.) the expression “hull and equipment” includes the hull and every part thereof, masts, sails and rigging when the steamboat carries them, life boats and other boats and the tackle and apparatus for lowering or hoisting them, the apparatus, other than steam fire engines, for preventing or extinguishing fires, anchors and cables, windlasses and capstans, fire buckets, compasses, axes, lanterns, and all other articles and things necessary for the navigation and safety of the steamboat and not under the care of the engineer ;

“Inspector.” (f.) the expression “inspector” means a person appointed under the provisions of this Act to inspect the boilers and machinery or the hulls and equipment of steamboats ;

“Boiler.” (g.) the expression “boiler” means a boiler of or intended for a steamboat, and includes boilers when the steamboat has more than one, and the expression “boilers” means “boiler” when the steamboat has only one ;

“Hull.” (h.) the expression “hull” includes the equipment ;

“Certificate.” (i.) the expression “certificate” means one of the duplicates or triplicates of the certificate given by the inspectors or inspector, as the case may be ;

“Freight boats.” (j.) the expression “freight boat” means steamboats carrying freight only ;

“Passenger.” (k.) the expression “passenger” means any person carried on a steamboat, other than the master and crew and the owner, his family and the servants connected with his household ;

“Passenger steamboat.” (l.) the expression “passenger steamboat” means any steamboat carrying any person other than the master and crew, the owner, his family and the servants connected with his household ; except steam yachts used exclusively for pleasure or private use without hire of any kind ;

“Tug-boat.” (m.) the expression “tug-boat” means a steamboat used exclusively for towing purposes ;

“Vessel.” (n.) the expression “vessel” means any barge, bateau, boat, scow or vessel carrying passengers, other than a steamboat ;

“Voyage.” (o.) the expression “voyage” includes “passage” or “trip” ;

“Remuneration.” (p.) the expression “remuneration” includes fuel and ships’ stores of any kind or any other kind of payment or compensation ;

“Minister.” (q.) the expression “Minister” means the Minister of Marine and Fisheries.

EXTENT AND APPLICATION OF ACT.

Certain vessels not subject to this Act.

3. No steam yacht used exclusively for pleasure or private use without hire or remuneration of any kind, no tug boat, no freight boat under one hundred and fifty tons gross tonnage, no steamboat used exclusively for fishing purposes

and under one hundred and fifty tons gross tonnage, and no steam dredge or floating elevator or vessel of like kind shall be subject to the requirements of this Act; except as regards the yearly rate or duty and the inspection fees hereinafter imposed and the inspection of their boilers and machinery—to which inspection they shall be subject at least once in each year and oftener if required—under the same provisions and penalties for neglect as other steamboats, and except also as to the obligation to carry one life-buoy and take the precautions against fire hereinafter imposed upon all steamboats, and to carry a life preserver for each person on board; and no steam yacht used exclusively for pleasure or private use without hire or remuneration of any kind of three tons gross tonnage and under shall be subject to any of the provisions of this Act: Provided, however, that if any of the vessels mentioned in this section—except the steam yachts therein mentioned—carries passengers for or without hire, such vessel shall be deemed to be a passenger steamboat for the time being and shall be subject to all the provisions of the Act from which by this section such vessel is exempt.

Except in certain particulars.

Certain steam yachts entirely exempt.

2. This Act shall not apply to steamboats belonging to Her Majesty. H. M. vessels.

3. The Governor in Council may direct that this Act or certain provisions thereof shall apply to, or shall not apply to, any steamboat or class of steamboats registered elsewhere than in Canada. Application to vessels not registered in Canada.

APPOINTMENT AND QUALIFICATIONS OF INSPECTORS.

4. The Governor in Council shall, from time to time, appoint at such places as he deems advisable, in Canada, a skilled person or persons competent to inspect the boilers and machinery employed in steamboats, who shall not be interested in the manufacture of steam engines, boilers or other machinery belonging to steamboats, and whose duty it shall be to make the inspection hereinafter prescribed, and to give to the owner or master two of the triplicate certificates of such inspection,—and also a skilled person or persons competent to inspect the hulls and equipment of steamboats, who shall not be interested in the building or construction of hulls of steamboats, or of any article or thing hereinafter mentioned as part of the equipment required by this Act for steamboats, or properly belonging to or connected with such equipment according to the intent of this Act, and whose duty it shall be to make such inspection and to give triplicate certificates of such inspection. Appointment of inspectors of boilers and machinery.

And of inspectors of hulls and equipment.

5. No person shall be appointed an inspector of boilers and machinery of steamboats unless he has passed a satisfactory examination before the board of steamboat inspection, as to his knowledge and experience on the subject of boilers and machinery of steamboats, and the working thereof; and no person shall Examination of inspectors.

shall be appointed an inspector of the hulls and equipment of such vessels, unless he has passed a satisfactory examination as to his competency for the office, before the chairman or, in case of his absence a deputy chairman, of the board and two inspectors of hulls and equipment, or one or more experienced practical shipbuilders; and no one shall be appointed an inspector for either purpose unless he has received from the chairman of the board a certificate in writing that he has satisfactorily passed such examination.

Oaths of office. 2. Every such inspector, before entering upon his duties as such, shall take and subscribe an oath, before a judge of a court of record, well, faithfully and impartially to execute the duties assigned to him by this Act, in the form or to the effect following :—

Form of oath. I, A.B., do solemnly swear that I will well, faithfully and impartially, to the best of my judgment, skill and understanding, execute the duties assigned to the office of inspector of boilers and machinery, (or hulls and equipment, as the case may be) of steamboats under *The Steamboat Inspection Act, 1898*. So help me God.

Oath to be forwarded. 3. The oath taken by every inspector shall be forwarded forthwith by such judge to the Minister.

Inspectors of hulls and equipment may be dispensed with in certain parts of Canada. Duties, how performed in such case. 4. In the provinces of Manitoba and British Columbia, and in the North-west Territories and the district of Keewatin, the Minister may, when he sees fit, dispense with the appointment of an inspector of hulls and equipment; and in such case or in case of a vacancy in the office of inspector in the said provinces, territories or district, the Minister may assign the duties of such inspector to the inspector of boilers and machinery, or such other person as he temporarily employs,—who shall then and so long as such order remains in force, have all the powers and perform all the duties hereby assigned to the inspector of hulls and equipment, under the like obligations and like penalties in case of default, and such person shall be called an acting inspector of hulls and equipment.

REGULATIONS BY GOVERNOR IN COUNCIL.

Power to Governor in Council to make rules and regulations for certain purposes. 6. The Governor in Council may make rules and regulations for the following purposes, viz. :—

(a.) for the testing of boilers and all matters connected with the construction and working thereof;

(b.) for the inspection of safety valves and boiler cocks and all matters connected with the construction and working thereof;

(c.) for the inspection of hulls and equipment of steamboats;

(d.) respecting boats and life-preservers, fire buckets, axes and lanterns and other life-saving appliances to be carried by steamboats or by other vessels mentioned in this Act;

(e.) respecting the qualifications necessary to entitle a person to an engineer's certificate;

(f.) requiring steamboats to carry chemical or other fire extinguishers, and prescribing the number of such fire extinguishers to be carried by steamboats of different sizes and classes respectively.

2. Any rules and regulations made under the authority of this section shall, after publication in *The Canada Gazette*, have like force and effect as if herein enacted.

Publication and effect of rules and regulations.

7. The Governor in Council may, at any time, order and direct that the provisions of this Act or of any rules or regulations made thereunder in so far as such provisions extend to the carrying of boats and life-preservers, shall not, at any time or during any time specified in the Order in Council, apply to any ferry boat specially mentioned in such order.

Ferry boats, carrying of boats and life preservers on. Governor in Council may direct that Act shall not apply.

8. The Governor in Council may order and direct that such provisions, as he deems advisable with respect to the carrying of boats and life-preservers on any ferry boat, shall be applicable to and shall during any time specified in the Order in Council be enforced in respect of any ferry boat specially mentioned in such Order in Council.

And he may make provisions on the subject.

BOARD OF STEAMBOAT INSPECTION.

9. The inspectors shall form a board, to be called "The Board of Steamboat Inspection," of which the Governor in Council shall appoint the chairman; three of the members shall form a quorum, one of which shall be the chairman.

Composition of Board.

Chairman.

Quorum.

2. The chairman shall have the right to vote; and in the case of an equal division shall also have a casting vote, and shall supervise the other inspectors.

Chairman's powers.

3. The Minister may appoint one of the inspectors a deputy chairman, to act in the absence of the chairman, and such deputy shall exercise all the functions of the chairman.

Deputy chairman.

4. The minutes of the proceedings of the board shall be kept by such chairman or deputy chairman,—and a copy thereof, certified by him, shall be transmitted to the Minister.

Minutes.

5. The board shall meet at such time and at such place as the Minister determines, and may make rules and regulations for their own conduct, for the uniform inspection of steamboats, for prescribing the duties of engineers, and for such other purposes as are necessary under this Act; and such rules and regulations shall not come into force until after they are approved by the Governor in Council.

Meetings.

Coming into force of regulations.

INSPECTION.

10. The chairman of the board of steamboat inspection may at any time inspect or examine the hull, equipment, boiler and machinery of any steamboat, and if he suspects any inspector of having neglected his duty in relation to such steamboat, or in any other respect, he may call a meeting of the board to investigate

Chairman may inspect steamboats.

Neglect of duty by inspectors to be reported by chairman.

investigate the case, or may himself investigate it; and the result of such investigation shall be forthwith communicated, in writing, to the Minister; he shall receive and examine all reports and accounts of inspectors, and report fully to the Minister upon all matters pertaining to his official duties, so as to ensure, as far as possible, a uniform and efficient administration of the inspection laws, rules and regulations.

Other duties of chairman.

Inspection to be made at least yearly.

Certificate.

Penalty.

Duration of certificate.

Steamboat without certificate may be seized.

Subsequent injury to hull or machinery to be reported.

Penalty.

11. The master or owner of every steamboat liable to inspection under this Act shall cause the boiler and machinery and the hull and equipment thereof, or the boiler and machinery alone, as the case may be, to be inspected at least once every year, and shall deliver one of the certificates thereof to the chief officer of customs at the port where such inspection is made, or at which such steamboat arrives next after such inspection when it has not been made in such port; and for every neglect to cause such inspection to be made, and a certificate thereof to be delivered to the proper officer of customs, such master or owner shall be liable to a penalty not exceeding five hundred dollars and not less than one hundred dollars.

2. Every such certificate, unless sooner revoked, shall be good for a period of twelve months from the date thereof, or for such less period as is stated by the inspector in the certificate, and every steamboat running without such certificate on board shall be seized and detained by any chief officer of customs or by any person thereunto directed by the Minister in writing.

3. In any case in which a steamboat requiring inspection is not ready for such inspection when the inspector is in the vicinity of such steamboat for the purpose of inspecting steamboats, or from any other cause the inspector has to return to inspect such steamboat, the expenses incurred by the inspector in returning to inspect or to complete inspection of such steamboat if the Minister determines that such expenses were incurred through the fault or default of the owner or manager of such steamboat, shall be paid by the owner, and if not paid forthwith the steamboat shall, subject to the directions of the Minister, be liable to be seized and detained until such expenses have been paid.

12. The master, owner or engineer of every steamboat, or the person in charge thereof, shall, at the earliest opportunity after the occurrence of any event whereby the hull, or the machinery or boiler thereof, or any part of any or either of the same is, in any material degree, injured, strained or weakened, report such occurrence to an inspector; and in case of omission to give such notice, the master shall be deemed guilty of misconduct and the owner of the steamboat shall be liable to a penalty not exceeding five hundred dollars and not less than fifty dollars and shall also be liable for costs; and if the injury

is in respect to the machinery or boiler or any part of the same, the engineer shall be deemed guilty of negligence.

13. Every inspector may, at all times when inspecting, visiting or examining any boilers and machinery or the hull of any steamboat, ask of any or all of the owners, officers or engineers of such steamboat, or other person on board thereof and in charge or appearing to be in charge of such steamboat, or of the boiler or machinery thereof, such pertinent questions concerning the same, or concerning any accident that has happened thereto, as he thinks fit; and every such person shall fully and truly answer every such question so put to him; and every person who refuses to answer or falsely answers such question, or who prevents any such inspection or obstructs any inspector in making such inspection, shall be liable to a penalty of fifty dollars.

Owners and officers of steamboats to answer questions.

Penalty.

14. Every inspector of steamboats shall demand of the owner or master of every steamboat which he inspects the production of the certificate of registry of such steamboat, and may require the production of the certificate of the master, mate or engineer, as the case may be, whenever the law requires these officers to possess certificates, and such owner or officer shall thereupon produce and exhibit the same to such inspector.

Certificates to be shown.

15. When the inspector finds it necessary to open up the hull of a vessel for the purpose of examining her condition, the expense thereby incurred shall be chargeable to the owner of such vessel.

Owners to pay certain expenses of examination.

16. The inspector may require that the engine and machinery under inspection by him shall be put in motion; and every inspector shall be carried free of expense on any steamboat which he desires to inspect while under way, and during such period as is necessary for such inspection, and for his return to the port at which he embarked on such steamboat for such purpose, or for his disembarkation at any port at which such steamboat touches on her voyage.

Inspection of machinery in motion.

Inspector to be carried free.

17. If the inspector of hulls and equipment who inspects any steamboat in the manner required by this Act, approves the hull and equipment of such steamboat, he shall make and sign, in triplicate, a certificate according to the form A, in the second schedule to this Act,—and such triplicates shall be delivered by him to the inspector of boilers and machinery who, when he has inspected and approved the boilers and machinery of the steamboat, shall make and sign, in triplicate, upon the same sheets of paper on which the certificate in triplicate of the inspector of hulls and machinery is written, a certificate according to the form A, in the said schedule, and shall deliver two of the triplicates of the said certificate to the owner or master

Certificate of inspection of hull and equipment.

And of boilers and machinery.

In triplicate on same sheets.

How disposed of.

of the steamboat, who shall deliver one triplicate to a chief officer of customs as aforesaid, and shall cause the other to be posted up, framed and protected by glass, in some conspicuous part of the steamboat for the information of the public; and the inspector of boilers and machinery shall retain the other triplicate for the purposes of this Act.

Certificate when there is inspection of boilers and machinery only.

2. If the steamboat is one of which the boiler and machinery only are subject to inspection under this Act, the inspector of boilers and machinery shall sign a certificate in the form B in the said schedule, in duplicate, and deliver the duplicates to the master or owner of the steamboat, who shall deliver one to a chief officer of customs and cause the other to be framed and protected by glass and posted up in some conspicuous part of the steamboat for the information of the public.

Penalty for making voyages without certificate or contrary to requirements of certificate.

3. The master, owner or person in charge for the time being of any steamboat which makes any trip or voyage before the certificate required by this section has been issued,—or which makes any trip or voyage or any part thereof at any time or during any period not covered by such certificate,—or which makes any trip or voyage or any part thereof on any waters beyond the limits of those for which such certificate is issued, shall, for each such offence, be liable to a penalty not exceeding five hundred dollars and not less than fifty dollars; and if such penalty and the costs of conviction are not paid forthwith the steamboat shall, subject to the directions of the Minister, be liable to be seized and sold by any officer of customs or any other person thereto directed by the Minister; and the said penalty and the costs of conviction and the costs of such seizure and sale shall be paid out of the proceeds of such sale, and the surplus, if any, shall be paid over to the owner of the steamboat.

Recovery of penalty.

Inspector to see that steamboats have proper lights, &c.

R.S.C., c. 79.

No certificate in case of non-compliance.

Right of inspector to board steamboat.

Penalty for defective equipment.

4. Every inspector of steamboats shall, whenever he visits and inspects any steamboat, examine whether such steamboat is properly furnished with lights and with means of making fog-signals, in pursuance of the rules prescribed by the *Act respecting the Navigation of Canadian Waters*, and shall refuse to grant a certificate with respect to any steamboat which he finds is not so provided, and shall report such steamboat to the Minister as unsafe.

5. An inspector or any person thereunto directed by the Minister, may at any time go on board any steamboat inspected under the provisions of this Act and inspect the equipment thereof, and if the equipment is not such as was approved by the inspector when he issued the certificate of inspection then current the person making the inspection may seize and detain such steamboat until released by direction of the Minister, and the owner of such steamboat shall in such case be liable to a penalty of not less than fifty dollars and not more than one hundred dollars.

Decision of disputes by Minister in certain cases.

18. Any matter in dispute arising under this Act, between an inspector or the board of steamboat inspection and the master

master or owner of any steamboat, and also any dispute between an inspector or the said board and an engineer, may be referred by either party to the Minister, who shall finally decide the same.

19. Each inspector shall keep a register of the inspections and certificates made and granted by him, in such form and with such particulars respecting them as the chairman of the board of steamboat inspection, from time to time, directs, and shall furnish copies thereof, and shall also furnish any other information pertaining to the duties of his office to the chairman when required.

Register of inspections to be kept.

20. Whenever the engine of any steamboat is stopped for over five minutes, the engineer or the master or person in charge of such steamboat shall open the safety valve, so as to keep the steam in the boiler below the pressure limited by the inspector's certificate,—and every person who violates any provision of this section shall be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars.

When engine is stopped, safety valve to be opened and steam pressure reduced.

Penalty.

21. There shall be, in a conspicuous and easily accessible place in each steamboat, a steam gauge properly constructed and open to the view of all passengers and others on board such steamboat, and showing at all times the true pressure of the steam in the boiler thereof.

Steam gauge to be open to view of passengers.

22. Every master and engineer of any steamboat who, at any time, allows the pressure of steam to which the boiler of such steamboat is subjected, to exceed the pressure limited by her certificate, or who alters or conceals or otherwise deals with the steam gauge, so as to prevent the actual pressure of steam from being seen and ascertained by any passenger, shall be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars for each offence.

Penalty for concealing or tampering with steam gauge.

2. Every master and engineer of a steamboat who alters or deals with the safety valves, or allows them to be altered or dealt with in any manner whereby a greater pressure of steam may be obtained on the boiler than the pressure allowed by the certificate of inspection issued to such steamboat, shall be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars.

Penalty for tampering with safety valves.

23. The steam gauge required by this Act to be open to the view of all passengers and others on board any steamboat shall be that known as the "Bourdon Gauge," or shall be of such construction and shall be put in such place and position, as the inspector visiting, examining or inspecting such steamboat, from time to time, directs.

Bourdon gauge to be used.

24. Each boiler of every steamboat shall be provided with a suitable water gauge capable of showing the water level within

Water gauge and surface blow-off valves.

within each boiler at all times; and all steamboats navigating in brackish or salt water, shall be provided with surface blow-off valves, such as are commonly used on board sea-going steamboats.

Bilge pipes and injection valves.

25. Every passenger steamboat shall be provided with efficient means for relieving the bilges of water and in addition thereto, if having a condensing engine, shall be provided with a bilge injection valve and a pipe of suitable dimensions leading from the floor frames of the steamboat into the condenser of the engine,—such bilge injection pipe to have a check non-return valve if necessary.

Steamboats to carry at least one life-buoy.

26. Every steamboat registered in Canada, or to which this Act applies, shall carry at least one life-buoy with a proper heaving line attached, in some convenient place where it can be easily got at for use in case of accident.

PRECAUTIONS AGAINST FIRE AND ACCIDENTS.

Precautions against fire.

Combustibles to be kept at safe distance from heat.

Wood to be shielded.

Funnel to be cased.

Receptacles for waste, &c.

Use of coal oil lamps.

Quality of coal oil.

Inspector may allow deviations in some cases.

Stowage of inflammable matter.

Uncovered lights not allowed.

27. Suitable and safe provision shall be made throughout every steamboat to guard against danger from fire; and no combustible material, liable to take fire from heated iron or any other heat generated on board any steamboat, in and about the boilers, pipes or machinery, shall be placed at less than six inches distance from such heated metal or other substance likely to cause ignition; and when wood is so exposed to ignition, it shall, as an additional preventive, be shielded by tin being nailed on it in such manner as approved by the inspector; and the funnel shall have a casing of metal or other incombustible material extending up through the decks from the boiler with a space of at least four inches between it and the funnel; metallic vessels or safes shall be provided and kept in some convenient place to receive cotton-waste, hemp and other inflammable substances, which are in use on board; and no coal oil lamp shall be used between decks on any passenger steamboat in which any inflammable material is carried; nor shall any coal oil which will not bear a test of three hundred degrees Fahrenheit without taking fire be used on any passenger steamboat.

2. If the structure of the steamboat is such, or the arrangement of the boiler or machinery is such, that the requirements aforesaid cannot, without serious inconvenience or sacrifice, be complied with, the inspector may allow deviations from the said requirements, if in his judgment it can be done with safety.

3. Inflammable matter, when carried on any steamboat, shall invariably be stowed away as far as possible from the boiler, and from places where its ignition is possible.

4. No fire or lighted lamp, candle or other artificial light by which fire may be communicated, shall be allowed in any stateroom of any passenger steamboat, or in the stowage

thereof, unless in a locked and glazed lantern; and no lamps other than with metal bowls shall be used in freight holds or cargo decks. Lamps.

5. Whenever electricity is used for lighting or other purposes on board of any steamboat, a certificate in writing shall be furnished by the master or owner from a competent electrical engineer, certifying that the workmanship and material are good and that proper precautions have been taken to guard against accidents from fire. If electricity is used.

6. For each and every contravention of the provisions of this section the owner or master shall be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars. Penalty.

28. Every passenger steamboat shall have at least three double-acting forcing pumps, with chambers at least four inches in diameter with a stroke of not less than six inches, two to be worked by hand, and one by steam, if steam can be employed independently of and not worked by the main engine, otherwise, all three by hand,—one whereof shall be placed near the stern, one near the stem, and one amidship, each having a suitable well-fitted hose of at least two-thirds the length of the steamboat, with suitable nozzle attached and kept at all times in perfect order, clear of freight or other obstructions, with hose coupled and ready for immediate use; each pump and coupling shall be provided with a hose wrench chained to the pump, and each of the said pumps shall be supplied with water by a pipe connected therewith, and passing through the side of the steamboat, so low as to be at all times in the water when the boat is afloat. Force pumps.
Hose.
Wrenches.
Supply of water to pumps.

2. In passenger steamboats not exceeding two hundred tons gross, two of such pumps may be dispensed with; if over two hundred tons, but not exceeding five hundred tons gross, one of such hand pumps may be dispensed with; but in such cases the hose shall be of such length as to reach easily to every part of the steamboat; and in passenger steamboats where only one pump is used, such pump shall be placed as directed by the inspector. Requirements when vessel does not exceed certain sizes.

3. In passenger steamboats under one hundred tons gross, one steam pump of suitable size, or if steam cannot be employed, one force pump of suitable size worked by hand, shall be sufficient. When not exceeding 100 tons.

4. In passenger steamboats not exceeding two hundred tons gross, requiring only one pump, such pump shall be placed aft, unless the space forward is kept free to admit of ready access to the pump and hose, in which case the pump may be placed forward. If only one pump, it is to be placed aft.
Exception.

5. All steam pumps shall be supplied with suitable bilge connection having proper rose or mud box attachments, and also a steam syphon, ejector or other suitable means with which to relieve the hold of water. Requisites of steam pumps.

Length of hose necessary in certain cases.

29. When it is found that a metal tube or tubes are fixed on any steamboat not less in diameter than the hose carried by such steamboat connected with a force pump or pumps and provided with suitable connections placed at not more than thirty feet from each other, or from either end of the steamboat, to which the hose carried by the steamboat can be readily attached, it shall not be necessary that the hose should be of greater length than will be sufficient to reach from some one of such connections to either end of the steamboat; and each connection shall be provided with a stop valve or stop cock with keys and hose wrenches properly secured or chained to each stop valve or stop cock, or connection so that one or more of such hose attachments may be used as may be required.

Fittings of connections.

Steam pony pump to be fitted on steamboats over 60 tons.

30. Every passenger steamboat of more than sixty tons, registered tonnage, shall be provided with a steam pony pump that may be used as a fire engine, to be worked independently of the main engine; such steam pony pump shall be placed in a suitable place, near the engine-room convenient to the control of the engineer; and in all cases the pump hose shall be coupled to the pony and hand fire pumps, ready for immediate use in case of fire.

Hose to be coupled.

Means of escape from lower to upper deck.

31. Every passenger steamboat carrying passengers on the main or lower deck, shall be provided with sufficient and convenient facilities for the escape of passengers to the upper deck, in case of fire or other accident endangering life.

Wire tiller ropes and bell pulls to be used.

32. Every passenger steamboat shall be provided with wire tiller ropes, or iron rods or chains, correctly and properly laid with suitable rollers for the purpose of steering and navigating the vessel, and shall use wire bell pulls for signalling the engineer from the pilot house, where bells are used, together with tubes of proper size so arranged as to transmit the sound of the engine bells to the pilot house, or other arrangement approved by the inspector to repeat back the signal.

Tubes to re-turn signals.

ENGINEERS.

Examination of applicants for certificates

33. Any person who claims to be qualified to perform the duties of a first, second, third or fourth class engineer on a steamboat, may apply for a certificate to the Minister, who shall cause the board of steamboat inspection, or an inspector or inspectors, to examine the applicant and the proofs that he produces in support of his application, and to report upon such examination and proofs; and any such examination may be upon oath,—which any inspector may administer; and if the said board are satisfied that his character, habits of life, knowledge and experience in the duties of an engineer are such as to qualify him to be such engineer, the said Minister, on the report of the said board, shall give him a certificate to that effect, specifying the grade for which he has been found

May be on oath.

qualified ; but such applicant, if not a British subject, shall be entitled to a certificate if, in addition to the qualifications required by this Act, he has been domiciled in Canada for at least three years ; and foreigners serving as engineers in ships registered in Canada shall be deemed to be domiciled in Canada while so serving.

Additional requirement if applicant is an alien.

2. If the report of the inspector or inspectors, certifying the fitness of an applicant, is made at the time when the board of steamboat inspection is not sitting, it may be sent by such inspector or inspectors to the chairman, who, if he approves of it, shall submit it to the Minister, who may thereupon grant the applicant a certificate specifying the grade for which he has been found qualified ; but if the report of the said inspector or inspectors does not certify the fitness of such applicant, or is not approved by the chairman, the fee paid by such candidate shall not be returned to him, but he may be once more examined without payment of further fee.

Provision if board not sitting when inspector reports.

3. Such certificate shall be on parchment and shall be signed by the Minister.

Certificate signed by Minister.

4. Any certificate as an engineer issued by the board of steamboat inspection, and in force on the second day of June, one thousand eight hundred and eighty-six, may be delivered up by the holder thereof to the Minister, who may thereupon give to the holder a certificate on parchment, signed by the Minister.

Certain former certificates may be exchanged.

5. Every certificate shall be granted for life or during good conduct.

Duration.

6. For the first certificate to an engineer of any class, or for a certificate raising him to a higher class after re-examination, the applicant shall pay five dollars ; and for every certificate granted on the delivery up, under subsection 4 of this section, the applicant shall pay one dollar.

Fees.

7. The said sums shall be paid to the Minister of Finance and Receiver General, to form part of the Consolidated Revenue Fund of Canada.

Disposal of fees.

8. The certificate of any such engineer may be suspended or cancelled by the Minister upon proof of negligence, unskillfulness or drunkenness, or in consequence of the finding of a coroner's inquest, and may also be suspended or cancelled by the Minister for any other cause, provided such other cause is deemed sufficient by the Minister and is certified as such by him.

Suspension or cancellation of certificate.

9. No person shall act in the double capacity of engineer and master on any steamboat, and no person shall act as engineer and fireman on any steamboat having an engine of over seven nominal horse power and required by law to carry a certificated engineer, except in cases where the boiler is fired from the engine-room.

Engineers not to act in double capacity.

10. Whenever any engineer proves to the satisfaction of the Minister that he has, without fault on his part, lost or been deprived of his certificate, the Minister may, upon pay-

Replacement of lost certificate.

ment of one-half the fee charged for the original certificate, cause a copy or duplicate of the original certificate to be made out, signed as aforesaid, and delivered to him.

Engineer's
certificate to
be posted up.

11. Every engineer holding a certificate of competency whether granted under this Act or under the Acts of the United Kingdom relating to merchant shipping, who is employed on any steamboat to which this Act applies, shall keep his certificate of competency posted up, framed and protected by glass, in some conspicuous place in or near the engine-room of such steamboat, and any engineer neglecting to do so shall be liable to a penalty of twenty dollars.

Penalty.

Permits to
act as engi-
neers may be
granted.

12. The Minister, upon the report of the inspector of boilers and machinery in whose district the steamboat is to run, may grant a temporary certificate to an applicant, sufficiently qualified by his knowledge of steamboat machinery and his experience as engineer on a steamboat, authorizing him to act as engineer on a steamboat carrying passengers, having an engine of not more than four nominal horse power if the engine is a single cylinder engine, or nine nominal horse power if the engine is of the compound type, within specified limits in the waters of Canada—which steamboat and limits shall be designated in the certificate.

Duration.

(a.) Such temporary certificate may be issued and be in force for a term not exceeding one year, but may be suspended or cancelled for cause by the Minister.

Fee.

(b.) For every such temporary certificate the applicant shall pay the sum of two dollars, which shall be paid over to the Minister of Finance and Receiver General to form part of the Consolidated Revenue Fund of Canada.

Exemption
from penalty
in such case.

(c.) No person who holds such temporary certificate, and no person who employs him as holding such certificate, shall be liable to the penalty provided by section 35 of this Act, if he is acting on the vessel and within the limits specified in the said certificate.

Minister may
issue certifi-
cates equiva-
lent to those
of the Board
of Trade.

13. In any case where the Minister has power under the provisions of the Imperial Act known as *The Merchant Shipping Act, 1894*, to grant a certificate valid in Great Britain or elsewhere outside of Canada, the Minister may issue such certificates of competency as first-class or second-class engineer.

57-58 V., c. 60
(Imp.)

Such certificates shall have the word "Canada" prominently marked on their face and back and shall be as nearly as possible similar in shape and form to corresponding certificates of competency for the foreign trade granted by the Board of Trade of the United Kingdom, under the said Act and shall be prominently marked on their face "valid in the United Kingdom or any British possession."

Form.

Requirements
for obtaining
certificates.

14. The certificates mentioned in the next preceding subsection of this section shall be granted only on proof that the previous service at sea of the person applying for the same has been such as is required by the regulations for the time being in force in the United Kingdom with respect to certificates of like grade.

15. Every certificate of competency granted under the provisions of the subsection 13 of this section shall be subject to be suspended or cancelled by the Board of Trade for like offences or causes, and in like manner, as certificates granted under the said Act of the United Kingdom—all the provisions whereof or of any order of Her Majesty in Council made thereunder shall apply to such certificates,—or to be suspended or cancelled by the Minister upon proof of negligence, unskilfulness or drunkenness, or in consequence of the finding of a coroner's inquest, and may also be suspended or cancelled by the said Minister for any other cause, provided such other cause is deemed sufficient by the said Minister and is certified as such by him.

Suspension or cancellation thereof, when and how incurred.

16. Certificates of competency as first or second-class engineers in sea-going ships, granted by the Board of Trade under any of the Acts of the United Kingdom relating to merchant shipping, shall, while in force under *The Merchant Shipping Act, 1894*, be of the same force and effect in Canada as if granted under this Act.

Board of Trade certificates to be in force in Canada.

17. Provided that the Minister may order an investigation into the misconduct or incompetency of any engineer holding one of the certificates mentioned in the next preceding subsection to be held by one of the inspectors, and may, on the report of such inspector, cancel or suspend such certificate so far as Canada is concerned.

Investigations of misconduct of engineers.

CLASSIFICATION OF ENGINEERS.

34. Engineers shall be classified according to the following grades:—

Grades of engineers.

- First class engineers;
- Second class engineers;
- Third class engineers;
- Fourth class engineers.

Engineers with temporary certificates.

2. A first class engineer shall be qualified to take charge of any steamboat.

First class.

3. A second class engineer shall be qualified to take charge of any freight steamboat, or of any other steamboat, except a sea-going passenger steamboat of more than one hundred nominal horse power.

Second class.

4. A third class engineer shall be qualified to take charge of any passenger steamboat of not more than thirty nominal horse power, having single cylinder engines,—or any passenger steamboat of not more than forty-five nominal horse power, having compound engines,—or of any freight steamboat of not more than seventy-five nominal horse power; but such engineer shall not be qualified to take charge of any sea-going steamboat.

Third class.

5. A fourth class engineer may act in the capacity of assistant engineer on any steamboat except a sea-going passenger steamboat of more than one hundred nominal horse

Fourth class.

power, but shall not act as chief engineer on any steamboat requiring under this Act engineers holding certificates.

Engineers may not be employed or serve unless they hold certificates.

35. No person shall employ another as engineer, and no person shall serve as engineer on any passenger steamboat, of whatever tonnage, or on any freight steamboat of over one hundred and fifty tons gross, unless the person employed or serving as engineer holds a certificate of competency granted under this Act or under the Acts of the United Kingdom for the grade in which he is to be employed, or for a higher grade; and every person who offends against this section shall be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars: Provided, however, that if a steamboat leaves a port with a complement of engineers, and on her voyage is deprived of their services, or the services of any of them, without the consent, fault or collusion of the master, owner or any one interested in the steamboat, the deficiency may be temporarily supplied until engineers holding such certificates can be obtained.

Penalty.

Proviso: When vessel is deprived of engineer.

Who to be deemed an engineer.

2. Any person keeping watch or in charge of the engine-room of any steamboat mentioned in this section, while in motion, shall be deemed to be serving and employed as engineer while keeping such watch, or while so in charge.

Certificate not to be transferred.

R.S.C., c. 78.

36. No one who holds a certificate as engineer, or a temporary certificate to act as engineer, under the provisions of this Act, or a certificate as engineer under the provisions of chapter 78 of the Revised Statutes, shall transfer such certificate or temporary certificate to any other person, and no person shall accept or be a party to the transfer of any such certificate or temporary certificate; and every person guilty of such transfer or acceptance of such transfer, or who is a party to any such transfer, shall be liable to a penalty not exceeding five hundred dollars and not less than fifty dollars; and if such penalty is not paid forthwith, such person shall be imprisoned for a period not exceeding two months.

INSPECTION FEES.

Scale of inspection fees.

37. The owner or master of every steamboat in Canada shall pay, yearly and every year, a rate or duty fixed by the Governor in Council, and not exceeding ten cents for every ton gross which such steamboat measures; and the owner or master of every passenger steamboat exceeding one hundred tons gross, shall pay an inspection fee of eight dollars for each inspection made imperative by this Act; and the owner or master of any passenger steamboat of one hundred tons or less, or of any other steamboat, shall pay an inspection fee of five dollars for each inspection made imperative by this Act.

No deduction for machinery when calculating tonnage.

2. Every ton of the gross tonnage of a steamboat shall, for the purposes of this section, be reckoned, and no allowance or deduction shall be made for the space occupied by the engine-room.

3. The amount of such rate or duty and inspection fees shall, in each case, be paid to and received by the chief officer of customs, at some one of the ports in Canada, who shall, at such times and in such manner as the Governor in Council, from time to time, directs, account for and pay over the same to the Minister of Finance and Receiver General, to form part of the Consolidated Revenue Fund of Canada.

Payment and disposal of fees.

38. No inspector shall make or deliver a certificate respecting any steamboat under this Act, unless the receipt of a chief officer of customs for the rate or duty payable in respect of such steamboat for the then current year, has been produced and shown to him, and unless he is satisfied, by careful examination, that all the conditions and requirements of this Act have been fulfilled and complied with, in respect of such steamboat; and every inspector shall report to some chief officer of customs any case of omission to pay such rate or duty, or of omission to apply for such inspection as aforesaid, for more than one year from the date of the last inspection, or of any refusal to submit to inspection at any time, which in any way or at any time comes to his knowledge.

Inspector's certificate not to be granted before fees are paid, and conditions of Act are complied with.

Omissions to pay fees, to apply for or submit to inspection, are to be reported.

39. Each chief officer of customs shall demand of the owner or master of every steamboat entered, cleared or otherwise officially dealt with by such officer, the production of the certificate of inspection of such steamboat and of the receipt for the payment of the rate or duty or fee imposed by this Act, in respect of such steamboat; and if such certificate and receipt are not so produced, then such chief officer shall seize and detain the said steamboat until the same are produced and exhibited, and until any penalty incurred and lawfully imposed on such steamboat under the provisions of this Act has been paid in full with costs.

Certificate and receipt for fees to be demanded before clearance of vessel.

Penalty.

2. Any chief officer of customs or other person thereunto directed in writing by the Minister may seize or detain any steamboat or vessel running in violation of any of the provisions of this Act or of any Order in Council made under it; and any such steamboat or vessel so seized or detained shall be deemed to be the property of Her Majesty until released by the Minister, and every person who knowingly removes, or causes to be removed or is a party to removing, any steamboat or vessel so seized or detained shall be liable to a penalty of not more than five hundred dollars and not less than fifty dollars, or to imprisonment for a term not exceeding six months.

Seizure and detention of vessels with respect to which there has been a contravention of this Act, &c.

3. Any person who impedes, prevents, obstructs or resists any inspector or chief officer of customs or other person thereunto appointed in writing by the Minister, in the performance of any duty under any of the provisions of this Act or of any Order in Council made under it shall be liable to a penalty of not more than five hundred dollars and not less than fifty dollars or to imprisonment for a term not exceeding three months or to both.

Penalty for removing vessel under seizure.

Penalty for deceiving, obstructing, &c. officers.

PASSENGERS.

Certificate to specify number of passengers allowed.

40. The inspectors shall, in their certificate, prescribe the number of cabin or steerage or other passengers that may be carried by any steamboat inspected by them for the carriage of passengers, according to the rules established by the Governor in Council for that purpose.

Inspection may be made at any time.

41. Any inspector may, at any time, visit any steamboat and inspect and examine the same, and if he considers such steamboat unsafe or unfit to carry passengers, he shall report thereon to the Minister, who may order that such steamboat shall not be used or run until permitted by him.

Order of Minister.

Penalty for running steamboat contrary to order.

2. Any steamboat run or used in violation of the order of the Minister shall be liable to seizure by the chief officer of customs at any port or place or by any person thereunto authorized by the Minister, and the owner of such steamboat shall incur a penalty of not more than five hundred dollars and not less than fifty dollars.

Penalty for carrying more than lawful number of passengers

42. The master, owner or person in charge for the time being of any steamboat, in which a greater number of passengers than that allowed by her certificate are, at any time, carried, or in respect of which no certificate authorizing the carriage of passengers has been granted and in which passengers are carried, is guilty of an offence against this Act, and shall, for each such offence, be liable to a penalty not exceeding five hundred dollars and not less than one hundred dollars; and such steamboat shall be liable for the same and chargeable therewith; and if such penalty is not paid forthwith the steamboat shall, subject to the directions of the Minister, be liable to be seized and sold by any chief officer of customs or any other person thereto directed by the Minister; and the said penalty and the costs of conviction and costs of such seizure and sale shall be paid out of the proceeds of such sale, and the surplus, if any, shall be paid over to the owner of the steamboat.

Vessel also liable, and may be seized and sold.

BARGES.

Barges, &c., not to be towed unless inspected and certified.

43. No steamboat shall be employed to tow any barge, or any boat, bateau, scow or other vessel having passengers on board, unless such barge, boat, bateau, scow or vessel has been inspected by an inspector of hulls and equipment, and by him certified, according to the form C in the second schedule of this Act, to be fit and properly equipped to carry passengers on the waters on which she is so towed; and no such vessel shall, while so towed, have on board a greater number of passengers than she is certified as being fit to carry, nor shall such boat be towed alongside when there are passengers on the steamboat towing.

Rules as to passengers and towing alongside.

2. Every such vessel shall pay an inspection fee of ten dollars for every inspection under this Act, which fee shall be paid to and received by an inspector of hulls and equipment, who shall, at such times and in such manner as the Governor in Council from time to time directs, account for and pay over the same to the Minister of Finance and Receiver General, to form part of the Consolidated Revenue Fund of Canada.

Inspection fee.

3. Before a certificate is issued to such vessel, the inspection fee must be paid to the inspector who inspects the vessel, and she must also be equipped throughout in conformity with the requirements of this Act and of the regulations made thereunder, and must have suitable means for steering, an anchor and chain, and a substantial tow-line of suitable length; and such certificate shall state the period of time for which it is valid.

Requirements for obtaining certificate.

4. For any violation of this section, the master and the owner of the steamboat, and the owner and person in charge of such barge, boat, bateau, scow or vessel carrying passengers, shall each be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars; and such steamboat, barge, boat, bateau, scow or vessel, shall be liable for the same and chargeable therewith; and if such penalty is not paid forthwith such steamboat, barge, boat, bateau, scow or vessel shall, subject to the directions of the Minister, be liable to be seized and sold by any chief officer of customs or any other person thereto directed by the Minister; and the said penalty and the costs of conviction and the costs of such seizure and sale shall be paid out of the proceeds of such sale, and the surplus, if any, shall be paid over to the owners, and any steamboat inspector or chief officer of customs may seize and detain any barge, boat, bateau, scow or other vessel, from going on any voyage or trip contrary to the provisions of this section, and any person who takes or attempts to take or assists in taking any barge, boat, bateau, scow or other vessel on a voyage or trip contrary to the provisions of this section, after being so seized and detained, shall incur a penalty of one hundred dollars and be liable to imprisonment for a period of not more than six months.

Penalty for violations of this section.

Vessel also liable, and may be seized and sold.

MASTS AND SAILS—AND GANG-BOARDS.

44. The Minister may, from time to time, by regulations approved by the Governor in Council, require that every or any description of passenger steamboat above sixty tons registered tonnage, employed on the sea coasts of Canada or on all or any of the waters of Canada, shall, at all or any seasons of the year, be provided with a mast or masts, and sail or sails, suitable for such steamboats, and may prescribe the dimensions of such mast or masts, and sail or sails respectively; but nothing in this section contained shall apply to that portion of the St. Lawrence between Quebec and Kingston, and the river connecting Lakes Erie and Huron, and the waters between

Regulations may be made as to carrying masts and sails.

Waters to which these regulations shall not apply.

Kingston and the head of the Bay of Quinté, and the rivers in the provinces of Nova Scotia and New Brunswick, and the tributary rivers flowing into the River St. Lawrence, or the lakes west of Quebec, and any rivers or lakes not exceeding one mile in width on any point thereof on the route of such steamboats.

Gang-boards to be provided, and to be lighted.

45. Every passenger steamboat or vessel shall be provided with good and sufficient gang-boards, protected at the sides in a suitable manner to prevent passengers from falling overboard; and the master of every such steamboat or vessel shall, on stopping at any wharf or landing place, cause a gang-board to be firmly secured to the vessel or steamboat for the safe and convenient transit of passengers, and shall cause to be affixed to such gang-board in the night time good and sufficient lights; and the owner or occupier of every such wharf or landing place shall also, in the night time, cause to be shown conspicuously, on such wharf or landing place, and at every angle or turn thereof, during the whole of the time that any such steamboat or vessel is approaching the same or stopping thereat, a good and sufficient light.

Lights to be provided on wharfs.

Definition of night.

2. For the purposes of this section, the night at all seasons of the year shall be deemed to extend from one hour after sunset till one hour before sunrise.

Penalty.

46. The master or person in charge of any passenger steamboat, or vessel navigating the waters of Canada, and every owner, lessee or occupier of a wharf or landing place, who offends against any of the provisions of the next preceding section, shall for each offence be liable to a penalty not exceeding fifty dollars and not less than twenty dollars, in addition to all damages sustained by any person or persons from any accident happening from non-compliance with any of the said provisions, or during the time the said provisions are not complied with.

Damages.

GENERAL PROVISIONS.

Provision for notifying passengers of requirements of Act and of means of safety.

47. There shall be placed on board every passenger steamboat in some conspicuous place accessible to all the passengers, a printed copy of this Act; and in every cabin, state-room and in other conspicuous places about the vessel, there shall be placed a printed paper (to be provided and filled up by the owner or master of the steamboat) showing the number of boats, with their capacity, and also the number of fire buckets, axes and life preservers and floats on board of such steamboat, and the method of adjusting such life preservers to the body, and a statement of the places where such buckets, axes and life preservers are kept; the name of the steamboat shall be painted or stamped on all the boats, fire buckets and floats, axes and life preservers on board thereof.

Name of vessel to be on boats and apparatus

48. In every case in which a conviction has been secured against the owner, lessee or charterer of a steamboat for a violation of any of the provisions of this Act, and a money penalty imposed, such steamboat shall if the penalty is not paid forthwith be liable to be seized and, after such reasonable notice as the Minister may in each case prescribe, may be sold by any chief officer of customs or any other person thereto directed in writing by the minister, and such chief officer or person may by bill of sale give the purchaser a valid title to such steamboat free from any mortgage or other claim on the vessel which at the time of such sale may be in existence.

Owner's and master's liability for non-observance of Act.

2. Provided however, that any surplus remaining from the proceeds of the sale after paying the amount of the said penalty and the costs of conviction together with the costs of such seizure and sale shall be paid over to the owner of such steamboat, or the mortgagee, as the case may be.

49. Every inspector who wilfully, or through any culpable neglect of duty, makes or confirms any false statement in any certificate under this Act, shall incur a penalty of two hundred dollars.

Penalty for inspector giving false certificate.

50. Except when otherwise especially provided, the owner or master of any steamboat in Canada shall, for any violation in respect of such steamboat, on any one voyage or trip thereof, of any of the provisions of this Act or of any Order in Council made under it, be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars; and any chief officer of customs or any inspector may detain any steamboat in respect of which the provisions of this Act or any Order in Council made under it, have not been fully complied with, or of which the boilers or machinery or the hull, by reason of any injury or other cause, have, in an inspector's opinion, become unsafe; and whenever an inspector gives notice in writing to any chief officer of customs that any of the provisions of this Act or any Order in Council made under it, have not been fully complied with in respect to any steamboat, such chief officer of customs shall seize and detain such steamboat until he receives the certificate in writing of such inspector, to the effect that such provisions have been fully complied with in respect to such steamboat.

Penalty on owner or master for violation of Act.

Vessel may be detained.

And in certain case shall be detained.

51. All penalties incurred under this Act may be recovered with costs in a summary manner under the provisions of Part LVIII. of *The Criminal Code*, 1892, in the name of Her Majesty, by an inspector or any person aggrieved by any act, neglect or omission, or by any person named for the purpose by the Minister, in writing, on the evidence of one credible witness who may be the prosecuting inspector himself, or the person aggrieved or the person named by the Minister for the purpose of recovering penalties, before any judge of a county court, judge of the sessions of the peace, stipendiary or police

Mode of recovery of penalties.

police magistrate, or two justices of the peace; and in default of immediate payment of such penalty, and costs, such judge, magistrate or justices may commit the offender to jail for any term not exceeding three months, unless such penalty and costs are sooner paid; and all penalties recovered under this Act shall be paid to the Minister of Finance and Receiver General, and shall be by him placed to the credit of the Consolidated Revenue Fund of Canada; provided, that the Governor in Council may, if he sees fit, authorize the payment of a portion of any such penalty to the informer, if he is not an inspector.

Disposal of penalties.

Delay for laying information.

2. Any information or complaint in respect of any offence against the provisions of this Act may be laid or made within twelve months of the time when the matter of the information or complaint arose.

Investigations of accidents.

52. The Minister may order an investigation to be made by any person or persons into the cause of any accident attended or not attended with loss of life on any steamboat; and the person or persons so appointed may summon witnesses and compel their attendance before him or them by the same process as courts of justice,—and may administer oaths and examine witnesses touching the cause of such accident,—and report thereon to the Minister.

Reports and returns by Board of Steamboat Inspection.

53. The chairman of the board of steamboat inspection shall, as often as the Minister may direct, furnish a report of the proceedings of the board, and a return of all steamboats inspected, and of all penalties collected under the provisions of this Act.

Returns by inspectors.

54. Each inspector shall make monthly returns to the chairman of the said board of all steamboats inspected by him, their tonnage and power, with general descriptions of their machinery and hulls, and a statement of the fees collected upon the same, and any other information which the Minister may direct.

How tonnage is to be ascertained.

57-58 V., c. 60 (Imp.)

55. The tonnage of every British steamship for the purpose of this Act, shall be the tonnage ascertained by the rules of measurement prescribed by the Act of the United Kingdom known as *The Merchant Shipping Act, 1894*; but in the case of foreign steamships, the tonnage indicated by their national papers shall be the tonnage for the purpose of this Act.

Repeal.
57-58 V., c. 60 (Imp.)

56. Under the power given by section 735 of the Act of the United Kingdom known as *The Merchant Shipping Act, 1894*, so much of the provisions of that Act as relates to ships registered in Canada and is either inconsistent with this Act, or provides for matters provided for in this Act, is hereby repealed.

57. The Acts mentioned in the first schedule to this Act Repeal are hereby repealed.

58. This Act shall come into force on the first day of January, one thousand eight hundred and ninety-nine. Date of coming into force.

FIRST SCHEDULE.

ACTS REPEALED.

Act.	Year.	Title.
R. S. C., chap. 78.....	1886..	An Act respecting the Inspection of Steamboats and the examination and licensing of Engineers employed on them.
51 Vic., chap. 26.....	1888..	An Act to amend "The Steamboat Inspection Act," chapter seventy-eight of the Revised Statutes.
52 Vic., chap. 23.....	1889..	An Act further to amend "The Steamboat Inspection Act," chapter seventy-eight of the Revised Statutes.
53 Vic., chap. 17.....	1890..	An Act to amend "The Steamboat Inspection Act," chapter seventy-eight of the Revised Statutes.
54-55 Vic., chap. 39.....	1891..	An Act further to amend "The Steamboat Inspection Act."
55-56 Vic., chap. 19.....	1892..	An Act further to amend "The Steamboat Inspection Act."
56 Vic., chap. 25.....	1893..	An Act further to amend "The Steamboat Inspection Act."
57-58 Vic., chap. 46.....	1894..	An Act further to amend "The Steamboat Inspection Act."
60-61 Vic., chap. 22.....	1897..	An Act further to amend "The Steamboat Inspection Act."

SECOND SCHEDULE.

FORM A.

DOMINION OF CANADA—DEPARTMENT OF MARINE AND FISHERIES.

CERTIFICATE of the Inspector of Hulls and Equipment for a Steamboat to carry Passengers, or for a Freight boat of or over 150 tons gross.

Having examined the hull and equipment of the steamboat of whereof of owner, on this day of A.D. 18 .

The particulars of her gross and register tonnage as shown on her certificate of registry, being as follows :

Tonnage under tonnage deck	Tons.
Houses on deck	"
Gross tonnage	"
Deduct for engine-room	"
Register tonnage	"

I, _____, inspector of hulls and equipment, do hereby certify that her hull is in all respects staunch, seaworthy and in good condition for navigation; that the equipment of the vessel throughout is in conformity with the requirements of *The Steamboat Inspection Act, 1898*, the said steamboat having on board, properly placed and in good order for immediate service, _____ boats, having (together) a carrying capacity for _____ persons, _____ life boats having (together) a carrying capacity for _____ persons, _____ life preservers, _____ wooden floats, _____ fire buckets, _____ axes, _____ lanterns, _____ life buoy, having a proper heaving line attached; and that she has the fire-pumps, hose and other appliances for extinguishing fire required by the said Act and placed as therein provided and in every way efficient and according to the requirements of the said Act; and I further certify that the said steamboat is permitted to run on the waters between _____ and _____, [or to run in any of the waters in Canada, *as the case may be*] from this _____ day of _____ to the _____ day of _____ 18____, and that she is adapted and fit to carry (*number*) passengers and no more (*as the case may be*).

Dated at
 this _____ day }
 of _____ 18____ . }

Inspector of Hulls and Equipment.

CERTIFICATE of the Inspector of Boilers and Machinery for the same boat.

And I, _____, inspector of boilers and machinery, do hereby certify that the engine, boiler and machinery of the steamboat _____ are sufficient and suitable to authorize her being lawfully employed* _____ without hazard to life on the route between _____ and _____ [or in any of the waters in Canada, *as the case may be*] from this _____ day of _____ to the _____ day of _____ 19____.

That the engine of the said steamboat is of _____ nominal horse power and that her boiler can carry with safety _____ pounds of steam pressure per square inch, and no more.

Dated at
 this _____ day }
 of _____ 18____ . }

Inspector of Boilers and Machinery.

* (Here insert "in the carriage of passengers" or "as a freight boat" or "as a ferry boat," as the case may be.)

NOTE.—The original copy of this certificate to be posted on board.

FORM B.

DOMINION OF CANADA—DEPARTMENT OF
MARINE AND FISHERIES.

CERTIFICATE for a *Freight Boat, Tug Boat, Fishing Boat, Pleasure Yacht, Steam Dredge, Elevator, or like Vessel.*

Having examined the boiler and machinery of the steam-boat of whereof of owner, on this day of , A.D. 18 .

The particulars of her gross and register tonnage, as shown by her certificate of registry, being as follows :

Tonnage under tonnage deck	Tons.
Houses on deck	“
Gross tonnage	“
Deduct for engine-room	“
Register tonnage	“

I, , inspector of boilers and machinery, do hereby certify that her engine, boiler and machinery are in conformity with the provisions of *The Steamboat Inspection Act, 1898*, for a and may be so used without hazard to life, until the day 18 ; that the engine of the said is of nominal horse power, and that the boiler of the said can carry with safety pounds per square inch of steam pressure, and no more :—and that she is provided with one life buoy, having a proper heaving line attached, and so placed as to be ready for immediate use when required ; and is also provided with signal lights properly located and screened, a fog-bell, steam whistle, a metal waste vessel, and is otherwise equipped as required by law.

Dated at
this day }
of 18 . }

Inspector of Boilers and Machinery.

FORM C.

DOMINION OF CANADA—DEPARTMENT OF
MARINE AND FISHERIES.

CERTIFICATE for a *Barge, Boat, Bateau, Scow or other vessel, to carry Passengers in tow of a Steamboat.*

I, , inspector of hulls and equipment, having examined the of which of is owner on this A.D. 18 , do hereby certify that the said vessel is fit, safe and properly equipped

equipped in all respects to carry passengers in
 tow of a steamboat, on the waters
 and that she is provided with one life buoy having a proper
 heaving line attached, and so placed as to be ready for immediate use, and that her equipment throughout is in conformity with the requirements of *The Steamboat Inspection Act, 1898*, and of the regulations made thereunder.

Dated at
 this day }
 of 189 . }

Inspector of Hulls and Equipment.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



61 VICTORIA.

CHAP. 47.

An Act to grant further aid to the Harbour Commissioners of Montreal.

[Assented to 13th June, 1898.]

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

1. The Governor in Council may from time to time advance and pay to the Corporation of the Harbour Commissioners of Montreal, hereinafter called "the Corporation," and in addition to the sum of two million dollars authorized to be advanced by the Governor in Council to the Corporation by chapter 10 of the statutes of 1896 (first Session), such sums of money, not exceeding in the whole the sum of two million dollars, as are necessary to enable the Corporation to complete the works now in progress and to construct any further works required in the harbour of Montreal.

\$2,000,000 may be advanced to Montreal Harbour Commissioners.

2. The Corporation shall, upon an advance being made to them under this Act, deposit with the Minister of Finance and Receiver General, debentures of the Corporation issued under the authority of this Act (which debentures the Corporation are hereby authorized to issue) equal in par value to the advance so made,—such debentures to be of such amounts as the said Minister determines, and to bear date the day when such advance is made, and to be repayable within twenty-five years from the date of their issue, and in the meantime to bear interest at the rate of three per cent per annum, such interest to be payable half-yearly on the first day of July and the first day of January in each year.

Debentures to be deposited with Minister of Finance.

3. The sums of money advanced to the Corporation under this Act shall, subject to the provisions of the next following section, be applied by the Corporation towards the completion, construction, extension, or improvement of wharfs, structures and other accommodations in the harbour of Montreal, in such manner as the Corporation have, by a plan of the said

Expenditure of moneys on harbour works.

harbour works known as plan 12 A, signed by the Harbour Commissioners and their engineer, and approved of by the Minister of Public Works, determined upon and defined, subject, however, to such modifications thereof as the said Harbour Commissioners, with the consent and approval of the Minister of Public Works, may make,—such works to be commenced forthwith and prosecuted continuously until completion.

\$750,000 to be on works below St. Mary's current. **4.** The Corporation shall, out of the advance authorized to be made to them under this Act, apply the sum of seven hundred and fifty thousand dollars towards the building or the improvement of wharfs, structures and other accommodations, including the building of a dry dock, in that part of the harbour of Montreal below the point known as St. Mary's Current.

Plans to be submitted. **2.** The plans, specifications and estimates for all such works, shall be submitted to the Minister of Public Works within two months from the passing of this Act, and shall be subject to his approval; and on such approval being given, the said works shall be commenced forthwith and be carried on concurrently with the works on plan 12 A mentioned in section 3.

Payment of loans. **5.** The principal and interest of the sums which are advanced to the Corporation under this Act shall be paid by the Corporation out of the revenue provided for in section 8 of chapter 10 of the statutes of 1896 (first Session) for the payment of the principal of, and the interest due on, all sums of money received by the Corporation under that Act, and shall be a charge upon the said revenue in the same manner and to the same extent as if the sums advanced to the Corporation under this Act had been borrowed by the Corporation under the said chapter 10 of the statutes of 1896 (first Session).

Charge on revenue.



61 VICTORIA.

CHAP. 48.

An Act to authorize the Quebec Harbour Commissioners to borrow money.

[Assented to 13th June, 1898.]

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

1. For the purposes of enabling the Corporation of the Quebec Harbour Commissioners to acquire additional lands upon the river front and to improve the same, and to extend the wharf accommodation for vessels using the harbour of Quebec, or for any or either of such purposes, the said Corporation may borrow, in such sums, and for such number of years not exceeding thirty years, and at such rates of interest not exceeding four per cent per annum, as is found expedient, an amount not exceeding in the whole three hundred and fifty thousand dollars; and the said Corporation may issue, under the hands of three of the said commissioners and the seal of the Corporation, debentures or bonds, to be countersigned by the secretary of the said Corporation, for the sum or sums so borrowed, and may make such bonds or debentures payable at such time or times as are agreed upon, to the bearer thereof, either within the province of Quebec or at any place or places without the said province, and either in Canada currency or in sterling, with interest payable semi-annually and with coupons for such interest annexed and signed by one of the said commissioners, and countersigned by the said secretary, which coupons shall be payable to bearer at the times when the said interest is payable; and the said sums so borrowed, together with the said interest thereon, shall be payable by the said Corporation out of all its property, assets, tolls, rates, dues, penalties and other sources of revenue and income whatsoever, and shall rank as a charge thereon in preference to and next preceding, and shall be paid therefrom in preference to, all claims and charges now outstanding of the Government of Canada on account of moneys borrowed

Quebec Harbour Commissioners may borrow \$350,000.

May issue bonds.

Priority over claims of Government.

Proviso.

borrowed for, or paid or advanced to, the said Corporation under the authority of any Acts of the Parliament of Canada heretofore enacted; provided however, that, except as to the priority hereby established for the payment of the moneys to be borrowed under the authority of this Act and the interest thereon, nothing herein contained shall in any wise prejudice or affect any claim or charge of the Government of Canada for or on account of the moneys so borrowed by the said Government for, or by the said Government advanced to, the said Corporation under the authority of any such Acts as aforesaid, or the interest due or to accrue due thereon.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's
most Excellent Majesty.



61 VICTORIA.

CHAP. 49.

An Act to amend the Companies Act.

[Assented to 13th June, 1898.]

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

1. Any joint stock company or corporation duly incorporated under the laws of the Parliament of the United Kingdom, or under the laws of any foreign country for the purpose of carrying on mining operations may, on receiving a license from the Secretary of State of Canada, carry on mining operations in the Yukon District and North-west Territories, and shall be entitled to the privileges of a free miner, subject to the regulations governing and affecting free miners. British and Foreign mining corporations may obtain license to mine in Yukon District and North-west Territories.

2. Every company desirous of obtaining such license as aforesaid shall first file in the office of the Secretary of State of Canada a certified copy of the charter or Act incorporating the company, and shall also designate the agent or manager within the Yukon District authorized to represent the company and to accept process in all suits and proceedings against the company for any liabilities incurred by the company therein. Copy of charter to be filed. And agent or manager in the district to be designated.

3. Every company to which such license has been granted, when so required, shall make a return to the Secretary of State of all business done by it under such license, and in default of making the said return, the license may be cancelled. Returns. Penalty.

4. Notice of the issue of such license shall be published in the *Canada Gazette*. Notice of license.

5. The fees payable for the license shall, from time to time, be fixed by the Governor in Council. Fees.



61 VICTORIA.

CHAP. 50.

An Act further to amend the Companies Act.

[Assented to 13th June, 1898.]

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

1. Subsection 5 of section 5 of *The Companies Act* is hereby repealed, and the following substituted therefor:—

“5. (a.) Such aggregate shall be deposited to the credit of the Receiver General of Canada, and shall be standing at such credit in some chartered bank in Canada, and the applicants shall, with their petition, produce the deposit receipt for such amount so deposited.”

“ (b.) At any time after the signing of letters patent incorporating the applicants as a company, the said aggregate, so paid in to the credit of the Receiver General, may be returned to and for the sole use of the company, or in case of failure to incorporate, to the applicants who have paid in or contributed to the same, under regulations from time to time made by the Governor in Council.”

“ (c.) In case the object of the company is one requiring that it should own real estate, any portion not exceeding one-half of such aggregate may be taken as paid in, if it is *bonâ fide* invested in real estate suitable to such object, and such real estate is, by a valid and sufficient registered deed, duly held by two or more trustees for the company, and the applicants shall establish the fact, by oath, affirmation or declaration, that such real estate is of the required value over and above all encumbrances thereon.”

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



61 VICTORIA.

CHAP. 51.

An Act respecting the Prohibition of the Importation Manufacture and Sale of Intoxicating Liquors.

[Assented to 13th June, 1898.]

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

1. This Act may be cited as *The Prohibition Plebiscite Act*, Short title, 1898.

2. In this Act, unless the context otherwise requires,—
(a.) the expression “Dominion election” means an election of a member to serve in the House of Commons ;
(b.) the expression “electoral district” means any locality in Canada entitled to return a member or members to the House of Commons.

Interpre-
tation.
“Dominion
election.”
“Electoral
district.”

3. There shall be submitted to the vote of the electors hereinafter declared entitled to vote thereon, the following question:—

Question to be
submitted.

Are you in favour of the passing of an Act prohibiting the importation, manufacture or sale of spirits, wine, ale, beer, cider and all other alcoholic liquors for use as beverages?

4. The Governor in Council shall by proclamation name the day on which the voting shall take place, in all the electoral districts.

Proclamation
of polling day.

2. The proclamation shall be published in at least three successive issues of the *Canada Gazette* and of the *Official Gazette* of each province.

Publication.

5. The persons entitled to vote shall be all persons who would be entitled to vote at a Dominion election the day of nomination for which was the day appointed for the voting.

Who may
vota.

6. For the purpose of submitting the question to the electors, obtaining an answer thereto, and ascertaining the result of the

Election and
Franchise
Acts to
vote, apply.

vote, the same proceedings, as nearly as may be, shall be had as in the case of a general Dominion election, and *The Dominion Elections Act* and *The North-west Territories Representation Act*, and their amendments, and *The Franchise Act*, 1898, shall, subject to the provisions of this Act, and of any regulations, orders or instructions made or given by the Governor in Council thereunder, apply, *mutatis mutandis*, to the conduct of such proceedings, and with respect to the powers to be exercised, and the duties to be performed by, and the rights, obligations, liabilities, qualifications and disqualifications of, judges, officers, electors, and all other persons, and with respect to offences and the penalties which may be incurred.

Regulations,
etc.

7. The Governor in Council may, from time to time, for the purposes of this Act, make and give all such regulations, orders and instructions, not inconsistent with the provisions of this Act, as are in his judgment necessary or expedient for the effectual carrying out of such purposes, and for the adapting to such purposes of the provisions of *The Dominion Elections Act* and *The North-west Territories Representation Act*, and their amendments, and *The Franchise Act*, 1898.

Ballot papers.

8. The ballot papers for the purpose of the voting under this Act shall be in the following form:—

Are you in favour of the passing of an Act prohibiting the importation, manufacture or sale of spirits, wine, ale, beer, cider and all other alcoholic liquors for use as beverages?	YES.	NO.
--	------	-----

2. The ballot papers shall be prepared at Ottawa, by the Queen's Printer and Controller of Stationery, and shall be forwarded with the writ, by the Clerk of the Crown in Chancery, to the returning officers in sufficient numbers for each electoral district.

Agents to be
appointed.

9. Every returning officer appointed for the purpose of this Act shall, by writing under his hand, appoint from among the applicants for such appointment, or on behalf of persons applying to have such appointment made, two agents, to attend at each polling station and at the final summing up of the votes, on behalf of those desirous of obtaining affirmative answers to the questions, and two agents so to attend on behalf of those desirous of obtaining negative answers, but no such agents shall be entitled to any remuneration from the public treasury.

Not to be paid.

To make
declaration.

10. Before any person so appointed enters upon his duty as agent, he shall make and subscribe before the returning officer or any deputy returning officer, a declaration to the effect that he is interested in and desirous of obtaining an affirmative

affirmative or negative answer, as the case may be, to the question, which declaration may be in the form A in the schedule to this Act.

11. Every person so appointed, before being admitted to the polling station, or to the final summing up of the votes, as the case may be, shall produce to the deputy returning officer his written appointment. To produce appointment.

12. In case no person has been appointed as aforesaid, to attend at any polling station, or at the final summing up of the votes, or in the absence of any person so appointed, any electors, not exceeding two in the same interest, may, upon making and subscribing a declaration to the above effect, before the deputy returning officer or the returning officer, as the case may be, be admitted to the polling station, or to the final summing up of the votes, as agents on behalf of that interest. Substitutes for agents.

13. Wherever it is provided in *The Dominion Elections Act* that anything may or shall be done in the presence of or by the candidates or their agents or any of them, such provision shall, as applied to proceedings under this Act, be taken to refer to agents appointed in the manner aforesaid. Application of Elections Act to substitutes.

14. An affirmative vote on the question submitted shall be made by placing a cross (thus **X**) in the column headed "Yes" and a negative vote by placing a similar cross in the column headed "No." Marking of ballot paper.

15. After summing up the votes in the manner provided by *The Dominion Elections Act*, the returning officer shall declare the total number of votes given for the affirmative and the negative respectively. Declaration of result.

16. Every returning officer shall, immediately after the sixth day after the final addition by him, or the ascertainment by him under section 63 of *The Dominion Elections Act*, of the numbers of votes given in the affirmative and in the negative respectively, unless before that time he receives notice that he is required to attend before a judge for the purpose of a final addition or recount of the votes, and where there has been a final addition or recount by the judge, immediately thereafter,—

(a.) transmit, by post and duly registered, to the Clerk of the Crown in Chancery, his return as to the results of the polling in his electoral district, in the form B in the schedule to this Act, together with all unused ballot papers and the report, ballot papers, statements, lists of voters, poll books, lists and documents, which under section 65 of *The Dominion Elections Act* he is required so to transmit; and

(b.) prepare two certified copies of the return, and deliver them respectively to agents representing the opposing interests. Return by returning officer.

2. The report of the returning officer shall account for all the ballot papers received by him from the Clerk of the Crown in Chancery, showing what has become of those, if any, which are not transmitted by him.

Notice in
Canada
Gazette.

17. Immediately upon receipt of the return from each electoral district, the Clerk of the Crown in Chancery shall in the ordinary issue of the *Canada Gazette* give notice with respect to that electoral district of—

- (a.) the total number of affirmative answers, and
- (b.) the total number of negative answers.

Publication of
summary
of returns.

18. The Clerk of the Crown in Chancery shall also in the ordinary issue of the *Canada Gazette* in which any such notice is given, publish a summary of all the returns then received, classifying the totals in each particular according to provinces, and in the North-west Territories by provisional districts.

Form of
summary.

2. This summary shall be so arranged, and contain such further particulars based upon the returns, as the Governor in Council sees fit to order.

SCHEDULE.

A.

Form of Declaration by Agent.

In the matter of the Prohibition Plebiscite Act, 1898.

I, _____, do solemnly declare that I am interested in and desirous of obtaining an affirmative (or a negative, as the case may be,) answer to the question stated in the ballot paper.

Solemnly declared at
this _____ day of _____ 189 . } (*Signature of Agent.*)
Before me

A. B.,
Returning Officer or Deputy Returning Officer, (*as the case may be.*)

B.

Return by Returning Officer.

I hereby certify that at the polling of votes held in pursuance of the within writ in the electoral district of _____ there were polled _____ affirmative votes and _____ negative votes in answer to the question.

A. B.,
Returning Officer.



61 VICTORIA

CHAP. 52.

An Act further to amend the Act respecting the judges of Provincial Courts

[Assented to 13th June, 1898.]

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

1. Section 3 of the Act respecting the Judges of Provincial Courts, chapter 138 of the Revised Statutes, is hereby amended by striking out the fourth line thereof and substituting the following therefor :—

R.S.C., c. 138, section 3 amended.

“ Four Justices of Appeal, each.....\$5,000 per annum.”

2. Section 4 of the said Act, as amended by chapter 15 of the statutes of 1887, by section 1 of chapter 39 of the statutes of 1889, and by section 1 of chapter 56 of the statutes of 1894, is hereby repealed and the following is substituted therefor :—

New section 4.

“ 4. The salaries of the judges of the Court of Queen’s Bench and of the Superior Court, in the province of Quebec, shall be as follows :—

Salaries of judges of Queen’s Bench and Superior Court, Quebec.

The Chief Justice of the Queen’s Bench . . .	\$6,000	per annum.
Five puisné judges of the said court, each..	5,000	“
The Chief Justice of the Superior Court... .	6,000	“
Fourteen puisné judges of the said court, whose residences are fixed at Montreal or Quebec (including the judge to whom the district of Terrebonne is assigned), each... .	5,000	“
Fourteen puisné judges of the said court, whose residences are fixed within districts other than Bonaventure and Gaspé or Saguenay, each	4,000	“
Two puisné judges of the said court, whose residences are fixed within the districts of Bonaventure and Gaspé or Saguenay, each.....	3,500	“

If the Chief Justice of the Superior Court resides at Quebec. the judge residing at Montreal who is appointed by the Governor in Council to perform the duties of chief justice in the district of Montreal as it is comprised and defined for the Court of Review,—or, if the chief justice resides at Montreal, the judge residing at Quebec who is appointed by the Governor in Council to perform the duties of chief justice in the district of Quebec as it is comprised and defined for the Court of Review,—in addition to his other salary. \$1,000 per annum.

New section 10A.

3. Section 10A, added to the said Act by section 1 of chapter 38 of the statutes of 1895, is hereby repealed and the following is substituted therefor:—

Salaries of judges of Montreal Circuit Court.

“**10A.** The salaries of the judges of the Circuit Court of the district of Montreal shall be as follows:—
“Three judges of the said court, each. . \$3,000 per annum.”

Section 10B added

4. The said Act is further amended by inserting the following section immediately after section 10A:—

Judge of Yukon Territory.

“**10B.** The salary of the judge of the Territorial Court of the Yukon Territory shall be \$4,000 per annum.”

Section 11 amended.

5. The paragraph relating to Ontario of section 11 of the said Act is hereby amended by striking out the third, fourth, fifth and sixth lines thereof and substituting the following:—
“The judges and junior judges of the county courts, each \$2,000 per annum during the first three years of service, and after three years of service, each \$2,400 per annum.”

Judges of County Courts, Ontario.

Nova Scotia.

2. The paragraph of the said section relating to Nova Scotia is hereby amended by substituting the figures “\$3,000” for “\$2,400” in the second line thereof.

Prince Edward Island.

3. The paragraph of the said section relating to Prince Edward Island is hereby repealed and the following is substituted therefor: “The judge of the county court of Queen’s County, \$3,000 per annum; two other county court judges, each \$2,000 per annum, during their first three years of service, and after three years of service, each \$2,400 per annum.”

Coming into force of this section.

4 This section shall not come into effect until the first day of July, one thousand eight hundred and ninety-eight.

Section 11 further amended.

6. The paragraph relating to Manitoba of the said section 11, as enacted by section 1 of chapter 33 of the statutes of 1897, is hereby repealed and the following is substituted therefor:—

County court judges, Manitoba.

“Six county court judges, each \$2,000 per annum during the first three years of service, and after three years of service, each \$2,400 per annum.”

2. The said paragraph hereby substituted shall be construed as if it had originally been enacted by the said chapter 33 of the statutes of 1897, instead of the paragraph hereby repealed. Retraction.

7. Section 13 of the said Act is hereby amended by inserting the following paragraph between the twelfth and thirteenth lines:— Section 13 amended.

“To each of the judges of the Court of Queen’s Bench, for attending the Court of Queen’s Bench (appeal side or criminal side) for a part only of a term, or for the purpose of disposing of cases already heard, or for attendance for the performance of any other judicial duty, or attending at Montreal or Quebec, at the written request of the Chief Justice or judge performing the duties of Chief Justice, for the purpose of conference and *délibéré* as to appeals heard, six dollars for each day’s absence from his place of residence, provided that three days’ absence at least shall always be allowed.” Travelling allowances, Court of Queen’s Bench, Quebec.

8. The sixteenth, seventeenth, eighteenth and nineteenth lines of the said section 13 are hereby repealed, and in lieu thereof it is hereby enacted that to each of the judges of the Superior or Circuit Courts of the province of Quebec attending as such, at the request in writing of the Chief Justice or judge discharging the duties of Chief Justice in the district, any court held at any other place than that at which he resides, for each day he is absent from such place of residence there shall be paid, for travelling allowances, six dollars; provided always that such request in writing will not be necessary when the judge attends circuits within the limits of the district to which he is assigned; but no travelling allowance shall be granted to any judge requested to sit in review under section 1 of chapter 20 of the statutes of 1898 of the Legislature of Quebec, unless it is certified by the Chief Justice or judge discharging the duties of Chief Justice in the district, that the attendance of such judge was in his opinion necessary. Section 13 further amended.
Travelling allowances Superior and Circuit Courts, Quebec.

9. The said section 13 is hereby further amended by inserting immediately after the paragraph making provision for the travelling allowances of the judges of the Territorial Court of the North-west Territories, the following paragraphs:— Section 13 further amended.

“In the Yukon Territory,—

“To the judges of the Supreme Court, such travelling allowances as the Governor in Council determines; Travelling allowances, judges of Yukon Territory and of district Courts, Ontario.

“In the province of Ontario,—

“To each judge of a District Court, an annual sum of five hundred dollars.”



61 VICTORIA,

CHAP. 53.

An Act to amend the Canada Evidence Act, 1893.

[Assented to 13th June, 1898.]

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

1. Section 5 of *The Canada Evidence Act, 1893*, is hereby repealed and the following substituted therefor:—

“5. No witness shall be excused from answering any question upon the ground that the answer to such question may tend to criminate him, or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person; provided, however, that if with respect to any question the witness objects to answer upon the ground that his answer may tend to criminate him or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person, and if but for this section the witness would therefore have been excused from answering such question, then, although the witness shall be compelled to answer yet the answer so given shall not be used or receivable in evidence against him in any criminal trial or other criminal proceeding against him thereafter taking place other than a prosecution for perjury in giving such evidence.”

Incriminating
answers.

OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



61 VICTORIA.

CHAP. 54.

An Act respecting the identification of Criminals.

[Assented to 13th June, 1898.]

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

1. Any person in lawful custody, charged with, or under conviction of an indictable offence, may be subjected, by or under the direction of those in whose custody he is, to the measurements, processes and operations practised under the system for the identification of criminals commonly known as the Bertillon Signaletic System, or to any measurements, processes or operations sanctioned by the Governor in Council having the like object in view. Such force may be used as is necessary to the effectual carrying out and application of such measurements, processes and operations; and the signaletic cards and other results thereof may be published for the purpose of affording information to officers and others engaged in the execution or administration of the law.

Systems for identifying criminals authorized.
Bertillon system.
Or others.
Use of force.
Publication of results.

2. No one having the custody of any such person, and no one acting in his aid or under his direction, and no one concerned in such publication shall incur any liability, civil or criminal, for anything lawfully done under the provisions of section 1 of this Act.

Non-liability of persons concerned in operation.

3. This Act may be cited as *The Criminals' Identification Act, Canada, 1898.*

Short title.

OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.

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