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First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 2.

An Act to incorporate British Empire Assurance Company.

First reading, March 21, 1922.

(PRIVATE BILL.)

Mr. SINCLAIR
(Oxford N.R.)

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37656 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 2.

An Act to incorporate British Empire Assurance Company.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Brig. Gen. Victor Wentworth Odlum, C.B., C.M.G., D.S.O., insurance manager, of the city of Vancouver, in the province of British Columbia, John Ross Shaw, manufacturer, of the city of Woodstock, in the province of Ontario, Ernest Roy, barrister-at-law and King's Counsel, of the city of Quebec, in the province of Quebec, Frank H. Pratten, M.B., medical superintendent, of the city of London, in the province of Ontario, Robert Bryce Young, bond dealer, Peter White, barrister-at-law and King's Counsel, and Charles Robert Clapp, manager, all of the city of Toronto, in the province of Ontario, together with such persons as may become shareholders in the Company,

Corporate name.

are incorporated under the name of "British Empire Assurance Company," hereinafter called "the Company."

Provisional directors.

2. The persons named in section one of this Act shall be the provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be three million dollars.

Amount to be subscribed.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred thousand dollars.

Head office.

5. The head office of the Company shall be in the city of Toronto, in the province of Ontario.

Classes of business authorized.

6. The Company may make contracts of any of the following classes of insurance:

(*a*) Automobile insurance;
(*b*) Burglary insurance;
(*c*) Explosion insurance;
(*d*) Fire insurance;
(*e*) Guarantee insurance;
(*f*) Hail insurance;
(*g*) Inland transportation insurance;
(*h*) Plate glass insurance;
(*i*) Sprinkler leakage insurance;
(*j*) Tornado insurance.

Commencement of business of fire insurance.

7. (1) The Company shall not commence the business of fire insurance until not less than two hundred and fifty thousand dollars of the capital stock has been subscribed and not less than one hundred thousand dollars has been paid thereon.

Other classes of insurance authorized.

(2) The Company shall not commence the other classes of business authorized by section six of this Act, or any of them, in addition to the business of fire insurance, until the paid capital, or the paid capital together with the surplus, has been increased by an amount or amounts, dependent upon the nature of the additional class or classes of business as follows, that is to say:—for automobile insurance the said increase shall be not less than twenty thousand dollars; for burglary insurance not less than twenty thousand dollars; for explosion insurance not less than twenty-five thousand dollars; for guarantee insurance not less than fifty thousand dollars; for hail insurance not less than fifty thousand dollars; for inland transportation insurance not less than ten thousand dollars; for plate glass insurance not less than ten thousand dollars; for sprinkler leakage insurance not less than ten thousand dollars; and for tornado insurance not less than ten thousand dollars.

Increase of capital.
Automobile.
Burglary.
Explosion.
Guarantee.
Hail.
Inland transportation.
Plate glass.
Sprinkler leakage.
Tornado.

Increase of amounts to be paid on capital stock.

(3) The Company shall at or before the expiration of one year from the date of its receiving a license for the transaction of fire insurance, increase the amount paid on its capital stock by the sum of at least fifteen thousand dollars, and, during each of the succeeding four years at least an additional fifteen thousand dollars shall be paid on account of its capital stock until the total paid up capital, together with the surplus, exceeds the total amount required by the preceding subsections of this section by at least seventy-five thousand dollars.

"Surplus" defined.

(4) In this section the word "surplus" means excess of assets over liabilities, including the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

1917, c. 29.

8. *The Insurance Act, 1917*, shall apply to the Company.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 3.

An Act respecting The Burrard Inlet Tunnel and Bridge Company.

First reading, March 21, 1922.

(PRIVATE BILL.)

Mr. CLARK.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36723 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act respecting The Burrard Inlet Tunnel and Bridge Company.

1910, c. 74; 1912, c. 48; 1913, c. 80; 1914, c. 73; 1916, c. 34; 1918, c. 61; 1920, c. 74.

WHEREAS The Burrard Inlet Tunnel and Bridge Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction.

1. The Burrard Inlet Tunnel and Bridge Company may commence the construction of a tunnel under the First Narrows of Burrard Inlet and a bridge over the Second Narrows of Burrard Inlet for foot passengers, carriages, street railways and railway purposes with the necessary approaches, and also certain lines of railway, as authorized by sections eight and nine of chapter seventy-four of the statutes of 1910, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said bridge, tunnel and lines of railway and put them in operation, within five years after the passing of this Act; and if the bridge, tunnel and lines of railway are not so commenced and such expenditure is not so made, or if the said bridge, tunnel or lines of railway are not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said bridge, tunnel or lines of railway as then remains uncompleted.

Repeal.

2. Section one of chapter seventy-four of the statutes of 1920 is repealed.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 4.

An Act to incorporate Canada's Sons.

First reading, March 21, 1922.

(PRIVATE BILL.)

Mr. GORDON.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37830 1922

1st Session, 14th Parliament, 12-13 George V , 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to incorporate Canada's Sons.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. William John Kidd, barrister-at-law, George Merritt Armstrong, inspector of works, Emanuel Amedee Grandmaison, merchant, Thomas Clarey, contractor, George Eldon Kidd, barrister-at-law, William Joseph Green, barrister-at-law, Alfred Wilfred Desjardins, civil servant, John James Forbes, rigger, Charles Lount Bray, barrister-at-law, all of the city of Ottawa, in the county of Carleton, and province of Ontario, together with such other persons as become members of the Society hereby incorporated are constituted a body corporate under the name of "Canada's Sons", hereinafter called "the Society."

Name.

Objects.

2. The objects of the Society shall be as follows:—

(a) to bring together all Canadian men, born in Canada, and their male descendants, for mutual benefit and support, and for the maintenance of British connection;

(b) the development and maintenance throughout Canada of a thoroughly Canadian spirit;

(c) to assist in the general advancement of good government throughout Canada;

(d) the assisting of the government and other authorities in the settling of immigrants according to the occupation for which they may be most fitted;

(e) the encouragement of the cultivation of the land, the development of natural resources, and the establishment of Canadian industries;

(f) the protection of forests, mines and resources, the teaching of immigrants in the art of clearing land, the

prevention of forest fires, and other avoidable losses;

(g) the encouragement and helping of Canadian born men to establish themselves in Canada, and the stemming of the tide of emigration to other countries;

(h) the establishment of branches in various other parts of Canada, or elsewhere, and the affiliation with other societies having similar objects;

(i) such other objects as may from time to time be added by the by-laws of the Society.

Head office.

3. The head office of the Society shall be in the city of Ottawa, in the province of Ontario, or in such other place in Canada as may from time to time be determined by by-law of the Society.

Federal council.

4. The Society shall be governed and its affairs shall be managed by a federal council to be chosen in such manner and number, from time to time, as may be determined by the by-laws of the Society.

By-laws.

5. (1) The Society and the federal council may, from time to time, make by-laws and rules, not contrary to law nor inconsistent with the provisions of this Act for,—

(a) defining the terms and conditions of membership in the Society and the rights, duties and privileges of all classes of members;

(b) the administration, management and control of the property, business and other affairs of the Society;

(c) the appointment, powers, duties, quorum, term of office and method of election of the federal council;

(d) the appointment, designation, functions, duties and remuneration of all officers, agents and servants of the Society;

(e) the appointment of committees and the designation of their duties;

(f) the calling of meetings, annual or special, of the Society, and of meetings, periodical or special, of the federal council and of committees;

(g) the fixing of the quorum necessary at, the procedure in all respects at, or concerning, and all other requirements of, any meeting of the Society, or of its federal council or committees;

(h) generally, for carrying out the objects of the Society.

Confirmation.

(2) Every such by-law made by the federal council, excepting by-laws made respecting officers, agents and servants of the Society, unless in the meantime confirmed at a general meeting of the Society duly called for that purpose, shall only have force until the next annual meeting of the Society, and in default of confirmation thereat, shall, at and from that time, cease to have force.

Branches.

6. (1) Subject to the by-laws of the Society, branches of the Society may from time to time be established at any place in Canada, under such title and designation and subject to such conditions and provisions, and with such powers not exceeding those conferred upon the Society by this Act, as the Society may determine by by-law; provided that a branch shall not have the right to enter into a contract binding the Society without the consent of the federal council.

Respective rights and liabilities of Society and branches.

(2) Except in so far as may be otherwise provided by the by-laws of the Society, the Society shall not have any rights in the assets of any branch, or be liable for any of the debts or obligations of any such branch; and no branch shall have any rights in the assets of, or be liable for any of the debts or obligations of the Society, or of any other branch thereof.

Real property.

7. The Society may take, hold, possess, and acquire by purchase, lease, exchange, donation, devise, bequest, endowment or otherwise, real or immovable property required for the actual use and occupation of the Society, or necessary or requisite for the carrying out of its purposes and objects; and may sell, mortgage, pledge, hypothecate or alienate such property in any manner whatever: Provided that the real estate held by the Society and its branches shall not exceed in value at any one time the sum of seven hundred and fifty thousand dollars, and no parcel of land or interest therein at any time acquired by the Society or any of its branches and not required for actual use and occupation and not held by way of security, shall be held by the Society or by any of its branches or by any trustee on their behalf for a longer period than seven years after the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Society or any of its branches, but at or before the expiration of such period the same shall be sold or disposed of so that the Society or any of its branches shall no longer retain any interest or estate therein except by way of security.

Proviso limiting extent of real property held.

Borrowing powers and investments.

8. (1) If authorized by by-law, sanctioned by the vote of not less than two-thirds of the members present at any general meeting of the Society duly called for considering the by-law, the federal council may, from time to time, as and when required for the objects of the Society,—

(a) borrow money upon the credit of the Society;

(b) limit or increase the amount to be borrowed;

(c) make, accept, draw, endorse and execute bills of exchange, promissory notes and other negotiable instruments;

(d) issue bonds, debentures, or other securities of the Society for sums not less than one hundred dollars each,

and pledge or sell the same for such sums and at such prices as may be deemed expedient;

(e) hypothecate, mortgage or pledge any real or personal property of the Society, to secure any money so borrowed for the objects of the Society, or any bonds, debentures or other securities so issued, pledged or sold;

(f) invest the funds of the Society in such manner and upon such securities as are determined by the by-law.

Limitation.

(2) Nothing in this section shall be construed to authorize the Society to issue any note or bill payable to bearer hereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

First meeting.

9. The persons named in section one of this Act, or a majority of them, shall within one year after the passing of this Act, call the first annual general meeting of the Society, at such time and place as they may agree upon, and on such notice as they may consider sufficient for the purpose; and thereafter there shall be held annually a general meeting of the Society, the place and time of each such meeting to be determined by the federal council. At every annual general meeting a full statement of the affairs of the Society shall be presented by the federal council.

Annual meetings.

Collection of fees and enforcement of by-laws.

10. The Society may sue for and collect all entrance fees, subscriptions, assessments and all other accounts and moneys due the Society, before or after the passing of this Act, and the same shall be due and payable at the time fixed by and according to the terms of the present or future by-laws of the Society; and the federal council shall have full power to enforce and carry into effect the by-laws of the Society, and shall enforce the same when required, and in the manner directed in the said by-laws.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 5.

An Act respecting the Canadian Pacific Railway Company.

First reading, March 21, 1922.

(PRIVATE BILL)

Mr. KNOX.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

37234

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act respecting the Canadian Pacific Railway Company.

1919, c. 79; 1920, c. 75.

WHEREAS the Canadian Pacific Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction.

1. The Canadian Pacific Railway Company, hereinafter called "the Company", may within two years after the passing of this Act commence to construct the lines of railway which it was authorized to construct by paragraph *(g)* of section two of chapter seventy-nine of the statutes of 1919, and by section one of chapter seventy-five of the statutes of 1920, namely:—

(a) From a point on the Manitou Lake Branch in township forty-three, range twenty-one, west of the third meridian, in the province of Saskatchewan, thence in a general northwesterly direction through Lloydminster, to a point on, or near Whitford Lake, in township fifty-six, range fifteen, west of the fourth meridian, in the province of Alberta;

(b) From a point on the Pheasant Hills Branch at or near Asquith, in township thirty-six, ranges nine or ten, west of the third meridian, thence in a general northwesterly direction to a point on the Wilkie northwesterly branch at or near Cloan, in township forty-two, range twenty, west of the third meridian, all in the province of Saskatchewan.

(c) From a point on the Moose Jaw northwesterly branch at or near Rosetown, in township thirty, range fifteen, west of the third meridian, thence in a general northerly and northeasterly direction to a point on the Pheasant Hills branch at or near Keppel, in township thirty-five, ranges twelve or thirteen, west of the third meridian;

(d) From a point at or near Kelfield on the Wilkie-Anglia branch, in township thirty-four, range nineteen, west of the third meridian, thence in a general easterly direction to a point in townships thirty-two or thirty-three, range fourteen, west of the third meridian, all in the province of Saskatchewan;

(e) From a point on the Weyburn-Stirling Branch at or near Amulet, in township eight, ranges twenty or twenty-one, west of the second meridian, thence in a westerly and southwesterly direction to a point on the Moose Jaw Southwesterly branch at or near Dunkirk in township twelve, range twenty-eight, west of the second meridian, all in the province of Saskatchewan;

(f) From a point on the Crow's Nest subdivision at or near Kipp, in township nine, range twenty-two, west of the fourth meridian, thence in an easterly and northeasterly direction to a point on the Suffield-Blackie Branch at or near Retlaw, in township thirteen, range seventeen, west of the fourth meridian, all in the province of Alberta;

And may within five years after the passing of this Act complete the said lines of railway, and if within the said periods respectively the said lines are not commenced or are not completed and put into operation, the powers of construction conferred upon the Company by Parliament shall cease, and be null and void as respects so much of the said lines as shall then remain uncompleted.

Issue of securities.

2. (1) The Company may issue bonds, debentures or other securities to the extent of forty thousand dollars per mile, constructed or under contract to be constructed, of the said lines of railway.

Application of *Railway Act, 1919.*

(2) Any such issue shall be made according to the provisions of the Company's Special Act, as defined by section two of *The Railway Act, 1919*, and in all respects not inconsistent with those provisions, the provisions of section one hundred and thirty-two (except those of subsection one thereof) to section one hundred and forty-four, both inclusive, of *The Railway Act, 1919*, shall also apply to any such issue.

Issue of consolidated debenture stock in lieu of bonds.

3. In lieu of the bonds, the issue of which is authorized by this Act, the Company, being first authorized so to do by at least two-thirds of the votes of the shareholders present or represented at an annual meeting, or at a special meeting of the shareholders duly called for the purpose, may issue consolidated debenture stock to the same amount, the holders of which shall have equal rights in all respects and shall rank *pari passu* with holders of such consolidated debenture stock as the Company has, prior to the passing of this Act, been authorized to issue.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 6.

An Act respecting The Esquimalt and Nanaimo Railway Company

First reading, March 21, 1922.

(PRIVATE BILL.)

Mr. TOLMIE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37084 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act respecting The Esquimalt and Nanaimo Railway Company.

1905, c. 90; 1906, c. 92; 1908, c. 107; 1910, c. 97; 1912, c. 92; 1914, c. 86; 1919, c. 83; 1920, c. 77.

WHEREAS The Esquimalt and Nanaimo Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time extended for construction and completion.

1. The Esquimalt and Nanaimo Railway Company, hereinafter called "the Company," may within two years after the passing of this Act commence to construct the line of railway which it was authorized to construct by section two of chapter seventy-seven of the statutes of 1920, extending from a point at or near its present terminus at Courtenay, thence in a general easterly and north easterly direction to a point at or near Duncan's Bay on the east coast of Vancouver Island, and may within five years after the passing of this Act complete the said line of railway; and if within the said periods respectively, the said line is not commenced, or is not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said line as shall then remain uncompleted.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 7.

An Act respecting The Kettle Valley Railway Company.

First reading, March 21, 1922.

(PRIVATE BILL.)

Mr. MacKelvie.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37085 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 7.

1901, c. 68; 1903, c. 138; 1904, c. 89; 1906, c. 117; 1909, c. 95; 1910, c. 115; 1911, c. 101; 1912, c. 110; 1913, c. 140; 1914, c. 92; 1915, c. 46; 1916, c. 45; 1918, c. 54; 1920, c. 78.

An Act respecting The Kettle Valley Railway Company.

WHEREAS The Kettle Valley Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time extended for construction and completion.

1. The Kettle Valley Railway Company, hereinafter called "the Company," may within two years after the passing of this Act commence to construct the line of railway which it was authorized to construct by section three of chapter seventy-eight of the statutes of 1920, extending from a point at or near Coalmont, on the joint section operated by the Company and the Vancouver, Victoria and Eastern Railway and Navigation Company, thence in a general southerly direction a distance of about twelve miles, to the so-called Granite Creek Coal Areas, in the Province of British Columbia, and may within five years after the passing of this Act complete the said line of railway; and if within the said periods respectively the said line is not commenced, or is not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said line as shall then remain uncompleted.

8.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 8.

An Act respecting The Ottawa Gas Company.

First reading, March 21, 1922.

(PRIVATE BILL.)

Mr. McGIVERIN.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36726 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act respecting The Ottawa Gas Company.

1876, c. 71; 1894, c. 112; 1897, c. 74; 1913, c. 168.

WHEREAS The Ottawa Gas Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Increase of capital stock.

1. The capital stock of The Ottawa Gas Company is increased from two million dollars to five million dollars.

2. Section one, of chapter one hundred and twelve of the statutes of 1894, is hereby repealed and the following is enacted in lieu thereof:—

Borrowing powers.

"**1.** (1) If authorized by by-law sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company, represented at a general meeting duly called for considering the by-law, the directors may from time to time,—

(a) borrow money upon the credit of the Company;

(b) limit or increase the amount to be borrowed;

(c) issue bonds, debentures, debenture stock, or other securities of the Company, and pledge or sell the same for such sums and at such prices as may be deemed expedient;

(d) hypothecate, mortgage, or pledge the real or personal property of the Company, or both, to secure any such bonds, debentures, debenture stock, or other securities and any money borrowed for the purposes of the Company.

Bills and notes.

(2) Nothing in this section contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company."

9.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 9.

An Act respecting The Canada Trust Company.

First reading, March 24, 1922.

(PRIVATE BILL.)

Mr. WHITE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37831 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act respecting The Canada Trust Company.

1894, c. 115; 1899, c. 111.

WHEREAS The Canada Trust Company, hereinafter called "the Company," has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Board of directors.

1. From and after the passing of this Act, notwithstanding the provisions of chapter one hundred and fifteen of the statutes of 1894 and chapter one hundred and eleven of the statutes of 1899, or any other Act, the property, affairs and business of the Company shall be managed by a board of not less than nine nor more than twenty-five directors.

Powers to receive money on deposit.

2. From and after the passing of this Act it shall be lawful for the Company to receive money on deposit upon such terms as to interest, security or otherwise, as may be agreed upon between the Company and the depositor.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 10.

An Act to incorporate Canadian General Insurance Company.

First reading, March 24, 1922.

(PRIVATE BILL)

Mr. LANCTOT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38277 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to incorporate Canadian General Insurance Company.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Robert Ness, of Howick, in the province of Quebec, Louis Philippe Bérard, Napoleon Rochon, Dr. Damase Généreux, Alphonse Champagne, Narcisse Perrault, Baron Joseph d'Halewyn, Louis Arsene Lavallée, Raoul Alfred Leduc, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "Canadian General Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section one of this Act shall be the provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be five hundred thousand dollars, which may be increased to one million dollars, the said capital stock being divided into shares of one hundred dollars each.

Amount to be subscribed.

4. The amount to be subscribed before the general meeting for the election of directors is called, shall be one hundred thousand dollars.

Classes of business authorized.

5. The Company may make contracts of any of the following classes of insurance:—

(a) Live stock insurance;

(b) Plate glass insurance;

(c) Automobile insurance;

(*d*) Fire insurance;
(*e*) Accident insurance;
(*f*) Guarantee insurance;
(*g*) Burglary insurance;
(*h*) Inland transportation insurance;
(*i*) Sprinkler leakage insurance; and
(*j*) Tornado insurance.

Commencement of business. Live stock. Plate glass.

6. (1) The Company shall not commence the business of live stock and plate glass insurance until not less than one hundred thousand dollars of the capital stock has been *bona fide* subscribed and not less than forty thousand dollars has been paid thereon.

Automobile.

(2) The Company shall not commence the business of automobile insurance in addition to the business of live stock and plate glass insurance, until the paid capital or the paid capital and surplus amount to at least sixty thousand dollars.

Fire insurance on automobiles.

(3) The Company shall not commence the business of fire insurance, limited to fire risks on automobiles only, in addition to the business of live stock insurance, plate glass insurance and automobile insurance until its subscribed capital has been increased to one hundred and fifty thousand dollars and its paid capital together with its surplus amount to at least one hundred and ten thousand dollars.

Fire insurance generally.

(4) The Company shall not commence the business of fire insurance in all its branches, in addition to the business of live stock insurance, plate glass insurance and automobile insurance, until two hundred and fifty thousand dollars of the capital stock has been subscribed nor until the paid capital and surplus amount to at least one hundred and sixty thousand dollars.

Other classes.

(5) The Company shall not commence the other classes of business authorized by section five of this Act or any of them, in addition to the classes mentioned in subsections one, two, three and four of this section until the paid capital or the paid capital together with the surplus have been increased by an amount or amounts, dependent upon the nature of the additional class or classes of business as follows, that is to say:—for accident insurance the said increase shall be not less than forty thousand dollars; for guarantee insurance not less than fifty thousand dollars; for burglary insurance not less than twenty thousand dollars; for inland transportation insurance not less than ten thousand dollars; for sprinkler leakage insurance not less than ten thousand dollars; and for tornado insurance not less than ten thousand dollars.

Increases of amounts paid on capital stock.

(6) The Company shall at or before the expiration of one year from the date of its receiving a license for the transaction of fire insurance in all its branches increase the amount paid on its capital stock by the sum of at least fifteen

thousand dollars, and during each of the succeeding four years at least an additional fifteen thousand dollars shall be paid on account of its capital stock until the total paid capital together with its surplus exceeds the total amount required by the preceding subsections of this section by at least seventy-five thousand dollars.

"Surplus" defined.

(7) In this section the word "surplus" means excess of assets over liabilities including the amount paid on account of capital stock and the reserve of unearned premium calculated *pro rata* for the unexpired term of all policies of the company in force.

Head office.

7. The head office of the Company shall be in the city of Montreal in the province of Quebec.

Right to acquire other company.

8. The Company may acquire the whole or any part of the rights and property of The General Animals Insurance Company of Canada, incorporated by an Act of the Parliament of Canada, being chapter eighty-seven of the statutes of 1907, and in the case of such acquisition the Company shall perform and discharge all such duties, obligations and liabilities of the Company with respect to the rights and property acquired as are not performed or discharged by The General Animals Insurance Company of Canada aforesaid.

9. Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities and shall be subject to all liabilities and provisions set out in *The Insurance Act, 1917*, and its amendments, so far as they may be applicable to the company.

1917, c. 29.

11.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 11.

An Act respecting La Compagnie du Chemin de Fer de Colonisation du Nord.

First reading, March 24, 1922.

(PRIVATE BILL.)

MR. LAFORTUNE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37236 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 11.

An Act respecting La Compagnie du Chemin de Fer de Colonisation du Nord.

1899, c. 62;
1902, c. 55;
1907, c. 78;
1912, c. 82;
1917, c. 50.

WHEREAS La Compagnie du Chemin de Fer de Colonisation du Nord has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for completion.

1. La Compagnie du Chemin de Fer de Colonisation du Nord may continue the construction of the line of railway authorized by section seven, chapter sixty-two of the statutes of 1899, extending from a point at or near Labelle, thence in a westerly direction to the village of Rapide de L'Orignal (now called Mont Laurier), thence in a westerly direction to a point at or near Lake Temiscamingue, in the county of Pontiac; and it may within five years after the passing of this Act, complete the said line of railway.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 12.

An Act respecting The Interprovincial and James Bay Railway Company.

First reading, March 24, 1922.

(PRIVATE BILL)

Mr. PARENT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37235 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act respecting The Interprovincial and James Bay Railway Company.

1901, c. 66; 1903, c. 134; 1905, c. 109; 1912, c. 106; 1917, c. 53.

WHEREAS The Interprovincial and James Bay Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for completion.

1. The Interprovincial and James Bay Railway Company may continue the construction of the line of railway authorized by section eight of chapter sixty-six of the statutes of 1901, extending from a point on the Canadian Pacific Railway at or near Lumsden's Mill to or towards the Des Quinze River, and may within five years after the passing of this Act complete the said line of railway.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 13.

An Act respecting the Montreal Central Terminal Company.

First reading, March 24, 1922.

(PRIVATE BILL.)

Mr. ETHIER.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37088 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act respecting the Montreal Central Terminal Company.

1890, c. 93; 1891, c. 106; 1894, c. 63; 1897, c. 67; 1905, c. 127; 1909, c. 109; 1912, cc. 120, 121; 1917, c. 56.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction.

1. The Montreal Central Terminal Company may within five years after the passing of this Act complete the several works which by chapter ninety-three of the statutes of 1890 and amending Acts it has been authorized to construct.

Construction may proceed when plans approved according to *Railway Act*.

2. Notwithstanding anything to the contrary in the Acts relating to the Company, the Company will in the exercise of its powers be subject to the conditions of *The Railway Act, 1919*, and it may proceed with the construction of its works when its plans have been approved according to the terms of the said Act.

14.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 14.

An Act to amend the Salaries Act and the Senate and House of Commons Act.

First reading, March 24, 1922.

The MINISTER OF MILITIA AND DEFENCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36986 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act to amend the Salaries Act and the Senate and House of Commons Act.

R.S., c. 4; R.S., c. 10; 1912, c. 50; 1915, c. 7; 1917, c. 35; 1918, c. 41; 1920, c. 69.

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

"Minister of National Defence" substituted for "Minister of Militia and Defence".

1. Section four of the *Salaries Act*, Revised Statutes of Canada, 1906, chapter four, as enacted by chapter sixty-nine of the statutes of 1920, is amended by substituting the words "The Minister of National Defence" for the words "The Minister of Militia and Defence."

"Minister of National Defence" substituted for "Minister of Militia and Defence".

2. Sections twelve and thirteen of the *Senate and House of Commons Act*, Revised Statutes of Canada, 1906, chapter ten, as amended by chapter sixty-nine of the statutes of 1920, are amended by striking out the words "Minister of Militia and Defence" where they occur in the said sections and substituting in each case therefor the words "Minister of National Defence."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 15.

An Act respecting the Department of National Defence.

First reading, March 24, 1922.

The MINISTER OF MILITIA AND DEFENCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36976 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act respecting the Department of National Defence.

HIS 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 National Defence Act, 1922.*

Definitions.

2. In this Act and in any orders and regulations made hereunder, unless the context otherwise requires,—

(a) "Minister" means the Minister of National Defence.

(b) "The Deputy Minister" means the Deputy Minister of National Defence.

(c) "Department" means the Department of National Defence.

(d) "Prescribed" means prescribed by this Act, or by regulations made hereunder.

Department and Minister of National Defence.

3. There shall be a department of the Government of Canada which shall be called the Department of National Defence, over which a Minister of the Crown shall preside, who shall be the Minister of National Defence.

Services included.

4. The Minister shall be charged with all matters relating to Defence, including the Militia, the Military, Naval, Air and Police Services of Canada.

Deputy Minister.

5. (1) There shall be a Deputy Minister of National Defence, who shall be appointed by the Governor in Council and who shall hold office during pleasure.

Officials.

(2) Such officers may be appointed as are necessary for the carrying on of the business of the department, all of whom shall hold office during pleasure.

Appointment of officer to exercise powers of the Deputy

(3) The Governor in Council, on the recommendation of the Minister, may appoint an officer who shall, in relation

Minister under Naval Service Act.

to the Naval Service, administer, exercise and perform all the powers, duties and functions vested in or exercisable by the Deputy Minister of the Naval Service by or under *The Naval Service Act*, and who shall have the rank and salary of a Deputy Head of a Department, and shall be a member of the Defence Council.

Comptroller.

(4) The Governor in Council on the recommendation of the Minister may appoint an officer to be known as Comptroller, who, under the Deputy Minister of National Defence shall be charged with all financial matters pertaining to the Department of National Defence.

Holder of any position abolished may be appointed to another position.

(5) Any person whose position is abolished on the coming into force of this Act may on the recommendation of the Minister be appointed by the Governor in Council to such position in the Department and with such rank, title and salary as shall be prescribed.

Provision for retirement superannuation or pension of employees.

(6) If any person is removed from office or an appointment in consequence of the abolition of his office or his appointment by this Act, or by any order or regulation thereunder, or is retired within two years after the coming into force of this Act, the Governor in Council may grant him a gratuity, retiring or superannuation allowance, or pension not exceeding such as he would have been entitled or eligible to receive if he had been retired under the provisions of any Act applicable to him, after adding from one to three years, as the Governor in Council may deem advisable, to his actual term of service.

Regulations.

6. The Governor in Council may make such orders and regulations as are deemed necessary or advisable for the proper and efficient administration and organization of the Department.

Powers vested in Ministers and Deputy Ministers under various Acts, to be vested in Minister and Deputy Minister of National Defence.

7. (1) All the powers, duties and functions vested in any Minister or Deputy Minister by *The Naval Service Act*, chapter forty-three of the statutes of 1910; the *Militia Act*, chapter forty-one of the Revised Statutes of Canada, 1906; the *Militia Pension Act*, chapter forty-two of the said Revised Statutes; the *Royal Military College Act*, chapter forty-three of the said Revised Statutes; the *Royal Canadian Mounted Police Act*, chapter ninety-one of the said Revised Statutes; the *Dominion Police Act*, chapter ninety-two of the said Revised Statutes; and all Acts in amendment of any of the said Acts, shall be vested in and performed and exercised by the Minister and Deputy Minister of National Defence respectively, and wherever the terms "Department", "Minister", and "Deputy Minister" appear or are referred to in any of the said Acts, or in any order or regulation made under any of the said Acts, the same shall, after the passing of this Act, mean the Department of National Defence, the

Minister of National Defence, and the Deputy Minister of National Defence respectively.

Proviso as to officer who is to exercise duties of Deputy Minister under Naval Service Act.

Provided, however, that all the powers, duties and functions vested in, or exercisable by, the Deputy Minister of the Naval Service by or under *The Naval Service Act* shall, in the event of an officer being appointed under the provisions of subsection three of section five of this Act, be administered, exercised and performed by such officer, and in the event of the appointment of such officer the term "Deputy Minister" wherever it appears or is referred to in *The Naval Service Act*, or in any order or regulation made under the said Act, shall mean such officer.

Powers of Air Board to be exercised by Minister.

(2) The powers, duties and functions vested in the Air Board by *The Air Board Act*, chapter eleven of the statutes of 1919, or by any order or regulation made thereunder, shall be administered, exercised and performed by or under the direction of the Minister.

Defence Council.

8. There shall be a Defence Council which shall consist of the Minister, the Deputy Minister and the officer appointed under the provisions of subsection three of section five of this Act, and of not more than four additional members, who shall be appointed by the Governor in Council. The Minister shall be the President of the Defence Council, and the Deputy Minister the Vice-President thereof, and, in the absence of the Minister, the Deputy Minister shall preside.

President, Vice-President.

Proviso.

Provided, however, that, in the event of no officer being appointed under the provisions of the said subsection three of section five of this Act, the number of such additional members may be increased to five.

Functions of Defence Council.

9. The Defence Council shall advise the Minister on all matters of Defence, including or relating to the Militia, the Military, Naval, Air and Police Services of Canada, and on all matters referred to it by the Minister. The Defence Council shall also perform such duties as may be prescribed by the Governor in Council.

Repeals.

10. The following Acts are hereby repealed to the extent hereby set forth:—

(a) The Naval Service Act (Statutes of 1910, Chapter 43) Sections 5, 6 and 10.

(b) The Militia Act (Revised Statutes, 1906, Chapter 41) Subsection 1 of section 5 and sections 6 and 7.

(c) The Air Board Act (Statutes of 1919, Chapter 11) Section 2.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 16.

An Act to amend The Immigration Act.

First reading, March 24, 1922.

Mr. WOODSWORTH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38456 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 16.

An Act to amend The Immigration Act.

1910, c. 27; 1911, c. 12; 1914, c. 2; 1918, c. 3; 1919, cc. 25, 26.

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

Domicile, how acquired, lost and preserved.

1. Subsection one of section two of chapter twenty-five of the statutes of 1919, being "An Act to amend *The Immigration Act*," is amended by repealing all such subsection from the proviso in subparagraph *(i)* to the end of the said subsection.

Advocates of force, members of certain societies and enemy aliens.

2. The said Act is further amended by repealing paragraphs *(n)*, *(o)* and *(p)* of subsection six of said section two.

Deportation, etc., of undesirables.

3. The said Act is further amended by repealing sections fifteen, sixteen and seventeen thereof.

Certain persons deemed undesirable.

4. Chapter twenty-six of the said statutes of 1919 is repealed.

17.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 17.

An Act to amend the Criminal Code.

First reading, March 24, 1922.

Mr. WOODSWORTH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38458 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

1907, cc. 7, 8, 9, 45; 1908, cc. 10, 18; 1909, c. 9; 1910, cc. 10, 11, 12, 13; 1912, cc. 18, 19; 1913, c. 13; 1914, c. 24; 1915, c. 12; 1917, cc. 13, 14, 26; 1918, c. 16; 1919, c. 46.

BILL 17.

An Act to amend the Criminal Code.

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

Unlawful associations, publishing seditious books, etc.

1. Section one of chapter forty-six of the statutes of 1919, being an Act to amend the *Criminal Code*, is hereby repealed.

Seditious intentions.

2. Section four of the said Act is repealed and section one hundred and thirty-three of the *Criminal Code*, chapter one hundred and forty-six of the Revised Statutes, 1906, is hereby re-enacted.

Seditious language.

3. Section five of the said Act is repealed and section one hundred and thirty four of the *Criminal Code* is hereby re-enacted.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 18.

An Act to repeal The Military Service Act, 1917.

First reading, March 28, 1922.

Mr. WOODSWORTH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38664 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

1917, c. 19.

An Act to repeal The Military Service Act, 1917.

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

Military Service Act repealed.

1. Chapter nineteen of the statutes of 1917, entitled *An Act respecting Military Service*, is repealed.

19.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 19.

An Act to amend the Judges Act.

First reading, March 28, 1922.

THE MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37328 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 19.

R.S. c. 138
1907, cc. 25, 45;
1908, cc. 10, 39;
1909, c. 21;
1910, c. 35;
1912, c. 29;
1913, c. 28;
1914, c. 38;
1915, c. 6;
1916, c. 25;
1917, c. 31;
1919 (1), cc. 58, 59;
1920, c. 56;
1921, c. 36.

An Act to amend the Judges Act.

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

Puisne Judges of Court of Appeal for Saskatchewan increased from 3 to 4.

1. Paragraph *(b)* of section fourteen of the *Judges Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirty-eight, as enacted by chapter fifty-six of the statutes of 1920, is repealed, and the following is substituted therefor:—

"*(b)* Four puisne judges of the Court of Appeal, each $9,000.00".

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 20.

An Act respecting the Baptist Convention of Ontario and Quebec.

First reading, March 31, 1922.

(PRIVATE BILL.)

Mr. CHARTERS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

37087

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 20.

An Act respecting the Baptist Convention of Ontario and Quebec.

1889, c. 105; 1911, c. 38.

WHEREAS the Baptist Convention of Ontario and Quebec has by its petition prayed that it may be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Paragraph (*g*) of section five of chapter one hundred and five of the statutes of 1889, as enacted by section two of chapter thirty-eight of the statutes of 1911, is repealed and the following is substituted therefor:—

Convention may appoint Board of religious education.

"(*g*) A Board for promoting religious education through the study of the Bible and other agencies, and for the extension of Sunday School and Young People's work to be called "The Board of Religious Education of the Baptist Convention."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 21.

An Act to incorporate Buffalo and Fort Erie Public Bridge Company.

First reading, March 31, 1922.

(PRIVATE BILL.)

Mr. GERMAN.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

38584

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act to incorporate Buffalo and Fort Erie Public Bridge Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. William F. Willson, Louis Douglas, William Douglass, H. H. Green, Major H. A. Cousins, all of the village of Fort Erie, in the county of Welland; Peter Gordon of the village of Bridgeburg, in the county of Welland; William M. German, Robert Cooper, Jay C. Diffin, Lynn B. Spencer, Louis Blake Duff, all of the city of Welland, in the county of Welland; A. D. Cross, Donald MacGillivray, F. W. Fawcett, Charles Steele, G. Smith MacDonald, all of the town of Port Colborne, in the county of Welland; J. G. Morningstar and James McKeown, of the township of Willoughby, in the county of Welland; A. G. Willson, John Young, George House, William Robinson, all of the township of Bertie, in the county of Welland; George B. Snyder, of the city of Niagara Falls, in the county of Welland; J. K. Henderson, of the township of Crowland, in the county of Welland, and F. H. Gallinger, of the township of Stamford, in the county of Welland, together with such persons as become shareholders in the company, are incorporated under the name of "Buffalo and Fort Erie Public Bridge Company," hereinafter called "the Company."

Name.

Provisional directors.

2. (1) W. F. Willson, William Douglass, Donald MacGillivray, Robert Cooper, William M. German, Charles Steele and Louis Blake Duff are constituted provisional directors of the Company, and they shall have all the powers which are conferred upon directors elected by the shareholders, and four provisional directors shall form a quorum.

Company funds. Deposit. Withdrawal.

(2) The provisional directors shall deposit in a chartered bank in Canada all money received by them on account of the Company, and shall withdraw such money for the purposes of the Company only.

Capital stock. Calls.

3. The capital stock of the Company shall be one million, five hundred thousand dollars, divided into shares of one hundred dollars each, and may be called up by the directors from time to time as they deem necessary.

Head office.

4. The head office of the Company shall be in the village of Fort Erie, in the county of Welland.

Annual meeting.

5. The annual meeting of the shareholders shall be held on the first Tuesday in February in each year, or on such other day as it is determined by by-law.

Directors.

6. The number of the directors shall not be less than three nor more than nine, one or more of whom may be paid directors.

Powers. Construct bridge across Niagara River.

7. (1) The Company may construct, maintain and operate a bridge across the Niagara River for the passage of pedestrians, vehicles, carriages, electric cars or street cars and for any other like purpose, with all necessary approaches, from some point in Canada within the corporate limits of the village of Fort Erie at or near Walnut Street in the said village to a point within the limits of the city of Buffalo, in the state of New York at or near Hampshire Street in said city, so as not to interfere with navigation, and may purchase, acquire and hold such real estate, including lands for sidings and other equipment required for the convenient working of traffic to, from and over the said bridge as the Company thinks necessary for any of the said purposes; but the Company shall not commence the actual construction of the said bridge, nor exercise any of the powers hereunder, until an Act of Congress of the United States or other competent authority has been passed authorizing or approving the bridging of the said river, but the Company may, in the meantime, acquire the lands, submit their plans to the Governor in Council and do all other things authorized by this Act.

Non-interference with navigation. Real estate.

Powers hereunder not exercisable until concurrent U.S. legislation.

A work for the general advantage of Canada.

(2) The undertaking of the Company is declared to be a work for the general advantage of Canada.

Navigation protected.

8. The said bridge shall be constructed and located under, and be subject to, such regulations for the security of navigation of the said river as the Governor in Council prescribes, and to such end the Company shall submit to the Governor in Council, for examination and approval, a design and drawing of the bridge, and a map of the

Plans to be submitted to G. in C.

location, giving the soundings, accurately showing the bed of the stream and the location of other bridges, and shall furnish such other information as is required for a full and satisfactory understanding of the subject; and until the said plans and location are approved by the Governor in Council the bridge shall not be built or commenced, and if any change is made in the plans of the said bridge during its construction, such change shall be subject to the approval of the Governor in Council and shall not be made or commenced until it is so approved.

Construction subject to approval of plans.

Change in plans must be approved.

9. The Company may,—

Easements by expropriation under the Railway Act.

(a) expropriate and take an easement in, over, under or through any lands actually required for the construction, maintenance and operation of the bridge without the necessity of acquiring a title in fee simple thereto, after the plan of such lands has been approved by the Governor in Council; and all the provisions of *The Railway Act, 1919*, applicable to such taking and acquisition, shall apply as if they were included in this Act; and all the provisions of *The Railway Act, 1919*, which are applicable, shall in like manner apply to the ascertainment and the payment of the compensation for or damages to land arising out of such taking and acquisition, or the construction or maintenance of the works of the Company;

Abandonment of land to reduce damage, and assessment and award of damages.

(b) in reduction of the damage or injury to any lands taken or affected by such authorized works, abandon or grant to the owner or party interested therein, any portion of such lands, or any easement or interest therein, or make any structures, works or alterations in or upon its works for such purposes. And if the Company by its notice of expropriation or some subsequent notice, prior to the first meeting of the arbitrators, specify its decision to take only such easement or undertake to abandon or grant such lands or easement or interest in lands, or to make such structures or works or alterations, the damages (including damages, if any, resulting from the change in the notice of expropriation) shall be assessed by the arbitrator or arbitrators appointed pursuant to the provisions of *The Railway Act, 1919*, in view of such specified decision or undertaking, and the arbitrator or arbitrators shall declare the basis of their award accordingly, and such award, as well as such specified decision or undertaking of the Company, may be enforced by the Board of Railway Commissioners of Canada;

Right of entry and compensation for damages.

(c) enter into and upon any lands, buildings or structures proximate to the said bridge, for the purpose of ascertaining the state of repair thereof, and for devising

the best means of avoiding any possible damage which the execution of the authorized works might occasion thereto, and make upon or in connection therewith any works, repairs or renewals, for the purpose of preventing or mitigating any such damage, and the Company shall make compensation in the manner specified in *The Railway Act, 1919*, to all persons interested for the damage sustained by them (if any) by reason of the exercise of the powers in this clause contained; and section two hundred and thirty-nine of *The Railway Act, 1919*, shall apply to the exercise of the powers in this clause granted so far as is necessary to enable the Company to carry them into effect.

Tolls.

10. The Company may charge tolls for the use of the said bridge, approaches and facilities, and may regulate the tolls to be charged: Provided that such tolls shall be subject to the approval of the Governor in Council, who may revise the same from time to time, and shall be equal to all persons using the said bridge, approaches and facilities.

Subject to approval of G. in C.

Issue bonds and other securities not exceeding $3,000,000.

11. (1) The Company may issue bonds, debentures or other securities in aid of the construction herein mentioned, to an amount not exceeding three million dollars.

Mortgages.

(2) For the purpose of securing the issue of such bonds the Company may execute a mortgage or mortgages, not inconsistent with law or with the provisions of this Act, in such form and containing such provisions as are approved by a resolution passed at a special meeting of the shareholders called for the purpose.

Charge the tolls and revenues by mortgage.

(3) The Company may charge and bind the tolls and revenues of the property to which any such mortgage relates, in the manner and to the extent therein specified.

Power to issue shares as paid-up stock in payment of acquired properties.

12. The directors may issue as paid-up stock shares of the capital stock of the Company in payment for any businesses, franchises, undertakings, rights, powers, privileges, letters patent, inventions, real estate, stocks, assets and other properties which the Company may lawfully acquire, and may, for such considerations, allot and hand over such shares to any person or corporation, or its shareholders or directors; and any such issue or allotment of stock shall be binding upon the Company and such stock shall not be assessable for calls, nor shall the holder thereof be liable in any way thereon; or the Company may pay therefor wholly or partly in paid-up shares or wholly or partly in debentures, as may be agreed upon.

May accept grants in aid from governments, municipalities or persons.

13. The Company may receive by grant from any government, municipality or person, as aid in the construction, equipment and maintenance of the said bridge

and works connected therewith, any real or personal estate or property, or any sums of money, debentures, or subsidies, either as gifts by way of bonus or guarantee, or in payment or as subventions for services, and may dispose thereof, and may alienate such of the said property as is not required for the purposes of the Company in carrying out the provisions of this Act.

May alienate such.

Amalgamation and agreements with other companies.

14. The Company may unite with any company or companies incorporated under the laws of Canada or of the state of New York or of the United States, in building, working, managing, maintaining and using the said bridge, terminals and approaches, and may make agreements with any such company or companies respecting the construction, maintenance, management and use of the said bridge and its appurtenances, and acquiring the approaches and lands therefor, in New York as well as in Canada, and may make arrangements with any such company or companies or with the Government of Canada or the Government of the province of Ontario for conveying or leasing the said bridge to such company or companies or Government in whole or in part, or any rights or powers acquired by it, as also the franchise, surveys, plans, works, plant, machinery and other property to it belonging, or for an amalgamation with any such company on such terms and conditions as are agreed upon and subject to such restrictions as the directors deem fit: Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders, duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company are present, or represented by proxy, and that such agreement has also received the sanction of the Governor in Council; and certified copies of such agreement shall be filed forthwith in the office of the Secretary of State for Canada.

Approved by shareholders.

Sanction of Governor in Council.

Assets and liabilities of amalgamated company.

15. Upon an amalgamation agreement being sanctioned by the Governor in Council under the last preceding section, the companies, parties to such agreement, shall be amalgamated, and shall form one company under the name and upon the terms and conditions in such agreement provided; and the amalgamated company shall possess and be vested with the undertakings, powers, rights, privileges, franchises and properties, real, personal and mixed, belonging to, possessed by, or vested in the companies parties to such agreement, or either of them, or to which they or either of them may be or become entitled, and shall be liable for all claims, debts, obligations, works, contracts, agreements or duties, to as full an extent as the said companies were or

either of them was at the time the said amalgamation took effect.

Amalgamated company may borrow money and mortgage property.

16. The said new or amalgamated company may from time to time borrow such sums of money, not exceeding six million dollars, as may be necessary for constructing and completing the said bridge and for the acquiring of the necessary lands therefor, and may mortgage its property, assets, rents and revenues, present and future, or such portion thereof as may be described in the mortgage deed, to secure the payment thereof.

Time for commencement and completion of bridge.

17. The said bridge shall be commenced within two years after the Governor in Council and the Executive of the United States, or other competent authority therein, have approved of such bridging, and shall be completed within seven years after such commencement, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted: Provided, however, that if such approval is not obtained within five years after the passing of this Act, the powers granted for the construction of the said bridge shall cease and be null and void.

Proviso.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 22.

An Act respecting Montreal, Joliette and Transcontinental Junction Railway Company.

First reading, March 31, 1922.

(PRIVATE BILL.)

Mr. GERVAIS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37086 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act respecting Montreal, Joliette and Transcontinental Junction Railway Company.

1918, c. 51; 1920, c. 80.

WHEREAS Montreal, Joliette and Transcontinental Junction Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction.

1. The Montreal, Joliette and Transcontinental Junction Railway Company, hereinafter called "the Company," may, within two years after the passing of this Act, commence to construct, and, within five years after the passing of this Act, may complete and put in operation the railway authorized by section nine of chapter fifty-five of the statutes of 1918, namely:—

"From a point in the city of Maisonneuve, in the Province of Quebec, in a northerly direction through the counties of Hochelaga, L'Assomption and Montcalm to a point in or near the town of Joliette, in the county of Joliette, thence in a north by northwesterly direction to a point in or near the village of St. Michel des Saints, in the county of Berthier, and thence by the most feasible route to a point on the national Transcontinental Railway, at or near Parent, a distance of about one hundred and eighty miles."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 23.

An Act respecting Prudential Trust Company, Limited.

First Reading, March 31, 1922.

(PRIVATE BILL)

MR. MITCHELL.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

38150

1st Session, 14th Parliament, 12-13 George V , 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act respecting Prudential Trust Company, Limited.

1909, c. 124.

WHEREAS Prudential Trust Company, Limited, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1909, c. 124, s. 3 repealed.

1. Section three of chapter one hundred and twenty-four of the statutes of 1909 is repealed and the following section is substituted therefor:

Capital stock increased.

"**3.** The capital stock of the Company shall be two million dollars, divided into shares of one hundred dollars each."

Shares of only one class without preference.

R.S. c. 79.

2. Notwithstanding the provisions of the said Act and of Part II of the *Companies Act*, and of the by-laws of the Company, from and after the passing of this Act all shares of the capital stock of the Company, heretofore or hereafter issued, shall be of one class without any right of priority, preference or privilege, one over the other.

Special issue.

3. The Company may issue out of the unissued capital stock, to each holder of the present common shares, four additional fully paid shares for each share of the common stock of the Company held by him.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 24.

An Act respecting The Quebec Railway Light and Power Company.

First reading, March 31, 1922.

(PRIVATE BILL.)

Mr. MITCHELL.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37402 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 24.

An Act respecting The Quebec Railway Light and Power Company.

1889, c. 3; 1895, c. 59; 1897, c. 59; 1899, c. 85; 1908, c. 150; 1916, c. 22.

WHEREAS The Quebec Railway Light and Power Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Power to borrow $4,000,000.

1. The Quebec Railway Light and Power Company may borrow money and issue bonds, debentures or other securities to an amount which, including the bonds required to replace or refund the bonds of the Company presently outstanding, shall not exceed four million dollars.

Terms of bonds and securities.

2. Such bonds, debentures or other securities shall be issued and secured in such manner and shall be payable in such currency at such times and places and may bear such rate of interest as the directors of the Company think proper.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 25.

An Act to amend the Penitentiary Act.

First reading, March 31, 1922.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36727 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 25.

An Act to amend the Penitentiary Act.

R.S., c. 147. 1913, c. 36; 1918, c. 36; 1920, c. 61.

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

1. Section forty-five of the *Penitentiary Act*, chapter one hundred and forty-seven of the Revised Statutes of Canada, 1906, is amended by adding at the end thereof the following proviso:—

Prisoner may be kept in penitentiary, etc., until necessary documents, including a certificate of health, are delivered to warden.

"Provided that a prisoner sentenced to imprisonment in a penitentiary, or ordered by competent authority to be conveyed to any penitentiary from any other penitentiary, or from a reformatory, prison, or from a gaol, may remain and be kept in lawful custody in the penitentiary, reformatory, prison or gaol from which he was sentenced or ordered to be conveyed until the necessary documents, including the certificate hereinbefore required, shall have been delivered to the warden of the penitentiary receiving such prisoner."

2. Section forty-six of the said Act is amended by adding at the end thereof the following proviso:—

Convict certified by penitentiary surgeon to have infectious or contagious disease, how to be dealt with.

"Provided that a convict, if certified by the surgeon to be suffering in manner aforesaid, may remain and be kept in his former custody until his condition shall in the opinion of the surgeon justify withdrawal of the certificate."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 27.

An Act respecting the Department of National Defence.

AS PASSED BY THE HOUSE OF COMMONS, 7th APRIL, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37508 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 27.

An Act respecting the Department of National Defence.

HIS 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 National Defence Act, 1922.*

Definitions.

2. In this Act and in any orders and regulations made hereunder, unless the context otherwise requires,—

(a) "Minister" means the Minister of National Defence.

(b) "The Deputy Minister" means the Deputy Minister of National Defence.

(c) "Department" means the Department of National Defence.

(d) "Prescribed" means prescribed by this Act, or by regulations made hereunder.

Department and Minister of National Defence.

3. There shall be a department of the Government of Canada which shall be called the Department of National Defence, over which a Minister of the Crown shall preside, who shall be the Minister of National Defence.

Services included.

4. The Minister shall be charged with all matters relating to Defence, including the Militia, the Military, Naval, and Air Services of Canada.

Deputy Minister.

5. (1) There shall be a Deputy Minister of National Defence, who shall be appointed by the Governor in Council and who shall hold office during pleasure.

Officials.

(2) Such officers may be appointed as are necessary for the carrying on of the business of the department, all of whom shall hold office during pleasure.

Appointment of officer to exercise powers of the Deputy

(3) The Governor in Council, on the recommendation of the Minister, may appoint an officer who shall, in relation

Minister under Naval Service Act.

to the Naval Service, administer, exercise and perform all the powers, duties and functions vested in or exercisable by the Deputy Minister of the Naval Service by or under *The Naval Service Act*, and who shall have the rank and salary of a Deputy Head of a Department, and shall be a member of the Defence Council.

Comptroller.

(4) The Governor in Council on the recommendation of the Minister may appoint an officer to be known as Comptroller, who, under the Deputy Minister of National Defence shall be charged with all financial matters pertaining to the Department of National Defence.

Holder of any position abolished may be appointed to another position.

(5) Any person whose position is abolished on the coming into force of this Act may on the recommendation of the Minister be appointed by the Governor in Council to such position in the Department and with such rank, title and salary as shall be prescribed.

Provision for retirement superannuation or pension of employees.

(6) If any person is removed from office or an appointment in consequence of the abolition of his office or his appointment by this Act, or by any order or regulation thereunder, or is retired within two years after the coming into force of this Act, the Governor in Council may grant him a gratuity, retiring or superannuation allowance, or pension not exceeding such as he would have been entitled or eligible to receive if he had been retired under the provisions of any Act applicable to him, after adding from one to two years, as the Governor in Council may deem advisable, to his actual term of service.

Regulations.

6. The Governor in Council may make such orders and regulations as are deemed necessary or advisable for the proper and efficient administration and organization of the Department.

Powers vested in Ministers and Deputy Ministers under various Acts, to be vested in Minister and Deputy Minister of National Defence.

7. (1) All the powers, duties and functions vested in any Minister or Deputy Minister by *The Naval Service Act*, chapter forty-three of the statutes of 1910; the *Militia Act*, chapter forty-one of the Revised Statutes of Canada, 1906; the *Militia Pension Act*, chapter forty-two of the said Revised Statutes; the *Royal Military College Act*, chapter forty-three of the said Revised Statutes, and all Acts in amendment of any of the said Acts, shall be vested in and performed and exercised by the Minister and Deputy Minister of National Defence respectively, and wherever the terms "Department", "Minister", and "Deputy Minister" appear or are referred to in any of the said Acts, or in any order or regulation made under any of the said Acts, the same shall, after the passing of this Act, mean the Department of National Defence, the Minister of National Defence, and the Deputy Minister of National Defence respectively.

Proviso as to officer who is to exercise duties of Deputy Minister under Naval Service Act.

Provided, however, that all the powers, duties and functions vested in, or exercisable by, the Deputy Minister of the Naval Service by or under *The Naval Service Act* shall, in the event of an officer being appointed under the provisions of subsection three of section five of this Act, be administered, exercised and performed by such officer, and in the event of the appointment of such officer the term "Deputy Minister" wherever it appears or is referred to in *The Naval Service Act*, or in any order or regulation made under the said Act, shall mean such officer.

Powers of Air Board to be exercised by Minister.

(2) The powers, duties and functions vested in the Air Board by *The Air Board Act*, chapter eleven of the statutes of 1919, or by any order or regulation made thereunder, shall be administered, exercised and performed by or under the direction of the Minister.

Defence Council.

8. There shall be a Defence Council which shall consist of the Minister, the Deputy Minister and the officer appointed under the provisions of subsection three of section five of this Act, and of not more than four additional members, who shall be appointed by the Governor in Council. The Minister shall be the President of the Defence Council, and the Deputy Minister the Vice-President thereof, and, in the absence of the Minister, the Deputy Minister shall preside.

President, Vice-President.

Proviso.

Provided, however, that, in the event of no officer being appointed under the provisions of the said subsection three of section five of this Act, the number of such additional members may be increased to five.

Functions of Defence Council.

9. The Defence Council shall advise the Minister on all matters of Defence, including or relating to the Militia, the Military, Naval, and Air Services of Canada, and on all matters referred to it by the Minister. The Defence Council shall also perform such duties as may be prescribed by the Governor in Council.

Repeals.

10. The following Acts are hereby repealed to the extent hereby set forth:—

(a) The Naval Service Act (Statutes of 1910, Chapter 43) Sections 5, 6 and 10.

(b) The Militia Act (Revised Statutes, 1906, Chapter 41) Subsection 1 of section 5 and sections 6 and 7.

(c) The Air Board Act (Statutes of 1919, Chapter 11) Section 2.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 28.

An Act respecting The T. Eaton General Insurance Company.

First reading, April 5, 1922.

(PRIVATE BILL.)

Mr. SHEARD.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

36724

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 28.

An Act respecting The T. Eaton General Insurance Company.

1920, c. 89.

WHEREAS The T. Eaton General Insurance Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extention of time.

1. Notwithstanding anything in section seventy-four of *The Insurance Act, 1917*, or in the Act incorporating The T. Eaton General Insurance Company, chapter eighty-nine of the statutes of 1920, the said chapter shall be deemed not to have expired and ceased to be in force after the tenth day of May, 1922, but to have continued and to be in force for all purposes thereof whatsoever until the eleventh day of May, 1924, and the Minister of Finance may at any time not later than the tenth day of May, 1924, and subject to all other provisions of *The Insurance Act, 1917*, grant to the said Company the license to carry on business.

1917, c. 29.

Limitation.

2. If the Company has not obtained the said license before the eleventh day of May, 1924, the said chapter eighty-nine of the statutes of 1920 shall then expire and cease to be in force thereafter except for the sole purpose of winding up the Company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

29.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 29.

An Act respecting The Vancouver, Fraser Valley and Southern Railway Company.

First reading, April 5, 1922.

(PRIVATE BILL.)

Mr. STEVENS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36912 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 29.

An Act respecting The Vancouver, Fraser Valley and Southern Railway Company.

1906, c. 175; 1909, c. 145; 1912, c. 162.

WHEREAS The Vancouver, Fraser Valley and Southern Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Chapter one hundred and seventy-five of the statutes of 1906 (hereinafter called "the principal Act") is amended by inserting the following section immediately after section four thereof:—

Preference stock.

"**4A.** (1) The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such rights as respects dividends, capital, voting or otherwise, as are declared by such resolution.

Preference shareholders.

(2) Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act, 1919*.

2. Section five of the principal Act is amended by adding the following thereto:—

Branch office.

"The Company may establish a branch office in the city of London, England."

3. Section six of the principal Act is amended by adding thereto the following:—

Annual meeting.

"and may be held at the head office, and, if so provided by by-law of the Company, at the branch office in the city of London, England."

4. The principal Act is amended by inserting the following section immediately after section eight thereof:—

Extension of lines into State of Washington.

"**8A.** The Company may extend any of the lines of railway or electric transmission lines now constructed by it, or hereafter to be constructed, acquired or leased by it, into the State of Washington at any point at which such line or lines may touch the international boundary line."

5. Subsection two of section nine of the principal Act is repealed, and the following is substituted in lieu thereof:—

Electric and other power.

"(2) Subject to the provisions of section three hundred and sixty-eight of *The Railway Act, 1919*, the Company shall have the power to acquire, transmit and distribute electric and other power and energy, and to deal in electrical equipment and apparatus of all kinds, and for the purposes of such acquisition, utilization and disposal may construct, acquire, operate and maintain lines and all other plant and apparatus for the generation, conveyance, distribution and supply of light, heat, power and electricity."

Issue of securities may be increased.

6. Section twelve of the principal Act is amended by striking out the words "twenty-five thousand dollars", in the second line thereof, and substituting in lieu thereof the words "fifty thousand dollars"; and by striking out the words "twenty-five thousand dollars" in the second and third lines of the said section, and substituting in lieu thereof the words "fifty thousand dollars".

7. Section three of chapter one hundred and sixty-two of the statutes of 1912 is amended by adding the following thereto:—

If B.C. Electric Co. and Vancouver Power Co. are acquired or leased, the undertaking is to be a work for the general advantage of Canada.

"When the railway undertaking and the light, power or heating undertaking of the British Columbia Electric Railway Company, Limited, and the Vancouver Power Company Limited, or either of them, has been acquired or leased either in whole or in part by the Company in accordance with and under the provisions of chapter one hundred and sixty-two of the statutes of 1912, the railway undertaking and light or power or heating undertaking or any part thereof so acquired or leased shall thenceforth be and is hereby declared to be a work for the general advantage of Canada, and *The Railway Act, 1919*, shall thereafter apply to such railway undertaking or light, power or heat undertaking and to the Company constructing, owning or operating the same."

8. The principal Act is amended by adding the following sections thereto:—

Borrowing.

"**14.** In addition to the securities authorized by section twelve of this Act, the directors, if previously authorized as prescribed by section one hundred and thirty-two of *The*

Railway Act, 1919, may from time to time borrow moneys for the acquisition, construction, extension or development of any such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct, lease or operate; and may for the purpose of securing moneys so borrowed or to pay for any properties acquired or proposed to be acquired, issue bonds, debentures, debenture stock, perpetual or terminable, or other securities, and may charge the same in such manner and in such order or priority on all or any of the assets of the Company as the directors may think fit, but such bonds, debentures, debenture stock or other securities shall not exceed in amount the cost of the properties, assets or works in respect whereof the issue is made."

Additional securities.

Power to allot and issue shares to B.C. Electric Co. or Vancouver Power Co. or their shareholders.

"**15.** The Company shall have power to allot and issue to the British Columbia Electric Railway Company, Limited, or the Vancouver Power Company, Limited, or to the shareholders thereof or any one or more of them, shares either ordinary or preference or both in the capital stock of the Company in payment in whole or in part for the undertaking of such company or companies or any part thereof, and to so allot and issue such shares as fully paid up or as partly paid up as shall be agreed upon between the Company and such company or companies or any one or more of them."

What rates rentals and tolls may be charged pending approval by Railway Board, and thereafter.

"**16.** The Company shall have power to charge, sue for, recover and collect rates, rentals and tolls in respect of the undertaking or undertakings purchased, leased or amalgamated with, not exceeding those authorized to be charged or enforced in respect of such undertaking or undertakings immediately before the date of the passage of the Act; during a period not exceeding six months pending approval of its rates, rentals and tolls by the Board of Railway Commissioners for Canada, and thereafter the Company shall charge and may sue for, recover and collect such rates, rentals and tolls as may be approved of by the said Board."

Change of name of Company by consent and on approval.

"**17.** The Company may, subject to the approval of the Secretary of State for Canada, change its name to the name of any Company any part of whose undertaking is purchased or leased by it, upon obtaining and filing with the Secretary of State the consent, expressed by resolution, of the Company whose undertaking is so purchased or leased, together with a resolution of the directors of the Company authorizing the said change, but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company nor in anywise affect any suit or proceeding now pending, or judgment existing, either by or in favour of or against the Company, which, notwithstanding such change in the name of the Company may be prosecuted, continued, completed and enforced as if this Act had not been passed."

Rights preserved.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 44.

An Act to incorporate The General Missionary Society of the German Baptist Churches of North America.

First reading, April 7, 1922.

(PRIVATE BILL)

Mr. HUDSON.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38007 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 44.

An Act to incorporate The General Missionary Society of the German Baptist Churches of North America.

Preamble.

WHEREAS The General Missionary Society of the German Baptist Churches of North America has by its petition represented that it is The General Missionary Society of the German Baptist Churches of the said denomination in North America and that it is incorporated under the laws of the State of New York, one of the United States of America, and that it is desirous of having its organization and corporate powers recognized and confirmed by the Parliament of Canada and in particular of having in Canada the powers hereinafter mentioned; and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The General Missionary Society of the German Baptist Churches of North America, hereinafter called "the Society," is hereby invested with and shall be entitled to exercise in Canada all the powers, privileges and rights of a corporation necessary for the purposes of carrying on the work of the Society, of promoting Christian religion under Baptist auspices among the Germans in North America, of assisting churches in building houses of worship, of receiving and disbursing funds for the promotion of foreign missions, of aiding aged and indigent ministers of the German Baptist Churches of North America, of assisting needy members of the said churches, of mission work at landing places among German immigrants and of other kindred works; and also the rights, powers and privileges hereinafter set forth.

Powers.

Real property.

2. (1) The Society may purchase, take, have, hold, receive, possess, retain and enjoy, property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever, given, granted, devised or bequeathed to it, or appropriated, purchased, or

acquired by it in any manner or way whatsoever, to, for, or in favour of the ecclesiastical, eleemosynary and educational uses and purposes, and all other uses and purposes of the Society, or to, for, or in favour of the uses and purposes of any branch, mission, institution, college, school or hospital, connected with, or intended to be connected with, the Society.

Amount of real property to be held.

(2) The real property held by or in trust for the Society shall not exceed in value at any one time the sum of five hundred thousand dollars; and no parcel of land or interest therein, at any time acquired by the Society, and not required for its actual use and occupation, and not held by way of security, shall be held by the Society or by any trustee on its behalf for a longer period than ten years after the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Society, but at or before the expiration of such period shall be absolutely barred, sold or disposed of, so that the Society shall no longer retain any interest or estate therein except by way of security.

Property as security or in payment.

(3) The Society may also hold such real property or estate therein as is *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Alienation, mortgage, investment, etc., of real property.

3. Subject always to the terms of any trust relating thereto, the Society may sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Society, whether by the way of investment for the uses and purposes aforesaid or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Society or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments, and may release and discharge such mortgages or assignments either wholly or partly.

Borrowing powers.

4. (1) The Society may, from time to time, for the purposes of the Society:—

(a) borrow money upon the credit of the Society;

(b) make, draw, accept, endorse or become party to promissory notes and bills of exchange; but it shall not be necessary to have the seal of the Society affixed to any such note or bill;

(c) mortgage, hypothecate or pledge any property of the Society, real or personal, to secure the repayment of any money borrowed for the purposes of the Society.

Limitation.

(2) Nothing in this section shall be construed to authorize the Society to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

Transfers to Society.

5. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Society.

Authenticity of deeds, etc.

6. Any deed or other instrument relating to real estate vested in the Society or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Society and the signature of any officer of the Society duly authorized for such purpose or his lawful attorney.

General.

7. The Society may do all such other lawful acts and things as are incidental or may be conducive to the attainment of its objects.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 45.

An Act to amend The Bankruptcy Act.

First reading, April 10, 1922.

Mr. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39368 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 45.

An Act to amend The Bankruptcy Act.

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

1919, c. 36, s. 3 amended.

1. (1) Paragraph *(f)* of section three of *The Bankruptcy Act*, chapter thirty-six of the statutes of 1919, is amended by striking out the word "meeting" in the first line thereof, and in the fourth line thereof by replacing the word "meeting" by the word "creditors".

(2) The said section is further amended by adding thereto the following paragraphs:—

Notice to creditors of suspension and ceasing to meet liabilities.

"*(i)* If he gives notice to any of his creditors that he has suspended or that he is about to suspend payment of his debts;

"*(j)* If he ceases to meet his liabilities generally as they become due".

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 46.

An Act to amend The Railway Act, 1919.

First reading, April 10, 1922.

Mr. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39370 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 46.

An Act to amend The Railway Act, 1919.

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

1919, c. 68, s. 336 amended.

1. Section three hundred and thirty-six of *The Railway Act, 1919*, chapter sixty-eight of the statutes of 1919, is amended by adding thereto the following subsection:—

Return tickets good on railways between same termini.

"(4) A return ticket issued by any railway company between any two points in Canada shall be accepted by any other railway company whose line runs between the same termini".

47.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 47.

An Act to amend the Criminal Code.

First reading, April 10, 1922.

Mr. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39369 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act to amend the Criminal Code.

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

R.S. c. 146, s. 329A added.

1. *The Criminal Code*, chapter one hundred and forty-six of the Revised Statutes, 1906, is amended by adding immediately after section three hundred and twenty-nine thereof, the following section:—

Registration of ownership.

"**329**A. Every proprietor of any newspaper who fails to register in the office of the Secretary of State for Canada a declaration as to the ownership of such newspaper, is

Penalty.

guilty of an indictable offence and liable to two years' imprisonment or to a fine of one thousand dollars, or to both".

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 48.

An Act respecting Aberdeen Fire Insurance Company

First reading, April 19, 1922.

(PRIVATE BILL.)

Hon. Mr. MANION.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36722 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 48.

An Act respecting Aberdeen Fire Insurance Company.

1920, c. 82.

WHEREAS Aberdeen Fire Insurance Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time.

1. Notwithstanding anything in section seventy-four of *The Insurance Act, 1917*, or in the Act incorporating Aberdeen Fire Insurance Company, being chapter eighty-two of the statutes of 1920, the said chapter shall be deemed not to have expired and ceased to be in force for all purposes thereof whatsoever until the sixteenth day of June, 1924; and the Minister of Finance may at any time not later than the sixteenth day of June, 1924, and subject to all other provisions of *The Insurance Act, 1917*, grant to the said Company the license necessary for carrying on business.

1917, c. 29.

Limitation.

2. If the Company has not obtained the said license before the sixteenth day of June, 1924, the said chapter eighty-two of the statutes of 1920 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the Company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 49.

An Act respecting Armour Life Assurance Company.

First reading, April 19, 1922.

(PRIVATE BILL.)

Hon. Mr. MANION.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

36725

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 49.

An Act respecting Armour Life Assurance Company.

1920, c. 83.

WHEREAS Armour Life Assurance Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time.

1. Notwithstanding anything in section seventy-four of *The Insurance Act, 1917*, or in the Act incorporating Armour Life Assurance Company, being chapter eighty-three of the statutes of 1920, the said chapter shall be deemed not to have expired and ceased to be in force for all purposes thereof whatsoever until the eleventh day of May, 1924; and the Minister of Finance may at any time not later than the eleventh day of May, 1924, and subject to all other provisions of *The Insurance Act, 1917*, grant to the said Company the license necessary for carrying on business.

1917, c. 29.

Limitation.

2. If the Company has not obtained the said license before the eleventh day of May, 1924, the said chapter eighty-three of the statutes of 1920 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the Company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 50.

An Act to incorporate The Sisters of Saint Mary of Namur.

First reading, April 19, 1922.

(PRIVATE BILL.)

Mr. DEMERS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39576 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 50.

An Act to incorporate The Sisters of Saint Mary of Namur.

Preamble.

WHEREAS a number of persons being members of the Canadian Province or Branch of an unincorporated Sisterhood known as *The Sisters of Saint Mary* have been pursuing works of education and of charity at Vankleek Hill, in the county of Prescott, under the name of "The Academy of The Sacred Heart and Industrial School," and at St. Eugene, in the said county of Prescott, and at the city of Ottawa, in the county of Carleton, all in the province of Ontario, and at Masson in the county of Labelle, in the province of Quebec, at all three latter places under the names of *The Sisters of Saint Mary*, *Les Sœurs de Sainte-Marie* and *Les Sœurs de Sainte Marie de Namur:* the persons hereinafter named are members of the said sisterhood, known in Canada as *Les Sœurs de Sainte-Marie*, *The Sisters of Saint Mary*, *Les Sœurs de Sainte-Marie de Namur*, *The Academy of the Sacred Heart and Industrial School*, hereinafter called "the Association", and have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The Reverend Mother Veronica, née Mary A. Munkler, Sister Medora, née Mary E. Doucet, Sister Emmanuel, née Exilda Thivierge, Sister Mary of the Angels, née Josephine Milotte, and Sister Emila, née Clara Chatelain, all of the county of Prescott in the province of Ontario, and all members of the Association, together with all such persons as are now or may become hereafter members of the Association are incorporated under the name of "The Sisters of Saint Mary of Namur," and when the French language is used to designate the Association, the equivalent of the said name shall be *Les Soeurs de Sainte Marie de Namur*.

Name.

French name.

Directors.

2. The persons named in section one of this Act shall be the provisional directors of the Association.

Head office.

3. The head office of the Association shall be in the town of Vankleek Hill, in the county of Prescott, in the province of Ontario, or in such other place in Canada, as may from time to time be determined by by-law of the Association.

Branches.

4. The Association may, from time to time, establish branches of its Order at any place or places within the Dominion of Canada.

Objects.

5. The objects of the Association shall be the instruction and Christian education of children, the training of teachers, the keeping and maintaining of seminaries, boarding schools and other schools, works of charity, such as hospitals, orphanages, houses of refuge and other similar educational and charitable undertakings, and the advancement generally in any other way of education, religion, charity and benevolence; but nothing in this section contained shall be construed as conferring upon the Association any power to carry out the said objects as regards any matter falling within the exclusive jurisdiction of any province of Canada, except by virtue of and under the laws of such province.

Provincial rights saved.

By-laws.

6. The Association may, from time to time, enact such by-laws, not contrary to law, as it may deem necessary for the government of the affairs of the Association and for greater certainty, but not so as to limit the generality of the foregoing terms of this section for the following purposes, that is to say:—

(a) The administration, the direction and the control of the property and business belonging to them;

(b) The internal economy, the qualifications, the nomination, the election, the number, the functions, the powers, the duties and the remuneration of the directors, officers, members and servants of the Association and of its branches;

(c) The qualifications, the admission, the retirement and the dismissal of members of the Association;

(d) The convocation of meetings, either ordinary or extraordinary, of the Association and of its branches;

(e) The determination of the necessary quorum and the proceedings to be followed at such meetings.

Acquisition of property now held by the Association.

7. The Association may acquire all lands, tenements, hereditaments and property, real or personal, situate within the Dominion of Canada, belonging to and used, held, occupied, possessed or enjoyed by the Association.

Real and personal estate.

8. (1) The Association may purchase, or otherwise acquire and hold any property, real or personal, corporeal or incorporeal, whatsoever, given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, for the uses and purposes of the Association.

Limit of value.

(2) The value of the real estate held in Canada by or in trust for the Association shall not exceed in value at any one time the sum of four million dollars.

Limit of time for holding unused real estate.

(3) Any parcel of land or interest therein at any time acquired by the Association, and not required for its actual use and occupation, and not held by way of security, shall not be held by the Association or by any trustee on its behalf for a longer period than ten years after the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Association, but at or before the expiration of such period the same shall be sold or otherwise disposed of or alienated so that the Association shall no longer retain any interest or estate therein except by way of security.

Extension of time.

(4) The Secretary of State may direct that the time for the sale or disposal of any such real or immovable property shall be extended for a further period or periods not to exceed five years.

Fifteen years limit.

(5) The whole period during which the Association may hold such property under the foregoing provisions of this section shall not exceed fifteen years from the date of the acquisition thereof, or from the date on which it ceased to be required for the actual use and occupation of the Association or for the purposes of its business, as the case may be.

Forfeiture.

(6) Any real or immovable property as aforesaid not required by the Association for its own use, held by the Association for a longer period than authorized by the foregoing provisions of this section shall be forfeited to His Majesty for the use of the Dominion of Canada.

Investments.

9. The Association may also sell, convey, exchange, alienate, mortgage, lease or demise any property, real or personal, held by it by way of investment for the uses and purposes mentioned in the next preceding sections, and may also, from time to time, invest its funds or monies, and any funds or monies invested in or acquired by it, for the uses and purposes aforesaid, in and upon any securities by way of mortgage, hypothec or charge upon real property in any part of Canada, and for the purposes of such investment may take, receive or accept mortgages or assignments thereof, whether made or executed directly to the Association or to any corporation, body, company or person in trust for it, and may sell, grant, assign and transfer such mortgages or assignments, and may release and discharge

such mortgages and assignments either wholly or in part.

Borrowing powers.

10. (1) The Association may, from time to time, for the purposes of the Association:—

(a) Borrow money at such rate of interest, and upon such terms as is deemed proper, and may for such purposes make and execute mortgages, bonds, hypothecs, debentures or other instruments under the seal of the Association;

(b) Make, draw, accept, endorse, execute and issue promissory notes, bills of exchange, bills of lading, warrants and other negotiable or transferable instruments.

Limitations.

(2) Nothing in this section shall be construed to authorize the issue of any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note of a bank or to engage in the business of banking or insurance.

Apportionment and application of revenues.

11. The revenues, issues and profits of all property held by the Association shall be apportioned and applied solely to the maintenance of the members of the Association, and the construction and repair of buildings, and the acquisition of property requisite for the purposes of the Association, and for the advancement of the objects of the Association.

Mortmain.

12. In respect of any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act, but otherwise the exercise of the said powers shall, in any province of Canada, be subject to the laws of that province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Association.

Provincial laws to apply.

Transfer in trust of property to the Association.

13. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held in trust or otherwise, for the uses and purposes aforesaid, or any such person or corporation on whom any such property devolves, may, subject to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Association to be held in such trust, if any.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 51.

An Act to amend the Canada Temperance Act.

First reading, April 21, 1922.

The Solicitor General.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39856 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 51.

An Act to amend the Canada Temperance Act.

R.S., c. 152; 1908, c. 71; 1910, c. 58; 1914, c. 53; 1916, c. 14; 1917, c. 30; 1919 (2 Sess.), c. 8; 1921, c. 20.

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

1. The *Canada Temperance Act*, chapter one hundred and fifty-two of the Revised Statutes of Canada, 1906, is amended by adding thereto Part V, as follows:—

"PART V.

Importation of intoxicating liquor prohibited.

"**157.** (1) Subject to the provisions of subsection two of this section, and notwithstanding the provisions of this or any other Act to the contrary, no person shall import, send, take or transport into any province in which the prohibitions of this subsection are in force any intoxicating liquor.

Exceptions.

"(2) The provisions of subsection one of this section shall not apply to,—

"*(a)* Intoxicating liquor which has been purchased by or on behalf of, and which is consigned to His Majesty or the Executive Government of the province into which it is being imported, sent, taken or transported; or

"*(b)* The carriage or transportation of intoxicating liquor into and through a province by means only of a common carrier by water or by railway, if, during the time the intoxicating liquor is being so carried or transported, the package or vessel containing the intoxicating liquor is not opened or broken or any of the intoxicating liquor drunk or used therefrom; or

"*(c)* Intoxicating liquor imported, sent, taken or transported into any province to be exported therefrom or to be stored or kept in the province for the sole purpose of export and not for use or consumption therein: Provided that if any person having imported,

Proviso.

sent, taken or transported intoxicating liquor into any province be charged with having so imported, sent, taken or transported the same into the province unlawfully, it shall not be necessary in the information or complaint charging the offence to negative the exception in this paragraph stated, and the burden of proof that the intoxicating liquor was imported, sent, taken or transported into the province to be exported or to be stored or kept in the province for the sole purpose of export and not for use or consumption therein shall lie upon the person charged.

Burden of proof on person accused.

Penalties for violation.

"(3) Every person who violates any of the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a penalty, for the first offence, of not less than two hundred dollars and not more than one thousand dollars, and, in default of payment, to imprisonment for any term not less than three months, and for each subsequent offence to imprisonment for any term not less than six months and not more than twelve months.

For first offence.

For subsequent offences.

Governor in Council may issue proclamation.

"(4) Upon receipt by the Secretary of State of Canada of a duly certified copy of an order of the Lieutenant Governor in Council of any province, in which there is, at any time, in force a law vesting in His Majesty or the Executive Government of the province authority for the control and sale of intoxicating liquor in the province, requesting that the prohibitions contained in subsection one of this section may be brought into force in that province, the Governor in Council may, by proclamation published in the *Canada Gazette*, declare the prohibitions of subsection one of this section in force in that province and the same shall thereupon be and continue in force therein.

Revocation of prohibitions.

"(5) Upon the receipt by the Secretary of State of Canada of a duly certified copy of an order in council of the Lieutenant Governor in Council of any province in which the prohibitions of subsection one of this section are in force, requesting that the said prohibitions may be revoked, the Governor in Council may by proclamation published in the *Canada Gazette*, declare that the prohibitions of subsection one of this section shall no longer be in force in that province, and the same shall thereupon cease to be in force therein."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 52.

An Act respecting The Canadian Transit Company

First reading, April 24, 1922.

(PRIVATE BILL.)

Mr. RANKIN.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 52.

An Act respecting The Canadian Transit Company.

1921, c. 57.

WHEREAS The Canadian Transit Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short titles.

1. The Act to incorporate The Canadian Transit Company, chapter fifty-seven of the statutes of 1921, may be cited as *The Canadian Transit Company Act, 1921*, and this Act may be cited as *The Canadian Transit Company (Amending) Act, 1922.*

Head office.

General meetings held elsewhere than at head office, etc.

2. Section five of *The Canadian Transit Company Act, 1921*, is repealed, and the following is substituted therefor:—

"**5.** The head office of the Company shall be at the city of Windsor in the province of Ontario, but, notwithstanding the provisions of *The Railway Act, 1919*, any general meeting of the shareholders of the Company, whether annual or special, may be held elsewhere than at the head office of the Company, and may be held at the city of Detroit in the State of Michigan, one of the United States of America."

Amalgamation and agreements with other companies.

3. Section fourteen of *The Canadian Transit Company Act, 1921*, is amended by inserting before the word "building," where it occurs in the fourth line thereof, the words "financing, controlling," and by inserting after the word "construction" where it occurs in the seventh line thereof the words "financing, control."

Mortgage, etc., of assets of Company in conjunction with certain other companies.

4. Notwithstanding the provisions of *The Canadian Transit Company Act, 1921*, and of *The Railway Act, 1919*, and for greater certainty it is declared that the Company, in lieu of issuing its own bonds or other securities, has power to mortgage, pledge or hypothecate all its assets and

undertakings, rights, franchises and privileges, both present and future, jointly and in conjunction with any of the companies referred to in sections fourteen or fifteen of *The Canadian Transit Company Act, 1921*, to secure payment of any bonds or other securities issued by such other company for the joint purposes of the Company and such other company in connection with the construction of the said bridge under any arrangement which may be entered into between the Company and such other company in respect thereof, and to execute and deliver mortgages or deeds of trust by way of mortgage to secure such payment; provided always that the Company shall not mortgage, pledge or hypothecate its assets, undertakings, rights, franchises and privileges or secure payment of any bonds or other securities to a greater amount than fifteen million dollars.

Limitation.

Borrowing, etc.

5. Section twelve of *The Canadian Transit Company Act, 1921*, is amended by adding thereto the following subsection:—

When, where and at what interest bonds payable.

"(2) The bonds, debentures and other securities of the Company, or any of the companies referred to in sections fourteen or fifteen, may, pursuant to any arrangement in that behalf, be made payable at such times and in such manner and at such place or places in Canada, or elsewhere, and may bear such rate of interest not exceeding seven per cent. per annum as the directors think proper."

Powers of Railway Board saved.

6. Nothing in this Act contained shall be deemed in any way to impair the powers of the Board of Railway Commissioners for Canada, and all of the provisions of *The Railway Act, 1919*, now applying to the Company, not inconsistent with the provisions of *The Canadian Transit Company Act, 1921*, and of this Act, shall continue to apply to the same.

1919, c. 68.

Commencement.

7. This Act shall be deemed to take effect on the date of the coming into force of *The Canadian Transit Company Act, 1921*.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 53.

An Act respecting Itabira Corporation Limited, and to change its name to "Itabira Corporation".

First reading, April 24, 1922.

(PRIVATE BILL.)

Mr. MACLEAN
(Halifax).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38207 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 53.

An Act respecting Itabira Corporation Limited, and to change its name to "Itabira Corporation".

Preamble R.S. c. 79.

WHEREAS Itabira Corporation Limited has by its petition represented that it is incorporated under the *Companies Act*, chapter seventy-nine of the Revised Statutes of Canada, 1906, and amendments thereto, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Name changed.

1. The name of Itabira Corporation Limited, hereinafter called "the Company," is changed to "Itabira Corporation," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending or judgment existing either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing rights saved.

Powers of Company in Republic of Brazil.

2. Subject to the laws in force in the Republic of Brazil, and with such legislative, governmental, municipal, or other authority, concession, license or consent as is necessary, the Company may, within the Republic of Brazil, survey, lay out, construct, complete, equip, maintain, and operate and from time to time extend, remove and change as required, double or single iron or steel railways and branches, side tracks, turnouts and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired or controlled by the Company, also telegraph and telephone lines and works in connection therewith, and allow the use of the said railways and other

Railways.

Tramways.

Telegraphs.

Telephones.

Carriers, etc.

works by lease, license or otherwise for reward, and take, transmit and carry for reward telegrams, messages, passengers, and freight, including mails, express and other freight upon or by means thereof, by force or power of animals, or by steam, pneumatic, electric or mechanical power or by a combination of them, or any of them, and also may there acquire by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and maintain and operate for reward any existing or future lines of railway, tramway, telegraph and telephone; and for all or any of the purposes aforesaid the Company may enter into and carry out such contracts, concessions and agreements as it deems necessary.

Acquisition of properties of other companies.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 54.

An Act to amend the Criminal Code.

First reading, April 24, 1922.

Mr. KENNEDY,
(West Edmonton).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39979 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 54.

An Act to amend the Criminal Code.

1921, c. 25.

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

Section repealed providing that prosecution not to be taken after three years for any offence respecting the location of land paid for by scrip issued to half-breeds.

1. Section twenty of chapter twenty-five of the statutes of 1921, *An Act to amend the Criminal Code*, is hereby repealed.

55.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 55.

An Act to amend The Naturalization Act, 1914.

First reading, April 24, 1922.

Mr. ARCHAMBAULT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39982 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 55.

An Act to amend The Naturalization Act, 1914.

1914, c. 44; 1914 (2nd Sess.) c. 7; 1920, c. 59.

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

1. Subsection six of section two of *The Naturalization Act, 1914*, chapter fourty-four of the statutes of 1914, as enacted by chapter fifty-nine of the statutes of 1920, is repealed, and the following is substituted therefor:—

Service with an allied government added.

"(6) For the purposes of this section a period spent in the service of the Crown or in active service during the late war in any of the war forces of the Government of any country which was an ally of His Majesty during the said war, may, if the Secretary of State of Canada thinks fit, be treated as equivalent to a period of residence in Canada."

56.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 56.

An Act to amend The Bankruptcy Act.

First Reading, April, 25, 1922.

MR. ETHIER.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40045 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 56.

An Act to amend The Bankruptcy Act.

1919, c. 36; 1920, c. 34; 1921, c. 17.

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

Court to which bankruptcy petition is to be presented.

1. Subsection four of section four of *The Bankruptcy Act*, chapter thirty-six of the statutes of 1919, is amended by striking out the word "locality" in the second line thereof and substituting therefor the words "judicial district".

57.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 57.

An Act to amend the Consolidated Revenue and Audit Act.

First reading, April 27, 1922.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39977 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 57.

R.S. c. 24.

An Act to amend the Consolidated Revenue and Audit Act.

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

1. The *Consolidated Revenue and Audit Act*, chapter twenty-four of the Revised Statutes of Canada, 1906, is amended by adding thereto, immediately after section sixteen thereof, the following section:—

Transmission of bonds registered in the name of person dying domiciled abroad.

"**16A.** If the transmission of any Dominion stock, bonds, debentures or securities registered within the Dominion of Canada has taken place by virtue of the decease of the registered owner thereof, the production to the Minister of Finance or officer in charge of the Registry and the deposit with him of,—

(a) any authenticated copy of the probate of the will of the deceased owner, or of letters of administration of his estate, or of letters of verification of heirship, or of the act of curatorship or tutorship, granted by any court in Canada having power to grant the same, or by any court or authority in England, Wales, Ireland or any British colony, or of any testament, testamentary or testament *dative expede* in Scotland; or,

(b) an authentic notarial copy of the will of the deceased owner, if such will is in notarial form according to the law of the Province of Quebec; or,

(c) if the deceased owner died out of His Majesty's dominions, any authenticated copy of the probate of his will or letters of administration of his property, or other document of like import, granted by any court or authority having the requisite power in such matters;

shall be sufficient justification and authority to the Minister of Finance or the officer in charge of such registry for transferring or authorizing the transfer of any such stock, bonds, debentures or securities in pursuance of and in con-

formity to the probate, letters of administration, or other such document as aforesaid."

2. Section fifty of the said Act is repealed and the following is substituted therefor:—

What periods accounts shall include.

"**50.** (1) The public accounts shall include the period from the first day of April in one year to the thirty-first day of March in the next year, which period shall constitute the fiscal year.

Estimates.

(2) All estimates submitted to Parliament shall be for the services coming in course of payment during the fiscal year.

Balances unused lapse.

(3) Balances of appropriations which remain unexpended at the end of the fiscal year shall lapse and be written off and balances of credits issued in respect thereof, against which no cheques have been drawn before the end of the fiscal year, shall lapse concurrently therewith; provided that the Governor in Council may, by order in council, direct that a new credit shall issue, terminable not more than two months after the end of the fiscal year, for an amount not exceeding the unexpended balance of any such appropriation for the purpose only of discharging any proper debt, or to meet any obligation properly incurred, which may be outstanding chargeable thereto, but all payments made under the authority of such order shall be included in the accounts of the next following fiscal year.

(4) No such order shall be made or credit issued thereunder, if Parliament shall in the meantime have granted an appropriation out of which such outstanding debts may properly be paid, or such outstanding obligations be properly met.

Officers shall use diligence.

(5) All officers, functionaries, or persons charged with any duty under the provisions of this Act, shall exercise all possible diligence in the collection or management of or accounting for revenue and the presentation, audit and payment of accounts within the fiscal year to which the same relate."

3. Subsection two of section fifty-three of the said Act is hereby repealed and the following is substituted therefor:—

Balances outstanding.

"(2) Any balances outstanding in the hands of any person or persons unexpended or unaccounted for at such period shall be accounted for and settled as soon thereafter as is practicable but not later than a date to be fixed by the Auditor General having regard to the nature of the case."

58.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 58.

An Act to amend The Insurance Act, 1917.

First reading, April 27, 1922.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39983 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 58.

An Act to amend The Insurance Act, 1917

1917, c. 29; 1919, c. 57.

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

Definitions.

1. (1) Paragraphs (*i*), (*j*) and (*v*) of section two of *The Insurance Act, 1917*, chapter twenty-nine of the statutes of 1917, are repealed and the following are substituted therefor:—

"Chief agency."

"(*i*) "chief agency" means the principal office or place of business of the company in Canada;

"Chief agent."

(*j*) "chief agent" means the chief agent of the company in Canada, named as such in the power of attorney hereinafter referred to by whatever name he is designated;

"Agent."

(*j1*) "agent" means an acknowledged agent or other person who in any manner with the authority of the company aids in transacting the insurance business of the company, and includes an insurance broker;

"Automobile insurance."

(*v*) "automobile insurance" means insurance against liability for loss or damage to persons or property caused by an automobile; and insurance against loss of or damage to an automobile;"

"Chief agent" and "chief agency."

(2) The words "chief agent" and "chief agency" are substituted for the words "agent" and "agency" respectively wherever the latter words occur in sections twenty-two to thirty-five, both inclusive, of the said Act.

"Robbery."

(3) Paragraph (*x*) of the said section is amended by inserting the word "robbery" after the word "theft" in the second line thereof.

2. The said section two is further amended by adding thereto the following paragraphs:—

"Aviation insurance."

"(*ii*) "aviation insurance" means insurance against liability for loss or damage to persons or property caused

by an air-craft; and insurance against loss of or damage to an air-craft;

"Credit insurance."

(jj) "credit insurance" means the guaranteeing and indemnifying from loss or damage by reason of giving and extending credit;

"Forgery insurance."

(kk) "forgery insurance" means insurance against loss sustained by reason of forgery;

"Hail insurance."

(ll) "hail insurance" means insurance against loss of, or damage to, property by hail;

"Live stock insurance."

(mm) "live stock insurance" means insurance against the death of, accident to or sickness of animals and includes insurance against the loss of offspring of such animals;

"Tornado insurance."

(nn) "tornado insurance" means insurance against loss of or damage to, property by wind-storm, cyclone or tornado;

"Weather insurance."

(oo) "weather insurance" means insurance against loss caused by rain, tempest, flood or other climatic conditions except loss of or damage to, property caused by hail, windstorm, cyclone or tornado."

3. Section eight of the said Act is repealed and the following is substituted therefor:—

License may authorize classes of insurance.

"**8.** (1) The license may authorize the transaction of such class or classes of insurance, whether mentioned in this Act or not, as the Minister may deem proper: Provided, however, that subject to the renewal of licenses granted before the passing of this Act, no company shall receive a license for life insurance in combination with any other class of insurance unless it maintains in respect of its business of life insurance separate and distinct funds and securities in the case of a Canadian company, and separate and distinct assets in Canada in the case of a British or foreign company, available only for the protection of the holders of its policies of life insurance and not liable for the payment of claims arising from the other class or classes of business which the company transacts.

Proviso as to life insurance combined with another class.

Life policies including disability insurance.

(2) Any Canadian life insurance company, and any other life insurance company licensed under this Act whose charter authorizes it, may, under the authority of its license to transact life insurance, issue life policies, including in the same policy insurance against disability caused by accident or sickness, but the amount of such disability insurance shall not exceed a weekly benefit of one half of one per cent of the sum assured, nor shall it exceed in the aggregate one half the sum assured, but in the case of total and permanent disability the company may, without further payment of premiums, pay a total and permanent disability benefit not exceeding the sum assured under the said policy.

Amount of such disability insurance limited.

Death from accident.

(3) Any such company may also under the said authority provide in its policies for the payment, in the event of the death of the insured from accident, of a death benefit of double the amount payable in the event of death from other causes; but this subsection shall not operate to increase the amount of disability benefit which may be paid under the provisions of subsection two hereof."

Excess of classes. Excess deposit.

4. Sections nine and ten of the said Act are repealed.

Business not to be carried on without license.

5. Section eleven of the said Act is amended by inserting after the word "company" in the fourth line thereof the following:—

"or (*c*) any person who is constituted or acting as agent or attorney for or on behalf of any Canadian company or any alien, whether a natural person or a foreign company"

and by striking out the words "unless under a license from the Minister granted" in the thirteenth and fourteenth lines thereof and substituting therefor the words "unless such company or alien has received a license from the Minister."

6. Section thirteen of the said Act is repealed and the following is substituted therefor:—

No life contract to be combined with another class.

"**13.** A contract of life insurance shall not, save as provided by section eight hereof, be combined in one policy with a contract for any other class of insurance."

7. The said Act is further amended by inserting the following section immediately after section thirty-four thereof:—

Valuation of securities in statements deposited by companies.

"**34A.** In every annual statement required to be filed by sections thirty and thirty-one and in every statement of Canadian business required to be filed by section thirty-two of this Act, the bonds, debentures, stocks and other securities shall be taken into account at the market values applicable to the said securities at the date of the statement: Provided, however, that when by reason of serious disorganization of security markets the said market values are, in the opinion of the Minister, temporarily unduly depressed, the Minister may, on the report of the Superintendent, authorize, in the case of bonds and debentures redeemable at a fixed date, the use of values in excess of the said market values, not, however, exceeding the market values at which the said bonds and debentures were shown in the next preceding annual statement, or if acquired since the date of the said preceding statement, not exceeding the book values at the date of the statement."

Contributions towards office expenses.

8. Section forty-eight of the said Act is amended by inserting after the word "Canada" in the eighth line thereof the words "less dividends paid or allowed to policyholders in Canada."

Services of notice of amalgamation.

"**9.** (1) Subsection five of section fifty-three of the said Act is amended by inserting after the word "company" in the sixteenth line thereof the following:—

"and on the policyholders of the reinsured company not included in the reinsurance."

Reinsurance.

(2) Subsection eleven of the said section fifty-three is amended by striking out the words "of the business of a company which is not and never has been licensed to transact business in Canada," in the third and fourth lines thereof and substituting therefor the following:—

"of any of the policies other than Canadian policies of any British or foreign company."

Pension fund.

10. Subsection two of section fifty-eight of the said Act is amended by inserting after the word "pension" in the fourth line thereof the words "and insurance"

Loans to agents or employees of company.

11. Subsection four of section sixty of the said Act is amended by inserting after the word "thereof" in the second line thereof, the words "or to the wife or any child of such director or officer."

Enlargement of license by by-law on authority of Treasury Board.

12. Section seventy-seven of the said Act is amended by striking out the words "being at the time this Act goes into effect licensed to carry on business in Canada pursuant to *The Insurance Act, 1910*," in the first, second and third lines thereof and by adding the following subsections to the said section:—

Separate and distinct funds if by-law authorizes life company to do other classes of insurance.

"(2) If the said by-law, in the case of a life insurance company, authorizes the transaction of a class or classes of insurance other than life insurance, the Treasury Board shall require as a condition of its sanction of the said by-law that the company shall keep separate and distinct accounts and create and maintain separate and distinct funds in respect of its business of life insurance and in respect of the said other class or classes of insurance, and the said funds shall be liable only for claims and losses arising from the class or classes of insurance in respect of which they are respectively maintained.

Amount of separate fund fixed by Board.

(3) The amount of the said separate and distinct fund to be maintained in respect of the class or classes of insurance business other than life insurance shall be fixed by the Treasury Board and shall depend on the number and nature of the additional class or classes of business so authorized but shall in no case be less than fifty thousand dollars.

Powers of company for creating the separate and distinct funds.

(4) For the purpose of creating the separate and distinct fund mentioned in subsection two hereof the company may by by-law transfer as such fund or as part of such fund the whole or any portion of the balance standing to the credit of the shareholders' surplus account, or if duly authorized by by-law passed by the directors and approved by at least a two-thirds vote of the members present or represented at a special general meeting of the company duly called for that purpose, transfer as the said fund or as any part thereof an amount not exceeding twenty-five per cent of the surplus of the company or the sum of one hundred thousand dollars, whichever is the less: Provided, that for the purpose of this subsection the word "surplus" shall be held to mean the excess of assets over the aggregate of the company's liabilities to its policy-holders, the amount of the paid or guarantee capital, if any, the contingent apportionment of surplus to deferred dividend policies and provision for dividends accrued on quinquennial participating policies on the same scale as that used in the apportionment of surplus to deferred dividend policies of the same duration.

"Surplus" defined.

Provisions of by-law where fund is created from surplus.

(5) If any portion of the said separate and distinct fund is created by a transfer from the surplus of the company, the by-law shall provide that a proportion of the profits of the said fund equal to the proportion which the amount so transferred from the said surplus is of the total amount so transferred or credited to the said fund, shall thereafter be credited to the life insurance fund of the company.

Separate and distinct funds if by-law authorizes other company to do life insurance.

(6) If the said by-law in the case of a company other than a life insurance company authorizes the transaction of the business of life insurance, the Treasury Board shall require as a condition of its sanction of the said by-law that the company shall keep separate and distinct accounts, and shall create and maintain in respect of the business of life insurance a separate and distinct fund to an amount of not less than one hundred thousand dollars, and such fund shall be liable only for claims or losses arising from the said business of life insurance and the other funds shall not be liable for the said claims or losses.

Transfer of surplus available for dividends.

(7) For the purpose of creating the separate and distinct fund mentioned in subsection six hereof the company may by by-law transfer as such fund the whole or any portion of the surplus of the company which under the provisions of this Act is available for the payment of dividends to its shareholders.

Separate and distinct fund may be liquidated under this Act or Winding-up Act, R.S. c. 144.

(8) Any separate and distinct fund authorized by this section may in the case of any company be liquidated and wound up under the provisions of this Act or of the *Winding-up Act* independently of the other business of the company and the provisions of this Act and of the *Winding-up Act* shall apply to such funds as fully as if the company trans-

acted only the class or classes of business in respect of which such funds are maintained: Provided that in the winding-up of the company or of any fund thereof, the capital stock, if any, subscribed before the date of the separation of funds herein authorized shall be liable, both as to the amount paid and the amount unpaid thereon only for claims or losses arising from the class or classes of business transacted prior to the said date."

13. The said Act is further amended by inserting the following section immediately after section seventy-eight:—

No commissions unless agents or brokers are approved by superintendents.

"**78A.** (1) It shall be a condition of the license issued to any company under this Act whether such condition be expressed in the license or not, and for the breach of which the said license may be cancelled, that no compensation or remuneration by way of commission shall be paid to any person, partnership, association or corporation, for soliciting for, or obtaining applications or proposals for insurance or for collecting premiums from policyholders, unless such person, partnership, association or corporation shall have been approved as an agent or broker by the Superintendent; but such approval shall in each case be deemed to have been granted unless and until the Superintendent shall advise the company in writing that it has not been so granted.

Notice of disapproval.

Reasons for disapproval to be issued to company on request.

(2) If in any such case the Superintendent shall so advise the company and shall refuse to approve of any such person, partnership, association or corporation as aforesaid, he shall, on the request of the company issue to the company a ruling setting forth his reasons for the said refusal, and the company may within ten days of the receipt of such ruling appeal against such ruling to the Exchequer Court of Canada, which court shall have power to make all necessary rules for the conduct of appeals under this section, and pending the judgment of such Court, such person, partnership, association or corporation shall be deemed to have been approved as an agent or a broker as the case may be.

Appeal to Exchequer Court.

Board of inquiry before disapproval.

(3) Before advising the company that such approval has not been granted the Superintendent shall appoint a board of enquiry to investigate all charges of violation of the provisions of this Act which have been made to the Superintendent against such person, partnership, association or corporation and which the Superintendent deems sufficient to justify the refusal of such approval, the said board to be composed of a representative of the companies transacting the class of business in respect of which the said charges are made, a representative of the agents engaged in soliciting such class of business and a representative of the Department, and the Superintendent shall advise the company that such approval has not been

Representatives.

granted only if the said board after investigation and enquiry is of the opinion that the said charges or any of them have been sustained.

Representatives in case of life insurance company.

(4) If such charges are made in respect of the business of life insurance the representative of the said companies shall be the nominee of the President of the Canadian Life Insurance Officers' Association, and the representative of the said agents shall be the nominee of the President of the Life Underwriters' Association of Canada."

14. Section eighty-three of the said Act is amended by adding thereto a new subsection as follows:—

New policy may be issued for lapsed policy.

"(4) Nothing in this section shall prohibit the issue by any company to the holder of a lapsed policy of such company of a new policy providing for special benefits to be granted in lieu of benefits to which the insured may be entitled under the provision of the lapsed policy."

Incontestability after two years.

15. (1) Paragraph *(c)* of subsection one of section ninety-one of the said Act is repealed and the following substituted therefor:—

"*(c)* That the statements made by the insured in his application shall, except in the case of fraud or of error in age, be accepted as true and incontestable after the policy has been in force during the lifetime of the insured for a period of not more than two years."

Reserve of policy.

(2) Paragraph *(j)* of subsection one of the said section is amended by striking out the words "insurability satisfactory to the company" in the sixth line thereof, and substituting therefor the words "good health and other evidence of insurability satisfactory to the company as at the date of application for reinstatement."

Fraternal benefit insurance.

16. Subsection three of section one hundred and six of the said Act, as enacted by chapter fifty-seven of the statutes of 1919, is amended to read as follows:—

Exemptions.

"(3) Every society licensed under the provisions of this Part shall when so licensed be exempted from the provisions of sections thirteen, fourteen and forty-three of this Act and from the provisions of Part II of this Act with the exception of sections ninety and ninety-four to one hundred and two thereof, both inclusive."

Directors in companies having capital stock.

17. Subsection three of section ninety-three of the said Act is amended by striking out the word "fifteen" in the sixteenth line thereof and substituting the word "twenty-one", and subsection ten of the said section is amended by adding thereto the following:—

"when the number of directors does not exceed thirteen; when the number exceeds thirteen, the quorum shall be seven."

Profits from participating policies.

18. Subsection one of section one hundred and four of the said Act is amended by striking out the words "reserve on the participating policies to the total reserve" in the thirteenth line thereof and substituting therefor the words "mean participating fund to the mean total funds" and by adding at the end of the subsection the following words "in the proportion of the mean shareholders' fund to the mean total funds."

Printing upon certificates or literature of fraternal benefit society.

19. Section one hundred and fifteen of the said Act, as enacted by chapter fifty-seven of the statutes of 1919, is amended by adding thereto the following subsection:—

"(2) Any provision contained in the Act of incorporation of any fraternal benefit society incorporated by the Parliament of Canada which provides for the printing upon the society's certificates or literature of any condition or statement inconsistent with the provisions of this Act is hereby repealed."

Number of directors.

20. (1) Paragraphs *(c)* and *(e)* of section one hundred and thirty-eight of the said Act is amended by striking out the word "fifteen" wherever the same occurs in the said paragraphs, and substituting therefor the word "twenty-one."

Quorum.

(2) Paragraph *(l)* of the said section is amended by adding thereto the following:—"when the number of directors does not exceed thirteen; when the number exceeds thirteen a quorum shall be seven."

Application.

(3) This section shall apply to every company to which the said section one hundred and thirty-eight applies, whether incorporated before or after the coming into force of this Act,

59.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 59.

An Act to amend The Loan Companies Act, 1914.

First reading, April 27, 1922.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

39985

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 59.

An Act to amend The Loan Companies Act, 1914.

1914, c. 40; 1920, c. 14.

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

Application to companies incorporated by Act of Parliament.

1. (1) Subsection three of section three of *The Loan Companies Act, 1914*, chapter forty of the statutes of 1914, is amended by striking out the word and figures "43, 59, 60, 69, 70, 86, 87, 88, 90, 91 and 92" in the first and second lines thereof and substituting therefor the words and figures "15 *(d)*, 43, 59 to 84, inclusive, and 86 to 92, inclusive."

By letters patent.

(2) Subsection four of the said section three is amended by striking out the word and figures "43, 59, 60, 69, 70, 86, 87, 88, 90, 91 and 92" and substituting therefor the words and figures "15 *(d)*, 43, 59 to 84, inclusive, and 86 to 92, inclusive."

Election and quorum of directors.

2. (1) Paragraph *(b)* of subsection one of section twelve of the said Act is amended by striking out the words "fifteen, a majority of whom shall be a quorum," in the third and fourth lines thereof, and substituting therefor the words "twenty-one. When the number of the directors does not exceed thirteen a majority shall be a quorum; when the number exceeds thirteen, the quorum shall be seven."

Regulations.

(2) Paragraph *(d)* of section fifteen of the said Act is amended by striking out the words "fifteen, a majority of whom shall be a quorum" in the second and third lines thereof and substituting therefor the words "twenty-one. When the number of the directors does not exceed thirteen a majority shall be a quorum; when the number exceeds thirteen the quorum shall be seven."

Investments.

3. Section sixty-one of the said Act is repealed and the following is substituted therefor:—

Debentures, bonds, stocks, and securities of Canada, Provinces, United Kingdom, United States, etc.

"**61.** (1) The company may invest its funds in,—

(a) the debentures, bonds, stocks or other securities of or guaranteed by the Government of the Dominion of Canada; or of or guaranteed by the Government of any province of Canada; or of or guaranteed by the Government of the United Kingdom, or of any colony or dependency thereof; or of or guaranteed by the Government of the United States or of any State thereof; or of any municipal or school corporation in Canada; or guaranteed by any municipal corporation in Canada; or secured by rates or taxes, levied under the authority of the Government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated; or,

Company bonds.

(b) the bonds of any company incorporated under the laws of Canada or of any province of Canada, or of any former province now forming part of Canada, which bonds are secured by a mortgage or hypothec to trustees or a trust corporation or otherwise, upon improved real estate of such company or other assets of such company of the classes mentioned in paragraph *(a)* hereof; or,

Company debentures paying dividends.

(c) the debentures or other evidences of indebtedness of any such company which has paid regular dividends on its preferred or on its common stocks for a term of at least five years immediately preceding the date of investment in such debentures or other evidences of indebtedness; or,

Preferred stocks of dividend paying companies.

(d) the preferred stocks of any such company which has paid regular dividends upon such stocks or upon its common stocks for not less than five years preceding the purchase of such preferred stocks, or the stocks of any such company which are guaranteed by a company incorporated as aforesaid which has paid regular dividends upon its preferred or common stocks for not less than five years preceding the purchase of such guaanteed stocks: Provided that the amount of stocks so guaranted is not in excees of fifty per cent of the amount of the preferred or common stocks, as the case may be, of the guaranteeing company; or,

Common stocks of dividend paying companies and chartered banks.

(e) the common stocks of any such company or of any chartered bank in Canada upon which regular dividends of at least four per cent per annum have been paid for the seven years next preceding the purchase of such stocks: Provided that not more than thirty per cent of the common stocks and not more than thirty per cent of the total issue of the stocks of any company or bank shall be purchased by the company; or,

Mortgages on improved real estate.

(f) mortgages or hypothecs on improved real estate in Canada, provided that the amount paid for any such mortgage or hypothec shall in no case exceed sixty per cent of the value of the real estate covered thereby.

Loans.

(2) The company may lend its money on the security of,—

Authorized securities.

(a) any of the securities mentioned in subsection one hereof: Provided, however, that the amount loaned on the security thereof shall not exceed the amount which might be invested therein under the provisions of the said subsection; or,

Improved real estate.

(b) improved real estate in Canada: Provided, however, that no such loan shall exceed sixty per cent of the value of the real estate which forms the security for such loan, but this proviso shall not prohibit a company from accepting as part payment for real estate sold by it, a mortgage or hypothec thereon for more than sixty per cent of the sale price of such real estate.

Investments not to exceed 20% of securities issued by company.

(3) Notwithstanding anything in this section contained, the amount of the company's investment under the authority of this section in or upon the security of the debentures, bonds, stock and other securities of a company incorporated as aforesaid shall not exceed twenty per cent of the debentures, bonds, stock or other securities issued by such company.

Investment or loan on bank stocks limited.

(4) The amount invested in or loaned upon the security of the stocks of chartered banks and incorporated companies shall not exceed twenty-five per cent of the company's unimpaired paid-up capital and reserve.

Collateral security.

(5) The company may take personal security as collateral for an advance or for any debt due to the company.

No loans to directors.

(6) The company shall not lend any of its funds to any of its directors, or to the wife or any child of any of its directors.

Vacant lands.

(7) The company shall not lend any of its funds on the security of vacant land not used for agricultural purposes."

4. Section sixty-five of the said Act is repealed and the following is substituted therefor:—

Deposits.

" **65.** (1) The company may receive money on deposit upon such terms as to interest, security, time and mode of repayment and otherwise as may be agreed upon, but the

Limit of amount to be held.

amount held on deposit shall not at any time, except as authorized by subsection two of this section, exceed the aggregate amount of its then actually paid up and unimpaired capital stock and of its cash actually in hand or deposited in any chartered bank in Canada, or such larger amount as may be authorized by the company's Act of incorporation.

Amount held on deposit increased by by-law.

(2) The company may, by by-law passed by the directors and approved by at least a three-fourths vote of the shareholders present or represented by proxy at a special general meeting of the company duly called for the purpose of considering the same, increase the amount which may be received on deposit under the provisions of subsection one hereof to such an amount as the said by-law may provide, subject to the provisions of section sixty-eight of this Act and to the following conditions:—

Notice of meeting to pass by-law.

(a) A copy of such by-law and notice of meeting of shareholders called to approve the same shall be sent and given by registered mail to every registered debenture holder at least thirty days before the date for which the said meeting is called;

Notice in *Gazette*.

(b) A notice of the by-law and of the meeting of the shareholders called to approve the same shall be given in the *Canada Gazette* at least thirty days before the date for which the said meeting is called and such notice shall be continued for the space of four weeks;

By-law to provide for redemption of debentures when required by objecting debenture-holder.

(c) The said by-law shall provide that any debenture holder of the company who, within sixty days after the approval of the same by the shareholders, notifies the company in writing that he objects to the said by-law and makes application for the redemption of any debenture of the company held by him shall be entitled to have such debenture redeemed according to its terms on the first interest date following the receipt by the company of the said notice, and the company shall on the said interest date redeem the said debenture.

Withdrawal of deposits.

(3) All deposits of money received by the company under the provisions of this section on and after January first, nineteen hundred and twenty-three shall be, and be deemed to have been, received on the condition that the company shall have the right to require ninety days' notice for the withdrawal of the amount so deposited or any portion thereof.

Reserves to be maintained.

(4) On and after the first day of January, 1923, the company shall at all times maintain

Cash.

(a) cash on deposit in chartered banks in Canada; or,

Securities.

(b) securities of the Government of Canada, or of any province of Canada, or of any municipal or school corporation in Canada; or,

Loans.

(c) loans payable on demand and fully secured by such securities; or,

Credits.

(d) a credit from chartered banks in Canada, subject to conditions approved by the Superintendent,

To an aggregate of at least 25% of amount deposited.

to an aggregate amount of at least twenty-five per cent of the amount of money deposited with the company: Provided that the amount of cash on deposit in chartered banks shall be not less than five per cent, and that the credit

from chartered banks allowable as such for the purposes of this section shall not exceed five per cent of the amount of money deposited with the company, and that the total of the amount deposited with chartered banks and the amount of the credit from chartered banks shall be not less than ten per cent of the amount deposited with the company.

If reserves fall below requirements company not to accept further deposits until reserves restored.

(5) If at any time it appears that the amount of cash on deposit with chartered banks, or the market value of the securities, or the amount of the loans, or the credit from chartered banks in the last preceding subsection mentioned is less than the amount required by that subsection to be maintained or held by the company, the company shall cease to accept further deposits until the said proportion of cash, or securities or loans or credit, respectively, has been restored."

5. The following sections are inserted after section 70A, inserted by section two of chapter fourteen of the statutes of 1920:—

Only authorized investments allowed as investments.

"**70B.** (1) In his annual report prepared for the Minister under the provisions of section seventy of this Act, the Superintendent shall allow as assets only such of the investments of the several companies as are authorized by this Act, or by their Acts of incorporation, or by the general Acts applicable to such investments.

Corrections in annual statements by superintendent.

(2) In his said report the Superintendent shall make all necessary corrections in the annual statements made by the companies as herein provided and shall be at liberty to increase or diminish the assets or liabilities of such companies to the true and correct amounts thereof as ascertained by him in the examination of their affairs at the head office thereof, or otherwise.

Any company may be required to dispose of and realize unauthorized investments.

(3) The Superintendent may request any company to dispose of and realize any of its investments acquired after the passing of this Act and not authorized by this Act, and the company shall within sixty days after receiving such request absolutely dispose of and realize the said investments, and if the amount realized therefrom falls below the amount paid by the company for the said investments the directors of the company shall be jointly and severally liable for the payment to the company of the amount of the deficiency: Provided that if any director present when any such investment is authorized does forthwith, or if any director then absent does, within twenty-four hours after he becomes aware of such investment and is able to do so, enter on the minutes of the board of directors his protest against the same, and within eight days thereafter gives notice of his protest by registered letter to the Superintendent, such director may thereby, and not otherwise, exonerate himself from such liability.

Liability of directors for deficiencies.

Proviso.

Appeal to Exchequer Court.

(4) An appeal shall lie in a summary manner from the ruling of the Superintendent as to the admissibility of any asset not allowed by him, or as to any item or amount so added to liabilities, or as to any correction or alteration made in any statement, or as to any other matter arising in the carrying out of the provisions of this Act, to the Exchequer Court of Canada, which court shall have power to make all necessary rules for the conduct of appeals under this section.

Rules of court.

Certificate of ruling appealed from.

(5) For the purposes of such appeal the Superintendent shall at the request of the company interested give a certificate in writing setting forth the ruling appealed from and the reasons therefor, which ruling shall, however, be binding upon the company unless the company shall within fifteen days after notice of such ruling serve upon the Superintendent notice of its intention to appeal therefrom, setting forth the grounds of appeal, and within fifteen days thereafter file its appeal with the registrar of the said court and with due diligence prosecute the same, in which case action on such ruling shall be suspended until the court has rendered judgment thereon.

Notice of and filing of appeal.

Appraisement of overvalued real estate.

70c. If upon an examination of the assets of any company it appears to the Superintendent, or if he has any reason to suppose, that the value placed by the company upon the real estate owned by it or any parcel thereof is too great, he may either require such company to procure an appraisement of such real estate by one or more competent valuators, or may himself procure such appraisement at the company's expense, and the appraised value, if it varies materially from the return made by the company, may be substituted in the annual report prepared for the Minister by the Superintendent. If, upon such examination, it appears to the Superintendent, or if he has any reason to suppose that the amount secured by mortgage or hypothec upon any parcel of real estate, together with the interest due and accrued thereon, is greater than the value of such parcel, or that such parcel is not sufficient security for such loan and interest, he may in like manner require the company to procure an appraisement thereof, or may himself at the company's expense procure such appraisement, and if from the appraised value it appears that such parcel of real estate is not adequate security for the loan and interest, he may write off such loan and interest a sum sufficient to reduce the same to such an amount as may fairly be realizable from such security, in no case to exceed such appraised value, and may insert such reduced amount in his said annual report."

Appraisement of lands held as security for loans on mortgage.

Purchase of business of other companies.

6. Subsection four of section eighty-one of the said Act is amended by inserting after the word "by" where it first occurs in the sixth line thereof, the words "at least a

three-fourths vote of the" and by striking out the words "and holding not less than two-thirds of all the shares of the issued capital stock of the company" in the sixth, seventh and eighth lines thereof.

Validity of loans made prior to Act.

7. (1) Nothing in this Act contained shall affect the validity of any investment or loan made on or before the .....day of..... 1922. All investments or loans made after the said date shall be such as are authorized by the provisions of this Act unless such investments or loans were contracted for before the said date.

Differing provisions repealed.

(2) Any provision in any special Act or elsewhere conferring upon any company any other or wider powers of loaning or investment than those conferred by this Act is hereby repealed.

Superintendent or staff substituted for inspector.

8. Section ninety of the said Act is amended by striking out the words "an inspector appointed under this Act to investigate the affairs and management of the company" and substituting therefor the words "the Superintendent or any member of his staff duly authorized by him to examine the statement of the condition and affairs of the company".

9. The said Act is amended by inserting immediately after section ninety-one thereof the following section:—

Penalty for contravention.

"**91A.** (1) Any company which, or person who, does, causes or permits to be done any matter, act or thing contrary to any provision of this Act, or to the orders or directions of the Governor in Council or of the Minister, or of the Superintendent, made under this Act, or omits to do any matter, act or thing by this Act required to be done by or on the part of such company or person, shall, if no other penalty for such act or omission is provided in this Act, be liable for each such offence to a penalty of not less than twenty dollars and not more than five thousand dollars in the discretion of the court before which such penalty is recoverable.

Liability for damages.

(2) Such company or person shall also, in addition to such penalty, be liable to any person injured by such matter, act or thing, or by such omission, for all damages sustained thereby."

59.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 59.

An Act to amend The Loan Companies Act, 1914.

(Reprinted as amended and reported by the Select Standing Committee on Banking and Commerce).

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42525 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 59.

An Act to amend The Loan Companies Act, 1914.

1914, c. 40; 1920, c. 14.

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

Application to companies incorporated by Act of Parliament.

1. (1) Subsection three of section three of *The Loan Companies Act, 1914*, chapter forty of the statutes of 1914, is amended by striking out the word and figures "43, 59, 60, 69, 70, 86, 87, 88, 90, 91 and 92" in the first and second lines thereof and substituting therefor the words and figures "15 *(d)*, 43, 59 to 84, inclusive, and 86 to 92, inclusive."

By letters patent.

(2) Subsection four of the said section three is amended by striking out the word and figures "43, 59, 60, 69, 70, 86, 87, 88, 90, 91 and 92" and substituting therefor the words and figures "15 *(d)*, 43, 59 to 84, inclusive, and 86 to 92, inclusive."

Election and quorum of directors.

2. (1) Paragraph *(b)* of subsection one of section twelve of the said Act is amended by striking out the words "fifteen, a majority of whom shall be a quorum," in the third and fourth lines thereof, and substituting therefor the words "twenty-one. When the number of the directors does not exceed thirteen a majority shall be a quorum; when the number exceeds thirteen, the quorum shall be seven."

Regulations.

(2) Paragraph *(d)* of section fifteen of the said Act is amended by striking out the words "fifteen, a majority of whom shall be a quorum" in the second and third lines thereof and substituting therefor the words "twenty-one. When the number of the directors does not exceed thirteen a majority shall be a quorum; when the number exceeds thirteen the quorum shall be seven."

Directors.

(3) Nothing in this Act shall operate to reduce the number of directors or increase the number forming a quorum of directors of any company permitted under the

laws applicable to such company on the first day of July, 1922.

Investments.

3. Section sixty-one of the said Act is repealed and the following is substituted therefor:—

Debentures, bonds, stocks, and securities of Canada, Provinces, United Kingdom, United States, etc.

"**61.** (1) The company may invest its funds in,— *(a)* the debentures, bonds, stocks or other securities of or guaranteed by the Government of the Dominion of Canada; or of or guaranteed by the Government of any province of Canada; or of or guaranteed by the Government of the United Kingdom, or of any colony or dependency thereof; or of or guaranteed by the Government of the United States or of any State thereof; or of any municipal or school corporation in Canada; or guaranteed by any municipal corporation in Canada; or secured by rates or taxes, levied under the authority of the Government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated; or,

Company bonds.

(b) the bonds, debentures, debenture stock or other securities of any company incorporated under the laws of Canada or of any province of Canada, or of any former province now forming part of Canada, which are secured by a mortgage or hypothec to trustees or a trust corporation or otherwise, upon improved real estate of such company or other assets of such company of the classes mentioned in paragraph *(a)* hereof; or,

Company debentures paying dividends.

(c) the bonds, debentures, notes or other obligations whether secured or unsecured of any such company which has paid regular dividends on its preferred or on its common stocks for a term of at least five years immediately preceding the date of investment in such bonds, debentures, notes or other obligations; or,

Preferred stocks of dividend paying companies.

(d) the preferred stocks of any such company which has paid regular dividends upon such stocks or upon its common stocks for not less than five years immediately preceding the purchase of such preferred stocks, or the stocks of any such company which are guaranteed by a company incorporated as aforesaid which has paid regular dividends upon its preferred or common stocks for not less than five years immediately preceding the purchase of such guaranteed stocks: Provided that the amount of stocks so guaranteed is not in excess of fifty per cent of the amount of the preferred or common stocks, as the case may be, of the guaranteeing company; or,

Common stocks of dividend paying

(e) the common stocks of any such company or of any chartered bank in Canada upon which regular dividends of at least four per cent per annum have been paid

companies and chartered banks.

for the seven years immediately preceding the purchase of such stocks: Provided that not more than thirty per cent of the common stocks and not more than thirty per cent of the total issue of the stocks of any company or bank shall be purchased by the company; or,

Mortgages on improved real estate.

(f) mortgages or hypothecs on improved real estate or leaseholds, provided that the amount paid for any such mortgage or hypothec shall in no case exceed sixty per cent of the value of the real estate or leaseholds covered thereby.

Loans.

(2) The company may lend its money on the security of,—

Authorized securities.

(a) any of the securities mentioned in paragraphs *(a)* and *(b)* of subsection one hereof; or,

(b) the bonds, debentures, notes, stocks or other securities of any chartered bank in Canada or of any company incorporated under the laws of Canada or of any province of Canada, or of any former province now forming part of Canada, other than those mentioned in paragraph *(b)* of subsection one hereof, provided that the market value of the securities on which the loan is made shall exceed the amount of the loan by at least twenty per cent of such market value, or twenty per cent of the par value, whichever is the less; and provided further that the amount loaned on the security of the stocks of any such company or bank shall not exceed twenty-five per cent of the market value of the total stocks of such company or bank; or,

Improved real estate.

(c) improved real estate or leaseholds: Provided, however, that no such loan shall exceed sixty per cent of the value of the real estate or leaseholds which forms the security for such loan, but this proviso shall not prohibit a company from accepting as part payment for real estate sold by it, a mortgage or hypothec thereon for more than sixty per cent of the sale price of such real estate.

Other investments on authority of Treasury Board.

(3) The Treasury Board may authorize the company to purchase or invest in stocks and securities not fulfilling the foregoing requirements of this section *(a)* for the *bona fide* purpose of protecting investments previously made by the company, or *(b)* obtained under a *bona fide* arrangement for the reorganization of a company whose stocks or securities were previously owned by the company, or *(c)* obtained through the exercise of rights conferred by investments made prior to the first day of July, 1922.

Investments not to exceed 20% of securities issued by company.

(4) Notwithstanding anything in this section contained, the amount of the company's investment under the authority of this section in or upon the security of the debentures, bonds, stock and other securities of a company incorporated as aforesaid shall not exceed twenty per cent

of the debentures, bonds, stock or other securities issued by such company.

Collateral security.

(5) The company may take personal or other security as collateral for an advance or for any debt due to the company.

No loans to directors.

(6) The company shall not lend any of its funds to any of its directors, or to the wife or any child of any of its directors.

Vacant lands.

(7) The company shall not lend any of its funds on the security of vacant land not used for agricultural purposes."

4. Section sixty-five of the said Act is repealed and the following is substituted therefor:—

Deposits.

"**65.** (1) The company may receive money on deposit upon such terms as to interest, security, time and mode of repayment, and otherwise as may be agreed upon, but the amount held on deposit shall not at any time, except as authorized by subsection two of this section, exceed the aggregate amount of its then actually paid up and unimpaired capital stock and of its cash actually in hand or deposited in any chartered bank in Canada, or such larger amount as may be authorized by the company's Act of incorporation.

Limit of amount to be held.

Amount held on deposit increased by by-law.

(2) The company may, by by-law passed by the directors and approved by at least a three-fourths vote of the shareholders present or represented by proxy at the annual or other general meeting of the company duly called for the purpose of considering the same, increase the amount which may be received on deposit under the provisions of subsection one hereof to such an amount as the said by-law may provide, subject to the provisions of section sixty-eight of this Act and to the following conditions:—

Notice of meeting to pass by-law.

(a) A copy of such by-law and notice of meeting of shareholders called to approve the same shall be sent and given by registered mail to every registered debenture holder resident outside of Canada or to the chief agent or chief agents of the company for the sale of debentures of the company outside of Canada at least thirty days before the date for which the said meeting is called;

Notice in *Gazette*.

(b) A notice of the by-law and of the meeting of the shareholders called to approve the same shall be given in the *Canada Gazette* at least thirty days before the date for which the said meeting is called and such notice shall be continued for the space of four weeks;

By-law to provide for redemption of debentures when required by objecting debenture-holder.

(c) The said by-law shall provide that any debenture holder of the company who, within sixty days after the approval of the same by the shareholders, notifies the company in writing that he objects to the said by-law and makes application for the redemption of

any debenture of the company held by him shall be entitled to have such debenture redeemed according to its terms on the first interest date following the receipt by the company of the said notice, and the company shall on the said interest date redeem the said debenture.

Notice for withdrawal of deposits.

(3) All deposits of money received by the company under the provisions of this section on and after January first, nineteen hundred and twenty-three, shall be, and be deemed to have been, received on the condition that the company shall have the right to require at least thirty days' notice for the withdrawal of the amount so deposited or any portion thereof.

Reserves to be maintained.

(4) On and after the first day of January, 1923, the company shall at all times maintain,—

Cash.

(a) cash on deposit in chartered banks in Canada or in joint stock banks of Great Britain, or,

Securities.

(b) securities of or guaranteed by the Government of Canada, or of or guaranteed by any province of Canada, or of or guaranteed by the United Kingdom, or of any municipal or school corporation in Canada; or,

Loans.

(c) loans payable on demand and fully secured by such securities; or,

Credits.

(d) a credit from chartered banks in Canada or from joint stock banks of Great Britain, subject to conditions approved by the Superintendent,

To an aggregate of at least 20% of amount deposited.

to an aggregate amount of at least twenty per cent of the amount of money deposited with the company."

5. The following sections are inserted after section 70A, inserted by section two of chapter fourteen of the statutes of 1920:—

Only authorized investments allowed as investments.

"**70B.** (1) In his annual report prepared for the Minister under the provisions of section seventy of this Act, the Superintendent shall allow as assets only such of the investments of the several companies as are authorized by this Act, or by their Acts of incorporation, or by the general Acts applicable to such investments.

Corrections in annual statements by superintendent.

(2) In his said report the Superintendent shall make all necessary corrections in the annual statements made by the companies as herein provided and shall be at liberty to increase or diminish the assets or liabilities of such companies to the true and correct amounts thereof as ascertained by him in the examination of their affairs at the head office thereof, or otherwise.

Any company may be required to dispose of and realize unauthorized investments.

(3) The Superintendent may request any company to dispose of and realize any of its investments acquired after the passing of this Act and not authorized by this Act, and the company shall within sixty days after receiving such request absolutely dispose of and realize the said investments, and if the amount realized therefrom falls

Liability of directors for deficiencies.

below the amount paid by the company for the said investments the directors of the company shall be jointly and severally liable for the payment to the company of the amount of the deficiency: Provided that if any director present when any such investment is authorized does forthwith, or if any director then absent does, within twenty-four hours after he becomes aware of such investment and is able to do so, enter on the minutes of the board of directors his protest against the same, and within eight days thereafter gives notice of his protest by registered letter to the Superintendent, such director may thereby, and not otherwise, exonerate himself from such liability.

Proviso.

Appeal to Exchequer Court.

(4) An appeal shall lie in a summary manner from the ruling of the Superintendent as to the admissibility of any asset not allowed by him, or as to any item or amount so added to liabilities, or as to any correction or alteration made in any statement, or as to any other matter arising in the carrying out of the provisions of this Act, to the Exchequer Court of Canada, which court shall have power to make all necessary rules for the conduct of appeals under this section.

Rules of court.

Certificate of ruling appealed from.

(5) For the purposes of such appeal the Superintendent shall at the request of the company interested give a certificate in writing setting forth the ruling appealed from and the reasons therefor, which ruling shall, however, be binding upon the company unless the company shall within fifteen days after notice of such ruling serve upon the Superintendent notice of its intention to appeal therefrom, setting forth the grounds of appeal, and within fifteen days thereafter file its appeal with the registrar of the said court and with due diligence prosecute the same, in which case action on such ruling shall be suspended until the court has rendered judgment thereon.

Notice of and filing of appeal.

Appraisement of overvalued real estate.

"**70**c. If upon an examination of the assets of any company it appears to the Superintendent, or if he has any reason to suppose, that the value placed by the company upon the real estate owned by it or any parcel thereof is too great, he may either require such company to procure an appraisement of such real estate by one or more competent valuators, or may himself procure such appraisement at the company's expense, and the appraised value, if it varies materially from the return made by the company, may be substituted in the annual report prepared for the Minister by the Superintendent. If, upon such examination, it appears to the Superintendent, or if he has any reason to suppose that the amount secured by mortgage or hypothec upon any parcel of real estate, together with the interest due and accrued thereon, is greater than the value of such parcel, or that such parcel is not sufficient security for such loan and interest, he may in like manner require the company to procure an appraisement thereof,

Appraisement of lands held as security for loans on mortgage.

or may himself at the company's expense procure such appraisement, and if from the appraised value it appears that such parcel of real estate is not adequate security for the loan and interest, he may write off such loan and interest a sum sufficient to reduce the same to such an amount as may fairly be realizable from such security, in no case to exceed such appraised value, and may insert such reduced amount in his said annual report."

Purchase of business of other companies.

6. Subsection four of section eighty-one of the said Act is amended by inserting after the word "by" where it first occurs in the sixth line thereof, the words "at least a three-fourths vote of such shares as are represented in person or by proxy" and by striking out the words "shareholders present or represented by proxy and holding not less than two-thirds of all the shares of the issued capital stock of the company" in the sixth, seventh and eighth lines thereof.

Validity of loans made prior to Act.

7. (1) Nothing in this Act contained shall affect the validity of any investment or loan made on or before the first day of July, 1922. All investments or loans made after the said date shall be such as are authorized by the provisions of this Act unless such investments or loans were contracted for before the said date.

Differing provisions repealed.

(2) Any provision in any special Act or elsewhere conferring upon any company any other or wider powers of loaning or investment than those conferred by this Act is hereby repealed.

Superintendent or staff substituted for inspector.

8. Section ninety of the said Act is amended by striking out the words "an inspector appointed under this Act to investigate the affairs and management of the company" and substituting therefor the words "the Superintendent or any member of his staff duly authorized by him to examine the statement of the condition and affairs of the company".

9. The said Act is amended by inserting immediately after section ninety-one thereof the following section:—

Penalty for contravention.

"**91**A. (1) Any company which, or person who, does, causes or permits to be done any matter, act or thing contrary to any provision of this Act, or to the orders or directions of the Governor in Council or of the Minister, or of the Superintendent, made under this Act, or omits to do any matter, act or thing by this Act required to be done by or on the part of such company or person, shall, if no other penalty for such act or omission is provided in this Act, be liable for each such offence to a penalty of not less than twenty dollars and not more than five thousand dollars in the discretion of the court before which such penalty is recoverable.

Liability for damages.

(2) Such company or person shall also, in addition to such penalty, be liable to any person injured by such matter, act or thing, or by such omission, for all damages sustained thereby."

60.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 60.

An Act to amend The Trust Companies Act, 1914.

First reading, April 27, 1922.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

39986

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 60.

An Act to amend The Trust Companies Act, 1914.

1914, c. 55; 1920, c. 21.

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

Application to companies incorporated by Act of Parliament.

1. (1) Subsection three of section three of *The Trust Companies Act, 1914*, chapter fifty-five of the statutes of 1914, is hereby amended by striking out the words and figures "32, 34, 42 to 48, both inclusive, 65, 69, 70, 74 to 76, both inclusive, and 78 to 80" in the first and second lines thereof and substituting therefor the words and figures "15 *(d)*, 32, 34, 42 to 48, both inclusive, 62 to 72, both inclusive, and 74 to 80".

By letters patent.

(2) Subsection four of the said section three is amended by striking out the words and figures "42 to 48, both inclusive, 65, 69, 70, 74 to 76, both inclusive, and 78 to 80" in the first and second lines thereof and substituting therefor the words and figures "15 *(d)*, 42 to 48, 62 to 72, both inclusive, and 74 to 80."

Deposits in trust.

2. (1) Paragraph *(g)* of section sixty-two of the said Act is amended by striking out the first two lines thereof and substituting therefor the following:—

"receive money on deposit in trust and allow interest thereon from the time of deposit at such rate as may be agreed upon."

Real estate which may be held.

(2) Paragraph *(i)* of the said section is repealed and the following is substituted therefor:—

"*(i)* hold real estate which having been mortgaged or hypothecated to it is acquired by it for the protection of its investments, or which is acquired by it in satisfaction in whole or in part of any debt due to itself, and from time to time sell, mortgage, lease or otherwise dispose thereof; but the company shall sell any real estate so acquired by it, other than as trustee or in an official capacity, within seven years after such acquisition, un-

less such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada."

Investment of trust moneys.

3. Section sixty-three of the said Act is repealed and the following is substituted therefor:—

Stocks, bonds and securities of Canada, Provinces, United Kingdom, United States, etc.

"**63.** (1) The company shall invest trust money in,—

(a) the debentures, bonds, stocks or other securities of or guaranteed by the Government of the Dominion of Canada; or of or guaranteed by the Government of any province of Canada; or of or guaranteed by the Government of the United Kingdom, or of any colony or dependency thereof; or of or guaranteed by the Government of the United States or of any State thereof; or of any municipal or school corporation in Canada; or guaranteed by any municipal corporation in Canada; or secured by rates or taxes, levied under the authority of the Government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated;

Mortgages.

(b) first mortgages or hypothecs upon improved freehold real estate in Canada;

Specified securities.

(c) such securities as are specifically authorized by the terms of the trust.

Lending of trust moneys.

(2) The company may lend trust money upon the security of,—

(a) any of the securities mentioned in subsection one hereof;

(b) improved freehold real estate in Canada unencumbered by prior mortgage.

Amount of loans.

(3) The amount loaned upon the security of real estate or invested in or loaned upon the security of any mortgage or hypothec upon real estate shall not exceed sixty per cent of the value of the real estate which forms the security for such loan or investment.

Personal property as collateral security.

(4) The company may accept personal property or covenants as collateral security for any advance made or for any debt due to the company.

Investment of trust funds.

(5) Trust funds belonging to any estate or trust which is being administered in any province, may, unless the instrument creating the trust otherwise provides, be invested in securities in which trustees are authorized by the laws of such province to invest trust moneys.

Discretion how exercised.

(6) Where the terms of the trust under which money is deposited with the company give to the company a general discretion in the investment of trust money such discretion shall be exercised only to invest or lend such money in accordance with the provisions of this section.

Management and disposal of investments.

(7) The company may manage, sell or dispose of investments as the terms of the trust require, or in the

absence of requirement as the directors, subject to the provisions of this Act, may see fit.

Vacant lands.

(8) The company shall not lend trust funds on the security of vacant land not used for agricultural purposes.

When repayment not guaranteed.

(9) The company shall not guarantee the repayment of the principal of, or payment of interest on, any money deposited with the company in trust for investment, if such money is, or is to be, invested in securities other than those mentioned in paragraphs *(a)*, *(b)*, *(c)* and *(f)* of subsection one of section sixty-six of this Act, or loaned otherwise than upon the security of improved real estate in Canada or of the securities mentioned in the said paragraphs of the said section sixty-six."

When ninety days' notice for withdrawal required.

4. Section sixty-five of the said Act is amended by adding thereto the following subsection:—

"(2) All deposits of money received by the company in trust after the first day of January one thousand nine hundred and twenty-three shall be and be deemed to have been received on the condition that the company shall have the right to require ninety days' notice for the withdrawal of the amount so deposited or any portion thereof."

Investment of company's funds in debentures, bonds, stocks and securities of Canada, Provinces, United Kingdom, United States, etc.

5. Section sixty-six of the said Act is repealed and the following is substituted therefor:—

"**66.** (1) The company may invest its own funds in,—

(a) the debentures, bonds, stocks or other securities of or guaranteed by the Government of the Dominion of Canada; or of or guaranteed by the Government of any province of Canada; or of or guaranteed by the Government of the United Kingdom, or of any colony or dependency thereof; or of or guaranteed by the Government of the United States or of any State thereof; or of any municipal or school corporation in Canada; or guaranteed by any municipal corporation in Canada; or secured by rates or taxes, levied under the authority of the Government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated; or,

Company bonds.

(b) the bonds of any company incorporated under the laws of Canada or of any province of Canada, or of any former province now forming part of Canada, which bonds are secured by a mortgage or hypothec to trustees or a trust corporation or otherwise, upon improved real estate or other assets of such company, of the classes mentioned in paragraph *(a)* hereof of such company; or,

Company debentures paying dividends.

(c) the debentures or other evidences of indebtedness of any such company which has paid regular dividends on its preferred or on its common stocks for a term of

at least five years immediately preceding the date of investment in such debentures or other evidences of indebtedness; or,

Preferred stocks of dividend paying companies.

(d) the preferred stocks of any such company which has paid regular dividends upon such stocks or upon its common stocks for not less than five years preceding the purchase of such preferred stocks, or the stocks of any such company which are guaranteed by a company incorporated as aforesaid which has paid regular dividends upon its preferred or common stocks for not less than five years preceding the purchase of such guaranteed stocks: Provided that the amount of stocks so guaranteed is not in excess of fifty per cent of the amount of the preferred or common stocks, as the case may be, of the guaranteeing company; or,

Common stocks of dividend paying companies and chartered banks.

(e) the common stocks of any such company or of any chartered bank in Canada upon which regular dividends of at least four per cent per annum have been paid for the seven years next preceding the purchase of such stocks: Provided that not more than thirty per cent of the common stocks and not more than thirty per cent of the total issue of the stocks of any company or bank shall be purchased by the company; or,

Mortgages on improved real estate.

(f) mortgages or hypothecs on improved real estate in Canada, provided that the amount paid for any such mortgage or hypothec shall in no case exceed sixty per cent of the value of the real estate covered thereby.

Real estate for actual use.

(2) The company may acquire and hold real and immovable property for its actual use and occupation and the management of its business and may sell or dispose of the same, but not more than thirty-five per cent of the company's unimpaired paid-up capital and reserve may be laid out or expended for this purpose.

Loans.

(3) The company may lend its own funds on the security of,—

Authorized securities.

(a) any of the securities mentioned in subsection one hereof: Provided, however, that the amount loaned on the security thereof shall not exceed the amount which might be invested therein under the provisions of the said subsection; or,

Improved real estate.

(b) improved real estate in Canada: Provided, however, that no such loan shall exceed sixty per cent of the value of the real estate which forms the security for such loan, but this proviso shall not prohibit a company from accepting as part payment for real estate sold by it, a mortgage or hypothec thereon for more than sixty per cent of the sale price of such real estate.

Investment not to exceed twenty per cent of security.

(4) Notwithstanding anything in this section contained, the amount of the company's investment under the authority of this section in or upon the security of the debentures,

bonds, stock and other securities of a company incorporated as aforesaid shall not exceed twenty per cent of the debentures, bonds, stock or other securities issued by such company.

Investment or loan on bank stocks limited.

(5) The amount invested in or loaned upon the security of the stocks of chartered banks and incorporated companies shall not exceed twenty-five per cent of the company's unimpaired paid-up capital and reserve.

Collateral security.

(6) The company may take personal security as collateral for an advance or for any debt due to the company.

No loans to directors.

(7) The company shall not loan any of its funds to any of its directors or to the wife or any child of any of its directors.

Vacant lands.

(8) The company shall not lend any of its funds on the security of vacant land not used for agricultural purposes."

6. The following sections are inserted after section **70A**, inserted by section two of chapter twenty-one of the statutes of 1920:—

Only authorized investments allowed as assets.

"**70B.** (1) In his annual report prepared for the Minister under the provisions of section seventy of this Act, the Superintendent shall allow as assets only such of the investments of the several companies as are authorized by this Act, or by their Acts of incorporation, or by the general Acts applicable to such investments.

Corrections of annual statements by Superintendent.

(2) In his said report the Superintendent shall make all necessary corrections in the annual statements made by the companies as herein provided and shall be at liberty to increase or diminish the assets or liabilities of such companies to the true and correct amounts thereof as ascertained by him in the examination of their affairs at the head office thereof, or otherwise.

Any company may be required to dispose of and realize unauthorized investments.

(3) The Superintendent may request any company to dispose of and realize any of its investments acquired after the passing of this Act and not authorized by this Act, and the company shall within sixty days after receiving such request absolutely dispose of and realize the said investments, and if the amount realized therefrom falls below the amount paid by the company for the said investments, the directors of the company shall be jointly and several liable for the payment to the company of the amount of the deficiency: Provided that if any director present when any such investment is authorized does forthwith, or if any director then absent does, within twenty-four hours after he becomes aware of such investment and is able to do so, enter on the minutes of the board of directors his protest against the same, and within eight days thereafter gives notice of his protest by registered letter to the Superintendent, such director may thereby, and not otherwise, exonerate himself from such liability.

Liability of directors for deficiencies.

Proviso.

Appeal to Exchequer Court.

(4) An appeal shall lie in a summary manner from the ruling of the Superintendent as to the admissibility of any asset not allowed by him, or as to any item or amount so added to liabilities, or as to any correction or alteration made in any statement, or as to any other matter arising in the carrying out of the provisions of this Act, to the Exchequer Court of Canada, which court shall have power to make all necessary rules for the conduct of appeals under this section.

Rules of Court.

Certificate of ruling appealed from.

(5) For the purposes of such appeal the Superintendent shall at the request of the company interested give a certificate in writing setting forth the ruling appealed from and the reasons therefor, which ruling shall, however, be binding upon the company unless the company shall within fifteen days after notice of such ruling serve upon the Superintendent notice of its intention to appeal therefrom, setting forth the grounds of appeal, and within fifteen days thereafter file its appeal with the registrar of the said court and with due diligence prosecute the same, in which case action on such ruling shall be suspended until the court has rendered judgment thereon.

Notice of and filing of appeal.

Appraisement of over-valued real estate.

70c. If upon an examination of the assets of any company it appears to the Superintendent, or if he has any reason to suppose, that the value placed by the company upon the real estate owned by it or any parcel thereof is too great, he may either require such company to procure an appraisement of such real estate by one or more competent valuators, or may himself procure such appraisement at the company's expense, and the appraised value, if it varies materially from the return made by the company, may be substituted in the annual report prepared for the Minister by the Superintendent. If, upon such examination, it appears to the Superintendent, or if he has any reason to suppose that the amount secured by mortgage or hypothec upon any parcel of real estate, together with the interest due and accrued thereon, is greater than the value of such parcel, or that such parcel is not sufficient security for such loan and interest, he may in like manner require the company to procure an appraisement thereof, or may himself at the company's expense procure such appraisement, and if from the appraised value it appears that such parcel of real estate is not adequate security for the loan and interest, he may write off such loan and interest a sum sufficient to reduce the same to such an amount as may fairly be realizable from such security, in no case to exceed such appraised value, and may insert such reduced amount in his said annual report."

Appraisement of lands held as security for loans on mortgage.

Purchase o business of other companies.

7. Section seventy-two of the said Act is amended by striking out the proviso thereof and substituting therefor the

following:—"Provided that no sale or disposal shall be made until it is approved by at least a three-fourths vote of the shareholders present in person or represented by proxy at a meeting of the shareholders duly called for that purpose; and provided further that no such sale or disposal shall take effect until it has been submitted to and approved of by the Treasury Board."

Validity of loans made prior to Act.

8. (1) Nothing in this Act contained shall affect the validity of any investment or loan made on or before the .....day of....., 1922. All investments or loans made after the said date shall be such as are authorized by the provisions of this Act unless such investments or loans were contracted for before the said date.

Differing provisions repealed.

(2) Any provision in any special Act or elsewhere conferring upon any company any other or wider powers of loaning or investment than those conferred by this Act is hereby repealed.

Superintendent or staff substituted for inspector.

9. Section seventy-eight of the said Act is amended by striking out the words "an inspector appointed under this Act to investigate the affairs and management of the company" and substituting therefor the words "the Superintendent or any member of his staff duly authorized by him to examine the statement of the condition and affairs of the company."

10. The said Act is amended by inserting immediately after section seventy-nine thereof the following section:—

Penalty for contravention.

"**79A.** (1) Any company which, or person who, does, causes or permits to be done any matter, act or thing contrary to any provision of this Act, or to the orders or directions of the Governor in Council, or of the Minister, or of the Superintendent, made under this Act, or omits to do any matter, act or thing by this Act required to be done by or on the part of such company or person, shall, if no other penalty for such act or omission is provided in this Act, be liable for each such offence to a penalty of not less than twenty dollars and not more than five thousand dollars in the discretion of the court before which such penalty is recoverable.

Liability for damages.

(2) Such company or person shall also, in addition to such penalty, be liable to any person injured by such matter, act or thing, or by such omission, for all damages sustained thereby."

60.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 60.

An Act to amend The Trust Companies Act, 1914.

(Reprinted as amended and reported by the Select Standing Committee on Banking and Commerce).

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42526 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 60.

An Act to amend The Trust Companies Act, 1914.

1914, c. 55; 1920, c. 21.

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

Application to companies incorporated by Act of Parliament.

1. (1) Subsection three of section three of *The Trust Companies Act, 1914*, chapter fifty-five of the statutes of 1914, is hereby amended by striking out the words and figures "32, 34, 42 to 48, both inclusive, 65, 69, 70, 74 to 76, both inclusive, and 78 to 80" in the first and second lines thereof and substituting therefor the words and figures "15 *(d)*, 32, 34, 42 to 48, both inclusive, 62 to 72, both inclusive, and 74 to 80".

By letters patent.

(2) Subsection four of the said section three is amended by striking out the words and figures "42 to 48, both inclusive, 65, 69, 70, 74 to 76, both inclusive, and 78 to 80" in the first and second lines thereof and substituting therefor the words and figures "15 *(d)*, 42 to 48, 62 to 72, both inclusive, and 74 to 80."

Deposits in trust.

2. (1) Paragraph *(g)* of section sixty-two of the said Act is amended by striking out the first two lines thereof and substituting therefor the following:—

"receive money on deposit in trust and allow interest thereon from the time of deposit at such rate as may be agreed upon."

Real estate which may be held.

(2) Paragraph *(i)* of the said section is repealed and the following is substituted therefor:—

"*(i)* hold real estate which having been mortgaged or hypothecated to it is acquired by it for the protection of its investments, or which is acquired by it in satisfaction in whole or in part of any debt due to itself, and from time to time sell, mortgage, lease or otherwise dispose thereof; but the company shall sell any real estate so acquired by it, other than as trustee or in an official capacity, within seven years after such acquisition, un-

less such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada."

Investment of trust moneys.

3. Section sixty-three of the said Act is repealed and the following is substituted therefor:—

Stocks, bonds and securities of Canada, Provinces, United Kingdom, United States, etc.

"**63.** (1) The company may invest trust money in,—

(a) the debentures, bonds, stocks or other securities of or guaranteed by the Government of the Dominion of Canada; or of or guaranteed by the Government of any province of Canada; or of or guaranteed by the Government of the United Kingdom, or of any colony or dependency thereof; or of or guaranteed by the Government of the United States or of any State thereof; or of any municipal or school corporation in Canada; or guaranteed by any municipal corporation in Canada; or secured by rates or taxes, levied under the authority of the Government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated; or

Mortgages.

(b) first mortgages or hypothecs upon improved freehold real estate in Canada; or

Specified securities.

(c) such securities as are authorized by the terms of the trust.

Lending of trust moneys.

(2) The company may lend trust money upon the security of,—

(a) any of the securities mentioned in subsection one hereof; or

(b) improved freehold real estate in Canada by way of first mortgage or hypothec thereon.

Amount of loans.

(3) The amount loaned upon the security of real estate or invested in or loaned upon the security of any mortgage or hypothec upon real estate shall not exceed sixty per cent of the value of the real estate which forms the security for such loan or investment.

Personal property as collateral security.

(4) The company may accept personal property or covenants as collateral security for any advance made or for any debt due to the company.

Investment of trust funds.

(5) Trust funds belonging to any estate or trust which is being administered in any province, may, unless the instrument creating the trust otherwise provides, be invested in securities in which trustees are authorized by the laws of such province to invest trust moneys.

Management and disposal of investments.

(6) The company may manage, sell or dispose of investments as the terms of the trust require, or in the absence of such requirement as the board of directors, subject to the provisions of this Act, may see fit.

Discretion how exercised.

(7) Where the terms of the trust under which money is deposited with the company on which interest is allowed give to the company a general discretion in the investment of such trust money such discretion shall be exercised only

to invest or lend such money in accordance with the provisions of this section other than paragraph *(c)* of subsection one hereof.

Vacant lands.

(8) The company shall not lend trust funds on which interest is allowed on the security of vacant land not used for agricultural purposes.

When repayment guaranteed.

(9) The company shall not invest or lend money deposited with the company in trust for investment, in respect of which the payment of interest or the repayment of principal is guaranteed by the company, in, or upon the security of, securities other than those authorized by subsections one and three of section sixty-six of this Act."

Notice for withdrawal of deposits.

4. Section sixty-five of the said Act is amended by adding thereto the following subsection:—

"(2) All deposits of money received by the company in trust on which interest is allowed after the first day of January, one thousand nine hundred and twenty-three, shall be and be deemed to have been received on the condition that the company shall have the right to require at least thirty days' notice for the withdrawal of the amount so deposited or any portion thereof."

Investment of company's funds in debentures, bonds, stocks and securities of Canada, Provinces, United Kingdom, United States, etc.

5. Section sixty-six of the said Act is repealed and the following is substituted therefor:—

"**66.** (1) The company may invest its own funds in,—

(a) the debentures, bonds, stocks or other securities of or guaranteed by the Government of the Dominion of Canada; or of or guaranteed by the Government of any province of Canada; or of or guaranteed by the Government of the United Kingdom, or of any colony or dependency thereof; or of or guaranteed by the Government of the United States or of any State thereof; or of any municipal or school corporation in Canada; or guaranteed by any municipal corporation in Canada; or secured by rates or taxes, levied under the authority of the Government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated; or,

Company bonds.

(b) the bonds, debentures, debenture stock or other securities of any company incorporated under the laws of Canada or of any province of Canada, or of any former province now forming part of Canada, which bonds are secured by a mortgage or hypothec to trustees or a trust corporation or otherwise, upon improved real estate or other assets of such company of the classes mentioned in paragraph *(a)* hereof of such company; or,

Company debentures paying dividends.

(c) the bonds, debentures, notes or other obligations, whether secured or unsecured, of any such company

which has paid regular dividends on its preferred or on its common stocks for a term of at least five years immediately preceding the date of investment in such debentures or other evidences of indebtedness; or,

Preferred stocks of dividend paying companies.

(d) the preferred stocks of any such company which has paid regular dividends upon such stocks or upon its common stocks for not less than five years immediately preceding the purchase of such preferred stocks, or the stocks of any such company which are guaranteed by a company incorporated as aforesaid which has paid regular dividends upon its preferred or common stocks for not less than five years immediately preceding the purchase of such guaranteed stocks: Provided that the amount of stocks so guaranteed is not in excess of fifty per cent of the amount of the preferred or common stocks, as the case may be, of the guaranteeing company; or,

Common stocks of dividend paying companies and chartered banks.

(e) the common stocks of any such company or of any chartered bank in Canada upon which regular dividends of at least four per cent per annum have been paid for the seven years immediately preceding the purchase of such stocks: Provided that not more than thirty per cent of the common stocks and not more than thirty per cent of the total issue of the stocks of any company or bank shall be purchased by the company; or,

Mortgages on improved real estate.

(f) mortgages or hypothecs on improved real estate or leaseholds in Canada, provided that the amount paid for any such mortgage or hypothec shall in no case exceed sixty per cent of the value of the real estate or leaseholds covered thereby.

Real estate for actual use.

(2) The company may acquire and hold real and immovable property for its actual use and occupation and the management of its business and may sell or dispose of the same, but not more than thirty-five per cent of the company's unimpaired paid-up capital and reserve may be laid out or expended for this purpose.

Loans.

(3) The company may lend its own funds on the security of,—

Authorized securities.

(a) any of the securities mentioned in paragraphs *(a)* and *(b)* of subsection one hereof: or,

(b) The bonds, debentures, notes, stocks or other securities of any chartered bank in Canada or of any company incorporated under the laws of Canada or of any province of Canada, or of any former province now forming part of Canada, other than those mentioned in paragraph *(b)* of subsection one hereof, provided that the market value of the securities on which the loan is made shall exceed the amount of the loan by at least twenty per cent of such market value, or twenty per cent of the par value, whichever

is the less; and provided further that the amount loaned on the security of the stocks of any such company or bank shall not exceed twenty-five per cent of the market value of the total stocks of such company or bank; or,

Improved real estate.

(c) improved real estate or leaseholds in Canada: Provided, however, that no such loan shall exceed sixty per cent of the value of the real estate or leaseholds which forms the security for such loan, but this proviso shall not prohibit a company from accepting as part payment for real estate sold by it, a mortgage or hypothec thereon for more than sixty per cent of the sale price of such real estate.

Investment not to exceed twenty per cent of security.

(4) Notwithstanding anything in this section contained, the amount of the company's investment under the authority of this section in or upon the security of the debentures, bonds, stock and other securities of a company incorporated as aforesaid shall not exceed twenty per cent of the debentures, bonds, stock or other securities issued by such company.

Investment or loan on bank stocks limited.

(5) The amount invested in or loaned upon the security of the stocks of chartered banks and incorporated companies shall not exceed twenty-five per cent of the company's unimpaired paid-up capital and reserve.

Collateral security.

(6) The company may take personal or other security as collateral for an advance or for any debt due to the company.

No loans to directors.

(7) The company shall not loan any of its funds to any of its directors or to the wife or any child of any of its directors.

Vacant lands.

(8) The company shall not lend any of its funds on the security of vacant land not used for agricultural purposes.

Advances to estates.

(9) Nothing in this section shall prohibit the company from making from its own funds reasonable advances to enable it to obtain possession of or to protect property entrusted to it for administration."

6. The following sections are inserted after section 70A, inserted by section two of chapter twenty-one of the statutes of 1920:—

Only authorized investments allowed as assets.

"**70B.** (1) In his annual report prepared for the Minister under the provisions of section seventy of this Act, the Superintendent shall allow as assets only such of the investments of the several companies as are authorized by this Act, or by their Acts of incorporation, or by the general Acts applicable to such investments.

Corrections of annual statements by Superintendent.

(2) In his said report the Superintendent shall make all necessary corrections in the annual statements made by the companies as herein provided and shall be at liberty to increase or diminish the assets or liabilities of such companies to the true and correct amounts thereof as ascertained by him in the examination of their affairs at the head office thereof, or otherwise.

Any company may be required to dispose of and realize unauthorized investments.

(3) The Superintendent may request any company to dispose of and realize any of its investments acquired after the passing of this Act and not authorized by this Act, and the company shall within sixty days after receiving such request absolutely dispose of and realize the said investments, and if the amount realized therefrom falls below the amount paid by the company for the said investments, the directors of the company shall be jointly and several liable for the payment to the company of the amount of the deficiency: Provided that if any director present when any such investment is authorized does forthwith, or if any director then absent does, within twenty-four hours after he becomes aware of such investment and is able to do so, enter on the minutes of the board of directors his protest against the same, and within eight days thereafter gives notice of his protest by registered letter to the Superintendent, such director may thereby, and not otherwise, exonerate himself from such liability.

Liability of directors for deficiencies.

Proviso.

Appeal to Exchequer Court.

(4) An appeal shall lie in a summary manner from the ruling of the Superintendent as to the admissibility of any asset not allowed by him, or as to any item or amount so added to liabilities, or as to any correction or alteration made in any statement, or as to any other matter arising in the carrying out of the provisions of this Act, to the Exchequer Court of Canada, which court shall have power to make all necessary rules for the conduct of appeals under this section.

Rules of Court.

Certificate of ruling appealed from.

(5) For the purposes of such appeal the Superintendent shall at the request of the company interested give a certificate in writing setting forth the ruling appealed from and the reasons therefor, which ruling shall, however, be binding upon the company unless the company shall within fifteen days after notice of such ruling serve upon the Superintendent notice of its intention to appeal therefrom, setting forth the grounds of appeal, and within fifteen days thereafter file its appeal with the registrar of the said court and with due diligence prosecute the same, in which case action on such ruling shall be suspended until the court has rendered judgment thereon.

Notice of and filing of appeal.

Appraisement of over-valued real estate.

"**70c.** If upon an examination of the assets of any company it appears to the Superintendent, or if he has any reason to suppose, that the value placed by the company upon the real estate owned by it or any parcel thereof is too great, he may either require such company to procure an appraisement of such real estate by one or more competent valuators, or may himself procure such appraisement at the company's expense, and the appraised value, if it varies materially from the return made by the company, may be substituted in the annual report prepared for the Minister by the Superintendent. If, upon such examination, it

Appraisement of lands held as security for loans on mortgage.

appears to the Superintendent, or if he has any reason to suppose that the amount secured by mortgage or hypothec upon any parcel of real estate, together with the interest due and accrued thereon, is greater than the value of such parcel, or that such parcel is not sufficient security for such loan and interest, he may in like manner require the company to procure an appraisement thereof, or may himself at the company's expense procure such appraisement, and if from the appraised value it appears that such parcel of real estate is not adequate security for the loan and interest, he may write off such loan and interest a sum sufficient to reduce the same to such an amount as may fairly be realizable from such security, in no case to exceed such appraised value, and may insert such reduced amount in his said annual report."

Purchase of business of other companies.

7. Section seventy-two of the said Act is amended by striking out the proviso thereof and substituting therefor the following:—"Provided that no sale or disposal shall be made until it is approved by at least a three-fourths vote of such shares as are represented in person or by proxy at a meeting of the shareholders duly called for that purpose; and provided further that no such sale or disposal shall take effect until it has been submitted to and approved of by the Treasury Board."

Validity of loans made prior to Act.

8. (1) Nothing in this Act contained shall affect the validity of any investment or loan made on or before the first day of July, 1922. All investments or loans made after the said date shall be such as are authorized by the provisions of this Act unless such investments or loans were contracted for before the said date.

Differing provisions repealed.

(2) Any provision in any special Act or elsewhere conferring upon any company any other or wider powers of loaning or investment than those conferred by this Act is hereby repealed.

Directors.

(3) Nothing in this Act shall operate to reduce the number of directors or increase the number forming a quorum of directors of any company permitted under the laws applicable to such company on the first day of July, 1922.

Superintendent or staff substituted for inspector.

9. Section seventy-eight of the said Act is amended by striking out the words "an inspector appointed under this Act to investigate the affairs and management of the company" and substituting therefor the words "the Superintendent or any member of his staff duly authorized by him to examine the statement of the condition and affairs of the company."

10. The said Act is amended by inserting immediately after section seventy-nine thereof the following section:—

Penalty for contravention.

"**79A.** (1) Any company which, or person who, does, causes or permits to be done any matter, act or thing contrary to any provision of this Act, or to the orders or directions of the Governor in Council, or of the Minister, or of the Superintendent, made under this Act, or omits to do any matter, act or thing by this Act required to be done by or on the part of such company or person, shall, if no other penalty for such act or omission is provided in this Act, be liable for each such offence to a penalty of not less than twenty dollars and not more than five thousand dollars in the discretion of the court before which such penalty is recoverable.

Liability for damages.

(2) Such company or person shall also, in addition to such penalty, be liable to any person injured by such matter, act or thing, or by such omission, for all damages sustained thereby."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 61.

An Act respecting Niagara River Bridge Company.

First reading, May 1, 1922.

(PRIVATE BILL.)

Sir HENRY DRAYTON.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40171 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 61.

An Act respecting Niagara River Bridge Company.

Preamble.

1882, c. 88.

WHEREAS the Niagara River Bridge Company is a corporation formed by amalgamation of the Niagara Peninsula Bridge Company, incorporated by an Act entitled *An Act to incorporate the Niagara Peninsula Bridge Company*, passed in the forty-fifth year of the reign of Her Majesty Queen Victoria, chapter eighty-eight, and the Niagara River Bridge Company, incorporated by an Act of the State of New York, United States of America, passed July thirteen, one thousand eight hundred and eighty-one, chapter six hundred forty-two entitled *An Act to incorporate the Niagara River Bridge Company*, as authorized by said Acts of incorporation; and whereas said Niagara River Bridge Company has by its petition prayed that its powers be enlarged and certain additional powers hereinafter set forth be conferred upon the Company and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Power to enlarge, alter or remove present bridge and erect a new bridge.

1. The Niagara River Bridge Company, hereinafter called "the Company" may, with the consent of the Governor in Council, enlarge, change and alter its present bridge in such a manner as the directors at any time deem expedient or may also with like consent remove its present bridge and erect a new bridge in lieu thereof on the present site or on a new site north of and near the site of the present bridge, of such dimensions and material and of such kind or description and mode of construction as by the directors is deemed expedient, and may also do and execute all other matters and things necessary to properly construct, equip, maintain and use such new bridge, in a proper and efficient manner, and may operate over the same with steam, electric or other motive power.

Power to lease bridge.

2. The Company may, subject to the provisions of *The Railway Act, 1919*, lease the bridge now erected or any bridge hereafter built by the Company, or any part thereof, to any individual or corporation, for such term not exceeding nine hundred ninety-nine years, and on such conditions as may be agreed upon, and subject to such restrictions as to the directors seem fit.

Disposal of property and materials not required.

3. In case of the present bridge being removed, and a new bridge built in lieu thereof, the Company shall have power to sell and convey or otherwise dispose of all property, real or personal, or any part thereof, not required in or for the construction, maintenance or use of the new bridge.

Capital stock.

4. The capital stock of the Company shall be one million dollars which may be increased to two million dollars.

Borrowing powers.

5. Notwithstanding anything to the contrary contained in said Act entitled *An Act to incorporate the Niagara Peninsula Bridge Company*, or the said agreement of amalgamation, the directors for the purposes of the undertakings and works of the Company, may borrow money on behalf of the Company, and may issue, sell, pledge and secure bonds, debentures and other securities to an amount not exceeding five million dollars, pursuant to powers conferred, and in the manner prescribed, by *The Railway Act, 1919*.

Rights and powers confirmed and continued.

6. Nothing in this Act shall in any manner impair or affect the rights, powers and privileges heretofore conferred upon and now enjoyed by the Company which are hereby confirmed and continued, and the like rights, powers and privileges are hereby conferred upon the Company with regard to any new bridge which may be built by the Company under the powers hereby conferred.

Application of Railway Act.

7. *The Railway Act, 1919*, shall, so far as is not inconsistent with the special provisions of this Act, and said Act entitled *An Act to incorporate the Niagara Peninsula Bridge Company*, apply to the works and undertakings of the Company, and wherever in *The Railway Act, 1919*, the word "railway" occurs, it shall, for the purposes of the Company and unless the context otherwise requires, mean the present bridge, or the new bridge, as the case may be.

Railway to mean present or new bridge.

"Bridge" defined.

8. Whenever in this Act the expression "bridge" occurs it means the bridge, approaches, lands and works hereby authorized.

Queen Victoria Niagara Falls Park Commission.

Control preserved.

Niagara Falls Park and River Ry. Co.

Agreement not affected.

9. Notwithstanding anything in this Act contained, the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park in respect to the matters placed under their jurisdiction and control by virtue of chapter ninety-six of the statutes of 1892 of the legislature of Ontario, and the powers of the said legislature in respect of the Niagara Falls Park and River Railway Company, shall continue the same as if this Act had not been passed, nor shall anything in this Act contained vary the agreement of the fourth of December, one thousand eight hundred and ninety-one, by the said statutes of 1892 ratified and confirmed.

R.S., c. 79. not to apply.

10. The *Companies Act* shall not apply to the Company.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 62.

An Act to amend the Animal Contagious Diseases Act.

First reading, May 1, 1922.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

40346

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 62.

An Act to amend the Animal Contagious Diseases Act.

R.S. c. 75; 1909, c. 3; 1913, c. 6; 1918, c. 8; 1920 c. 3; 1921 c. 15.

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

1. Subsection one of section six of the *Animal Contagious Diseases Act*, chapter seventy-five of the Revised Statutes of Canada, 1906, as enacted by chapter eight of the statutes of 1918, is repealed, and the following is substituted therefor:

Maximum compensation reduced, Grade animals—Horses from $200, cattle from $80 pig or sheep from $20; Pure bred animals—Horses, from $500, cattle from $250, pig or sheep from $75.

"**6.** (1) The Minister may order a compensation to be paid to the owners of animals slaughtered under the provisions of this Act; and in all cases the value of the animal for which compensation is ordered shall be determined by the Minister or by some person appointed by him, but, except as hereafter provided, such value shall not exceed, in the case of grade animals, one hundred and fifty dollars for each horse, sixty dollars for each head of cattle, and fifteen dollars for each pig or sheep; and in the case of pure bred animals, three hundred dollars for each horse, one hundred and fifty dollars for each head of cattle and fifty dollars for each pig or sheep.

This subsection shall only remain in operation for three years from the first day of July, one thousand nine hundred and twenty-two."

Repeal.

2. Chapter eight of the statutes of 1918 and chapter fifteen of the statutes of 1921 are hereby repealed.

Commencement of Act.

3. This Act shall come into operation on the first day of July, one thousand nine hundred and twenty-two.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 68.

An Act to incorporate The Frontier University.

First reading, May 2, 1922.

(PRIVATE BILL.)

Mr. MACDONALD
(Pictou).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40345 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 68.

An Act to incorporate The Frontier University.

WHEREAS Alfred Fitzpatrick, principal of the Frontier College, and others, have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Alfred Fitzpatrick, of Toronto, principal of the Frontier College; Edmund W. Bradwin, of Toronto, inspector of the Frontier College; David A. Dunlap, of Toronto, miner; Tom Moore, of Ottawa, president of the Trades and Labour Council; J. H. Toupin, of Montreal, physician; Joseph Wearing, of Peterborough, barrister-at-law; W. J. Guest, of Winnipeg, president of the Guest Fish Company; James Balfour, of Regina, barrister-at-law; Ethel D. Craw, of Fergus, married woman; W. E. Bigwood, of Toronto, lumberman; and Margaret de W. McKay, of Montreal, married woman, together with the persons who may hereafter be members of the board of governors and professors and graduates of the university, are incorporated under the name of "The Frontier University", hereinafter called "the University".

Name.

Provisional Board of Governors.

2. (1) The persons named in section one of this Act or a majority of them shall be the provisional Board of Governors of the University, and shall hold office as such until replaced by others duly appointed in their stead.

General meetings.

(2) The provisional Board of Governors shall within one year after the passing of this Act, call the first general meeting of the University, for the election of the Board of Governors and the transaction of such other business as may be mentioned in the notice calling the same, at such time and place as the said Board may agree upon, and on such notice as they may consider sufficient for the purpose; and thereafter there shall be held annually a general meeting

of the University, the place and time of each such meeting to be determined by the Board of Governors. At every annual general meeting a full statement of the affairs of the University shall be presented by the Board.

Board of Governors.

3. The government, conduct, management and control of the University, and of its property, revenues, business and affairs shall be vested in a Board of Governors (hereinafter called "the Board") chosen in such manner and number, from time to time, as may be determined by the by-laws of the University.

Head office.

4. The head office of the University shall be in the city of Toronto, in the province of Ontario, or elsewhere in Canada as may from time to time be determined by by-law of the University.

Rights of Frontier College acquired.

5. The University may acquire the whole or any part of the rights and property of the Frontier College incorporated by Letters Patent under *The Ontario Companies Act*, chapter one hundred and seventy-eight of the Revised Statutes of Ontario, 1914, and in event of such acquisition the University shall perform and discharge all such duties, obligations and liabilities of that college with respect to the rights and property acquired as are not performed and discharged by that college.

Objects.

6. The objects of the University shall be as follows:—

(a) To promote education among Canadian working men and women and Canadian immigrants; *(b)* To promote higher educational training and instruction for teachers and social workers among Canadian working men and women and Canadian immigrants.

Chancellor.
Vice-Chancellor.

7. The Board may from time to time as may be necessary elect a chancellor and a vice-chancellor, and the vice-chancellor shall be *ex officio* the president of the University and shall have the active direction of the work of the University,

President.

and in the absence of the chancellor may act in his stead and perform all the duties pertaining to his office.

By-laws.

8. (1) The Board may from time to time make by-laws and regulations, not contrary to law nor inconsistent with the provisions of this Act, for,—

(a) the administration, management and control of the property, business and other affairs of the University;

(b) the appointment, powers, duties, quorum, term of office and method of election of the Board;

(c) the appointment, designation, functions, duties and remuneration of all professors, teachers, officers and servants of the University;

(*d*) the appointment of committees and the designation of their duties;

(*e*) the calling of meetings, annual or special, of the University, and the meetings periodical or special of the Board and of committees;

(*f*) the fixing of the quorum necessary at, the procedure in all respects at or concerning, and all other requirements of any meeting of the University or of the Board or committees;

(*g*) generally, for carrying out the objects of the University.

(2) Every such by-law made by the Board excepting by-laws made respecting professors, teachers, officers and servants of the University, unless in the meantime confirmed at a general meeting of the University duly called for that purpose, shall only have force until the next annual meeting of the University, and in default of confirmation thereat, shall, at and from that time, cease to have force.

Classes of instruction and places of operation.

9. The University may conduct classes of instruction and when necessary may construct buildings for the accommodation of the same in such parts of Canada as may be deemed expedient by the Board of Governors, as for instance in, or in the vicinity of factories, industrial plants, mining camps, lumber camps, railway camps, extra gangs and all communities of workers engaged in construction, industrial, agrarian and other labouring pursuits.

Power to confer degrees.

10. The University shall have power to confer degrees in all faculties and in such form and upon such conditions as may be, from time to time, provided by by-law or regulation of the University. Provided, however, that it shall not be lawful for the University to require from or impose upon any person or student any compulsory religious qualifications, examinations or tests of a denominational character; and provided also, that the University shall not have power to confer any degree except after completion of the course of study prescribed, and upon examination duly held under and in accordance with the by-laws and regulations respecting such degree.

No religious qualifications or tests.

Branches of University.

11. (1) Branches of the University may from time to time be established by by-law at any suitable place in Canada, under such title and designation and subject to such conditions and provisions, and with such powers not exceeding those conferred upon the University by this Act, as the University may determine by by-law; provided that a branch shall not have the right to enter into a contract binding the University without the consent of the Board.

Respective rights and liabilities of University and branches.

(2) Except in so far as may be otherwise provided by the by-laws of the University, the University shall not have any rights in the assets of any branch, or be liable for any of the debts or obligations of any such branch; and no branch shall have any rights in the assets of, or be liable for any of the debts or obligations of the University, or of any other branch thereof.

Affiliation with other colleges.

12. The University may admit to affiliation any college instituted for the promotion of the study of literature, medicine, science or arts, and each branch of the University is declared to be affiliated with the University.

Real property.

13. The University may take, hold, possess and acquire by purchase, lease, exchange, donation, devise, bequest, endowment or otherwise, real or immovable property required for the actual use and occupation of the University, or necessary or requisite for the carrying out of its purposes and objects; and may sell, mortgage, pledge, hypothecate or alienate such property in any manner whatever: Provided that the real estate held by the University and its branches shall not exceed in value at any one time the sum of seven hundred and fifty thousand dollars, and no parcel of land or interest therein at any time acquired by the University or any of its branches and not required for actual use and occupation and not held by way of security, shall be held by the University or by any of its branches or by any trustee on their behalf for a longer period than seven years after the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the University or any of its branches, but at or before the expiration of such period the same shall be sold or disposed of so that the University or any of its branches shall no longer retain any interest or estate therein except by way of security.

Proviso limiting extent of real property held.

Borrowing powers and investments.

14. (1) If authorized by by-law, sanctioned by the vote of not less than two-thirds of the members present at any general meeting of the University duly called for considering the by-law, the Board may, from time to time, as and when required for the objects of the University,—

(a) borrow money upon the credit of the University;

(b) limit or increase the amount to be borrowed;

(c) make, accept, draw, endorse and execute bills of exchange, promissory notes and other negotiable instruments;

(d) invest the funds of the University in such manner and upon such securities as are determined by the by-law.

Limitation.

(2) Nothing in this section shall be construed to authorize the University to issue any note or bill payable to bearer hereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

Powers subject to transfer and approval.

15. Except as in so far as it may be necessary for the purposes of such transfer the powers and authority vested in the University under the provisions of this Act shall not be exercised or become effective until all the rights and property held and enjoyed by the said Frontier College have been transferred to the University as provided for in section five of this Act, and evidence of such transfer satisfactory to the Secretary of State of Canada has been filed with the said Secretary of State.

70.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 70.

An Act to amend The Fisheries Act, 1914.

First reading, May 4, 1922.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40351 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 70.

An Act to amend The Fisheries Act, 1914.

1914, c. 8; 1917, c. 16; 1918, c. 22; 1919, c. 52.

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

1. *The Fisheries Act, 1914*, chapter eight of the statutes of 1914, is amended by inserting the following section immediately after section sixty-seven of the said Act:—

Penalty for leaving any port in Canada with intent to fish for salmon or lobsters in sea beyond territorial waters,

"**67**A. (1) Every person shall be guilty of an offence, and shall incur therefor a penalty of not less than twenty-five dollars and of not more than one thousand dollars, recoverable with costs upon summary conviction, who at any time, except under license from the Minister,

(a) with intent to fish for salmon or lobsters or to cause any other person to fish for salmon or lobsters in the sea beyond the territorial waters of Canada, leaves or departs from any port or place in Canada or causes any other person to leave or depart from any port or place in Canada for the purpose of such fishing; or,

or for bringing salmon or lobsters into Canada on vessels, etc. used in taking same beyond territorial waters, if leaving Canada to fish for same, an offence under this section.

(b) knowingly brings into Canada any salmon or lobsters taken or caught in the sea beyond the territorial waters of Canada, or any vessel, boat, gear or equipment used either in the taking or catching thereof or for the purpose of taking or catching salmon or lobsters in the sea beyond the territorial waters of Canada, if the leaving or departure from Canada to fish therefor or therewith constituted an offence under this section, and moreover the salmon, lobsters, vessel, boat, gear or equipment so brought in shall be confiscated to His Majesty for violation of this Act in manner provided by section sixty of *The Fisheries Act, 1914*.

Confiscation.

Burden of proof.

(2) The burden of proving absence of intent or knowledge, when intent or knowledge is necessary to constitute an offence under this section, shall lie upon the person accused, and intent or knowledge shall be presumed unless negatived by proof."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 71.

An Act to amend The Railway Act, 1919.

First reading, May 5, 1922.

Mr. CHURCH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40669 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to amend The Railway Act, 1919.

1919, c. 68.

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

1. Section three hundred and thirty-three of *The Railway Act, 1919*, chapter sixty-eight of the statutes of 1919, is amended by adding thereto the following subsection:—

Special passenger tariffs for exhibitions, fairs, holiday seasons, etc., to be established.

"(4) Special passenger tariffs specifying a lower toll or tolls to be charged by the company for passengers going to and returning from places where exhibitions, fairs, games or meetings of any kind are being held, and special passenger tariffs specifying a lower toll or tolls to be charged during holiday seasons shall be established under the provisions of this Act, and if any company fails to establish such special passenger tariffs for such purposes or if the toll or tolls in any such proposed tariff are deemed by the Board to be too large, the Board shall have power to prescribe the toll or tolls that shall be charged. The Board shall also have power to prescribe the conditions under which and the period or periods during which such special tariff shall apply or be in force."

Powers of Board.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 78.

An Act to provide for further advances to the Quebec Harbour Commissioners.

First reading, May 5, 1922.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38008 1922

1st Session, 14th Parliament, 12-13 George V , 1922

THE HOUSE OF COMMONS OF CANADA

BILL 78.

1899, c. 34; 1901, c. 10; 1903, c. 48; 1905, cc. 33, 34; 1906, c. 41; 1907, c. 36; 1912, c. 44; 1913, cc. 40, 41; 1914, c. 47; 1917, c. 4.

An Act to provide for further advances to the Quebec Harbour Commissioners.

HIS 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 Quebec Harbour Advances Act, 1922.*

$1,500,000 may be advanced to Harbour Commissioners for terminal facilities.

2. The Governor in Council may, from time to time, advance and pay to the Corporation of the Quebec Harbour Commissioners, hereinafter called "the Corporation," such sums of money, not exceeding in the whole the sum of one million, five hundred thousand dollars, as are required to enable the Corporation to carry on the construction of such terminal facilities as are necessary to properly equip the port of Quebec.

Interest on debentures, during construction of works, to be charged to capital account.

3. During the period of construction of the terminal facilities mentioned in the preceding section, the interest payable on the debentures deposited with the Minister of Finance and Receiver General under the provisions of this Act in respect of such terminal facilities shall be deemed to be money required to enable the Corporation to construct the said terminal facilities, and to be part of the cost of construction thereof, and the said interest may be paid out of the sum of one million, five hundred thousand dollars, which the Governor in Council is authorized to advance under the provisions of this Act.

Time limit for construction.

4. For the purposes of this Act, the period of construction of such terminal facilities shall terminate on such dates as the Governor in Council shall fix and determine.

Plans, etc., to be approved before work is commenced.

5. No such advance shall be made in respect of the construction of terminal facilities, unless such detailed plans,

specifications and estimates, for the works to be performed by the Corporation and on which the money so to be advanced is to be expended, as are satisfactory to the Minister of Marine and Fisheries, have been submitted to and approved by the Governor in Council before any work on the same has been commenced.

Monthly applications for advances to be made and be accompanied by certain statements.

6. The Corporation shall submit to the Minister of Marine and Fisheries, for approval, monthly applications for advances on account of the different items of construction of terminal facilities, accompanied by statements showing the total expenditure on these different items in detail, for the month which the advance is to cover, and any other statements required, in such form as the Minister shall direct; and upon approval of the application, authority for the payment of the amount so applied for may be granted by the Governor in Council.

Debentures to be deposited with Minister of Finance.

7. The Corporation shall, upon any advance being made, deposit with the Minister of Finance and Receiver General debentures of the Corporation equal in par value to the advance so made, (which debentures the Corporation is hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date of the day when such advance is made, and shall be repayable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of five 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.

Payment of loan.

8. The principal and interest of the sums advanced to the Corporation under the authority of this Act shall be payable by the 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 next after, and have precedence in regard to payment next after, the principal and interest of all debentures or bonds heretofore issued by the Corporation to the public and amounting to the sum of eight million, one hundred and fifty thousand dollars, such debentures or bonds having been issued under the provisions of chapter forty-eight of the statutes of 1898, chapter thirty-four of the statutes of 1899, chapter thirty-six of the statutes of 1907, chapter forty-one of the statutes of 1913, chapter forty-seven of the statutes of 1914, and chapter four of the statutes of 1917.

1898, c. 48; 1899, c. 34; 1907, c. 36; 1913, c. 41; 1914, c. 47; 1917, c. 4.

79.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 79.

An Act to amend the Canada Shipping Act (Pilotage)

First reading, May 5, 1922.

THE MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

40172

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 79.

An Act to amend the Canada Shipping Act (Pilotage).

R.S., c. 113; 1908, c. 65; 1916, c. 13; 1919, (1 Sess.) c. 41; 1919, (2 Sess.) c. 7; 1920, c. 23.

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

1. Subsection one of section four hundred and seventy-seven of the *Canada Shipping Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirteen, as amended by chapter sixty-five of the statutes of 1908 and chapter seven of the statutes of 1919, second session, is further amended by adding thereto the following paragraphs:—

Foreign ships of war and hospital ships may be made exempt ships.

"(*i*) Ships of war and hospital ships belonging to such foreign nation or nations as may be specified by the Governor in Council;

Canadian fishing vessels to be exempt.

(*j*) Ships registered in Canada engaged exclusively in fishing."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 80.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

First reading, May 5, 1922.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40258 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

1907, c. 30; 1909, c. 25; 1910, c. 40; 1912, c. 36; 1914, c. 41; 1918, c. 5; 1919, c. 53; 1921, c. 11.

HIS 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 Montreal Harbour Advances Act, 1922,*

$5,000,000 may be advanced to Corporation.

2. 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," in addition to the moneys, if any, heretofore authorized to be advanced to the Corporation by the Governor in Council by any Act, and which have not at the date of the passing of this Act been so advanced, such sums of money, not exceeding in the whole the sum of five million dollars, as are required to enable the Corporation to carry on the construction of terminal facilities in the harbour of Montreal for which plans, specifications and estimates have been approved by the Governor in Council before the passing of this Act; and to construct such additional terminal facilities as are necessary to properly equip the said port.

For construction of terminal facilities.

No advance till plans approved.

3. No such advance shall be paid in respect of the construction of terminal facilities, unless such detailed plans, specifications and estimates, for the works to be performed by the Corporation and on which the money so to be advanced is to be expended, as are satisfactory to the Minister of Marine and Fisheries, have been submitted to and approved by the Governor in Council before any work on the same has been commenced.

Monthly applications for advances

4. The Corporation shall submit to the Minister of Marine and Fisheries for approval, monthly applications

accompanied by certain statements.

for advances on account of the different items of construction of terminal facilities, accompanied by statements showing the total expenditure on these different items in detail, for the month which the advance is to cover, and any other statements required in such form as the Minister shall direct; and upon approval of the application, authority for the payment of the amount so applied for may be granted by the Governor in Council.

Deposit debentures with Receiver General to cover advances.

5. The Corporation shall, upon any advance being made, deposit with the Minister of Finance and Receiver General debentures of the Corporation equal in par value to the advance so made, (which debentures the Corporation is hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date on the day when such advance is made, and shall be repayable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of five 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.

Repayment of advances.

6. The principal and interest of the sums advanced to the Corporation under the authority of this Act shall be paid by the Corporation out of its revenue mentioned in section eight of chapter ten of the statutes of 1896 (First Session), and shall be charged upon the said revenue in the same manner and to the same extent as if the sum so advanced had been borrowed by the Corporation under the said chapter ten.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 92.

An Act to amend the Dominion Elections Act.

First reading, May 15, 1922.

The SOLICITOR GENERAL.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41177 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 92.

An Act to amend the Dominion Elections Act.

1920, c. 46; 1921, c. 29.

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

Sec. 29 ss. (2) repealed.

1. Subsection two of section twenty-nine of the *Dominion Elections Act*, chapter forty-six of the statutes of 1920, as amended by chapter twenty-nine of the statutes of 1921, is repealed and the following is substituted therefor:—

Change of elector's residence before general elections not ground for disqualification.

"(2) At a general election, any person who would have been qualified to vote in an electoral district if he had continued to reside therein shall remain so qualified notwithstanding that he has, within the two months immediately preceding the date of the issue of the writ, changed his place of residence from such electoral district to another."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 93.

An Act to amend the Criminal Code.

First reading, May 16, 1922.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41049 1922

R.S. c. 146; 1907, cc. 7, 8, 9, 45; 1908, cc. 10, 18; 1909, c. 9; 1910, cc. 10, 11, 12, 13; 1912, cc. 18, 19; 1913, c. 13; 1914, c. 24; 1915, c. 12; 1917, cc. 13, 14, 26; 1918, c. 16; 1919, cc. 15, 46; 1919, (2 sess.) c. 12; 1920, cc. 24, 43; 1921, c. 25.

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 93.

An Act to amend the Criminal Code.

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

Making it an offence for a police commisioner to take a bribe or for a person to offer him a bribe.

1. Paragraph *(a)* of section one hundred and fifty-seven of the *Criminal Code*, Revised Statutes of Canada, 1906, chapter one hundred and forty-six, as amended by chapter forty-six of the statutes of 1919, is amended by inserting the words "being a Police Commissioner or" at the beginning thereof.

Reference to numbers of sections instead of three preceding sections, amendment having inserted three sections before 243.

2. Section two hundred and forty-four of the said Act is repealed and the following is substituted therefor:—

"**244.** Every one is guilty of an indictable offence and liable to three years' imprisonment who, being bound to perform any duty specified in sections two hundred and forty-one, two hundred and forty-two and two hundred and forty-three of this Act, without lawful excuse neglects or refuses to do so, unless the offence amounts to culpable homicide."

Age that consent of child no defence in indecent assault raised from 14 to 16.

3. Section two hundred and ninety-four of the said Act is amended by substituting the word "sixteen" for the word "fourteen" in the second line thereof.

Provision respecting carnally knowing girl between 14 and 16.

4. Subsection two of section three hundred and one of the said Act, as enacted by chapter forty-three of the statutes of 1920, is amended by striking out the words "of previous chaste character" in the third line thereof.

Provisions respecting instructions to jury in cases of seducing girls between 16 and 18, seducing female employees, carnally

5. Section seventeen of chapter forty-three of the statutes of 1920, *An Act to amend the Criminal Code*, is repealed.

knowing girls between 14 and 16. See ss. 211, 213½(b) s. 301.

6. Paragraph *(s)* of section three hundred and thirty-five of the said Act is repealed, and the following is substituted therefor:—

Definition of word "trade-mark" amended so as to include English Hall Marks, on articles of gold or silver or of which gold or silver forms part.

"*(s)* 'trade mark' means a trade mark or industrial design registered in accordance with the *Trade Mark and Design Act*, and the registration whereof is in force under the provisions of the said Act, and includes any trade mark which, either with or without registration, is protected by law in the United Kingdom or in any British possession or foreign state to which the provisions of section ninety-one of the Act of the United Kingdom known as *The Patents and Designs Act, 1907*, are, in accordance with the provisions of the said Act, for the time being applicable".

7. Section three hundred and seventy-seven A of the said Act, as enacted by chapter twenty-five of the statutes of 1921, is amended by adding thereto the following subsection:—

Penalty of seven years, or ten years for subsequent offence.

"(2) The maximum penalty for stealing any automobile or motor car shall be the penalties prescribed by section three hundred and eighty-six of this Act."

8. Subsection one of section five hundred and forty-four of the said Act, as amended by chapter twenty-five of the statutes of 1921, is repealed, and the following is substituted therefor:—

Conveyance of cattle without proper rest and nourishment by railways, etc.

"**544.** (1) No railway company within Canada whose railway forms any part of a line of road over which cattle are conveyed from one province to another province, or from the United States to or through any province, or from any part of a province to another part of the same, and no owner or master of any vessel carrying or transporting cattle from one province to another province, or within any province, or from the United States to or through any province, shall confine the same in any car, or vessel of any description, for a longer period than thirty-six hours without unlading the same for rest, water and feeding for a period of at least five consecutive hours, unless prevented from so unlading and furnishing water and food by storm or other unavoidable cause, or by necessary delay or detention in the crossing of trains; and no such railway company, and no owner or master of any vessel plying from one province to another province, or within any province or from the United States to or through any province, shall convey or transport any calves under the age of three

Carriage of calves under three weeks old other than calves with their dams and thoroughbred calves forbidden.

weeks other than calves at foot of milch cows or pure-bred calves on or over any of its lines of railway or on any such vessel."

9. Section five hundred and forty-two of the said Act is amended by inserting the following paragraph immediately after paragraph *(b)* thereof:—

Carrying animals so as to inflict unnecessary suffering.

"*(b1)* shall convey or carry or cause or procure or, being the owner, permit to be conveyed or carried any cattle, domestic animal or bird or any other animal of whatsoever kind or species, and whether a quadruped or not, which is tame, or which has been or is being sufficiently tamed to serve some purpose for the use of man, in such manner or position as to cause any such animal any unnecessary suffering; or"

Section giving Clerk and Deputy Clerk of Peace of Montreal and Three Rivers certain powers of a justice.

10. Section six hundred and five of the said Act as amended by chapter twenty-five of the statutes of 1921, is repealed.

11. Subsection one of section one thousand and thirty-six of the said Act as amended by chapter nine of the statutes of 1909 is amended by adding the following proviso at the end thereof:—

Certain fines in Ontario to be paid to the municipalities

"Provided, however, that with respect to the province of Ontario the fines, penalties and forfeitures and proceeds of estreated recognizances first mentioned in this section shall be paid over to the municipal or local authority where the municipal or local authority wholly or in part bears the expense of administering the law under which the same was imposed or recovered."

12. Section one thousand and thirty-eight of the said Act is repealed, and the following is substituted therefor:—

Section made to extend to corporations.

"**1038.** (1) Whenever any pecuniary penalty or any forfeiture is imposed for any violation of any Act and no other mode is prescribed for the recovery thereof, such penalty or forfeiture shall be recoverable or enforceable, with costs, in the discretion of the court, by civil action or proceeding at the suit of His Majesty only, or of any person or corporation suing as well for His Majesty as for such person or corporation in any form of action allowed in such case by the law of the province in which it is brought, and before any court having jurisdiction to the amount of the penalty in cases of simple contract.

(2) If no other provision is made for the appropriation of any penalty or forfeiture so recovered or enforced, one moiety shall belong to His Majesty and the other moiety shall belong to the person or corporation suing for the same, if any, and if there is none, the whole shall belong to His Majesty."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 106.

An Act to amend The Vancouver Harbour Commissioners Act.

First reading, May 18, 1922.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40593 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 106.

An Act to amend The Vancouver Harbour Commissioners Act.

1913, c. 54; 1914, c. 17; 1916, c. 9.

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

1. Section ten of chapter fifty-four of the statutes of 1913, *The Vancouver Harbour Commissioners Act*, is repealed, and the following is enacted in lieu thereof:—

Section amended so as to repeal power to appoint port warden and deputy.

"**10.** The Corporation may appoint a harbour master and deputy harbour masters and such other officers, assistants, engineers, clerks and servants as it deems necessary to carry out the objects and provisions of this Act; and may, by by-law, allow them such compensation or salaries as it considers proper; and require and receive from them such security for the due and faithful performance of their respective duties as it considers necessary."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 107.

An Act to amend The Bankruptcy Act.

First Reading, May 22, 1922.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41467 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 107.

An Act to amend The Bankruptcy Act.

1919, c. 36; 1920, c. 34; 1921, c. 17.

HIS 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 Bankruptcy Act Amendment Act, 1922.*

2. Section three of *The Bankruptcy Act*, chapter thirty-six of the statutes of 1919, is amended by adding thereto the following paragraphs:—

Notice of suspension of payment.

(i) If he gives notice to any of his creditors that he has suspended or that he is about to suspend payment of his debts;

Ceasing to meet liabilities.

(j) If he ceases to meet his liabilities as they become due.

3. Subsection one of section thirty of the said Act as enacted by chapter seventeen of the statutes of 1921, is repealed, and the following is substituted therefor:—

Avoidance of general assignment of book debts.

"**30** (1) Where a person engaged in any trade or business makes an assignment of his existing or future book debts or any class or part thereof, and is subsequently adjudicated bankrupt or makes an authorized assignment, the assignment of book debts shall be void against the trustee in the bankruptcy or under the authorized assignment, as regards any book debts which have not been paid at the date of the presentation of the petition in bankruptcy or of the making of the authorized assignment.

Proviso that foregoing provisions not to apply where registration under a provincial Act.

"Provided that the foregoing provisions shall not apply in any province in which there is a Statute to provide for the registration of such assignment, if the assignment in question is registered in compliance therewith.

Further cases where s. 30 not to void assignments.

"And provided, further, that nothing in this section shall have effect so as to render void any assignment of book debts, due at the date of the assignment from specified debtors, or of debts growing due under specified contracts,

or any assignment of book debts included in a transfer of a business made *bona fide* and for value, or in any authorized assignment."

Further particulars to be included in notice of first meeting of creditors.

4. Subsection two of section forty-two of the said Act is amended by adding at the end thereof the words: "and the trustee shall include in such notice a list of such creditors and their post office addresses."

Duty of trustee to verify debtor's statement and make an inventory.

5. Subsection one of section fifty-four of the said Act is amended by adding the following words at the end thereof:—

"It shall be the duty of the trustee to verify the debtor's statement of affairs and to make an inventory of his assets."

Courts of Bankruptcy not now to be so called.

6. (1) Subsection one of section sixty-three of the said Act as amended by chapter seventeen of the statutes of 1921, is further amended by striking out the words "constituted Courts of Bankruptcy and" in the first and second lines thereof.

Appeal Courts of Bankruptcy not now to be so called.

(2) Subsection three of section sixty-three of the said Act as amended by said chapter seventeen is further amended by striking out the words "are constituted Appeal Courts of Bankruptcy and" in the first and second lines thereof.

7. (1) Subsection three of section sixty-four of the said Act is repealed and the following is substituted therefor:—

Single judges to be assigned to bankruptcy work by Chief Justice instead of by Minister of Justice.

"(3) The Chief Justice of the Court may, if in his opinion it be advisable or necessary for the good administration of this Act, nominate or assign one or more of the judges of the court ordinarily to exercise the judicial powers and jurisdiction conferred by this Act, which may be exercised by a single judge, and the judgment, decision or order of any such judge so nominated or assigned shall be deemed to be the judgment, decision or order of the court, and reference in this Act to the court shall apply to any such judge exercising the powers and jurisdiction of the court; provided that nothing in this subsection shall diminish or affect the powers or jurisdiction of the court or of any of the judges thereof not so specially nominated or assigned."

Provision for assigning a judge to each division struck out.

(2) Subsection five of section sixty-four of the said Act is amended by striking out all the words after the words "them" in the fifth line thereof.

8. Section sixty-seven of the said Act as amended by chapter seventeen of the statutes of 1921, is further amended by adding thereto the following subsection:

Disposition of fees payable to officers of the Court.

"(2) The fees payable to the officers of the Court shall belong to the Crown in the right of the province but the Lieutenant Governor in Council may allow the same in whole or in part to such officers."

Trustee with or without intent to defraud failing to comply with Act guilty of an indictable offence.

9. Section ninety-six of the said Act as enacted by chapter thirty-four of the statutes of 1920 is amended by striking out the word "perform" in the second line of paragraph *(c)* thereof, and substituting therefor the words "comply with"; and by inserting the following paragraph immediately after said paragraph *(c)*:—

"or *(d)* having been appointed an authorized trustee, without reasonable excuse, fails to observe or to comply with any of the provisions of this Act, or fails duly to do, observe or perform any act or duty which he may be ordered to do, observe or perform by the Court pursuant to any of the provisions of this Act."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 108.

An Act to amend The Soldier Settlement Act, 1919.

First reading, May 22, 1922.

Mr. MALCOLM.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41555 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 108.

An Act to amend The Soldier Settlement Act, 1919.

1919, c. 71; 1920, c. 19.

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

1. Section fifty-seven of *The Soldier Settlement Act, 1919*, chapter seventy-one of the statutes of 1919, is amended by adding thereto the following proviso:—

Proviso added to section requiring reservation of mines, etc. in grants issued by Board.

"Provided, however, that the provisions of this section shall only apply to sales or grants of ungranted lands belonging to His Majesty in the right of the Dominion of Canada or lands heretofore granted by His Majesty in the right aforesaid in which His Majesty reserved the mines and minerals and which lands are situate in the provinces of Manitoba, Saskatchewan or Alberta or in the Northwest or the Yukon Territories, or are lands that have been transferred to His Majesty in the right of the Dominion of Canada by the Government of the Province of British Columbia."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 122.

An Act respecting Immigration.

First reading, May 29, 1922.

Mr. NEILL.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41761 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 122.

An Act respecting Immigration.

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

Definitions.

1. In this Act and in all orders in council and regulations made hereunder, unless the context otherwise requires:—

"Minister".

(a) "Minister" means the Minister who is charged with the administration of *The Immigration Act,* chapter twenty-seven of the statutes of 1910;

"Officer".

(b) "officer" means an officer as defined in *The Immigration Act.*

Immigrants except British entry by permit only.

2. (1) No person other than a person of British birth and parentage shall (except as by this Act is specially provided) enter into Canada unless he is in possession of a permit to enter in the form and to the effect provided by regulations under this Act.

Certain persons not deemed to be of British birth and parentage.

(2) A person shall not be deemed to be of British birth and parentage by reason that he or his parents or either of them is a naturalized British subject, or by reason that he is an aboriginal native or the descendant of an aboriginal native of any dominion other than the Dominion of Canada or of any colony or other possession or of any protectorate of His Majesty.

G. in C. may exempt specified nations or peoples from Act.

3. (1) The Governor in Council may order that the provisions of this Act shall not apply to nations or peoples specified in such order.

Persons claiming exemption to satisfy officer.

(2) Persons who satisfy an officer that by birth and parentage they are actually of a nation or people specified in such order shall be exempt from the provisions of this Act.

Certain persons not deemed of exempted nations or peoples.

(3) A person shall not be deemed to be actually of such specified nation or people by reason that he or his parents or either of them is a subject by naturalization of any

specified nation or people, or that he is an aboriginal native of any colony or possession of such specified nation or people.

Temporary permit to visitors.

4. (1) Any person to whom this Act applies who arrives in Canada without a permit but proves to the satisfaction of the Minister that he desires to enter Canada as a visitor only for the purposes of business, pleasure or health, and that he intends to leave Canada within six months after his arrival, may be granted a temporary permit in the prescribed form. A permit under this section may be granted for a period of six months or for such shorter period in any case as the Minister may in his discretion determine.

Temporary permit to be subject to conditions imposed.

(2) Any such temporary permit may be granted subject to such conditions (if any) as may be prescribed by regulations under this Act, or as may in any case be imposed by the Minister. Every person to whom a temporary permit is so granted who fails to comply with any of the conditions subject to which that permit has been granted commits an offence against this Act.

Failure to comply with conditions an offence.

Temporary permits to wife and children, servants, etc., of visitor.

(3) Where such temporary permit is granted to a visitor, a similar temporary permit may be granted to the wife and children of such visitor, and any servants, attendants and employees of such visitor actually accompanying him.

Extension of temporary permit.

(4) If a person to whom such temporary permit is granted desires to remain in Canada beyond the period for which the permit was granted, he may make application to the Minister, who may, in his discretion, either grant an extension or extensions from time to time of the temporary permit, or grant to such person a permit in the form prescribed with respect to persons intending to settle permanently in Canada.

Proviso.

Provided that a permit in the last mentioned form shall be granted only if the Minister is satisfied that the person is one to whom the permit in that form would have been granted if due application had been made for the same in the manner and subject to the conditions hereinafter in this Act provided.

Person remaining in Canada after temporary permit lapses guilty of an offence.

(5) A person to whom a temporary permit is granted who remains in Canada beyond the period for which the permit was granted without having applied for and been granted an extension of such temporary permit, or having been granted such extension, remains in Canada after the extended period, commits an offence against this Act.

Revocation of permit.

Remaining after revocation an offence.

(6) A temporary permit granted under this section may be at any time revoked by the Minister. Every person to whom a temporary permit has been granted commits an offence against this Act if he does not leave Canada within such time after the revocation of his permit as the Minister may prescribe in that behalf.

Application for permit in prescribed form.

5. (1) Application for a permit to enter Canada must be made in the prescribed form and signed by the applicant and be addressed to the Minister, and be sent by post from the country of origin of the applicant or from the country where the applicant has resided for a period of at least one year prior to the date of the application.

Particulars to be set out in application.

(2) The prescribed form of application shall require the applicant to state his reasons for desiring to settle in Canada, the business or occupation he proposes to undertake in Canada, his birth and parentage, the number and ages of his family (if any) whom he proposes to accompany him, his means, and such other details (whether of a like nature or not to the details specified in this section) as may be required by the form as prescribed from time to time.

Minister may grant or refuse permit.

(3) The Minister upon receipt of such application shall consider the same, and may in his discretion grant or refuse to the applicant a permit to enter Canada.

Permit is subject to regulations.

(4) A permit under this section may be granted subject to such conditions (if any) as may be prescribed by regulations under this Act, or as may in any case be imposed by the Minister.

Applicant's wife and members of family may be included in permit.

(5) A permit may, at the Minister's discretion, be granted to include the wife of the applicant and any one or more members of the applicant's family.

Person entering Canada without permit guilty of an offence.

(6) If a person who is required by this Act to obtain a permit to enter Canada enters Canada without having previously obtained a permit, or fails to comply with any of the conditions subject to which a permit under this section has been granted, he commits an offence against this Act.

Making false statement an offence.

6. Every person commits an offence against this Act who makes any false statement or representation for the purpose of obtaining a permit to enter Canada and who obtains such permit and enters Canada in accordance therewith.

Penalties. Deportation, fine, imprisonment.

7. Every person who commits an offence against this Act may be deported from Canada, and shall also be liable on summary conviction to imprisonment for one year or to a fine of five hundred dollars.

Person requiring permit entering without same deemed to belong to prohibited class.

8. A person who is required by this Act to obtain a permit to enter Canada and who is not at the time of his arrival in Canada in possession of a permit in the prescribed form shall be deemed to belong to a prohibited class of immigrants within the meaning of *The Immigration Act*, and the provisions of that Act shall apply in respect of such person, and in respect of the conveyance in which

he travels, and the master, the person in charge or the owners thereof.

Minister has discretion to exempt any person or class.

9. (1) The Minister may, in his discretion, from time to time exempt from all or any of the requirements of this Act any person or class of persons entering or desiring to enter Canada.

Breach of exemption conditions an offence.

(2) Any exemption granted by the Minister under this section shall be subject to such conditions as the Minister may impose, and every person who commits a breach of or fails to observe any such condition commits an offence against this Act.

Deportation under Immigration Act, 1907, c. 19.

10. The provisions of *The Immigration Act* with respect to deportation shall apply to any deportation authorized under the provisions of this Act.

Forms to be prescribed by Minister.

11. (1) The Minister may prescribe the forms that are to be used under the provisions of this Act.

Minister may delegate powers.

(2) The Minister may by writing under his hand delegate to any officer or officers all or any of the powers exercisable by him under this Act.

G. in C. power to make regulations.

12. The Governor in Council shall have power to make all regulations deemed by him to be necessary for the purposes of this Act.

Repeal of inconsistent provisions.

13. Any provision of any Act, order in council or regulation that is inconsistent with or contrary to the provisions of this Act is hereby repealed.

123.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 123.

An Act to amend the Admiralty Act.

First reading, June 5, 1922.

The Solicitor General.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42125 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 123.

An Act to amend the Admiralty Act.

R.S., c. 141; 1920, c. 33.

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

Governor in Council may appoint a deputy registrar for any district or registry division.

1. Section fourteen of the *Admiralty Act*, Revised Statutes of Canada, 1906, chapter one hundred and forty-one, is amended by inserting the words "a deputy registrar" immediately after the word "registrar" in the third line thereof.

2. Section eleven of the said Act as enacted by chapter thirty-three of the statutes of 1920, is hereby repealed and the following is substituted therefor.

Appointment of deputy judge.

"**11.** (1) The Governor in Council may appoint a deputy judge in admiralty and such deputy judge shall have and exercise all such jurisdiction, power and authority as are possessed by the local judge.

Not determined by vacancy.

(2) The appointment of the deputy judge shall not be determined by an occurrence of a vacancy in the office of the judge.

Tenure and removal.

(3) Such deputy judge shall hold office during good behaviour and may be removed by the Governor in Council."

Approval of His Majesty.

3. Pursuant to the requirements of section four of the *Colonial Courts of Admiralty Act, 1890*, this Act shall not come into operation until His Majesty's pleasure thereon has been publicly signified in Canada.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 124.

An Act to amend The Escheats Act.

First reading, June 5, 1922.

The Solicitor General.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41949 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 124.

An Act to amend The Escheats Act.

1910, c. 18.

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

Escheat extended to property of defunct corporations.

1. Section two of *The Escheats Act*, chapter eighteen of the statutes of 1910, is amended by inserting after the word "heirs" in the fourth line thereof the words "or by reason of any corporation, association or society having been finally dissolved or wound up or having ceased to exist."

2. The said Act is amended by adding thereto the following section:—

Prescription. Actions against the Crown to be brought within 2 years of date of death of deceased owner or of the winding up of corporation whose property escheated.

"**5.** No action shall be brought or maintained against His Majesty the King as represented by His Government of Canada, or against the Attorney General of Canada or any Minister or officer of His Majesty as so represented, by any person claiming to be entitled in that behalf as heir or next of kin, or by or on behalf of the shareholders or creditors of any corporation, association or society which has been finally dissolved or wound up or which has ceased to exist, to recover the whole or any part of any property, real or personal, which, by reason of the person last seized or entitled thereto having died intestate and without heirs, or by reason of any corporation, association or society having been finally dissolved or wound up or having ceased to exist, has been judicially declared vested in His Majesty in the right of Canada, or of which the Attorney General of Canada has caused possession to be taken on behalf of His Majesty, or which has otherwise come into the possession of His Majesty as escheat or *bona vacantia*, or to recover any compensation or damages in respect of any such property or the taking possession or withholding thereof, after two years from the date of the death of the person last seized

or entitled to such property, or where the person last seized or entitled to such property was a corporation, association or society, within two years of the date of the dissolution or winding up or ceasing to exist of such corporation, association or society."

125.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 125.

An Act to amend the Supreme Court Act.

First reading, June 5, 1922.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42121 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 125.

R.S. c. 139; 1908, c. 70; 1913, c. 51; 1914, c. 15; 1917, c. 23; 1918, cc. 7, 44; 1920, c. 32.

An Act to amend the Supreme Court Act.

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

1. The *Supreme Court Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirty-nine, is hereby amended by inserting the following section immediately after section forty two:—

Appeal from final court of appeal on subject referred by Lieut.-Gov. in C. where statute declares the opinion of the provincial court to be a judgment thereof and that appeal shall lie.

"**42**A. (1) An appeal shall lie to the Supreme Court from an opinion pronounced by a Divisional Court of the Supreme Court of any province (or by the final court of appeal in any province) on any matter referred to it for hearing and consideration by the Lieutenant Governor in Council of such province whenever it has been by the statutes of the said province declared that such opinion is to be deemed a judgment of the said Divisional Court (or of the said final court of appeal) and that an appeal shall lie therefrom as from a judgment in an action.

(2) This section shall be deemed to have been in force since the sixteenth day of June, one thousand nine hundred and twenty."

132.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 132.

An Act to amend the Canada Temperance Act.

First reading, June 9th, 1922.

The SOLICITOR GENERAL.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42527 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 132.

R.S., c. 152; 1908, c. 71; 1910, c. 58; 1914, c. 53; 1916, c. 14; 1917, c. 30; 1919 (2nd Sess.), c. 8; 1921, c. 20.

An Act to amend the Canada Temperance Act.

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

Part IV to include exportation of intoxicating liquors.

1. Part IV of the *Canada Temperance Act*, chapter one hundred and fifty-two of the Revised Statutes of Canada, 1906, as enacted by chapter eight of the statutes of 1919, second session, is amended by inserting after the word "Importation" in the heading thereof the word "Exportation".

2. Said Part IV is further amended by adding immediately after section one hundred and fifty-six the following sections:—

Upon receipt of order of Lieutenant-Governor in Council, the Governor in Council may issue proclamation.

"**157.** Upon receipt by the Secretary of State of Canada of a duly certified copy of an order in council passed by the Lieutenant-Governor in Council of any province in which the importation of intoxicating liquors into the province has been prohibited under this Part, and in which such prohibition is still in force, requesting that the keeping of intoxicating liquor in such province for export and the exportation of intoxicating liquor therefrom by persons other than brewers and distillers duly licensed by the Government of Canada, be forbidden, the Governor in Council may by order in council declare that such prohibition shall come into force in such province on a day to be named in such order.

Effect of prohibition.

"**158.** (1) Upon such prohibition coming into force,—

(a) no person other than a brewer or a distiller duly licensed by the Government of Canada for the manufacture of spirituous, fermented or other liquors shall keep or have in his possession or control intoxicating liquor for sale in or exportation out of such province nor shall any such person export intoxicating liquor out of such province;

(b) the carriage or transportation through such province of intoxicating liquor which may lawfully be exported therefrom shall only be by means of a common carrier by water or by railway and not otherwise, and during the time any intoxicating liquor is being so transported or carried no person shall open or break or allow to be opened or broken any package or vessel containing such intoxicating liquor, or drink or use or allow to be drunk or used any intoxicating liquor therefrom.

Penalty.

(2) Every person who violates any of the provisions of this section shall be guilty of an offence and shall be liable

First offence.

on summary conviction to a penalty, for the first offence, of not less than two hundred dollars and not more than one thousand dollars and, in default of payment, to imprisonment for any term not less than three months and not more

Subsequent offences.

than six months and for each subsequent offence to imprisonment for any term not less than six months and not more than twelve months.

Burden of proof.

(3) The burden of proving the right to manufacture or export intoxicating liquor or to cause intoxicating liquor to be manufactured or exported shall be on the person accused.

Revocation of prohibition.

"**159.** Upon receipt by the Secretary of State of a duly certified copy of an order in council passed by the Lieutenant-Governor in Council of any province requesting that the prohibitions, mentioned in section one hundred and fifty-seven of this Part at the time in force in such province, be revoked, the Governor in Council may by order in council declare that such prohibition shall be revoked on and after a day to be named in the order in council and not to be less than three months after the date of the receipt of such request by the Secretary of State.

Search warrants.

"**160.** If it is proved upon oath before any judge of the sessions of the peace, recorder, police magistrate, stipendiary magistrate, two justices of the peace, or any magistrate having the power or authority of two or more justices of the peace, that there is reasonable cause to suspect that any intoxicating liquor is in any premises or place and that such intoxicating liquor is or has been dealt with contrary to the provisions of this Act, such officer may grant a warrant to search such premises or place, including any Government railway, vehicle or steamship, for such intoxicating liquor, and if the same or any part thereof is there found, to seize and bring the same before him; and when any person is convicted of any offence against any of the provisions of this Act, the officer or officers so convicting may adjudge and order, in addition to any other penalty, that the intoxicating liquor in respect to which the offence was committed and which has been seized under a search warrant as aforesaid, and all kegs, barrels, cases, boxes, bottles, packages, and other receptacles of any kind whatsoever found con-

Liquor and receptacles forfeited and destroyed.

taining the same be forfeited and destroyed and such order shall thereupon be carried out by the constable or peace officer who executed the said search warrant or by such other person as may be thereunto authorized by the officer or officers who have made such conviction.

Provincial law to be judicially noticed.

"**161.** The court shall take judicial notice of the statutes and law of the province into which the intoxicating liquor has been or is alleged to have been shipped, taken, brought, carried or imported contrary to the provisions of this Part.

What deemed to be "intoxicating liquor."

"**162.** For the purposes of this Part the term "intoxicating liquor" shall include all liquor deemed to be intoxicating under the law of the province into which the liquor was sent, shipped, taken, brought, carried or imported."

3. The said *Canada Temperance Act* is further amended by adding thereto Part V. as follows:—

"PART V.

IMPORTATION OF INTOXICATING LIQUOR IN CERTAIN CASES.

Importation of intoxicating liquor prohibited.

"**163.** (1) Subject to the provisions of subsection two of this section, and notwithstanding the provisions of this or any other Act to the contrary, no person shall import, send, take or transport into any province in which the prohibitions of this subsection are in force any intoxicating liquor.

Exceptions.

(2) The provisions of subsection one of this section shall not apply to:—

(a) Intoxicating liquor which has been purchased by or on behalf of, and which is consigned to His Majesty or the Executive Government of the province into which it is being imported, sent, taken, or transported; or any board, commission, officer or other governmental agency which, by the laws of the province, is vested with the right of selling intoxicating liquors; or,

(b) The carriage or transportation of intoxicating liquor into and through a province by means only of a common carrier by water or by railway, if, during the time the intoxicating liquor is being so carried or transported, the package or vessel containing the intoxicating liquor is not opened or broken or any of the intoxicating liquor drunk or used therefrom; or,

(c) The importation of intoxicating liquor into a province by a person engaged in and carrying on the business of exporting intoxicating liquor from that province, where the intoxicating liquor so imported is imported solely for the purpose of his export business and while kept by him in the province, is kept in a liquor warehouse which conforms in all respects to the require-

ments of the law governing such warehouses, and when sold or disposed of by him is actually exported from that province:

Proviso.

Provided, however, that the exception contained in paragraph "*c*" of subsection two of this section shall not be applicable to any province in which this section is declared to be in force, unless in the order of the Lieutenant-Governor in Council hereinafter mentioned in subsection five of this section or in any subsequent order in council it is specially requested that the said paragraph be declared in force.

Burden of proof.

(3) The burden of proving the right to import intoxicating liquor, or to cause intoxicating liquor to be imported, or to send, take or transport intoxicating liquor, or to cause intoxicating liquor to be sent, taken or transported into any province shall be on the person accused; and where the person accused is a person engaged in or carrying on the business of exporting intoxicating liquor from the province, the burden shall also be on him of proving that all intoxicating liquor imported by him is imported solely for the purpose of his export business and that all intoxicating liquor imported and kept by him in the province is kept in a liquor warehouse which conforms in all respects to the requirements of the law governing such warehouses and that all intoxicating liquor sold or disposed of by him is actually exported from that province.

Penalties for violation.

(4) Every person who violates any of the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a penalty, for the first

For first offence.

offence, of not less than two hundred dollars and not more than one thousand dollars, and in default of payment to imprisonment for any term not less than three months and not more than six months, and for each subsequent

For subsequent offences.

offence to imprisonment for any term not less than six months and not more than twelve months.

Governor in Council may issue proclamation.

(5) Upon receipt by the Secretary of State of Canada of a duly certified copy of an order of the Lieutenant-Governor in Council of any province in which there is, at any time, in force a law vesting in His Majesty or the Executive Government of the province authority for the control and sale of intoxicating liquor in the province, or in any board, commission, officer or other governmental agency the right of selling intoxicating liquor in the province, requesting that the prohibitions contained in subsection one of this section be brought into force in that province, the Governor in Council may, by proclamation published in the *Canada Gazette*, declare the prohibitions of subsection one of this section in force in that province and the same shall thereupon be and continue in force therein.

Revocation of prohibitions.

(6) Upon receipt by the Secretary of State of Canada of a duly certified copy of an order in council of the Lieuten-

ant-Governor in Council of any province, in which the prohibitions of subsection one of this section are in force, requesting that the said prohibitions be revoked, the Governor in Council may by proclamation published in the *Canada Gazette* declare that the prohibitions of subsection one of this section shall no longer be in force in that province and the same shall thereupon cease to be in force therein.

Part III relating to offences to apply.

"**164.** The provisions of Part III of this Act shall, as far as applicable, apply and extend to offences and prosecutions under this Part and to proceedings for the enforcement of this Part."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 133.

An Act to regulate the Sale and Inspection of Root Vegetables.

First reading, June 9, 1922.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40433 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 133.

An Act to regulate the Sale and Inspection of Root Vegetables.

HIS 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 Root Vegetables Act.*

INTERPRETATION.

Definitions.

2. In this Act, and in any regulation made under this Act, unless the context otherwise requires:—

(a) "inspector" means any person charged by the Minister with the enforcement of this Act;

(b) "Minister" means the Minister of Agriculture;

(c) "grade" means a grade described in sections three and four of this Act.

GRADES.

Potato grades.

3. (1) The following shall be the grades for potatoes grown in Canada for sale in Canada:—

(a) Canada A quality, which shall include only sound, reasonably mature potatoes of similar varietal characteristics which are practically free from dirt or other foreign matter, frost injury, sunburn, abnormal growth, growth cracks, cuts, scab, blight, soft rot, dry rot or damage caused by disease, insects or mechanical or other means. In this grade the diameter of potatoes of the round varieties shall not be less than one and seven-eighths inches, and of potatoes of the long varieties one and three-fourths inches, and not over twenty per cent by weight of any lot shall be less than two and one-quarter inches in diameter;

(b) Canada B quality, which shall include only reasonably mature potatoes of similar varietal characteristics,

which are practically free from dirt or other foreign matter, frost injury and soft rot, and which are free from serious damage caused by sunburn, cuts, scab, blight, dry rot or other disease, insects, or mechanical or other means. The diameter of potatoes of this grade shall be not less than one and one-half inches, but not over twenty per cent by weight of any lot of such minimum size may be included.

In order to allow for variations incident to commercial grading and handling in each of above two grades five per cent by weight of any lot may be under the prescribed size, and in addition six per cent by weight of any such lot may be below the remaining requirements of this grade; but not more than one-third of such six per cent, that is to say, not more than two per cent by weight of the entire lot, may have the flesh injured by soft rot.

(c) Canada C ungraded quality shall include only potatoes of one and one-half inches or more in diameter.

Definitions.

(2) For the purposes of this section,—

(a) "practically free" means that the appearance shall not be injured to an extent readily apparent upon casual examination of the lot, and that any damage from the causes mentioned can be removed by the ordinary processes of paring, without appreciable increase in waste over that which would occur if the potato were perfect. Loss of the outer skin only shall not be considered as an injury to the appearance;

(b) "diameter" means the greatest dimension at right angles to the longitudinal axis;

(c) "free from serious damage" means that any damage from the causes mentioned can be removed by the ordinary processes of paring without increase in waste of more than ten per cent by weight over that which would occur if the potato were perfect;

(d) "soft rot" means a soft mushy condition of the tissue, from whatever cause;

(e) "abnormal growth" means excessive or second growth to the detriment of quality.

Onion grades.

4. (1) The following shall be the grades for onions grown in Canada for sale in Canada:—

(a) Fancy quality shall include only sound, well cured onions of similar varietal characteristics, free from doubles and scullions, not sprouted, nor peeled nor with root growth, not less than three inches in diameter and practically free from dirt, leaves, or other foreign matter, and without damage caused by disease, insects, mechanical or other means;

(b) Choice quality shall include only sound, well cured onions of similar varietal characteristics, free from doubles and scullions, not sprouted nor peeled nor with

root growth, and not less than two inches in diameter, practically free from dirt, leaves or other foreign matter, and without damage caused by disease, insects, mechanical or other means;

(c) *Standard quality* shall include only sound, well cured onions of similar varietal characteristics, free from doubles and scullions, not sprouted nor peeled nor with root growth, and not less than one and one-quarter inches in diameter, practically free from dirt, leaves or other foreign matter and without damage caused by disease, insects, mechanical or other means.

In order to allow for variations incident to commercial grading and handling in each of the said three grades five per cent by weight of any lot may be under the prescribed size, and an additional three per cent by weight of any lot may be under the remaining requirements of this grade.

(d) *Boilers* shall include only sound, well cured onions of similar varietal characteristics, free from doubles and scullions, not sprouted nor peeled nor with root growth. The onions may be below one and one-quarter inches in diameter but must be practically free from dirt, leaves or other foreign matter, and damage caused by disease, insects, mechanical or other means.

In order to allow for variations incident to commercial grading and handling three per cent by weight of any lot of this grade may be under the requirements of this grade.

(e) *Sample quality* shall include only onions which conform to the sample submitted;

Definitions.

(2) For the purposes of this section,—

(a) "sound" means free from decay;

(b) "well cured" means an onion which has the neck well dried out and is free from damage caused by moisture;

(c) "doubles" means an onion which has the outer skin broken by splitting in two parts;

(d) "scullions" means an onion which has a thick neck and does not have a normal bulb;

(e) "practically free" means the appearance shall not be injured to an extent readily apparent on casual examination;

(f) "diameter" means the greatest dimension at right angles to a straight line from stem to root.

MARKING AND PACKING.

How packages, etc. to be marked.

5. (1) Every person who by himself or through the agency of another person offers for sale or sells potatoes or onions by the bag, closed barrel or closed crate or in bulk in car lots shall mark the initials of his Christian names and his full surname and address or, in the case of a firm or corporation, the firm or corporate name and address, and

the grade of the potatoes or onions as prescribed by this Act in a plain and indelible manner, before the package is taken from the place where it is packed,—

Bags.

(a) if the potatoes or onions are offered for sale packed in bags, on a suitable tag attached to each bag;

Barrels or crates.

(b) if the potatoes or onions are sold or offered for sale packed in closed barrels or closed crates, on each barrel in letters not less than three-quarters of an inch in length, and on each crate in letters not less than one-half inch in length;

In bulk in car lots.

(c) if the potatoes or onions are sold or offered for sale in bulk in car lots, on the invoice or bill of lading covering each car lot, and in addition to the particulars aforesaid there shall be marked in a clear manner upon the said invoice or bill of lading the number of the car and the words, initials or other description marked on the car indicating by whom the car is owned or controlled and the date of shipment of car.

(2) The grade and other marks used may be accompanied by any other designation or brand if that designation or brand is not inconsistent with or marked more conspicuously than the said grade or other marks.

Marks on packages used again to be removed.

6. Every person who, by himself or through the agency of another person, again uses for the sale of potatoes or onions any bag, barrel or crate upon which appears any of the marks required by this Act shall cause such marks to be completely removed, erased and obliterated.

Falsely marked packages how may be dealt with.

7. (1) Whenever any potatoes or onions in any package are found to be falsely marked, the inspector may mark the words "Below Grade" in a plain and indelible manner on the package, or he may efface such false marks and place the proper grade mark upon the package.

(2) The inspector shall give notice by letter or by telegram to the packer whose name is marked on the package within twenty-four hours after he marks the words "Below Grade" on the package or has reduced the grade on the package.

Potatoes and onions unfit for use not to be sold.

8. No person shall sell or offer for sale any potatoes or onions so diseased or otherwise depreciated as to render them unfit for consumption.

Fraudulent packing forbidden.

9. No person shall sell or offer for sale any potatoes or onions packed in any package, in which the faced or shown surface gives a false representation of the contents of such package; and it shall be considered a false representation when more than ten per cent of such potatoes or onions are substantially smaller in size than or inferior in grade to those on the faced or shown surface. Whenever any pota-

toes or onions are found packed in violation of this section any inspector may confiscate such package or packages which may be destroyed or otherwise disposed of as the Minister may direct.

Size for potato barrels.

10. All potato barrels manufactured in Canada for sale in Canada, and all barrels containing potatoes for sale in Canada, shall contain as nearly as practicable seven thousand and fifty-six cubic inches.

Form and dimensions etc. of packages may be fixed by regulation.

11. The Governor in Council may make regulations prescribing the quality, form and dimensions of all containers in which potatoes shall be packed, and the materials of which such containers shall be made, and may prescribe penalties not exceeding fifty dollars and in default of payment of any such penalty imprisonment for any term not exceeding one month, for the violation of any of the provisions of any such regulations, which penalties shall be recoverable upon summary conviction under Part XV of the *Criminal Code*. The regulations so made shall be published in the *Canada Gazette*, and shall have the force of law from the date of such publication.

Barrels to be well and properly filled.

12. No person shall sell or offer, expose or have in his possession any potatoes for sale by the closed barrel unless every such barrel is well and properly filled.

VEGETABLES TO BE SOLD BY WEIGHT.

Vegetables to be sold by weight.

13. All potatoes, onions, artichokes, beets, carrots, parsnips and turnips offered for sale shall be sold by weight, and the standard pound avoirdupois shall be the unit of weight used. Provided that when any of the foregoing vegetables are offered for sale with the top leaves attached, commonly termed by the trade "green vegetables", or when potatoes are sold or offered for sale by the closed barrel, this section shall not apply to the same.

POWERS OF INSPECTORS.

Power to enter premises.

14. Any inspector may enter upon any premises to make examination of any potatoes or onions suspected of being marked or packed in violation of any of the provisions of this Act, whether such potatoes or onions are on the premises of the owner or on other premises, or in the possession of a railway or steamship company.

Power to detain suspected packages.

15. Any inspector may detain for the time necessary to complete his inspection any shipment of potatoes or onions in respect of which he has reasonable grounds for believing there is a violation of the Act; such potatoes or onions

shall at all times be at the risk and charges of the owner thereof; and any inspector detaining potatoes or onions shall give the owner, where ascertained, notice by prepaid telegram or letter that such potatoes or onions are being detained in storage or otherwise, as the case may be.

PENALTY.

Penalty for violation of Act.

16. Every person who by himself or through the agency of another person violates any of the provisions of this Act shall be liable upon summary conviction, for the first offence to a fine not exceeding twenty-five dollars and not less than ten dollars, for the second offence to a fine not exceeding fifty dollars and not less than twenty-five dollars, and for the third and each subsequent offence to a fine not exceeding two hundred dollars and not less than fifty dollars, together in all cases with the costs of prosecution; and in default of payment of such fine and costs shall be liable to imprisonment for any term not exceeding one month unless such fine and costs and the costs of enforcing them are sooner paid.

Penalty for changing, etc. marks on packages.

17. Every person who, not being an inspector, wilfully alters, effaces or obliterates, wholly or partially, or causes to be altered, effaced or obliterated, any marks on any package which has undergone inspection, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding forty dollars.

Penalty for obstructing inspector.

18. Every person who obstructs any person charged with the enforcement of this Act in entering premises to make examination of potatoes or onions as provided by this Act, or who refuses to permit the making of any such examination, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding five hundred dollars and not less than twenty-five dollars, and in default of payment of such penalty and costs shall be liable to imprisonment for a term not exceeding six months unless such fine and all costs are sooner paid.

Person presumed to be owner.

19. The person whose name is marked on any package of potatoes or any declaration accompanying bulk car lot of potatoes shall be deemed to be the owner thereof and the person responsible for the violation of this Act.

PROCEDURE.

20. For the purpose of jurisdiction under Part XV of the *Criminal Code* in any complaint, information or conviction of any of the provisions of this Act, the matter complained of may be alleged and shall be held to have arisen

at the place where the potatoes or onions were offered or had in possession for sale, or at the residence or usual place of residence of the accused.

VEGETABLES EXCEPTED FROM OPERATION OF ACT.

Vegetables to which Act is not to apply.

21. The provisions of this Act shall not apply,—

(a) to new potatoes when shipped between the first day of June and the fifteenth day of September, both dates inclusive;

(b) to potatoes imported into Canada;

(c) to seed potatoes;

(d) to what are commonly termed "green onions";

(e) to onions imported into Canada; or,

(f) to any potatoes or onions for export where compliance with the said provisions would prevent the sale or export of such potatoes or onions to any foreign market.

Repeal.

22. Section three hundred and thirty-seven of the *Inspection and Sale Act*, as enacted by chapter thirty-six of the statutes of 1914, in so far as it relates to artichokes, beans, beets, carrots, onions, parsnips, potatoes and turnips, and section three hundred and thirty-seven A of the said Act, as enacted by chapter twenty-nine of the statutes of 1918, and sections three hundred and thirty-eight and three hundred and fifty-six of the said Act, as enacted by chapter thirty-six of the statutes of 1914, are repealed.

136.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 136.

An Act to amend The Air Board Act.

AS PASSED BY THE HOUSE OF COMMONS,
12th JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41867 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 136.

An Act to amend The Air Board Act.

1919 (1 Sess.), c. 11.

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

1. *The Air Board Act,* chapter eleven of the statutes of 1919 (first session) is amended by inserting the following section immediately after section six thereof:—

Governor in Council may prescribe compensation payable for death or injury, directly resulting from a flight undertaken in course of duty.

"**6A.** The Governor in Council may make regulations prescribing the compensation to be paid, the persons to whom, and the manner in which, such compensation shall be payable, for the death or injury resulting directly from a flight undertaken in the course of duty in the public service of Canada of any person employed in the public service of Canada, or employed under the direction of any Department of the public service of Canada: Provided, however, that such regulations shall not extend to the payment of compensation for any death or injury in respect of which provision for the payment of compensation or a gratuity or pension is made by any other Act, unless the claimant elects to accept the said compensation, instead of the compensation, gratuity or pension under any such other Act."

137.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 137.

An Act to amend The Opium and Narcotic Drug Act.

First reading, June 12, 1922.

The MINISTER OF HEALTH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41047 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 137.

An Act to amend The Opium and Narcotic Drug Act.

1911, c. 17; 1919 (2nd Sess.) c. 25; 1920, c. 31; 1921, c. 42.

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

1. (1) Subsection one of section five of *The Opium and Narcotic Drug Act*, chapter seventeen of the statutes of 1911, as amended by chapter thirty-one of the statutes of 1920 and chapter forty-two of the statutes of 1921, is repealed, and the following is substituted therefor:—

Dealing in drugs. A written order required in connection with all sales of narcotics to druggists and others.

"**5.** (1) Any person licensed under this Act to deal in any drug who gives, sells or furnishes any drug to any person other than a duly authorized and practising physician, veterinary surgeon or dentist, or to a *bona fide* wholesale druggist, or to a druggist carrying on a business in a *bona fide* drug store, or who gives, sells or furnishes any drug to any such physician, veterinary surgeon, dentist or druggist without a written order therefor, and any druggist who gives, sells or furnishes any drug to any person other than any such physician, veterinary surgeon, dentist or druggist except upon a written order or prescription signed by a duly authorized and practising physician, veterinary surgeon or dentist, or who uses any prescription to sell any drug on more than one occasion, except where the preparation covered by the prescription might lawfully have been sold in the first instance without a written order or prescription, under the provisions of paragraph *(a)* of subsection four of section 5A. of this Act, shall be guilty of a criminal offence, and shall be liable upon summary conviction to a fine not exceeding one thousand dollars and costs and not less than two hundred dollars and costs, or to imprisonment for a term not exceeding eighteen months or to both fine and imprisonment."

Unlawful to refill narcotic prescriptions except where preparation lawful in first instance.

Minimum fine reduced from $500, imprisonment increased from one year.

(2) Subsection two of the said section five, as amended by chapter forty-two of the statutes of 1921, is repealed, and the following is substituted therefor:—

Unlawful for physician, veterinary surgeon or dentist to prescribe, give or sell drug except for medicinal purpose.

"(2) Any physician who prescribes, administers, gives, sells or furnishes any drug to any person, or who signs any prescription or order for the filling of which any drug is required, unless such drug is required for medicinal purposes, or is prescribed for the medical treatment of a person who is under professional treatment by such physician, and any dentist or veterinary surgeon who prescribes, administers, gives, sells or furnishes any drug to any person, or who signs any prescription or order for the filling of which any drug is required, unless such drug is required for medicinal purposes in connection with his practice as a dentist or veterinary surgeon, shall be guilty of a criminal offence, and shall upon summary conviction be liable to a fine not exceeding one thousand dollars and costs and not less than two hundred dollars and costs, or to imprisonment for a term not exceeding eighteen months, or to both fine and imprisonment."

Clerical error corrected.

2. (1) Paragraph *(c)* of section one of chapter forty-two of the statutes of 1921 is amended by striking out the word "licensee" immediately after the word "such" in the fourth line of the said paragraph, and substituting therefor the word "license".

Penalty for importing, being in possession of, manufacturing or distributing, increased.

(2) Subsection two of section 5A of the said Act, as enacted by chapter thirty-one of the statutes of 1920 and amended by chapter forty-two of the statutes of 1921, is amended by striking out all the words after the word "Minister" in the third line of paragraph *(e)* of the said subsection, and substituting therefor the following:— "shall be guilty of a criminal offence and shall be liable, upon indictment to imprisonment for any term not exceeding seven years, or upon summary conviction to a fine not exceeding one thousand dollars and costs and not less than two hundred dollars and costs, and to imprisonment for any term not exceeding eighteen months and not less than six months; provided that any person who unlawfully sells, gives away or distributes any drug to any minor shall be proceeded against by indictment and not summarily. In any case where a fine is imposed the sentence may adjudge a term of imprisonment or a further term of imprisonment not exceeding in any case twelve months to be served by the offender if such fine is not paid.

Penalty in case of selling narcotics to minors must be by indictment.

Not keeping record.

(2*a*) Any person who manufactures, imports, exports, sells or distributes any drug and neglects or refuses to keep the record required by any regulations made by the said Minister, or neglects or refuses to produce such record for inspection at the request of any peace officer or any person authorized to inspect the same by the said Minister, shall be guilty of a criminal offence, and shall be liable upon summary conviction to a fine not exceeding one thousand dollars and costs and not less than two hundred dollars

Penalty.

and costs, or to imprisonment for any term not exceeding eighteen months, or to both fine and imprisonment. In any case where a fine is imposed the sentence may adjudge a term of imprisonment or a further term of imprisonment not exceeding in any case twelve months to be served by the offender if such fine is not paid."

3. Section seven of the said Act is repealed, and the following is substituted therefor:—

Power of peace officer to search for drugs.

"**7.** Any constable or other peace officer who has reasonable cause to suspect that any drug is kept or concealed for any purpose contrary to this Act, in any dwelling-house, store, shop, warehouse, outhouse, garden, yard, vessel or other place, may search by day or night any such place for such drug, and, if such drug is there found, bring it before a magistrate having jurisdiction in the matter."

4. The said Act is amended by inserting the following section immediately after section six thereof:—

Possession of opium pipes, opium lamps, or other device without permit forbidden.

"**6A.** No person shall, without lawful authority or without a permit signed by the Minister of Health or some person authorized by him in that behalf, import or have in his possession any opium pipe, opium lamp, or other device or apparatus designed or generally used for the purpose of preparing opium for smoking, or smoking or inhaling opium. Any person violating the provisions of this section shall be liable upon summary conviction to the penalties provided in subsection two of section four of this Act."

First Session, Fourteenth Parliament, 12-13 George V, 1922

THE HOUSE OF COMMONS OF CANADA

BILL 141.

An Act to repeal The Lake of the Woods Regulation Act, 1921.

First reading, June 15, 1922.

The SOLICITOR GENERAL.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42859 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 141.

An Act to repeal The Lake of the Woods Regulation Act, 1921.

1921, c. 38; 1921, c. 10.

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

Act repealed, and property rights and authority over works mentioned in Act.

1. *The Lake of the Woods Regulation Act, 1921*, chapter thirty-eight of the statutes of 1921, is hereby repealed, and the works mentioned or described in the said Act shall no longer be or be deemed to be works for the general advantage of Canada.

Commencement of Act.

2. This Act shall come into operation on such day as may be prescribed by the Governor General by proclamation.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 142.

An Act to amend the Indian Act.

First reading, June 15, 1922.

The MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42691 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 142.

An Act to amend the Indian Act.

R.S., c. 81; 1910, c. 28; 1911, c. 14; 1914, c. 35; 1918, c. 26; 1919, c. 56; 1920, c. 50.

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

1. Subsection one of section one hundred and seven of the *Indian Act*, Revised Statutes of Canada, 1906, chapter eighty-one, as enacted by chapter fifty of the statutes of 1920, is repealed, and the following is substituted therefor:—

Enquiry as to fitness of Indian for enfranchisement in future to be at request of Indian or of band.

"**107.** (1) Upon the application of an Indian of any band, or upon the application of a band on a vote of a majority of the male members of such band of the full age of twenty-one years at a meeting or council thereof summoned for that purpose, according to the rules of the band and held in the presence of the Superintendent General or of an officer duly authorized to attend such council, by the Governor in Council or by the Superintendent General, a Board may be appointed by the Superintendent General to consist of two officers of the Department of Indian Affairs and a member of the band to which the Indian or Indians under investigation belongs, to make enquiry and report as to the fitness of any Indian or Indians to be enfranchised. The Indian member of the Board shall be nominated by the council of the band, within thirty days after the date of notice having been given to the council, and in default of such nomination, the appointment shall be made by the Superintendent General. In the course of such enquiry it shall be the duty of the Board to take into consideration and report upon the attitude of any such Indian towards his enfranchisement, which attitude shall be a factor in determining the question of fitness. Such report shall contain a description of the land occupied by each Indian, the amount thereof and the improvements thereon, the names, ages and sex of every Indian whose interests it is anticipated will be affected, and such other

information as the Superintendent General may direct such Board to obtain".

2. Section one hundred and ninety-seven of the said Act, as enacted by chapter fifty-six of the statutes of 1919 (first session), is repealed, and the following is substituted therefor:—

Title for common lands of band may be granted on land acquired for Indian settler. Such lands may be security for advances as under *Soldier Settlement Act 1919*, but only individual Indian interest is acquired.

"**197.** The Deputy Superintendent General may acquire for a settler who is an Indian, land as well without as within an Indian reserve, and shall have authority to set apart for such settler a portion of the common lands of the band without the consent of the council of the band. In the event of land being so acquired or set apart on an Indian reserve, the Deputy Superintendent General shall have power to take the said land as security for any advances made to such settler, and the provisions of *The Soldier Settlement Act, 1919*, shall, as far as applicable, apply to such transactions. It shall, however, be only the individual Indian interest in such lands that is being acquired or given as security, and the interest of the band in such lands shall not be in any way affected by such transactions."

144.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 144.

An Act to amend the Canada Shipping Act (Public Harbours and Harbour Masters).

AS PASSED BY THE HOUSE OF COMMONS, 15th JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

40603

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 144.

An Act to amend the Canada Shipping Act (Public Harbours and Harbour Masters).

R.S. c. 113; 1909, c. 34; 1919 (1 Sess.), c. 41; 1921, c. 19.

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

1. Sections eight hundred and fifty and eight hundred and fifty-four of the *Canada Shipping Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirteen, are repealed, and the following are substituted therefor:—

Application of Part XII relating to public harbours and harbour masters.

"**850.** This Part applies to such ports only as have been or may be hereafter designated for that purpose by proclamation, or have been or may be created public harbours by proclamation under this Part, but shall not apply to the ports of Quebec, Montreal and Three Rivers, in the province of Quebec, to the ports of Toronto, Hamilton and Belleville, in the province of Ontario, to the port of Halifax in the province of Nova Scotia, to the port of St. John in the province of New Brunswick, to the ports of Vancouver, North Fraser and New Westminster, in the province of British Columbia, or to the port of Winnipeg and St. Boniface in the province of Manitoba, or to any harbour or port with respect to which there is or may be established under an Act of the Parliament of Canada a harbour commission or other special authority having powers to enact special regulations for the government and control of the harbour placed under its charge, unless and until application from such harbour commission or special authority to have this Part so apply shall have been received and granted by the Governor in Council. If such harbour commission or special authority is abolished, the harbour may thereafter be proclaimed a public harbour under the provisions of section eight hundred and forty-nine of this Act.

Exception of ports under harbour commissions or other special authority.

Rules and regulations.

"**854.** The Governor in Council may make rules and regulations for the government of any public harbour or

port in Canada, but, in the case of any harbour or port to which this Part does not apply under the provisions of section eight hundred and fifty of this Act, any such rule or regulation as may be inconsistent with any rule or regulation in force in any such harbour or port shall not be held to apply to the said harbour or port until application therefor from the harbour commission or other special authority shall have been received and granted by the Governor in Council."

How applied to excepted harbours.

145.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 145.

An Act to amend The Fisheries Act, 1914.

AS PASSED BY THE HOUSE OF COMMONS,
15th JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42862 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 145.

An Act to amend The Fisheries Act, 1914.

1914, c. 8; 1917, c. 16; 1918, c. 22; 1919 (1 sess.) c. 52.

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

1. Paragraph *(b)* of subsection two of section eighteen of *The Fisheries Act, 1914*, chapter eight of the statutes of 1914, as enacted by chapter fifty-two of the statutes of 1919, is repealed and the following is substituted in lieu thereof:—

License fees for salmon curing establishments.

"*(b)* The annual fee for a salmon curing establishment shall be:—

Fifty cents on each ton or fraction thereof of dry-salted salmon put up in the establishment during the season, when the total quantity of dry-salted salmon put up in one season does not exceed ten tons;

Seventy-five cents on each ton or fraction thereof of dry-salted salmon put up in the establishment during the season, when the total quantity of dry-salted salmon put up in one season exceeds ten tons but is not more than twenty tons;

One dollar on each ton or fraction thereof of dry-salted salmon put up in the establishment during the season, when the total quantity of dry-salted salmon put up in one season exceeds twenty tons but is not more than fifty tons;

One dollar and twenty-five cents on each ton or fraction thereof of dry-salted salmon put up in the establishment during the season, when the total quantity of dry-salted salmon put up in one season exceeds fifty tons."

2. The said Act is amended by inserting the following heading and section immediately after section nineteen thereof:—

"HERRING DRY-SALTING ESTABLISHMENTS.

In British Columbia herring curing establishments must have license.

Fees for licenses.

19A. (1) In British Columbia no one shall operate an establishment for dry-salting herring for commercial purposes excepting under license from the Minister.

(2) The annual fee on such license shall be:—

Fifty cents on each ton or fraction thereof of dry-salted herring put up in the establishment during the season, when the total quantity of dry-salted herring put up in one season does not exceed ten tons;

Seventy-five cents on each ton or fraction thereof of dry-salted herring put up in the establishment during the season, when the total quantity of dry-salted herring put up in one season exceeds ten tons but is not more than twenty tons;

One dollar on each ton or fraction thereof of dry-salted herring put up in the establishment during the season, when the total quantity of dry-salted herring put up in one season exceeds twenty tons but is not more than fifty tons;

One dollar and twenty-five cents on each ton or fraction thereof of dry-salted herring put up in the establishment during the season, when the total quantity of dry-salted herring put up in one season exceeds fifty tons.

Provided that these fees shall not apply to an establishment which is being used in a *bona fide* manner in the canned or pickled herring industry."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 146.

An Act to amend The Public Service Retirement Act.

First reading, June 15, 1922.

The SECRETARY OF STATE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40847 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 146.

An Act to amend The Public Service Retirement Act.

1920, c. 67; 1921, c. 49.

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

"Officer" extended to include employee paid by the hour.

1. Paragraph *(b)* of subsection one of section one of *The Public Service Retirement Act*, chapter sixty-seven of the statutes of 1920, as enacted by chapter forty-nine of the statutes of 1921, is amended by striking out the word "a" after the word "receives" in the sixth line, and inserting in place thereof the words "an hourly".

Retirement extended to officers over as well as under 65 and made retroactive to July first, 1920.

2. Subsection two of section two of the said Act is amended by striking out the words "being under sixty-five years of age and" in the fourth and fifth lines thereof, and it is hereby enacted and declared that the provisions of the said subsection as hereby amended shall be deemed and construed to apply and to have applied to officers over, as well as officers under, sixty-five years of age, as from the first day of July, one thousand nine hundred and twenty.

Operation of Act extended for one year.

3. Section eight of the said Act, as amended by chapter forty-nine of the statutes of 1921, is amended by substituting the words "twenty-three" for the words "twenty-two" at the end thereof.

147.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 147.

An Act to amend The Currency Act, 1910.

AS PASSED BY THE HOUSE OF COMMONS,
16th JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39873 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 147.

An Act to amend The Currency Act, 1910.

1910, c. 14; 1919, c. 16; 1920, c. 9; 1921, c. 6.

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

Millesimal fineness of silver coins changed from 4 to 6.

1. (1) The Schedule to *The Currency Act, 1910*, chapter fourteen of the statutes of 1910, as amended by chapter nine of the statutes of 1920, is amended by striking out of the sixth column thereof under the captions "Remedy allowance, millesimal fineness", the figure "4" wherever it appears and by substituting therefor the figure "6", and this section shall apply to silver coins heretofore struck since the first day of January, one thousand nine hundred and twenty.

Date fixed by Act of 1920.

Millesimal fineness of nickel five cent coins struck out.

(2) The addition to the said Schedule made by chapter six of the statutes of 1921 is amended by striking out of the fifth column thereof, the words "millesimal fineness" and the figures "15".

148.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 148.

An Act to amend the Penny Bank Act.

First reading, June 16, 1922.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39851 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 148.

An Act to amend the Penny Bank Act.

R.S., c. 31; 1911, c. 18; 1917, c. 11.

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

1. (1) Subsection two of section twenty-five of the *Penny Bank Act*, chapter thirty-one of the Revised Statutes of Canada, 1906, is amended by adding thereto the following:

Proportion of certain deposits may be made in chartered bank, etc., designated by Minister of Finance.

"provided that a proportion not exceeding one-half of such moneys as are received on deposit elsewhere than at the place where the chief office of the bank is situated may be deposited by the bank in such chartered banks or other financial institutions as the Minister of Finance may designate."

(2) Section twenty-six of the said Act is amended by inserting after the word "bank" in the third line of subsection one and also after the word "bank" in the fourth line of subsection one *(a)*, as enacted by chapter eleven of the statutes of 1917, and also between the words "bank" in the second line and "shall" in the third line of subsection two, the following words: "or in a chartered bank or financial institution designated by the Minister of Finance under the provisions of section twenty-five, subsection two hereof."

149.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 149.

An Act to regulate the Sale of Agricultural Fertilizers.

First reading, June 16, 1922.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40440 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 149.

An Act to regulate the Sale of Agricultural Fertilizers.

1909, c. 16; 1919, c. 20.

HIS 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 Fertilizers Act, 1922.*

Definitions.

2. For the purposes of this Act and any regulations hereunder, unless the context otherwise requires,—

"Available."

(a) "available" means the percentage soluble by methods of analysis prescribed by regulation;

"Brand."

(b) "brand" means the trade name given each fertilizer by the manufacturer or importer or seller;

"Fertilizer."

(c) "fertilizer" includes every processed manure containing nitrogen or phosphoric acid or potash, as determined by regulation;

"Fineness."

(d) "fineness" as applied to basic slag and natural rock phosphate means the percentage capable of passing through a screen containing ten thousand openings of equal size to the square inch;

"Guaranteed analysis."

(e) "guaranteed analysis" means the calculation of a fertilizer by the manufacturer, importer or seller, and must be stated in per cent by weight of nitrogen, phosphoric acid and potash;

"Inspector."

(f) "inspector" means any inspector appointed under this Act;

"Minister."

(g) "Minister" means the Minister of Agriculture;

"Nitrogen."

(h) "Nitrogen" means atomic nitrogen (N);

"Official analyst."

(i) "official analyst" means any official analyst appointed under this Act;

"Package."

(j) "package" includes every sack, bag, barrel, case or other container;

"Phosphoric acid."

(k) "phosphoric acid" means phosphoric anhydride (P_2O_5);

"Potash." *(l)* "potash" means potassium oxide (K_2O);

"Registration number." *(m)* "registration number" means a specific number given by the Minister under authority of this Act for each brand of fertilizer;

"Regulation." *(n)* "regulation" means any regulation made by the Minister under authority of this Act;

"Water soluble nitrogen." *(o)* "water soluble nitrogen" means nitrogen soluble in water when analysed by methods prescribed by regulation.

Registration of brand. **3.** (1) No person shall manufacture or import any fertilizer to be sold, offered or held for sale in Canada unless each brand is registered with the Minister and a registration number assigned to it. Application for registration must be made by the manufacturer or importer in such form as the Minister prescribes, and must be accompanied by a registration fee of ten dollars or twenty dollars or thirty dollars for each brand registered, according as it contains one, two or three of the following substances, that is to say, nitrogen, phosphoric acid and potash.

Application for registration.

Fees.

Registration number authority to sell. (2) The assignment of a registration number shall of itself authorize the sale of a fertilizer for the period continuing until the first day of July following the date upon which it is granted; but such registration may be renewed from year to year and the same registration number may be assigned to the fertilizer provided no change is made in the brand name, guaranteed analysis, materials from which it is made, or the fineness thereof.

Renewal.

Fees for renewal. (3) The fees for the renewal of a registration number shall be the same as those for the original registration.

Contents of statement to accompany application. (4) Each application for a registration number shall be accompanied by a statement giving the following particulars:—

Name of manufacturer. Of applicant. *(a)* the name and address of the manufacturer;

(b) the name and address of the person applying for the registration;

Brand. *(c)* the brand name and trade mark, if any;

Statement in guaranteed analysis. *(d)* the guaranteed analysis, stating separately in minimum percentages only—

(i) water soluble nitrogen;

(ii) total nitrogen;

(iii) available phosphoric acid;

(iv) total phosphoric acid;

(v) potash soluble in water;

(vi) available nitrogen when the nitrogen is purported to be available under the provisions of section four of this Act;

Trade name of material. *(e)* the trade name of each material from which the fertilizer is made;

Fineness in slag or rock phosphate. *(f)* in the case of basic slag or natural rock phosphate or a mixture of both, the fineness thereof.

Refusal of Minister to register.

(5) The Minister may refuse to register any fertilizer if in his opinion,—

When brand misleading.

(a) the brand name would tend to deceive or mislead the purchaser with respect to the guaranteed analysis or the materials from which the fertilizer is made; or,

Similarity of brands.

(b) the guaranteed analysis and the materials from which it is made are approximately the same as those of another brand of fertilizer registered by the same manufacturer or importer.

Cancellation by Minister.

(6) The Minister shall have power to cancel any registration which in his opinion has been made in violation of any of the provisions of this Act or any regulations thereunder.

Information to be set forth on brand.

4. (1) No person shall sell, offer, expose or hold for sale in Canada any fertilizer unless each package containing the fertilizer, or a tag or label durably attached thereto, is branded or marked on one side in printed characters in such form and manner as may be prescribed by regulation with the following information only:—

Name.

(a) the name and address of the manufacturer or importer;

Brand name.

(b) brand name;

Number.

(c) registration number and designation of year of issue;

Guaranteed analysis stating minimum percentages.

(d) guaranteed analysis stating separately in minimum percentages only—

(i) water soluble nitrogen;

(ii) total nitrogen;

(iii) available phosphoric acid;

(iv) total phosphoric acid;

(v) potash soluble in water;

(vi) in the case of basic slag or natural rock phosphate or a mixture of both, the fineness thereof;

(vii) in the case of organic nitrogen it is permissible to state, in parenthesis below, the statement of guaranteed analysis, the guaranteed per cent by weight of available nitrogen as determined by a method of analysis to be prescribed by regulation;

(viii) in the case of nitrogen it is permissible to state, in parenthesis below, the statement of guaranteed analysis, the guaranteed percentage of nitrogen and the percentage of ammonia;

(ix) whenever present in the fertilizer, the percentage by weight of leather, hoof, horn, hair, wool-waste, peat, garbage, tankage or any similar organic material, unless it has been treated in such a way as to make the nitrogen or potash or phosphoric acid therein available as determined by methods of analysis to be prescribed by regulation.

When sold in bulk information given in invoice.

(2) Provided that when the fertilizer is sold in bulk and is not contained in packages, the prescribed information

before mentioned in this section shall be stated on the invoice of sale.

Percentage of different ingredients required.

5. No person shall sell, offer, expose or hold for sale in Canada any material purported to be a fertilizer, or any fertilizer except basic slag or natural rock phosphate, unless it contains not less than two per cent of nitrogen, or five per cent of available phosphoric acid, or two per cent of potash soluble in water, and not less than a total of twelve per cent of nitrogen, available phosphoric acid and potash soluble in water.

Poison to plant life.

6. No person shall sell, offer, expose or hold for sale in Canada any fertilizer which contains more than one-tenth of one per cent anhydrous borax or any other constituent poisonous to plant life when applied to the soil.

Application to—

7. This Act shall not apply,—

Fertilizers manufacture on prescription and not intended for sale.

(a) to fertilizers which are manufactured and sold on a prescription received by the manufacturer in writing from a purchaser who states therein that such fertilizer is not intended for sale, unless such fertilizers are actually again sold; or,

The selling for manufacturing purposes.

(b) to the selling or offering for sale of fertilizers for manufacturing purposes.

Powers of Minister.

8. The Minister shall have power,—

Appointment of advisory board.

(a) to appoint an advisory board which may at his request prepare and recommend to him such regulations as it is of opinion should be established under this Act;

Making of regulations as to forms.

(b) to make regulations prescribing the form in which applications for registration and renewals of registration shall be made as provided in this Act;

As to nomenclature of materials, brands, etc.

(c) to make regulations prescribing for the purpose of this Act the nomenclature of materials or groups of materials from which fertilizers are manufactured, and also the brand names that may be employed for any registered fertilizer, with a view to simplifying and harmonizing the employment of brand names in relation to their guaranteed analysis as provided in this Act;

As to procedure, implements employed, samples, qualifications of witnesses.

(d) to make regulations prescribing the procedure to be followed and the implements to be employed in the taking of samples for official analysis by inspectors and by purchasers; the number of samples to be taken and how they shall be forwarded or preserved, and by whom; and the number and qualifications of impartial witnesses before whom samples of fertilizers for official analysis shall be taken;

As to methods of analysis, limits of variability between label and official statement.

(e) to make regulations prescribing methods of analysis to be followed and limits of variability that may be tolerated as between the information marked on the container or on a label attached thereto or on the invoice of sale, as required under this Act, and the statement of analysis by an official analyst;

As to fees of analyst and changes thereof.

(f) to make regulations prescribing the fee or fees that may be charged by any official analyst for the examination and analysis of any fertilizer submitted to him for analysis under the provisions of this Act, and from time to time to change the amount of such fee or fees as may be deemed advisable or necessary;

As to size, etc., of tags, printing on labels, etc.

(g) to make regulations prescribing the size, colour and character of the tags or labels to be used for the purpose of this Act, and the size and character of the printing required to be marked on such tag or labels or on the container as provided in this Act;

As to methods used in analysis.

(h) to make regulations prescribing the methods to be used in the examination or analysis of any fertilizer for the purposes of this Act;

For any other necessary purpose.

(i) to make regulations for any other purpose deemed by him to be necessary for making effective the provisions of this Act.

Analysis for purchaser, contents of samples, the containers.

9. (1) Any purchaser of a fertilizer may obtain an analysis of such fertilizer by making application therefor to any official analyst appointed under this Act. Each sample shall contain at least one pound weight of the fertilizer, and must be taken in accordance with the method prescribed for taking official samples under section ten of this Act. The sample taken must be forwarded to the official analyst in such a container as may be prescribed by regulation.

Contents of statement of applicant.

(2) There shall be sent with each sample forwarded for analysis under the provisions of this section a statement giving,—

Applicant's name.

(a) the name and address of the applicant;

Manufacturer's or seller's name.

(b) the name and address of the manufacturer or importer or seller;

Registration number and fee.

(c) the registration number, if any;

and such fee as may be prescribed by regulation.

Inspectors.

10. An inspector may enter any premises to examin any fertilizer or other material claimed to be of fertilizing value, and shall have the right to take official samples therefrom. An official sample shall be so taken as to be fairly representative of the bulk from which it is taken, and shall be taken in the presence of the seller or his representative or such qualified impartial witness or witnesses as may be prescribed by regulation, and shall be taken from packages comprising not less than ten per cent of the separate original packages of each lot sampled; provided that when the

Samples how obtained.

When in bulk.

Form in duplicate.

Disposal of samples.

fertilizer is in bulk the sample shall be taken from ten different sections thereof. The part or parts taken must be thoroughly mixed and divided into two or more equal samples, as may be prescribed by regulation. Each of the said last mentioned samples of the fertilizer must contain at least one pound, and a form to be prescribed by regulation shall be made out in duplicate by the inspector and signed, and one duplicate enclosed with each sample and sealed in the presence of the witness or witnesses or the seller or his representative. One of the samples shall be left with the seller, one sample shall be sent to an official analyst appointed under this Act, and any other sample or samples shall be preserved or disposed of as may be prescribed by regulation.

Certificate *prima facie* evidence.

11. (1) A certificate of analysis signed by an official analyst appointed under this Act shall be *prima facie* evidence of the particulars of the analysis therein set out.

Notification to Minister in case of disputed analysis.

(2) If the person from whom the official sample is taken by an inspector and respecting which an analysis has been made disputes the correctness of such analysis, he may, within twenty days of the receipt of a certified copy of such analysis, notify the Minister in writing that he intends to present evidence to controvert the correctness of the analysis of the official analyst, stating in full the nature of such evidence. In the absence of such notice the certificate of the official analyst shall be final and conclusive evidence of the facts therein set out.

When Minister deems further investigation justified.

(3) If the evidence of the person referred to in the last foregoing subsection be such as in the opinion of the Minister would justify a further investigation the Minister may cause a second part of the same sample to be analyzed by such official analyst as he may name, and the certificate of analysis of such official analyst shall be conclusive evidence of the facts therein set out.

Publication.

12. The Minister may publish the results of analyses and examination of fertilizers made in connection with the enforcement of this Act, together with any additional information which in the opinion of the Minister is advisable.

Penalties.

13. Subject to the provisions of section fourteen hereof, any person who violates any of the provisions of this Act, or of any regulation for which no other penalty is prescribed by this Act, shall be liable on summary conviction to a fine not exceeding one hundred dollars for the first offence, and, for a second offence, to a fine of not less than one hundred dollars and not exceeding two hundred dollars, and for every subsequent offence to a fine of not less than two hundred dollars and not exceeding five hundred dollars,

and in default of payment of any such fine to imprisonment for a term not exceeding thirty days.

When prosecution for costs only allowed, and for violation of Act in full against another person.

14. (1) Any person accused of selling, offering, exposing or holding in his possession for sale any fertilizer which does not comply with the requirements of this Act or of any regulation thereunder, who proves that the fertilizer respecting which action is taken was bought by him directly within one year from a manufacturer or merchant domiciled in Canada, that it was neither opened nor the state of the fertilizer altered while it was in his possession, and that he had no reason to believe that the said fertilizer did not comply with the provisions of this Act, shall, upon disclosing the name and address of the person from whom the fertilizer was purchased, the place where it was purchased and the date of the sale, be liable upon conviction for the costs of the prosecution only, and a prosecution may be brought against such last named person for violating the provisions of this Act or any regulation within six months from the date of such disclosure and not later.

Magistrate's report to Minister.

(2) Every magistrate who has disposed of any case under this section shall, within one month from the date of his judgment therein, send to the Minister a report of the case, giving the name and address of the person who sold the fertilizer to the accused and the date and place of the sale, and the name and address of the accused.

Offences.

15. Any person who,—

Unlawful use of number.

(a) unlawfully uses any registration number assigned, or as if it had been assigned, under this Act; or,

Lowering value of fertilizer by mixing, etc.

(b) wilfully lowers the fertilizer value of a fertilizer by mixing any other substance thereto after the said fertilizer has been placed on the market by the manufacturer or importer or dealer; or,

Obstructs, etc., inspector.

(c) wilfully obstructs, hinders, resists or in any way opposes any inspector charged with the enforcement of this Act,

Penalties.

shall be liable to a fine of not less than five hundred dollars and not exceeding one thousand dollars, or to imprisonment for any term not less than sixty days and not exceeding twelve months.

Appointments.

16. Such inspectors and official analysts may be appointed as are required for the purposes of this Act.

Proceedings not to affect other legal rights.

17. No proceedings taken under this Act against any person shall in any way interfere with, or lessen the right of, an aggrieved person to any legal remedy to which he may be entitled.

Repeal.

18. *The Fertilizers Act, 1909*, chapter sixteen of the statutes of 1909, and *An Act to amend the Fertilizers Act, 1909*, chapter twenty of the statutes of 1919, are repealed.

Commencement of Act.

19. This Act shall come into operation on such date as may be prescribed by proclamation of the Governor in Council.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 150.

An Act to amend The Meat and Canned Foods Act.

First reading, June 16, 1922.

The Minister of Marine and Fisheries.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40439 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 150.

An Act to amend The Meat and Canned Foods Act.

1907, c. 27
1908, c. 47
1910, c. 38
917, c. 33
918, c. 31
919, c. 22

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

1. (1) Paragraph *(b)* of section two of *The Meat and Canned Foods Act*, chapter twenty-seven of the statutes of 1907, as enacted by chapter thirty-one of the statutes of 1918, is repealed, and the following is substituted therefor:—

"Establishment."

"*(b)* 'establishment' means any abattoir, packing house or other premises in which such animals are slaughtered, or in which any parts thereof or products thereof, or fish or shell-fish, or fruit, or vegetables, or any food or food product which may be named by the Governor in Council are prepared for food for export or are stored for export;"

(2) Paragraph *(e)* of the said section is repealed, and the following is substituted therefor:—

"Inspector" or "inspecting officer."

"*(e)* 'inspector' or 'inspecting officer' means an inspector appointed under this Act;"

(3) Paragraph *(j)* of the said section, as enacted by chapter thirty-three of the statutes of 1917 and amended by chapter twenty-two of the statutes of the second session of 1919, is repealed, and the following is substituted therefor:—

"Dry lobster meat" or "dry meat."

"*(j)* 'dry lobster meat' or 'dry meat' means drained meat, that is, the meat after a can which has been processed and allowed to cool thoroughly, is opened and upturned so as to permit free drainage of the liquid therefrom for not less than one minute and not more than one and one-half minutes;"

(4) Paragraph (*l*) of the said section, as enacted by chapter thirty-three of the statutes of 1917, is repealed, and the following is substituted therefor:—

"Can," "canned fish or shell fish."

"(*l*) 'can' and 'canned fish or shellfish' includes any hermetically sealed glass bottle, package or container, and any fish or shellfish processed or preserved in the usual way packed in such can, bottle package or container."

2. (1) Subsection one of section twelve A of the said Act, as enacted by chapter thirty-three of the statutes of 1917 and amended by chapter twenty-two of the statutes of the second session of 1919, is repealed, and the following is substituted therefor:—

Fish canneries subject to inspection.

"**12A.** All fish and shellfish canneries shall be inspected as provided by the regulations. All fish and shellfish packed in cans shall be subject to such inspection as may be provided by the regulations during the whole course of preparation and packing and at any time thereafter at the cannery or at the warehouse of the first purchaser at his request, and all such cans shall be labelled with,—

Cans to be labelled.

Name and address of packer or first dealer.

(*a*) the initials of the Christian names, the full surname and the address, or, in the case of a firm or corporation, the firm or corporation name and address or the name and address of the packer or of the first dealer obtaining it direct from the packer;

Description of contents.

(*b*) a true and correct description of the contents of the can, including the vernacular name, and in the case of fish the minimum weight in avoirdupois of the contents and in the case of shellfish the minimum weight in avoirdupois of the dry meat in the can, plainly printed in a conspicuous manner, and the name of the place where the same was packed."

Minimum weight.

(2) Subsection four of the said section is repealed, and the following is substituted therefor:—

G. in C. may exempt export goods from labelling.

"(4) Provided, however, that, if it is established to the satisfaction of the Governor in Council that the labelling of the cans of fish or shellfish as prescribed by this section hinders the sale of the same in markets outside of Canada, he may exempt such cans of fish or shellfish as are exported to such markets from any or all of the provisions of this section."

3. Section twelve C of the said Act, as enacted by chapter thirty-three of the statutes of 1917, is repealed, and the following is substituted therefor:—

Unsound fish and shellfish liable to confiscation.

"**12C.** All canned fish and shellfish shall be sound, wholesome and fit for human food, and any unsound canned fish or shellfish found during the process of preparing and packing or at any time thereafter, at the cannery or the warehouse of the first purchaser, may be seized and confiscated on view by any inspecting officer and dealt with as may be provided by the regulations. An inspecting officer shall be entitled to take from any parcel, whether for export

Inspector may take samples.

or otherwise, samples for inspection in accordance with the requirements of this Act."

4. Section twelve D of the said Act, as enacted by chapter twenty-two of the statutes of the second session of 1919, is repealed, and the following is substituted therefor:—

Cans to be of 5 standard sizes.

"**12D.** There shall be five sizes of cans for canning lobsters. These shall be of the sizes commonly known as three, six, nine, twelve and sixteen ounce cans. The cans of each size in the order named shall each contain not less than three ounces avoirdupois, six ounces avoirdupois, nine ounces avoirdupois, twelve ounces avoirdupois, and sixteen ounces avoirdupois of drained lobster meat. No other size of can shall be used for packing lobsters without first obtaining the written permission of the Minister. Such written permission shall state the minimum amount of drained lobster meat each size of can so authorized shall contain. All cans that do not contain the weight specified for each of the sizes herein named, or that may be hereafter named, may be seized and held by any inspecting officer and disposed of as provided by the regulations."

Cans other than standard size only upon written permission of Minister.

Cans not of standard size, liable to seizure.

5. Sections twelve E, twelve F and twelve G of the said Act, as enacted by chapter thirty-three of the statutes of 1917, are repealed, and the following are substituted therefor:—

Regulations fixing varieties and grades of B.C. salmon.

"**12E.** For the purposes of this Act the varieties of British Columbia salmon shall be designated and, provided the need for such is established to the satisfaction of the Governor in Council, graded as provided in the regulations.

Enforcement of Act and regulations.

"**12F.** In the event of the provisions of this Act or of any regulation made thereunder, or the lawful instructions of inspecting officers, not being complied with in any fish or shellfish cannery, the Minister may order the fish or shellfish cannery to be closed; provided, however, that any cannery in which the sanitary conditions are being neglected may be immediately closed by the inspecting officer until the defects are remedied."

Closing cannery.

Unsanitary cannery.

6. Subsection one of section twelve H of the said Act, as enacted by chapter twenty-two of the statutes of the second session of 1919, is repealed, and the following is substituted therefor:—

Imported canned fish to be labelled.

"**12H.** (1) All cans of fish or shellfish imported into Canada shall be correctly labelled so as to indicate the kind and quality of their contents, the minimum weight in avoirdupois of the contents of the cans in the case of canned fish and of the dry meat in the can in the case of canned shellfish, the place of origin and the name and address of the person, firm or corporation by whom they are packed or by whom they are imported: provided that canned fish

Particulars required on labels.

Canned fish imported for export only.

or canned shellfish imported into Canada to be exported again need only be labelled to show the country of origin; and no false or misleading mark or designation of the kind or variety of the contents shall be shown on any can of fish or shellfish imported for sale in Canada."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 175.

An Act respecting The Canadian Red Cross Society.

First reading, June 19, 1922.

The MINISTER OF HEALTH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42875 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 175.

An Act respecting The Canadian Red Cross Society.

1909; c. 68; 1916; c. 58; 1919, (1st Sess.), c. 101.

HIS 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 Canadian Red Cross Society Act.*

2. Sections two to seven, both inclusive, of chapter sixty-eight of the statutes of 1909, entitled *An Act to incorporate the Canadian Red Cross Society*, chapter fifty-eight of the statutes of 1916, and chapter one hundred and one of the statutes of 1919 (first session) are repealed, and the following sections are substituted therefor:—

Purposes.

"**2.** The purposes of the Society shall be:—

Aid to sick and wounded in war.

(1) To furnish volunteer aid to the sick and wounded of armies in time of war, in accordance with the spirit and conditions of the conference of Geneva of October, 1863, and also of the treaty of the Red Cross or the treaty of Geneva of August twenty-second, 1864, to which Great Britain has given its adhesion;

National duties under Treaty of Geneva.

(2) To perform all the duties devolved upon a national society by each nation which has acceded to said treaty, but in affiliation with the British Red Cross Society;

Succession to former association.

(3) To succeed to and take over all the rights and property heretofore or now held and enjoyed by and all the duties heretofore performed by the unincorporated association known as The Canadian Red Cross Society;

Work in time of peace.

(4) In time of peace or war to carry on and assist in work for the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

Emblem and badge.

"**3.** (1) The Society shall have the right to have and use in carrying out its purposes as an emblem and badge a Red Cross on a white ground as the same has been described in the treaty of Geneva dated the twenty-second day of

August, 1864, and adopted by the several nations acceding thereto.

By-laws and regulations.

(2) The Society may make by-laws and regulations, not inconsistent with the laws of Canada or of any province thereof; and may appoint such officers of the Society as it may deem proper, and generally may do all such acts and things as are necessary to carry into effect the provisions of this Act and promote the purposes of the Society.

Canadian organization.

(3) The Society is hereby designated as the Canadian organization which is authorized to act in matters of relief under the said treaty.

False representation.

"**4.** (1) From and after the passing of this Act it shall be unlawful for any person or corporation within the jurisdiction of the Parliament of Canada to falsely and fraudulently hold himself or itself out as, or represent or pretend himself or itself to be a member of, or agent for, The Canadian Red Cross Society for the purposes of soliciting, collecting or receiving money or material.

Unlawful use of name, emblem, badge, etc.

(2) No person or corporation shall wear, use or display for the purposes of his or its trade or business or for the purpose of inducing the belief that he or it is a member of, or agent for The Canadian Red Cross Society, or for any other purposes whatsoever without the written consent and authority of The Canadian Red Cross Society, the heraldic emblem of the Red Cross on a white ground, or the words "Red Cross" or the Geneva Cross or any other word, mark, device or thing likely to be mistaken for them or either of them.

Penalty.

(3) Any person or corporation violating the provisions of this section shall be guilty of an offence, and shall be liable on summary conviction to a fine of not less than one or more than five hundred dollars, or imprisonment for a term not exceeding one year, or both, for each and every offence, and shall be liable to forfeit any goods, wares or merchandise upon which, or in connection with which, the said emblem or words or any coloured imitation thereof were used. The fine so collected shall be paid to The Canadian Red Cross Society.

Acquisition and holding of property.

"**5.** (1) The Society may purchase, take, have, hold, possess, retain and enjoy any property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever, given, granted, devised, or bequeathed to it, or appropriated, purchased, or acquired by it in any manner or way whatsoever, to, for, or in favour of the uses and purposes of the Society.

Limit of real estate.

(2) The annual value of the real estate held in Canada by or in trust for the Society shall not exceed one hundred thousand dollars.

Central Council.

"**6.** (1) The governing body of the Society shall be a Central Council, consisting of the past presidents of the Society, the president, the honorary secretary, the honorary

treasurer and not more than forty other members of whom not more than thirty shall be appointed by the provincial divisions of the Society in such manner as may be determined from time to time by the Central Council and not more than ten members elected by the Central Council.

Provincial divisions and branches.

(2) The Central Council shall have power to organize provincial divisions and branches in the various provinces of Canada under such rules as the Council may prescribe. Existing organized provincial divisions and branches are hereby continued.

Executive Committee.

(3) There shall be an Executive Committee consisting of the past presidents, the officers of the society, and of not less than seven and not more than twelve persons appointed by the Central Council from its members. Five members of the Executive shall be a quorum.

Powers.

(4) The Executive Committee shall have and exercise all the powers given by this Act when the Central Council is not in session, subject, however, to such regulations or restrictions as the Central Council may from time to time determine.

Report of proceedings.

"**7.** (1) The Society shall, not later than the first day of May of each year, furnish to the Minister of Militia and Defence and to the Minister of Health a report of its proceedings for the previous calendar year, including a full, complete and itemized report of receipts and expenditures of whatever kind, which report shall be duly audited by the Department of Militia and Defence.

Penalty for not furnishing report.

(2) If for the space of one month the Society neglects or refuses to furnish such report the Society shall be liable to a penalty not exceeding twenty dollars for every day during which such default continues, and any member of the Society who knowingly or wilfully authorized or permits such default shall be liable to the like penalty.

Present Central Council continued.

"**8.** The existing Central Council heretofore elected shall continue to be the Central Council of the Society, for the purpose of this Act, until a new council has been elected, pursuant to the terms of this Act."

176.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 176.

An Act to provide for the constitution and powers of The Canadian Wheat Board.

First reading, June 19, 1922.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42864 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 176.

An Act to provide for the constitution and powers of The Canadian Wheat Board.

HIS 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 Canadian Wheat Board Act, 1922.*

Canadian Wheat Board to be appointed.

2. The Governor in Council may appoint a Board to be known as The Canadian Wheat Board, hereinafter called "the Board", which shall consist of not more than ten members, one of whom shall be nominated by the Governor in Council as Chairman of the Board, who shall be the chief executive officer, and another member shall be nominated by the Governor in Council as Assistant Chairman, who shall have and exercise the powers and duties of the Chairman in his absence.

Salaries, allowances and expenses.

3. The Chairman and Assistant Chairman shall be paid such salaries as the Governor in Council may direct, and the other members of the Board shall be paid such allowances for days actually engaged in the duties of the Board as the Governor in Council may direct; also travelling and living expenses while travelling on the business of the Board, but otherwise shall receive no remuneration: Provided that such salaries, allowances or expenses shall be payable only out of the proceeds of sales as hereinafter authorized.

Corporation.

4. The members of the Board shall be a corporation under the corporate name aforesaid.

Executive committee.

5. The Board may from time to time appoint an executive committee of not less than three of its members of whom the Chairman shall be one, and may assign to such executive committee any duties or powers competent to the Board.

General powers of Board.

6. The Board shall have power throughout Canada to receive and take delivery of wheat for marketing as offered by the producer or other person having possession of or being entitled to deliver the same; to buy and sell wheat; to store, transport and market wheat; and moreover the Board may sell any quantity of wheat which it may possess in excess of domestic requirements to purchasers Overseas or in foreign countries at such prices as may be obtainable.

Power to receive advances.

7. The Board shall have power to receive advances of money for the general purposes of the Board from any province or from any bank, corporation or individual upon such terms as may be stipulated with the approval of the Governor in Council.

Board may exercise powers conferred by province.

8. The Board shall have capacity to receive, have, enjoy and exercise such further powers or rights as may be conferred upon it by the legislature of any province with relation to any matter connected with the purchase, acquisition, sale or marketing of wheat and within the legislative authority of the province.

Advances by Board to producers and others as prescribed by approved schedules.

Certificates of participation.

9. The Board may at the time of delivery, or at any time thereafter, make advances to the producers or other persons delivering wheat to the Board at such rate per bushel according to grade or quality and place of delivery as shall be set out in a schedule or schedules to be prepared by the Board and approved by the Governor in Council or by such other authority as the Governor in Council may prescribe, and may issue to such persons certificates of participation in the proceeds.

Deliveries of wheat through agents, grain companies or organizations.

Payment of commissions, storage and other charges.

10. Deliveries of wheat may be taken from, through or by the use of such agents or grain companies or organizations as the Board may see fit, and may be at such points in Canada, at the seaboard or otherwise, as the Board may direct, and the Board may pay to such agents or grain companies or organizations handling wheat, or delivering wheat to the Board, such commissions, storage and other charges as the Board, with the approval of the Governor in Council or such other authority as he may prescribe, may deem proper.

Disbursements for expenses or otherwise to be deducted from proceeds of season's operations.

11. As soon as the Board shall have received payment in full for all wheat delivered to the Board during the operations of any season there shall be deducted from the proceeds all moneys disbursed by or on behalf of the Board for expenses or otherwise as payments connected with or incident to the operations of the Board for or during that season, including the remuneration, allowances, travelling and living expenses of the Chairman, Assistant Chairman

or other members of the Board as hereinbefore provided; also the salaries, pay or allowances of the clerks, employees or assistants engaged by the Board, and the balance shall be distributed *pro rata* among all producers and others holding participation certificates.

Regulations.

12. The Board with the approval of the Governor in Council, may make such regulations as it deems necessary for the purpose of fully and effectively carrying out the objects and provisions of this Act and, but not so as to restrict in any way the generality of the foregoing terms of this section, may make regulations,—

Foreign representatives.

(a) for appointing representatives in different parts of Canada or overseas, or in any foreign country, for assisting the work of the Board, and for reporting to the Board such information as the regulations may require;

Employees.

(b) to authorize the engaging of clerks, employees and assistants and paying their salaries;

Forms and contents.

(c) providing for the forms and contents of participation certificates, vouchers or documents of title to be held by producers and others delivering wheat to the Board,

Conditions of negotiability.

for the conditions of negotiability of the same, for the substitution of the same for other vouchers, and

General system.

generally establishing such system as may in the judgment of the Board be necessary for the security and equitable treatment of all persons concerned in the delivery and sale of wheat and in the carrying out of this Act;

Dates of deliveries.

(d) fixing dates up to which, and not beyond which the Board will take deliveries at different places in Canada;

Requisites of delivery.

(e) determining the requisites of delivery to the Board.

Duties of Board.

13. It shall be the duty of the Board to use its best endeavours to sell and dispose of the wheat which it may acquire or which may come into its possession for the best price that may be obtainable therefor, and to realize the proceeds; accurately to keep proper books of account showing quantities and grades of wheat received, the prices realized therefor, and such other particulars as may be requisite for a full and just accounting and for the equitable distribution of the net proceeds.

Government not responsible for deficits.

14. The Government of Canada shall not be responsible for any deficits that may occur in the operations of the Board in concurring provinces and should a surplus occur

Division of surplus.

it shall be divided among the concurring provinces on a *pro rata* basis.

Limitation on time for operations of Board.

15. The operations of the Board under the powers conferred by this Act shall not extend beyond the fifteenth

day of August, 1923, except for the purposes of sale, realization of assets, collections, payments, distribution of proceeds, and generally for the winding up of the affairs and business of the Board unless on or before the first day of July, 1923, the operation of this Act for all purposes be extended by order of the Governor in Council for one year from the date first mentioned in this section.

Act not to affect seed wheat sold by farmers to one another, seed purchasing commission.

16. Nothing in this Act shall be deemed to interfere with, prevent or affect the sale of seed wheat by one farmer to another farmer, or affect or interfere with the Seed Purchasing Commission of the Department of Agriculture or the sale of seed wheat to such Commission or otherwise, or the retention or distribution in various parts of Canada of such wheat as may be necessary for seed in the year one thousand nine hundred and twenty-three.

Act to come into operation after two or more provinces enact necessary legislation.

17. This Act shall come into operation as soon as two or more of the provinces shall have enacted such legislation as the Governor in Council may consider necessary or adequate to enable the Board to have or enjoy such of the powers, rights and privileges which were possessed by the Canadian Wheat Board as constituted by the orders in council of 31st July, 1919, and 18th August, 1919, as the Governor in Council considers the Board should possess in order to make its operations comprehensive and effective for the purposes intended.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 187.

An Act to amend The Income War Tax Act, 1917.

First reading, June 22, 1922.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
43048 922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 187.

An Act to amend The Income War Tax Act, 1917.

1917, c. 28; 1918, c. 25; 1919, c. 55; 1920, c. 49; 1921, c. 33.

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

Exemption in respect of children.

1. Paragraph *(b)* of subsection one of section three of *The Income War Tax Act, 1917*, as enacted by subsection two of section two of chapter fifty-five of the statutes of 1919 (first session), is hereby amended by striking out the word "two" in the first line thereof and substituting therefor the word "three".

2. Subsection one of section three of the said Act, as amended by chapter fifty-five of the statutes of 1919 (first session), is further amended by adding thereto the following paragraph:—

Travelling expenses.

"*(g)* Travelling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business."

3. Paragraph *(a)* of subsection one of section four of the said Act, as enacted by subsection one of section three of chapter fifty-five of the statutes of 1919, is repealed and the following substituted therefor:—

Normal tax.

"*(a)* four per centum upon all income exceeding two thousand dollars but not exceeding six thousand dollars in the case of a married person, or any other person who has dependent upon him any of the following persons:

(i) A parent or grandparent;

(ii) A daughter or sister;

(iii) A son or brother under twenty-one years of age or incapable of self-support on account of mental or physical infirmity;

and four per centum upon all income exceeding one thousand dollars but not exceeding six thousand dollars in the case of all other persons;

And in all cases eight per centum upon all income exceeding six thousand dollars;

And in addition thereto the following surtax."

4. Section four of the said Act, as amended by chapter forty-nine of the statutes of 1920, is further amended by inserting the following subsection immediately after subsection (2*a*) thereof;

Normal tax on person not resident in Canada and not a British subject.

"(2*b*) Where any person liable to taxation under this Act is not resident in Canada and is not a British subject he shall not be entitled to the exemption provided for in paragraph *(b)* of subsection one of section three of this Act, and in lieu of the normal tax provided for in paragraph *(a)* of subsection one of section four of this Act, he shall pay a normal tax of eight per centum upon all income in excess of one thousand dollars.

Gov. in C. to proclaim day of coming into operation.

This subsection shall come into operation at a day to be named by proclamation of the Governor in Council, and the Governor in Council may name in the said proclamation the taxation periods to which the said subsection shall apply."

5. Section four of the said Act, as amended by chapter forty-nine of the statutes of 1920, is further amended by adding the following subsection:—

Banks not now entitled to former deductions.

"(6) A bank, as designated by section three of *The Special War Revenue Act, 1915*, shall not be entitled to the deductions provided for in paragraph *(a)* of subsection five of this section".

6. Subsection six of section seven of the said Act, as enacted by section one of chapter thirty-three of the statutes of 1921, is amended by adding thereto the following:—

Time of default in filing returns extended in the case of religious institutions and others.

"And provided that in the case of religious, charitable, agricultural and educational institutions and boards of trade and chambers of commerce, default shall not be deemed to have commenced until the expiry of thirty days from the date of the mailing of a demand for a return by the Minister."

7. Subsection four of section ten, as enacted by subsection two of section eight of chapter fifty-five of the statutes of 1919 (first session), is repealed and the following substituted therefor:—

Refund of over-payment to taxpayer.

"(4) The Minister may, at or prior to the issue of the notice of assessment refund without application therefor, any over-payment made by the taxpayer, or after the issue of the notice of assessment, provided application in writing is made therefor by the taxpayer within twelve

months from the date of payment of the tax or the date at which the notice of assessment was issued."

Time of coming into force of certain sections.

8. (1) Sections one, two, three and five of this Act shall be deemed to have come into force at the commencement of the 1922 taxation period and be applicable thereto and to subsequent periods.

Time of coming into force of s. 6.

(2) Section six of this Act shall be deemed to have come into force at the commencement of the 1921 taxation period and be applicable thereto and to subsequent periods.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 188.

An Act respecting The Canadian Patriotic Fund.

First reading June 22, 1922.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
43044 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 188.

An Act respecting The Canadian Patriotic Fund.

1914 (2 sess.), c. 8; 1915, c. 2; 1918, c. 35; 1919, c. 44.

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

In case of need Gov. in Co. may pay sums not exceeding $900,000 to Corporation.

1. Whenever the Governor in Council is satisfied that the resources of The Canadian Patriotic Fund are inadequate to enable the Corporation to continue to perform the relief work that has been carried on by it, and that the result of the cessation of any part of the said work would throw upon the public authorities, whether Dominion, provincial or municipal, additional burdens for the relief of distress, the Governor in Council may authorize the payment from the Consolidated Revenue Fund to The Canadian Patriotic Fund such sums as the Governor in Council may from time to time deem requisite to enable The Canadian Patriotic Fund to continue its work, but such sums shall not in the whole exceed the sum of nine hundred thousand dollars.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 191.

An Act to amend The Returned Soldiers' Insurance Act.

First reading, June 22, 1922.

The MINISTER OF SOLDIERS' CIVIL RE-ESTABLISHMENT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42779 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 191.

An Act to amend The Returned Soldiers' Insurance Act.

1920, c. 54; 1921, c. 52.

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

1. Section ten of *The Returned Soldiers' Insurance Act*, chapter fifty-four of the statutes of 1920, as amended by chapter fifty-two of the statutes of 1921, is repealed and the following is substituted therefor:—

Limit of benefits when death of insured attributable to war service.

"**10.** (1) If on the death of the insured a pension becomes payable under *The Pension Act* or the Pension Law of the United Kingdom, or of any of His Majesty's Dominions (other than the Dominion of Canada) or of His Majesty's Government, or of any of His Majesty's Allies or Associated Powers in the Great War, to any person or persons within the classes mentioned in section four of this Act, there shall be deducted from the benefit payable under this Act the aggregate present value of the pension or pensions so payable computed on such basis as may be prescribed by regulation made under the provisions of section seventeen of this Act, and in such case there shall be returned to the beneficiary or beneficiaries in proportion to their respective interests under the contracts the proportion of the premiums paid (with interest at four per cent per annum compounded annually) which the amount of the said deduction is of the total amount assured under the contract: Provided,—

Proviso.

Insurance for benefit of wife and children.

(a) That in case the contract is for the benefit of the wife of the insured, or of his children, or of some one or more of his children, and the death occurs after six months from the effective date of the contract, the sum of five hundred dollars if the amount of the insurance is five hundred dollars or over, or the full amount of such insurance if it is less than five hundred dollars, shall be paid to the widow, or to the widow or some one and more of the children, as the case may

Payment to widow or children.

be, and the return of premiums, if any, shall be based on the balance of insurance after payment of the amount due under this subsection and deduction of the aggregate present value of the pension as above provided;

Benefits not to exceed face value of policy.

(b) That in no case shall the benefit together with the amount of premiums and accrued interest returned to the beneficiary or beneficiaries under this section exceed the face value of the policy;

Not to apply if wife is beneficiary and pension payable to members of family.

(c) That this section shall not operate when the beneficiary of the insurance is the wife of the insured and a pension is awarded under *The Pension Act* to some other person or persons named in section four of this Act.

Applicable to all policies issued or to be issued..

(2) The provisions of this section shall apply to all policies which have been issued or shall be issued under *The Returned Soldiers' Insurance Act* and any amendment thereto, provided however, that this amendment shall not operate to deprive holders of policies issued prior to passing of this amendment of any rights or privileges now vested in them."

Rights preserved.

Operation extended for one year.

2. Section twenty of the said Act is amended by striking out the words "twenty-two" in the third line and substituting therefor the words "twenty-three".

Date of commencement.

3. This Act shall become effective on the first day of July, nineteen hundred and twenty-two.

192.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 192.

An Act to amend The Pension Act.

First reading, June 22, 1922.

The Minister of Soldiers' Civil Re-establishment.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

42783

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 192.

An Act to amend The Pension Act.

1919, c. 43; 1920, c. 62; 1921, c. 45.

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

1. Section two of *The Pension Act*, chapter forty-three of the statutes of 1919, (first session), as amended by chapter sixty-two of the statutes of 1920, is further amended by adding thereto the following:—

'Widowed mother" defined.

"*(p)* 'widowed mother' may, in the discretion of the Commission, include a mother deserted by her husband when the circumstances of the case are, in the opinion of the Commission, such as would entitle her in a court of law to have her husband declared legally dead."

2. Section thirteen of the said Act, as amended by chapter sixty-two of the statutes of 1920, is further amended by inserting the word "or" after subsection *(a)* and after subsection *(b)* thereof, and by adding the following proviso after paragraph *(d)* thereof:—

Application for pension within three years after peace declared.

"Provided that the provision of subsection *(d)* as above shall not apply to an applicant claiming dependent's pension who was not resident in Canada at the date of the soldier's death and has not continuously resided therein."

Semi-annual payments for disabilities less than 20%.

3. Subsection one of section twenty-one of the said Act is amended by striking out the words "May and November" in the last line thereof and substituting therefor the words "March and September".

4. Section twenty-three of the said Act, as amended by chapter sixty-two of the statutes of 1920, is further amended by adding thereto the following subsections:—

Bonus to children of deceased pensioner..

"(6) When a member of the forces in receipt of an additional pension on account of his child or children dies under conditions which do not entitle his dependents to pension, a bonus equivalent to such additional pension for one year at the rate being paid at the time of death shall be paid by the Commission for the benefit of the child or children to such person as the Commissioners may direct.

Pension continued for minor children on death of wife.

(7) On the death of the wife of a pensioner pensioned on account of a disability the additional pension for a married member of the forces may, in the discretion of the Commission, be continued to him for so long as there are minor children of pensionable age, provided there exists a daughter or other person competent to assume, and who does assume, the household duties and care of the children."

Allowance for total and helpless disability.

5. Subsection one of section twenty-seven of the said Act, as amended by chapter sixty-two of the statutes of 1920, is further amended by inserting after the word "helpless" in the third line thereof the words "in respect of his pensionable disability".

Pension to widow.

6. Subsection one of section thirty-three of the said Act, as amended by chapter sixty-two of the statutes of 1920, is further amended by inserting after the words "married to him" in the second line thereof the words "within one year after date of discharge from the forces or".

Power to cancel pension of prostitute.

7. Section forty of the said Act is amended by inserting after the word "prostitute" in the second line thereof the words "or who is immoral".

Bonus payments continued.

8. The footnotes to Schedules A and B of the said Act dealing with bonus payments, as enacted by chapter forty-five of the statutes of 1921, are amended by inserting after the figures "1921" the following "and during the years commencing the first day of September, 1922 and 1923."

Cases to be reviewed.

9. All cases affected by this Act shall be reviewed and future payments shall be made at the rates and in accordance with the provisions set forth herein.

Date of commencement.

10. This Act shall come into force on the first day of September, 1922.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 193.

An Act to amend The Soldier Settlement Act, 1919.

First reading, June 22, 1922.

The MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42780 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 193.

An Act to amend The Soldier Settlement Act, 1919.

1917, c. 21; 1919, cc. (56) 71; 1920, c. 19.

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

1. Section fifty-nine of *The Soldier Settlement Act, 1919*, chapter seventy-one of the statutes of 1919 (first session), as amended by section five of chapter nineteen of the statutes of 1920, is further amended by adding the following paragraphs to subsection one thereof:

To consolidate indebtedness of settlers who have not abandoned the land or terminated agreement.

"*(i)* in the case of any settler who has not abandoned the land or whose agreement with the Board has not been terminated or rescinded, to vary the provisions of this Act so that the total indebtedness and liability incurred by such settler prior to the first day of April, 1922, may, on a standard date to be determined by the Board, be consolidated (inclusive of accrued interest, taxes and insurance to date of consolidation) and the consolidated indebtedness made payable in twenty-five or less annual instalments, such indebtedness bearing no interest from the date of consolidation for,—

Interest exemptions.

(i) two years in the case of any settler to whom advances commenced within the twelve months next preceding the first day of October, 1921;

(ii) three years in the case of any settler to whom advances commenced within the twelve months next preceding the 1st day of October, 1920;

(iii) four years in the case of any settler to whom advances commenced prior to the 1st day of October, 1919;

Indebtedness to be paid in instalments on standard dates.

the first instalment, consisting of one twenty-fifth of the consolidated indebtedness, to be paid by the settler on the date of consolidation, and two, three or four further instalments (as the case may be, according to the period of interest exemption) each of the same amount as the first instalment, to be paid on the

standard dates next consecutively following, the remainder of the consolidated indebtedness to be paid with interest thereon at the rate of five per centum per annum in equal annual consecutive instalments on the amortization plan during the balance of the term of payment:

Proviso if default in payment.

Provided that if default be made in the payment of any instalment of one twenty-fifth herein referred to, the amount of such instalment or the unpaid portion thereof shall bear interest until paid;

To vary terms of payment as to stock and equipment advances.

(j) to vary the terms of payment as provided in this Act so that stock and equipment advances or sales heretofore or hereafter made to any settler shall be payable within the same period as payment of advances for land purchase, removal of encumbrances, or permanent improvements;

To vary terms of payment to settlers whose advances commence after July 1.

(k) to vary the terms of payment as provided in this Act so that in the case of any settler whose advances commence between the first day of July and the standard date in any year, the dates on which the settlers' first and subsequent instalments shall become payable may be fixed as if such advances had not commenced until after the standard date in that year; provided that interest accruing during the period of this deferment shall be consolidated with the principal indebtedness and amortized therewith;

To vary terms of payment in case of unimproved lands.

(l) in the case of unimproved lands to vary the terms of payment provided by section sixteen of this Act as amended by paragraph *(d)* of subsection one of section fifty-nine so that payment shall be made in twenty-five equal annual consecutive instalments with interest on the amortization plan, the first of such instalments commencing not later than two years from the standard date next following the date of sale."

2. Section two of the said Act, as amended by chapter nineteen of the statutes of 1920, is amended by adding at the end thereof the following paragraph:—

"Standard date."

"*(x)* 'Standard date' means the first day of October in Manitoba and the provinces west thereof, and the first day of November in the provinces east of Manitoba."

Notice in writing of amount of indebtedness to soldier.

3. Notwithstanding anything in this Act, or in any agreement, contract, or other document, in any case in which the indebtedness of a settler is consolidated, the Board may cause to be delivered to the settler personally or to be directed by mail to him at his address last known to the Board, a notice signed by such official as the Board may designate, setting forth the amount of the total indebtedness of the settler at date of consolidation, the dates and amounts of payments to be made thereon by the settler,

and the amount then due and payable, and the production of a copy of such notice certified under the seal of the Board shall be accepted for all purposes and in all Courts as *prima facie* evidence of the due service of the notice on the settler and of the amount of the settler's indebtedness, the dates and amounts of payments to be made thereon, and the amount then due and payable as in said notice set forth.

Notice *prima facie* evidence.

Board may order payment of the surplus to credit of the Assurance Fund.

4. Section twenty-two of the said Act is amended by adding at the end of subsection four thereof the words following: "provided that in the case of a settler who has not, in the opinion of the Board, established an equitable claim to such surplus by having taken possession of the land affected and by effecting improvements thereon or otherwise, or who has abandoned the property without notice, the Board may pay the surplus or, in the discretion of the Board, that part of the surplus in excess of the initial payment made by the settler, to the Receiver General to the credit of The Soldier Land Settlement Assurance Fund."

Surplus may be paid to the settler or the Assurance Fund.

5. Section twenty-seven of the said Act is amended by striking out all the words after the word "surplus" in the twenty-fifth line thereof to the end of the section and substituting therefor the words following: "except as otherwise provided, may be paid by the Board to the settler if he has completed the settlement conditions required for obtaining patent in accordance with the terms of his entry, or to the Receiver General to the credit of The Soldier Land Settlement Assurance Fund if such compliance by the settler with the conditions of his entry has not been established to the satisfaction of the Board; provided, however, that if a settler who has not complied with the conditions of his entry has effected valuable improvements on the land with his own capital or means to which he has an equitable claim for compensation the Board may, out of the surplus, if any, pay to the settler an amount which the Board has determined that improvements added to the price realized by the sale of the land."

Proviso.

6. Section sixty-two of the said Act is amended by adding thereto the following subsection:—

Officers of board making false reports guilty of an offence.

"(3) Every land inspector, field supervisor, official, employee or servant of the Board, and every agent engaged by the Board or acting for it or on its behalf, who knowingly or negligently makes any false or deceptive statement in any report, return, appraisal, statement or other document respecting or referring to any real or personal property, the subject matter of any inspection, appraisal or examination made for or on behalf of the Board or on the direction,

instructions or request of the Board or of any of its officials, shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 194.

An Act to amend The Oleomargarine Act, 1919.

First reading, June 22, 1922.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
43052 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 194.

An Act to amend The Oleomargarine Act, 1919.

1919, (2), c. 24; 1920, c. 30; 1921, c. 41.

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

1. Section three of *The Oleomargarine Act, 1919*, chapter twenty-four of the statutes of 1919 (second session), as amended by section one of chapter thirty of the statutes of 1920, and further amended by section one of chapter forty-one of the statutes of 1921, is repealed, and the following is substituted therefor:—

Time extended for importation, and sale.

"**3.** Notwithstanding anything contained in *The Dairy Industry Act, 1914*, chapter seven of the statutes of 1914, or in any other statute or law, the manufacture in and importation of oleomargarine into Canada shall be permitted until the thirty-first day of August, one thousand nine hundred and twenty-three, and the offering for sale, the sale, and the having in possession for sale of oleomargarine shall be permitted until the first day of March, one thousand nine hundred and twenty-four."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 195.

An Act to amend The Naturalization Act, 1914.

First reading, June 23, 1922.

The SECRETARY OF STATE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
43186 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 195.

1914, c. 7; 1914 (2nd Sess.) c. 7; 1918, c. 32; 1919, c. 38; 1919 (2nd Sess.) c. 3; 1920, c. 59.

An Act to amend The Naturalization Act, 1914.

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

Sections relating to report and enquiry by Court or judge and forbidding for ten years naturalization of person who was alien enemy in Great War repealed.

1. Sections nineteen, twenty and twenty-four of *The Naturalization Act, 1914*, chapter forty-four of the statutes of 1914, as enacted by chapter fifty-nine of the statutes of 1920, and sections twenty-one, twenty-two and twenty-three, and subsection two of section thirty-three of the said Act, and section seven of *The Naturalization Act, 1920*, are repealed.

2. Section one of the said Act, as amended by chapter fifty-nine of the statutes of 1920, is further amended as follows:—

Amendment of definition of natural born British subject.

(1) The following paragraph shall be substituted for paragraph *(b)* of subsection one:—

"*(b)* Any person born out of His Majesty's dominions whose father was, at the date of that person's birth, a British subject, and who fulfils any of the following conditions, that is to say, if either—

(i) his father was born within His Majesty's allegiance; or,

(ii) his father was a person to whom a certificate of naturalization had been granted; or,

(iii) his father had become a British subject by reason of any annexation of territory; or,

(iv) his father was at the time of that person's birth in the service of the Crown; or,

(v) his birth was registered at a British Consulate within twelve months after the occurrence; and,"

(2) The following provisions shall be inserted at the end of the said subsection one:—

Proviso.

"Provided also that if any person whose British nationality is conditional upon registration at a British Consulate—

(i) does not assert his British nationality by a declaration of retention of British nationality made within one year of attaining the age of twenty-one or within such extended period as may be authorized by regulations made under this Act, and registered in such manner as may be prescribed by such regulations; and,

(ii) is a subject or citizen of a foreign country under the law of which he can, without being naturalised in another country, divest himself of the nationality of that foreign country by making a declaration of alienage, or otherwise, and does not, before he attains the age of twenty-two, divest himself of such nationality accordingly;

he shall cease to be a British subject as from the time when he attains the age of twenty-two.

Provided also that in the application of this section to any territory where there is no British Consulate, but there is a British resident or other representative of His Majesty, reference to the office of such resident or representative shall be substituted for references to a British Consulate.

Paragraph *(b)* of this subsection shall apply to any person born out of His Majesty's dominions on or after the first day of January nineteen hundred and fifteen who would have been a British subject if born before that date, but for the purposes of the requirement that such person's birth must be registered at a British Consulate this provision shall apply to persons born before the day of nineteen hundred and twenty-one as though for the words 'twelve months after the occurrence' there were substituted the words 'twelve months after the day of nineteen hundred and twenty-one'."

Consequential amendment.

3. (1) Subsection one of section thirty-three of the said Act, as amended by chapter fifty-nine of the statutes of 1920, is further amended by adding thereto the following paragraph:—

"*(g)* The expression 'British Consulate' means the office of any British consular officer where a register of births is kept."

(2) Subsection one of section three of *The Naturalization Act, 1920*, is repealed, and the following is substituted therefor:—

"(1) At the end of section one the following subsection shall be inserted:—

'(4) The certificate of a Secretary of State or of the Secretary of State of Canada that a person was at any date in the service of the Crown shall for the purposes of this section be conclusive'."

Certain amendments made retroactive.

4. Every enactment and word which is directed by sections two, three and seven of *The Naturalization Act,*

1920, and by sections two and three of this Act to be substituted for or added to any portion of *The Naturalization Act, 1914*, shall form part of the said last mentioned Act in the place assigned to it by *The Naturalization Act, 1920*, or this Act, and *The Naturalization Act, 1914*, and all Acts, including this Act, which refer thereto shall after the commencement of this Act be construed as if the said enactment or word had been enacted in *The Naturalization Act, 1914*, in the place so assigned and where it is substituted for another enactment or word had been enacted in lieu of that enactment or word.

Commencement of Act.

5. This Act shall come into operation on such day as may be prescribed by proclamation of the Governor General.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 197.

An Act to authorize the raising, by way of loan, certain sums of money for the public service.

AS PASSED BY THE HOUSE OF COMMONS, 23rd JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
43056 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 197.

An Act to authorize the raising, by way of loan, certain sums of money for the public service.

HIS 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 Loan Act, 1922.*

Loan authorized.

R.S.c. 24.

2. The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament by any Act heretofore passed, raise by way of loan, under the provisions of the *Consolidated Revenue and Audit Act*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money as may be required, but not to exceed in the whole the sum of three hundred and fifty million dollars, for paying maturing loans and obligations of Canada.

Charge upon Consolidated Revenue Fund.

3. The principal raised by way of loan under this Act and the interest thereon shall be charged upon and payable out of the Consolidated Revenue Fund.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 198.

An Act to amend The Customs Tariff, 1907.

AS PASSED BY THE HOUSE OF COMMONS
23rd JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41691 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 198.

1907, c. 11; 1909, c. 10; 1910, c. 16; 1911, c. 7; 1913, c. 15; 1914, c. 26; 1914 (2), c. 5; 1915, c. 3; 1916, c. 7; 1918, c. 17; 1919, c. 47; 1920, c. 44; 1921, c. 21.

An Act to amend The Customs Tariff, 1907.

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

1. Section 12A of *The Customs Tariff, 1907*, as enacted by section five of *The Customs Tariff Amendment Act, 1921*, is repealed and the following section is substituted therefor:—

Governor in Council may order imported goods to be marked, stamped, branded or labelled.

"**12A.** The Governor in Council may from time to time, as he deems it expedient, order that goods of any description or class specified in such order, imported into Canada, shall be marked, stamped, branded or labelled in legible English or French words, in a conspicuous place that shall not be covered or obscured by any subsequent attachments or arrangements, so as to indicate the country of origin. Said marking, stamping, branding or labelling shall be as nearly indelible and permanent as the nature of the goods will permit.

All orders made by the Governor in Council under this section shall have effect from and after the day on which the same are published in the *Canada Gazette*, or from and after such later day as is appointed for the purpose in such orders, and during such time as is therein expressed, or if no time is expressed for that purpose, then until the same are revoked or altered.

Provided that all such goods imported into Canada after the date of the coming into force of any such order of the Governor in Council which do not comply with the requirements of such order, shall be subject to an additional duty of ten per centum *ad valorem* to be levied on the value for duty purposes, and in addition such goods shall not be released from Customs possession until they have been so marked, stamped, branded or labelled under Customs supervision at the expense of the importer.

Provided further that if any person shall violate any of the provisions so established relating to the marking, stamping, branding or labelling of any such imported goods, or shall deface, destroy, remove, alter or obliterate any such marks, stamps, brands or labels, with intent to conceal the information given by or contained in such marks, stamps, brands or labels, he shall be liable on summary conviction to a penalty not exceeding one thousand dollars, or to imprisonment not exceeding one year, or to both fine and imprisonment.

The Minister of Customs and Excise may make such regulations as are deemed necessary for carrying out the provisions of this section and for the enforcement thereof."

Schedule A. amended.

2. (1) Schedule A of *The Customs Tariff, 1907*, as amended by chapter twenty-six of the statutes of 1914, by chapter five of the statutes of 1914 (second session), by chapter seventeen of the statutes of 1918, by chapter forty-seven of the statutes of 1919, by chapter twenty-seven of the statutes of 1921, and by the Orders in Council set out in subsection two of this section, is further amended by striking thereout tariff items:—20, 21, 22, 23, 134, 143, 208, 219a, 220, 326, 398, 399, 427, 445, 446, 446b, 447, 448, 517, 520, 521, 522, 523, 565, 566, 567, 568, 575, 591, 611, 611a, 612, 619, 621, 631, 638a, 657a, 660, 682, 705a, the several enumerations of goods respectively, and the several rates of duties of Customs, if any, set opposite each of said items, and by substituting therefor the following items, enumerations and rates of duty in said Schedule A:—

Tariff Items	——	British Preferential Tariff	Intermediate Tariff	General Tariff
20	Cocoa paste or "liquor" and chocolate paste or "liquor", not sweetened, in blocks or cakes, per pound	3 cents	4 cents	5 cents
21	Cocoa paste or "liquor" and chocolate paste or "liquor", sweetened, in blocks or cakes, not less than two pounds in weight, per pound	4 cents	4½ cents	5½ cents
22	Preparations of cocoa or chocolate in powder form	22½ p.c.	27½ p.c.	35 p.c.
23	Preparations of cocoa or chocolate, n.o.p., and confectionery, coated with or containing chocolate, the weight of the wrappings and cartons to be included in the weight for duty, per pound	1½ cents and 20 p.c.	1½ cents 27½ p.c.	1½ cents 35 p.c.
134	All sugar above number sixteen Dutch standard in colour, and all refined sugars of whatever kinds, grades or standards, not covered by tariff item No. 135, when not exceeding eighty-eight degrees of polarization, per one hundred pounds	$1.33	$2.00	$2.00
	when exceeding eighty-eight degrees but not exceeding eighty-nine degrees, per one hundred pounds	$1.35	$2.03	$2.03
	when exceeding eighty-nine degrees but not exceeding ninety degrees, per one hundred pounds	$1.37	$2.06	$2.06
	when exceeding ninety degrees but not exceeding ninety-one degrees, per one hundred pounds	$1.39	$2.08	$2.08

Tariff Items	——	British Preferential Tariff	Intermediate Tariff	General Tariff
134	when exceeding ninety-one degrees but not exceeding ninety-two degrees, per one hundred pounds	$1.41	$2.12	$2.12
	when exceeding ninety-two degrees but not exceeding ninety-three degrees, per one hundred pounds	$1.43	$2.15	$2.15
	when exceeding ninety-three degrees but not exceeding ninety-four degrees, per one hundred pounds	$1.45	$2.18	$2.18
	when exceeding ninety-four degrees but not exceeding ninety-five degrees, per one hundred pounds	$1.47	$2.20	$2.20
	when exceeding ninety-five degrees but not exceeding ninety-six degrees, per one hundred pounds	$1.49	$2.24	$2.24
	when exceeding ninety-six degrees but not exceeding ninety-seven degrees, per one hundred pounds	$1.51	$2.27	$2.27
	when exceeding ninety-seven degrees but not exceeding ninety-eight degrees, per one hundred pounds	$1.53	$2.30	$2.30
	when exceeding ninety-eight degrees but not exceeding ninety-nine degrees, per one hundred pounds	$1.59	$2.39	$2.39
	when exceeding ninety-nine degrees, per one hundred pounds	$1.59	$2.39	$2.39
	Provided that refined sugar shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister of Customs and Excise, that such refined sugar has been manufactured wholly from raw sugar produced in the British colonies and possessions, and not otherwise.			
143	Cigars, the weight of the bands and ribbons to be included in the weight for duty, per pound	$3.90 and 25 p.c.	$3.90 25 p.c.	$3.90 25 p.c.
143a	Cigarettes, the weight of the paper covering to be included in the weight for duty, per pound	$4.70 and 25 p.c.	$4.70 25 p.c.	$4.70 25 p.c.
197a	Super-calendered or machine finish grades of book paper, not coated, when used exclusively in the production of magazines, newspapers and periodicals, printed, published or issued regularly, under regulations prescribed by the Minister of Customs and Excise	12½ p.c.	22½ p.c.	25 p.c.
198a	Coated papers, when used exclusively in the production of magazines, newspapers and periodicals printed, published and issued regularly, under regulations prescribed by the Minister of Customs and Excise	17½ p.c.	32½ p.c.	35 p.c.
199a	Paper milk bottle caps, printed or not	15 p.c.	25 p.c.	27½ p.c.
208	Boracic acid and borax in packages of not less than twenty-five pounds weight; hydro-fluosilicic acid; oxalic acid; tannic acid; ammonia, sulphate of; sal ammoniac and nitrate of ammonia; cyanide of potassium; cyanide of sodium and cyanogen bromide; antimony salts, viz.:—tartar emetic, chlorine and lactate (antimonine); arsenous oxide; oxide of cobalt; oxide of tin; bichloride of tin; tin crystals; oxide of copper; precipitate of copper, crude; sulphate of copper (blue vitriol); verdigris or subacetate of copper, dry; sulphate of iron (copperas); sulphate of zinc; chloride of zinc; sulphur and brimstone, crude or in roll or flour; cream of tartar, in crystals or argols; tartaric acid crystals; iodine, crude; bromine; phosphorus; sulphide of arsenic; carbon bisulphide	Free	Free	Free
210c	Caustic soda in solution	15 p.c.	17½ p.c.	17½ p.c.
219a	Non-alcoholic liquid preparations for disinfecting, dipping or spraying, n.o.p.	10 p.c.	15 p.c.	20 p.c.
220	All medicinal, chemical and pharmaceutical preparations, compounded of more than one substance, including patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, syrups,			

Tariff Items	——	British Preferential Tariff	Intermediate Tariff	General Tariff
220	cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essence and oils, n.o.p.:—			
	(*a*) When dry	20 p.c.	25 p.c.	25 p.c.
	(*b*) Liquid, when containing not more than two and one-half per centum of proof spirit	25 p.c.	40 p.c.	40 p.c.
	(*c*) All other	60 p.c.	60 p.c.	60 p.c.
	Provided that drugs, pill-mass and preparations, not including pills or medicinal plasters, recognized by the British or the United States pharmacopoeia, or the French Codex as officinal, shall not be held to be covered by this item;			
	Provided, also, that any article in this item, containing more than forty per cent of proof spirit shall be rated for duty at ..... per gallon and	$3.00 30 p.c.	$3.00 30 p.c.	$3.00 30 p.c.
236a	Paper refills for sputum cups; paper pocket sputum cups	12½ p.c.	17½ p.c.	20 p.c.
272a	Gasoline ·725 specific gravity and heavier, but not heavier than ·770 specific gravity at 60 degrees temperature; oils, coal and kerosene, distilled, known as "engine distillate" ·725 specific gravity and heavier, but not heavier than ·770 specific gravity at 60 degrees temperature, per gallon	½ cent	¾ cent	1 cent
326	Glass demijohns or carboys, bottles, n.o.p., decanters, flasks, phials, glass jars and glass balls, lamp chimneys, glass shades or globes; cut, pressed, moulded or crystal glass tableware, decorated or not; blown glass tableware and other cut glass ware	20 p.c.	30 p.c.	32½ p.c.
326b	Glass milk bottles	15 p.c.	25 p.c.	27½ p.c.
344a	Dairy tin hollow-ware, including cans for fresh milk or fresh cream; kitchen tin hollow-ware, not painted, decorated or japanned	12½ p.c.	17½ p.c.	20 p.c.
399	Wrought or seamless iron or steel tubing, plain or galvanized, threaded and coupled or not, ten inches or less in diameter, n.o.p	15 p.c.	27½ p.c.	30 p.c.
427	Agate, granite or enamelled iron or steel ware	20 p.c.	27½ p.c.	35 p.c.
445	Mowing machines, harvesters, self-binding or without binders, binding attachments, reapers, and complete parts thereof, not including shafting or malleable iron castings	7½ p.c.	10 p.c.	10 p.c.
446	Cultivators, harrows, horse-rakes, seed-drills, manure spreaders and weeders and complete parts thereof	10 p.c.	12½ p.c.	12½ p.c.
446b	Ploughs and complete parts thereof	10 p.c.	15 p.c.	15 p.c.
447	Portable engines with boilers, in combination, horse-powers and traction engines for farm purposes, n.o.p., and complete parts thereof	12½ p.c.	17½ p.c.	17½ p.c.
447a	Gas or gasoline traction engines for farm purposes, valued at not more than fourteen hundred dollars each, and parts thereof for repairs; traction attachments designed and imported to be combined with automobiles in Canada for use as traction engines for farm purposes and parts thereof for repairs	Free	Free	Free
447b	Wind-stackers, and threshing machine separators, including baggers, weighers and self-feeders therefor, and complete parts thereof	10 p.c.	15 p.c.	15 p.c.
448	Fruit or vegetable grading machines, incubators for hatching eggs, brooders for rearing young fowl, pruning hooks, pruning shears, hay loaders, potato-diggers, fodder or feed cutters, grain crushers, fanning mills, hay tedders, farm or field rollers, post hole diggers, snaths, and other agricultural implements, n.o.p., and complete parts of articles specified in this tariff item	10 p.c.	15 p.c.	15 p.c.
448a	Milking machines, milking machine attachments, centrifugal machines for testing butter fat, milk or cream and complete parts of articles specified in this item	10 p.c.	15 p.c.	15 p.c.
448b	Street or road rollers and complete parts thereof	12½ p.c.	20 p.c.	20 p.c.
453b	Machinery for sawing lumber, up to but not including the point of planing, and complete parts thereof, not to include motive power	15 p.c.	22½ p.c.	25 p.c.

Tariff Items	——	British Preferential Tariff	Intermediate Tariff	General Tariff
454a	Adzes, cleavers, hatchets, metal wedges, sledges, hammers, crowbars, cantdogs and track tools; picks, mattocks, and eyes or poles for the same; tools of all kinds, n.o.p.	15 p.c.	27½ p.c.	30 p.c.
460a	Plungers or valves made of porcelain for pumps to be used exlusively in mining operations	Free	Free	Free
517	Window shade or blind rollers	20 p.c.	30 p.c.	35 p.c.
520	Batts, batting and sheet wadding of wool, cotton or other fibre, cotton warps and cotton yarns, dyed or not, n.o.p.	15 p.c.	22½ p.c.	25 p.c.
521	Gray cotton fabrics and fabrics of flax, unbleached, n.o.p.	12½ p.c.	22½ p.c.	25 p.c.
522	White cotton fabrics, and fabrics of flax bleached, n.o.p.; tailors' hollands of linen and towelling of linen or cotton in the web, coloured or not	15 p.c.	22½ p.c.	25 p.c.
523	Fabrics of cotton or flax, printed, dyed or coloured, n.o.p.	22½ p.c.	30 p.c.	32½ p.c.
543a	Linen yarn, when imported by manufacturers of tailors' hollands of linen, for use exclusively in the manufacture of tailors' hollands of linen in their own factories	Free	Free	Free
565	Blankets of any material	22½ p.c.	30 p.c.	35 p.c.
566	Flannels, plain, not fancy; fabrics of wool or of cotton and wool, commonly described and sold as lustres, mohair, alpaca and Italian linings	20 p.c.	30 p.c.	35 p.c.
567	Fabrics, manufactures, wearing apparel and ready-made clothing composed wholly or in part of wool; worsted, the hair of the goat, or other like animal, n.o.p.; cloths, doeskins, cassimeres, tweeds, coatings, overcoatings and felt cloth, n.o.p.	27½ p.c.	35 p.c.	35 p.c.
568	Knitted undershirts, knitted drawers and knitted goods, n.o.p.	20 p.c.	30 p.c.	35 p.c.
575	Embroideries, n.o.p.; lace, n.o.p.; braids, n.o.p.; tapes of cotton or linen not over one and one-quarter inches in width, not including measuring tape lines; fringes, n.o.p.; cords; elastic, round or flat; garter elastic; tassels; handkerchiefs of all kinds; lace collars and all manufactures of lace; nets and nettings of cotton, linen, silk and other material, n.o.p.; shams and curtains, when made up, trimmed, or untrimmed	25 p.c.	32½ p.c.	35 p.c.
575a	Corsets of all kinds; linen or cotton clothing, n.o.p.	22½ p.c.	32½ p.c.	35 p.c.
575b	Oiled clothing and oiled hats made from cotton or linen	20 p.c.	30 p.c.	30 p.c.
581a	Silk cloth woven in the gum, not boiled or bleached, measuring not less than twenty inches in width, when imported for the purpose of being dyed and finished in Canada, under regulations prescribed by the Minister of Customs and Excise	10 p.c.	17½ p.c.	30 p.c.
590a	Aeroplanes and other aircraft and complete parts thereof under regulations prescribed by the, Minister of Customs and Excise	Free	25 p.c.	27½ p.c.
	And on and after July 1, 1923	15 p.c.	25 p.c.	27½ p.c.
591	Farm wagons and complete parts thereof	10 p.c.	15 p.c.	17½ p.c.
611	Boots and shoes, pegged or wire fastened, with unstitched soles close-edged	15 p.c.	22½ p.c.	25 p.c.
611a	Boots, shoes, slippers and insoles of any material, n.o.p.	17½ p.c.	27½ p.c.	30 p.c.
612	Harness and saddlery, including horse boots	17½ p.c.	27½ p.c.	30 p.c.
619	India-rubber clothing and clothing made waterproof with india-rubber; rubber or gutta percha hose, and cotton or linen hose lined with rubber; rubber mats or matting and rubber packing	20 p.c.	30 p.c.	35 p.c.
621	Window shade cloth in the piece; window shades, cut to size or hemmed or mounted on rollers, n.o.p.	20 p.c.	30 p.c.	35 p.c.
631	Collars and cuffs, of cotton, linen, xylonite, xyolite or celluloid	20 p.c..	35 p.c.	37½ p.c.

Tariff Items	——	British Preferential Tariff	Intermediate Tariff	General Tariff
638a	Hatters' bands (not cords) and hat sweats; hatters' tips and sides when cut to shape; and cashmere when cut to shape for under-brims and hat covers. All articles in this item when imported by hat and cap manufacturers for use exclusively in the manufacture of hats and caps in their own factories....	Free	Free	Free
657a	Cinematograph or moving picture films, positives, one and one-eighth of an inch in width and over, per linear foot	1½ cents	3 cents	3 cents
657b	Special parts, in the rough, when imported by manufacturers of cameras, for use only in the manufacture of cameras.....	5 p.c.	7½ p.c.	7½ p.c.
660	Clothes wringers for domestic use, and parts thereof..	20 p.c.	30 p.c.	32½ p.c.
682	Fish hooks, for deep-sea or lake fishing, not smaller in size than number 2·0; bank, cod, pollock and mackerel fish lines; and mackerel, herring, salmon, seal, seine, mullet, net and trawl twine in hanks or coil, barked or not,—in variety of sizes and threads,—including gilling thread in balls, and head ropes for fishing nets; barked marline, and net norsels of cotton, hemp, or flax; and fishing nets or seines, and manila rope, not exceeding one and one-half inches in circumference, when used exclusively for the fisheries, not to include hooks, lines, nets or rope commonly used for sportsmen's purposes.....	Free	Free	Free
705a	Settlers' effects, viz.:—Machines, vehicles and implements for agricultural purposes, moved by mechanical power, and motor vehicles, valued at not more than one thousand dollars, and boats for fishing purposes if actually owned abroad by the settler for at least six months before his removal to Canada, and subject to regulations prescribed by the Minister of Customs and Excise. Provided that the said machines, vehicles, implements and boats may not be so entered unless brought by the settler on his first arrival, and shall not be sold or otherwise disposed of without payment of duty until after twelve months' actual use in Canada.....	Free	Free	Free

Orders in Council repealed.

(2) The following Orders in Council or portions of Orders in Council are hereby repealed.

Section (b) of Order in Council dated the 27th day of November, 1907, P.C. 2654, designated as item 715 of the Customs Tariff;

Section 2 (b) of Order in Council dated 5th day of June, 1912, P.C. 16/1556, designated as item 762 of the Customs Tariff;

Order in Council dated 30th day of January, 1919, P.C. 224;

Order in Council dated 30th day of January, 1919, P.C. 2/233;

Order in Council dated 20th day of February, 1919, P.C. 383.

Schedule B. amended.

3. Schedule B of *The Customs Tariff, 1907*, as amended by chapter forty-seven of the statutes of 1919, is amended by striking thereout tariff item 1026, the enumeration of goods, and the rate of drawback of Customs duties set

opposite to the said item, and by inserting the following items, enumerations and rates of drawback of Customs duties in said Schedule B:—

Item No.	Goods	When subject to drawback	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback
1026	Materials, including all parts not finished..	When used in the manufacture of goods enumerated in tariff items 446, 446b, 447b, 448 and 448a.....	40 p.c.
1027	Materials, including all parts not finished..	When used in the manufacture of goods enumerated in tariff items 447, 448b and 591.....	30 p.c.
1028	Materials, including all parts.....	When used in the manufacture of goods enumerated in tariff item 447a.....	99 p.c.
1029	Hatters' plush or silk or cotton, and hatters' bindings.....	When imported by hat and cap manufacturers and used in the manufacture of hats and caps in their own factories.....	99 p.c.
1030	Materials.....	When used in the manufacture of surgical trusses, suspensory bandages and elastic hosiery..	50 p.c.

Schedule C. amended.

4. Schedule C (Prohibited Goods) of *The Customs Tariff, 1907*, as amended by chapter twenty-six of the statutes of 1914, (first session), is further amended by adding the following thereto:—

"1214 *(a)* Common mongoose (Herpestes griseus) or mongoose of any kind;

(b) Common Mynah, Chinese Mynah, Crested Mynah, or any other species of the Starling family (Sturnidæ);

(c) Java sparrow, rice bird, nutmeg finch, or other species of the weaver bird family (Ploceidæ);

(d) European Chaffinch (Fringilla coelebs);

(e) Great titmouse (Parus major)."

Commencement of Act.

5. This Act shall be deemed to have come into force on the twenty-fourth day of May, one thousand nine hundred and twenty-two, and to have applied to all goods mentioned in the preceding sections imported or taken out of warehouse for consumption on and after that day, and to have also applied to goods previously imported for which no entry for consumption was made before that day.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 199.

An Act to amend the Inland Revenue Act.

AS PASSED BY THE HOUSE OF COMMONS,
23rd JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

41767

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 199.

An Act to amend the Inland Revenue Act.

R.S. c. 51; 1908, c. 34; 1910, c. 30; 1914 (2 Sess.), c. 6; 1915, c. 17; 1918, c. 28; 1920, c. 52; 1921, c. 34.

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

1. (1) The *Inland Revenue Act*, chapter fifty-one of the Revised Statutes of Canada, 1906, is amended by repealing paragraphs *(e)*, *(f)*, *(g)* and *(h)* of section two hundred and seventy-nine, as enacted by chapter twenty-eight of the statutes of 1918, and substituting therefor the following:—

Excise duty changed—

"*(e)* On cigars of all descriptions, made from raw leaf tobacco, three dollars per thousand;

from $6.

from $7.

(f) On all cigars when put up in packages containing less than ten cigars each, four dollars per thousand;

from $6.

(g) On cigarettes made from raw leaf tobacco or any substitute therefor, weighing not more than three pounds per thousand, seven dollars and fifty cents per thousand;

from $11.

(h) On cigarettes made from raw leaf tobacco or any substitute therefor, weighing more than three pounds per thousand, twelve dollars and fifty cents per thousand."

Exception added.

(2) Section three hundred and twenty-eight A of the said Act, as enacted by chapter twenty-eight of the statutes of 1918, and section three hundred and twenty-eight B, as enacted by chapter fifty-two of the statutes of 1920, are repealed.

2. The said Act is amended by adding thereto, immediately after section one hundred and fifty-four, the following section:—

"Druggist" defined.

"**154**A. (1) In this section 'druggist' means retail druggist, and includes a person who is registered, licensed or authorized under the law of any province of Canada to carry on the business of preparing, manufacturing, com-

pounding or dispensing, for sale to a consumer, medicines and pharmaceutical preparations.

Excise duty on spirits used by druggist.

"(2) When any druggist is licensed by the Minister of Customs and Excise to prepare prescriptions for medicines and pharmaceutical preparations in the manufacture or preparation of which spirits are used, where such spirits are purchased for such purposes by a druggist so licensed the following duties of excise shall be imposed, levied and collected, that is to say:—

On spirits testing not less than fifty per centum over proof in such limited quantities as may be prescribed by the Minister of Customs and Excise—

(a) When the material used in the manufacture thereof consists of not less than ninety per centum, by weight, of raw or unmalted grain, or when manufactured from sugar, syrup, molasses or other saccharine matter not otherwise provided for, on every gallon of the strength of proof by Sykes' hydrometer, two dollars and forty cents and so in proportion for any greater strength than the strength of proof, and for any less quantity than a gallon;

(b) When manufactured exclusively from malted barley, taken to the distillery in bond and on which no duty of customs or excise has been paid, or when manufactured from raw or unmalted grain, used in combination, in such proportions as the Department prescribes, with malted barley taken to the distillery in bond and on which no duty of customs or of excise has been paid, on every gallon of the strength of proof by Sykes' hydrometer, two dollars and forty-two cents, and so in proportion for any greater strength than the strength of proof and for any less quantity than a gallon;

(c) When manufactured exclusively from molasses, syrup, sugar or other saccharine matter, taken to the distillery in bond and on which no duty of customs has been paid, on every gallon of the strength of proof by Sykes' hydrometer, two dollars and forty-three cents, and so in proportion for any greater strength than the strength of proof and for any less quantity than a gallon.

Drawback.

"(3) Where such spirits are purchased from a Government vendor or other person lawfully authorized to sell the same and where the duties imposed by law have been paid thereon, the said druggist may be entitled to a drawback of all such duty in excess of said duties of excise.

License required.

"(4) No person shall receive spirits for any purpose mentioned in this section without first obtaining a license from the Minister of Customs and Excise. There shall be payable for such license a fee of two dollars per annum and a license shall not continue in force beyond the end of any fiscal year unless renewed. A licensee shall jointly with a guaranty company approved by the Minister enter

Bond.

into a bond to His Majesty in the sum of one thousand dollars, which bond shall be conditioned that the licensee shall use all spirits specified in this section exclusively in the preparation of prescriptions and pharmaceutical preparations on his own premises, that he shall keep books and accounts and make such entries and returns as are required by any regulations made under this Act, and that he shall faithfully comply with all the requirements of such regulations. Any person who violates any of the provisions

Penalty.

of this section or of any regulation made under this Act shall incur a penalty not exceeding two hundred dollars recoverable in the manner prescribed for recovery of penalties in this Act, and in addition he shall be liable to any other penalties applicable to any such violation under any other provisions of this Act; and if a licensee is convicted for any violation of this section or of any regulation made under this Act his license shall be cancelled and shall not be renewed within a period of two years from the date of conviction.

Regulations.

"(5) The Minister of Customs and Excise may make such regulations as he deems necessary for carrying out the provisions of this section."

3. The said Act is amended by adding thereto as Part Eleven the following:—

"PART XI.

Excise duties from sugar made from sugar beets.

"**378.** (1) There shall be imposed, levied and collected on all sugar produced in Canada from sugar beets, the following duties of excise:—

Sugar, sugar drainings, melado, sugar concrete and molasses testing over fifty-six degrees and not exceeding seventy-five degrees of polarization,
per one hundred pounds.....12 cents
and for each additional degree over seventy-five degrees,
per one hundred pounds..... ½ cent

Provided that fractions of five-tenths of a degree or less shall not e subject to the duty and that fractions of more than five-tenths shall be subject to the duty as a degree. Provided also that such duty of excise shall not be payable when such sugar is exported.

License for making sugar from beets.

(2) No person shall produce sugar in Canada from sugar beets without a license and a fee of two dollars per annum shall be paid for such license.

Provisions of Part II made applicable.

(3) All the provisions of Part Two of this Act respecting licenses and the obligations of persons holding them, the keeping of books or accounts, the payment of duties and making returns and the general regulations as to bonding and warehousing, so far as applied by departmental regu-

lations, and all provisions respecting penalties, so far as applicable, shall have full force and effect with respect to the manufacture of sugar made from sugar beets."

Dates of coming into operation of sections of this Act.

4. Section one of this Act shall be deemed to have come into operation on the twenty-fourth day of May, one thousand nine hundred and twenty-two; and section two of this Act shall come into operation on the first day of July, one thousand nine hundred and twenty-two; and section three of this Act shall come into operation on the first day of January, one thousand nine hundred and twenty-three.

First Session, Fourteenth Parliament, 12-13 George V, 1922.

THE HOUSE OF COMMONS OF CANADA

BILL 200.

An Act to amend The Special War Revenue Act, 1915.

AS PASSED BY THE HOUSE OF COMMONS,
23rd JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41963 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 200.

1915, c. 8; 1918, c. 46; 1920, c. 71; 1921, c. 50.

An Act to amend The Special War Revenue Act, 1915.

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

Purely mutual insurance companies subject to tax.

1. (1) Subsection two of section five of *The Special War Revenue Act, 1915*, is amended by striking out the words "and a purely mutual company" in the third line thereof, and by inserting the word "and" after the word "insurance" in the second line thereof.

(2) The following subsections are added to the said section five:—

Tax on insurance with unlicensed British or foreign company or with unlicensed inter-insurance associations.

"(11) Every person resident in Canada, who insures, against risks other than marine risks, his property situate in Canada, or any property situate in Canada in which he has an insurable interest, other than that of an insurer of such property, with any British or foreign company or British or foreign underwriter or underwriters, not licensed under the provisions of *The Insurance Act, 1917*, to transact business in Canada, or with any association of persons formed for the purpose of exchanging reciprocal contracts of indemnity upon the plan known as inter-insurance and not licensed under the provisions of *The Insurance Act, 1917*, the chief place of business of which association or of its principal attorney-in-fact is situate outside of Canada, shall on or before the thirty-first day of December in each year pay to the Minister for the Consolidated Revenue Fund, in addition to any other tax payable under any existing law or statute, a tax of five per centum of the total net cost to such person of all such insurance for the preceding calendar year, and for the purposes of this section every corporation carrying on business in Canada shall be deemed to be a person resident in Canada.

Returns.

(12) Every person to whom this section applies shall on or before the thirty-first day of December in each year make a return in writing to the Superintendent of Insurance stating the names of the companies, societies of underwriters or associations with whom the insurance was effected

by him or on his behalf, the amount of such insurance and the net cost thereof in each case.

Penalty.

(13) Every person who fails or neglects to make such return or pay to the Minister within the time limited by subsection eleven hereof the tax hereby imposed, shall incur a penalty of fifty dollars for each and every day during which such default continues."

2. Subsections two and three of section eight of the said Act are repealed and the following are substituted therefor:—

Tax on cable and telegraph companies increased.

"(2) Every cable company and telegraph company shall pay to the Minister for Consolidated Revenue Fund, of the first day of February, the first day of May, the first day of August and the first day of November in each year, a sum equal to three cents upon each despatch or message other than press despatches or messages originating at each of such company's respective offices in Canada and transmitted thence over the company's lines during the three months ending respectively on the last day of December, the last day of March, the last day of June and the last day of September preceding for which a charge of fifteen cents or more was imposed.

Charged and collected by company.

(3) Every company may charge the three cents to and collect the same from the person paying or liable to pay the regular charges for the transmission of the despatch or message."

3. Subsection one of section twelve of the said Act is amended as follows:—

Definitions.

(1) Subparagraph (iii) of paragraph *(a)* of subsection one is repealed and the following is substituted therefor:—

What the word "bank" is to include.

"(iii) any other body corporate and any Dominion or Provincial Government Savings Office, the board of trustees and executive officers and servants of a Provincial Government, receiving money which is repaid by honouring the cheque, order or other written instructions of the person from or on whose account the money was received;"

(2) Subparagraph (iv) of paragraph *(a)* of subsection one is repealed and the following is substituted therefor:—

"(iv) any one receiving money which he repays by honouring the cheque, order or other written instructions of the person from or on whose account the money was received;"

(3) Paragraph *(c)* of subsection one is repealed and the following is substituted therefor:—

"Promissory note."

"*(c)* 'promissory note' includes any document or writing (except a bank note) containing a promise to pay any sum of money. If such sum is payable out of a particular fund which may or may not be available, or is payable upon any condition or contingency which may or may not be performed or happen, the document

or writing shall be a 'promissory note' for the purposes of this section;"

(4) Subsection one is amended by adding thereto the following:—

"Cheque." "*(d)* 'cheque' includes any order, document or writing (except a bank note) drawn upon or addressed to a bank, entitling, or purporting to entitle, any person, whether named therein or not, to payment of a sum of money;"

4. Subsections two and four of section twelve of the said Act are repealed, and the following are substituted therefor:—

Stamp tax on cheques increased. "(2) No person shall issue a cheque payable at or by a bank or drawn upon or addressed to a bank and requiring or directing payment of a sum of money, unless there is affixed thereto an adhesive stamp or unless there is impressed thereon by means of a die a stamp of the value of, if the amount of money for which the cheque is issued, drawn or made

(i) does not exceed $50.00.....two cents.

(ii) exceeds $50.00, but does not exceed $5,000.00, for every $50.00 or fraction thereof.....two cents.

(iii) exceeds $5,000.00.....two dollars.

and every adhesive stamp affixed to such cheque shall be cancelled by the bank at which the cheque is payable at or before the time of payment.

Regulations as to die impressed on cheques. The Minister of Finance may make regulations, notwithstanding anything in this section, under which there may be impressed on a cheque, by means of a die, words indicating that stamps of the requisite value in respect thereof have been duly paid, together with such further regulations as shall ensure, at or before issue of the cheque, payment equivalent to the value of the requisite stamps under this Part. Such regulations shall also provide for a proper audit of all cheque issues by persons entitled under the regulations to have stamps so impressed.

Only persons who have received a license from the Minister of Customs and Excise to issue cheques so impressed shall be entitled to the benefit of these regulations.

Stamp tax on receipts for money paid by bank increased. (4) No person shall sign a receipt for money paid to him by a bank chargeable against a deposit of money in the bank to his credit until he has affixed to the receipt an adhesive stamp or unless there is impressed thereon by means of a die a stamp of the value of, if the amount of money for which the receipt is signed

(i) does not exceed $50.00.....two cents

(ii) exceeds $50.00, but does not exceed $5,000.00, for every $50.00 or fraction thereof.....two cents.

(iii) exceeds $5,000.00.....two dollars

and every adhesive stamp affixed to such receipt shall be cancelled by the bank at or before the time the money is paid."

5. Paragraphs *(a)*, *(b)*, *(c)*, *(d)*, *(f)* and *(g)* of subsection three of section twelve of the said Act, as enacted by chapter seventy-one of the statutes of 1920, are repealed, and the following paragraphs are substituted therefor:—

Stamp tax bills and notes increased.

"*(a)* Subject to the provisions hereinafter set out no person shall transfer a bill of exchange or promissory note to a bank in such manner as to constitute the bank the holder thereof, or deliver a bill of exchange or promissory note to a bank for collection, unless there is affixed thereto an adhesive stamp or unless there is impressed thereon by means of a die a stamp of the value of, if the amount of money for which the bill or note is drawn or made

(i) does not exceed $50.00.....two cents,

(ii) exceeds $50.00, for every $50.00 or fraction thereof.....two cents.

Stamp tax on bills payable on demand, etc.

"*(b)* If a bill of exchange transferred or delivered to a bank or issued by a bank is payable on demand or at sight or on presentation, or within three days after date or sight, such bill shall, for the purpose of the value of the stamp to be affixed thereto or impressed thereon, be deemed to be drawn for an amount not exceeding five thousand dollars.

Stamp tax on promissory notes given for advances.

"*(c)* Whenever a promissory note, payable on demand, is transferred or delivered to a bank in such manner as to constitute the bank the holder, for an advance made or to be made by the bank, a stamp of the value of two cents only is required to be affixed to the note or impressed thereon, whatever the amount of the money for which the note is made. The bank

Quarterly statement by bank of maximum amount of advances.

shall quarterly, on the last day of March, the last day of June, the last day of September, and the last day of December in each year, or within five days thereafter, prepare a statement showing the maximum amount of the advances made to the person transferring or delivering such notes, outstanding at the close of business on any day during the period of three months, or portion of such period, then ending, in respect of notes payable on demand, and shall affix thereto, at the time the statement is prepared, a stamp

Stamp tax thereon increased.

or stamps of the value of two cents for every fifty dollars or fraction thereof by which the maximum amount of the advances as aforesaid exceeds fifty dollars; and the bank shall forthwith render such statement to the person to whom the advances were made and the amount of the stamps so affixed shall

forthwith be payable by such person to the bank.

Stamp tax on documents or writings containing promise to pay, or pledge of securities, to secure payment of advances.

"*(d)* Whenever a document or writing is given or delivered to a bank in respect of an advance made or to be made by the bank to the person giving or delivering the document or writing and containing a promise to pay any sum of money advanced pursuant thereto, or containing a pledge of securities to secure the payment of any advance, and no promissory note or bill of exchange in respect of such advance is transferred or delivered to the bank, the following provision shall apply:

Quarterly statement by bank of maximum amount of advances.

The bank shall, quarterly, on the last day of March, the last day of June, the last day of September and the last day of December in each year, or within five days thereafter, prepare a statement showing the maximum amount of the advances made to the person giving or delivering such document or writing outstanding at the close of business on any day during the period of three months, or portion of such period, then ending, in respect of such document or documents, and shall affix thereto, at the time the statement is prepared, a stamp or stamps of the value of two cents for every fifty dollars of such maximum advances, or fraction thereof; and the bank shall forthwith render such statement to the person to whom the advances were made and the amount of the stamps so affixed shall forthwith be payable by such person to the bank.

Stamp tax thereon increased.

Stamp tax on overdrafts increased.

"*(f)* Whenever an advance is made by a bank to a person by way of overdraft the bank shall on the last day of each month or within five days thereafter, prepare a statement showing the maximum amount of the overdraft outstanding at the close of business on any day during the month, and shall affix to the statement a stamp or stamps of the value of two cents for every fifty dollars or fraction thereof of such maximum amount, and the bank shall forthwith render such statement to the person to whom the advances were made and the amount of the stamps so affixed shall forthwith be payable by such person to the bank. An overdraft to be taken into account for the purposes of the statement and the value of the stamp to be affixed, shall not be deemed to be outstanding until the fourth day on which the account is overdrawn."

Statement of maximum amount of overdraft.

Statement forthwith when account closed.

"*(g)* If the person to whom an advance by way of overdraft is made, as mentioned in the next preceding paragraph, ceases at any time during a month in which such advance has been outstanding to be a customer of a bank, and thereupon there is no obligation of the bank to such person or of such person to the bank,

the statement mentioned in such paragraph shall be rendered forthwith. The maximum amount of the advances made to such person by way of overdraft outstanding at the close of business on any day during such portion of the month shall determine the value of the stamps to be affixed to the statement."

6. Subsection six of section twelve of the said Act, as enacted by chapter seventy-one of the statutes of 1920, is repealed and the following is substituted therefor:—

Stamp tax on notes, cheques or bills made or drawn out of Canada.

"(6) Every bank having in possession in Canada any promissory note, cheque or other bill of exchange made or drawn out of Canada on which a stamp prepared for the purposes of this Part or authorized to be used in lieu thereof has not been affixed or impressed shall, before payment or presentment for payment, if the same is payable in Canada, affix thereto an adhesive stamp of the requisite value according to the requirements of this section, and the value of the stamp so affixed shall be payable to the bank by the person entitled to the proceeds of the note, cheque or bill. The bank shall, before payment or presentment for payment, cancel the stamp."

7. Subsection ten of section twelve of the said Act, as enacted by chapter seventy-one of the statutes of 1920, is repealed and the following is substituted therefor:—

Penalty for issue of bank cheques, etc., without stamp.

"(10) Every bank which issues, pays, presents for acceptance or payment or accepts payment of a cheque or other bill of exchange or promissory note upon which a stamp of the requisite value according to the requirements of this section has not been affixed or impressed shall be liable to a penalty of one hundred dollars. This subsection shall not apply to the presentment for acceptance of a bill of exchange drawn outside of Canada."

8. Subsection thirteen of section twelve of the said Act as enacted by chapter seventy-one of the statutes of 1920, is repealed and the following is substituted therefor:—

Stamp tax on sale or transfers of stock increased from two to three cents.

"(13) (*a*) No person shall sell or transfer the stock or shares of any association, company or corporation, or any bond other than a bond of the Dominion of Canada or of any Province of Canada by agreement for sale, entry on the books of the association, company or corporation, by delivery of share certificates or share warrants or bond endorsed in blank, or bond payable to bearer, or in any other manner whatsoever, or accept the transfer or delivery of any stock or share or bond unless in respect of such sale or transfer there is affixed to or impressed upon the document evidencing the ownership of such stock or shares, or bond, or a document showing the transfer or agreement for the transfer thereof, an adhesive stamp, or a stamp

impressed thereon by means of a die, of the value of three cents for every one hundred dollars or fraction thereof of the par value of the stock or shares or bond sold or transferred. Provided that in case of sale where the evidence of transfer is shown only by the books of the company the stamp shall be placed or impressed upon such books; and where the change of ownership is by transfer of the certificate or bond the stamp shall be placed or impressed upon the certificate or bond; and in case of an agreement to sell or where the transfer is by delivery of the certificate or bond assigned in blank, or bond payable to bearer, there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed or impressed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers. Provided that the first delivery by a corporation or company of such shares, or debenture stock, in order to effect an issue, or the first issue of a bond, or a sale or transfer of any bond between any recognized dealers or brokers shall not be subject to the tax imposed by this subsection. The Governor in Council may make regulations for the purpose of determining what constitutes a sale or transfer under this subsection.

Penalty for violation.

(*b*) Any person who violates any of the provisions of this subsection shall be liable to a penalty not exceeding five hundred dollars."

9. Subsections two and three of section thirteen of the said Act are repealed and the following are substituted therefor:—

Stamp tax on money orders, etc., of express companies increased.

"(2) Every express company carrying on business in Canada shall before the issue of a money order or traveller's cheque affix thereto an adhesive stamp of the value of, if the amount of money for which the money order or traveller's cheque is issued

(i) does not exceed $50.00.....two cents.

(ii) exceeds $50.00, but does not exceed $5,000.00, for every $50.00 or fraction thereof.....two cents.

(iii) exceeds $5,000.00.....two dollars.

and the company may charge the amount of the stamps so affixed to and collect the same from the purchaser of the order or cheque or from the payee thereof. The company shall before delivery of the order or cheque cancel the stamp by writing on or across the stamp initials or other identification of the company together with the date of the issue of the order or cheque.

Stamp tax on money orders of

(3) No money order shall be issued under the provisions of the *Post Office Act* until there is affixed thereto or to the

post office increased.

R.S. c. 66.

relative advice a postage stamp of the value of, if the amount of money for which the money order is issued

(i) does not exceed $50.00.....two cents

(ii) exceeds $50.00, but does not exceed $5,000.00, for every $50.00 or fraction thereof.....two cents.

(iii) exceeds $5,000.00.....two dollars.

to be paid for by the purchaser of the order. The postmaster or other officer of the Post Office Department issuing the order shall cancel the stamp by impressing thereon when affixed the date stamp of the post office at which the order is issued."

10. The said Act is amended by inserting the following as section fourteen:—

Definition.

"**14.** (1) For the purposes of this section the expression "receipt" includes any note, memorandum or writing whereby any money amounting to ten dollars or upwards, or any

"Receipt."

bill of exchange or promissory note for money amounting to ten dollars or upwards is acknowledged or expressed to have been received, deposited or repaid, or whereby any debt or demand or any part of a debt or demand of the amount of ten dollars or upwards is acknowledged to have been settled, satisfied or discharged or which signifies or imports any such acknowledgment, and whether the same is or is not signed with the name of any person.

Stamp tax on receipts.

(2) No person shall give a receipt unless there is affixed thereto an adhesive stamp or unless there is impressed thereon by means of a die a stamp of the value of two cents, which is to be cancelled by the person by whom the receipt is given before he delivers it out of his hands. Cancellation shall be effected by the person who cancels the stamp writing or impressing his name or initials on or across the stamp together with the true date of such writing or impressing.

Penalty for violation.

(3) Any person who violates any of the provisions of this section, or who refuses to give a receipt, duly stamped, or who, upon a payment to the amount of ten dollars or upwards gives a receipt for a sum not amounting to ten dollars or separates or divides the amount paid with intent to evade the duty, shall be liable to a penalty not exceeding one hundred dollars.

Exceptions.

(4) The stamp duties imposed by this section shall not apply to the following cases:—

(a) A receipt for any money deposited in any bank as defined in section twelve of this Act to be accounted for to the person to whose credit the money is deposited.

(b) A receipt or document in the nature of a receipt which is taxable under any other section of this Act.

(c) An acknowledgment by a bank of the receipt of a bill of exchange or promissory note for the purpose of being presented for acceptance or payment.

(d) A receipt for or upon the payment of money paid for any purpose to or by His Majesty for or out of the Consolidated Revenue Fund of Canada or for or out of the Consolidated or General Revenue Fund of any Province of Canada.

(e) A receipt endorsed or otherwise written upon or contained in any instrument liable to stamp duty and duly stamped acknowledging the receipt of the consideration money therein expressed."

11. Subsection one of section 16A of the said Act, as enacted by chapter forty-six of the statutes of 1918, is amended by adding the following proviso thereto:—

Tax on matches in small packages.

"Provided that when matches are put up in packages containing not more than sixty and not less than thirty matches each, the tax shall be payable at the rate of one-half of one cent for each package, and when matches are put up in packages containing less than thirty matches each, the tax shall be payable at the rate of one-fourth of one cent per package."

12. Section 19A of the said Act, as enacted by chapter forty-six of the statutes of 1918, and amended by chapter seventy-one of the statutes of 1920, is further amended by adding the following proviso thereto:—

Tea purchased in bond in United Kingdom.

"Provided that in computing the "duty paid value" of tea purchased in bond in the United Kingdom the amount of the customs duty payable on tea for consumption in the United Kingdom shall not be included in the value of such tea for purposes of this Act."

13. The Order in Council, number 2031, dated the thirteenth day of June, 1921, is hereby repealed, and subsection one of section 19 BBB of the said Act, as amended by chapter fifty of the statutes of 1921, is repealed and the following is substituted therefor:—

Tax on sales increased.

"**19**BBB. (1) In addition to any duty or tax that may be payable under this Part, or any other statute or law, there shall be imposed, levied and collected an excise tax of two and one-quarter per cent on sales and deliveries by Canadian manufacturers or producers, and wholesalers or jobbers, and a tax of three and three-quarters per cent on the duty paid value of goods imported, but in respect of sales by manufacturers or producers, to retailers or consumers the excise tax payable shall be four and one-half per cent and on goods imported by retailers or consumers the excise tax payable shall be six per cent on the duty paid value.

The purchaser shall be furnished with a written invoice of any sale, which invoice shall state separately the amount of such tax.

Tax on lumber increased.

Provided that in respect of lumber an excise tax of three per cent shall be imposed, levied and collected on sales and deliveries by the Canadian manufacturer and of four and one-half per cent on importations, and that no further excise tax shall be payable on re-sale.

Provided also that the taxes specified in this section shall not apply to sales or importations of:—

Excepted articles not liable to tax.

Bread; flour, including self raising flour, oatmeal, rolled oats and cornmeal; rolled wheat, buckwheat meal and pea meal; animals living; live poultry; meats and poultry, fresh; milk, including buttermilk, condensed milk, evaporated milk and powdered milk; cream; butter; cheese; oleomargarine, margarine, butterine or other substitutes for butter; lard, lard compound and similar substances, made from animal or vegetable stearine or oils; eggs; vegetables, fruits, grains and seeds in their natural state; bran, shorts, middlings, alfalfa meal; oil cake, oil cake meal; grains mixed or crushed for cattle or poultry feed; hay; straw; hops; nursery stock; chicory, raw or green; bees; honey; sugar; molasses; salt; other farm produce sold by the individual farmer of his own production; ice; fish and products thereof not canned or medicated; ores of metals of all kinds; fuel of all kinds; gold and silver in ingots, blocks, bars, drops, sheets or plates unmanufactured; British and Canadian coin and foreign gold coin; logs and round unmanufactured timber; fence posts, railroad ties, pulpwood, tan bark, and other articles the product of the forest when produced and sold by the individual settler or farmer; newspapers and quarterly, monthly and semi-monthly magazines and weekly literary papers unbound; materials for use only in the construction, equipment and repair of ships; ships licensed to engage in the Canadian coasting trade; calcium carbide; radium; electricity; gas manufactured from coal, calcium carbide or oil for illuminating or heating purposes; materials for use solely in the manufacture of oleomargarine or any substitute for butter or lard; artificial limbs and parts thereof; artificial eyes; donations of clothing and books for charitable purposes; settlers' effects; War Veterans' badges; memorials or monuments erected in memory of soldiers who fell in the Great War; articles imported for the use of the Governor General; articles imported for the personal or official use of Consuls General who are natives or citizens of the country they represent and who are not engaged in any other business or profession; bibles, missals, prayer-books, psalm and hymn-books, religious tracts, and Sunday school lesson pictures; articles admitted to free entry under Customs Tariff item 682; manila fibre for use only in the manufacture of rope not exceeding one and one-half inches in circumference for the fisheries; boats *bona fide* purchased by

individual fishermen for their own personal use in the fisheries; articles and materials used in the manufacture of boats bona fide built for individual fishermen for their own personal use in the fisheries; fibre for use only in the manufacture of binder twine; job printed matter produced and sold by printers or firms, whose sales of job printing do not exceed ten thousand dollars per annum; fertilizers; dried beet pulp; and the Governor in Council shall have power to add to the foregoing list of articles exempted from the excise tax on sales, as he may deem it expedient or necessary to exempt from the said excise taxes.

Provided further that the excise taxes specified in this section shall not be payable on goods exported, or on sales of goods made to the order of each individual customer by a business which sells exclusively by retail under regulations by the Minister of Customs and Excise who shall be sole judge as to the classification of a business; and provided that the tax as specified in this section shall be payable on sales of goods manufactured for stock by merchants who sell exclusively by retail.

Drawback.

A drawback may be granted of ninety-nine per cent of the said taxes paid on materials used, wrought into or attached to articles exported, provided that payment of a specific sum in lieu of such drawback may be authorized by the Governor in Council in cases where specific rates of drawback of Customs duties are granted under the provisions of section two hundred and eighty-eight of the *Customs Act*."

R.S. c. 48.

14. The said Act is amended by inserting the following as subsection one of section 19 B:—

Tax on automobiles and confectionery increased.

"**19**B. (1) *(a)* There shall be imposed, levied and collected upon goods enumerated in Schedule I to this Part, when such goods are imported into Canada or taken out of warehouse on and after the twenty-fourth day of May, one thousand nine hundred and twenty-two, on the duty paid value in addition to any duty or tax that may be payable under this Act, or any other statute or law, the rate of excise tax set opposite to each item in said Schedule I; and there shall also be imposed, levied and collected when any such goods are manufactured or produced in Canada and sold on and after the twenty-fourth day of May, one thousand nine hundred and twenty-two, in addition to any duty or tax that may be payable under this Act, or any other statute or law, the rate of excise tax set opposite to each item in said Schedule I on the price for which the same is sold.

Tax on ale, etc., beverages and cigars increased.

(b) There shall be imposed, levied and collected upon all goods enumerated in Schedule II to this Part, when such goods are imported into Canada or taken out of warehouse or when any such goods are manufactured or produced in

Canada and sold on and after the twenty-fourth day of May, one thousand nine hundred and twenty-two, in addition to any duty or tax that may be payable under this Act, or any other statute or law, the rate of excise tax set opposite to each item in said Schedule II.

By whom tax is payable.

(c) Where the goods are imported such excise tax shall be paid by the importer and where the goods are manufactured or produced and sold in Canada such excise tax shall be paid by the manufacturer or producer; provided that if an automobile is, on the twenty-fourth day of May, one thousand nine hundred and twenty-two, in the hands of a dealer and not sold to a *bona fide* user the tax shall be paid by such dealer when such automobile is sold.

Manufacturer's license.

(d) The Minister may require every manufacturer or producer to take out an annual license for the purposes aforesaid, and may prescribe a fee therefor, not exceeding two dollars, and the penalty for neglect or refusal shall be a sum not exceeding one thousand dollars.

Proviso as to export.

Provided that such excise tax shall not be payable when such goods are manufactured for export, under regulations prescribed by the Minister of Customs and Excise.

Proviso as to imported cigars.

Provided further that the value on imported cigars shall be the duty paid value as defined in section 19 A of this Act; the value on cigars manufactured in Canada shall include the amount of the excise duty payable thereon."

Government or provincial sales or imports.

15. The taxes imposed by sections thirteen and fourteen of this Act shall apply to sales to or importations by His Majesty whether in the right of His Majesty's Government of Canada or His Majesty's Government of any Province of Canada for the purpose of resale.

16. Section 19 D of the said Act, as enacted by chapter forty-six of the statutes of 1918, and subsection four of section three of chapter seventy-one of the statutes of 1920, are repealed, and the following section is substituted therefor:—

Penalty.

"**19D.** Every person who, being thereto liable, neglects or refuses to pay any war excise tax imposed by this Part, shall be liable, on summary conviction, to a penalty of not less than fifty dollars and not exceeding one thousand dollars."

Priority of excise taxes.

1913, c. 9.
1919, c. 36.

17. Notwithstanding the provisions of *The Bank Act* and *The Bankruptcy Act*, or any other statute or law, the liability to the Crown of any person, firm or corporation, for payment of the excise taxes specified in *The Special War Revenue Act, 1915*, and amendments thereto, shall constitute a first charge on the assets of such person, firm or corporation, and shall rank for payment in priority to all other claims of whatsoever kind heretofore or hereafter

arising save and except only the judicial costs, fees and lawful expenses of an assignee or other public officer charged with the administration or distribution of such assets.

Date when sections 11 to 15 come into force.

18. Sections eleven, twelve, thirteen, fourteen and fifteen of this Act shall be deemed to have come into force on the twenty-fourth day of May, one thousand nine hundred and twenty-two, and to have applied to all goods imported or taken out of warehouse for consumption on and after that day, and to have applied to goods previously imported for which no entry for consumption was made before that date; provided that this shall not apply to the excise tax in Schedule I on automobiles purchased before the twenty-fourth day of May, one thousand nine hundred and twenty-two, and sold by a dealer in Canada to a *bona fide* user prior to that date and imported and entered for consumption on or before the first day of July, one thousand nine hundred and twenty-two; provided further that section fourteen of this Act so far as it imposes an excise tax on beverages mentioned in Schedule I shall come into force on the first day of July, one thousand nine hundred and twenty-two.

Date secs. 2 to 9 come into force.

19. Sections two, three, four, five, six, seven, eight and nine of this Act shall come into force on the first day of August, one thousand nine hundred and twenty-two.

Date s. 10 comes into force.

20. Section ten of this Act shall come into force on the first day of January, one thousand nine hundred and twenty-three.

SCHEDULE I.

Automobiles adapted or adaptable for passenger use:—

(a) valued at not more than twelve hundred dollars each five per cent.

(b) valued at more than twelve hundred dollars each,

on the value of twelve hundred dollars.....five per cent.

on the value in excess of twelve hundred dollars....ten per cent.

Not to include automobiles entered as settlers' effects.

Confectionery which may be classed as candy or a substitute for candy but not to include goods packed ready for sale in cartons or other packages bearing the name of the manufacturer, selling by retail at ten cents or less per carton, nor to include candy known as "gross goods" selling by retail at one cent..five per cent.

Beverages, when containing not more than two and one-half per centum of proof spirit not in casks, bottles or other closed containers, as follows:—

Beverages derived wholly or in part from cereals or substitutes therefor, unfermented fruit juices and imitations thereof, carbonated beverages or aerated waters, all other compounded or mixed soft drinks, sold by a person conducting a soda fountain, ice cream parlour, or other similar place of business .....five per cent.

SCHEDULE II.

Ale, beer, porter and stout, per gallon.....twelve and one-half cents.

Beverages when containing not more than two and one-half per centum of proof spirit, in casks, bottles or other closed containers, as follows:—

Beverages derived wholly or in part from cereals or substitutes therefor; unfermented fruit juices and imitations thereof; carbonated beverages or aerated waters; all other compounded or mixed soft drinks, per gallon.....five cents.

Cigars:—

(a) valued at not more than forty dollars per thousand, per thousand.....fifty cents.

(b) valued at more than forty dollars per thousand and not more than one hundred and ten dollars per thousand, per thousand.....three dollars.

(c) valued at more than one hundred and ten dollars per thousand and not more than one hundred and fifty dollars per thousand, per thousand..seven dollars.

(d) valued at more than one hundred and fifty dollars per thousand and not more than two hundred dollars per thousand, per thousand..ten dollars.

(e) valued at more than two hundred dollars per thousand, per thousand.....sixteen dollars.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 201.

An Act to amend the Customs Act and The Department of Customs and Excise Act.

AS PASSED BY THE HOUSE OF COMMONS, 23rd JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41769 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 201.

An Act to amend the Customs Act and The Department of Customs and Excise Act.

R.S. c. 48; 1907, c. 10; 1908, c. 19; 1911, c. 7; 1914, c. 25; 1917, c. 15; 1920, c. 10; 1921, c. 26.

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

Consular certificates, valuation for duty, and of currency.

1. Sections six, seven and eight of *The Department of Customs and Excise Act*, chapter twenty-six of the statutes of 1921, are repealed.

2. Section forty of the *Customs Act*, chapter forty-eight of the Revised Statutes, 1906, is amended by adding thereto the following subsection:—

Value for duty on foreign goods same as on similar goods from United Kingdom.

"(2) In the case of importations of goods the manufacture or produce of a foreign country, the currency of which is substantially depreciated, the value for duty shall not be less than the value that would be placed on similar goods manufactured or produced in the United Kingdom and imported from that country, if such similar goods are made or produced there. If similar goods are not made or produced in the United Kingdom, the value for duty shall not be less than the value of similar goods made or produced in any European country the currency of which is not substantially depreciated.

Minister to determine value.

The Minister may determine the value of such goods, and the value so determined shall, until otherwise provided, be the value upon which the duty on such goods shall be computed and levied under regulations prescribed by the Minister."

3. The said *Customs Act* is amended by inserting the following section immediately after section forty-seven thereof:—

Valuation of imports of natural products.

"**47** (A). If at any time it appears to the satisfaction of the Governor in Council on a report from the Minister of Customs and Excise, that natural products of a class or

kind produced in Canada are being imported into Canada, either on sale or on consignment, under such conditions as prejudicially or injuriously to affect the interests of Canadian producers, the Governor in Council may, in any case or class of cases, authorize the Minister to value such goods for duty, notwithstanding any other provisions of this Act, and the value so determined shall be held to be the fair market value thereof."

4. (1) Subsection three of section fifty-nine of the said *Customs Act*, is repealed, and the following is substituted therefor:—

Certificate of value of currency when depreciated or appreciated.

"(3) Whenever the value of a currency has not been proclaimed, or whenever there is no fixed standard value, or whenever from any cause the value of a currency has become depreciated or appreciated, there shall be attached to the invoice of the goods imported the certificate of some Consul or Canadian Trade Commissioner, resident in such place or country, or the certificate of a bank showing the extent of such depreciation or appreciation, or the true value at the time of the exportation of the goods of the currency in which such invoice is made out as compared with the standard dollar of Canada: Provided that the collector of Customs and Excise may compute the value for duty at the rate of exchange certified by the bank through which the same is drawn as current at the time and place when and whence the goods were exported to Canada."

Proviso. Rate of exchange.

Certificate by Canadian Trade Commissioners.

(2) Subsection four of the said section fifty-nine is amended by inserting the words "or Canadian Trade Commissioner's" after the word "consul's" in the second line thereof.

Commencement of preceding sections.

5. Sections one and four of this Act shall be deemed to have come into force on the twenty-fourth day of May, one thousand nine hundred and twenty-two, and to have applied to all goods imported or taken out of warehouse for consumption on and after that day and to have also applied to goods previously imported for which no entry for consumption was made before that day.

6. (1) Section one hundred and one of the said *Customs Act* is amended by adding the following proviso at the end thereof:—

Bond required on export of wines and spirituous liquors.

"Provided, however, that upon the entry outwards of wines and spirituous liquors to be exported from a Customs warehouse either by sea or by land or inland navigation, as the case may be, the person entering the same for such purpose shall give security by bond of an incorporated guarantee company authorized to do business in Canada, and whose bonds are acceptable to the Dominion Government, such bond to be in form approved by the Minister, in

double the duties of importation on such goods, that the same shall, when the entry aforesaid is for exportation by sea, be actually exported to the place provided for in said entry, and when the entry aforesaid is for exportation by land or inland navigation, shall be landed and delivered at the place for which they are entered outwards, unless in either case the said goods were after leaving Canada lost and destroyed, and that such proof or certificate that such goods have been so exported, landed or delivered, or lost and destroyed, as the case may be, as shall be required by any regulation of the Minister, shall be produced to the collector or other proper officer within a period to be appointed in such bond. This proviso, however, shall not apply to wines and spirituous liquors in a Canadian port, without entry thereat for warehouse and for no other purpose than their transportation *in transitu* on a through bill of lading from a port outside of Canada to another port of destination outside of Canada via a Canadian port or ports."

Cancellation of bond.

(2) Section one hundred and two of the said Act is amended by inserting the words "or in such bond" between the word "exportation" and the word "there" in the second line thereof, and by adding at the end thereof the following words:—

"and if security by bond has been given, the said bond may be cancelled."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 203.

An Act for carrying into effect the Treaties of Peace between His Majesty and Hungary and Turkey.

AS PASSED BY THE HOUSE OF COMMONS, 24th JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
43257 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 203.

An Act for carrying into effect the Treaties of Peace between His Majesty and Hungary and Turkey.

Preamble.

WHEREAS at Trianon, on the fourth day of June, one thousand nine hundred and twenty, a Treaty of Peace (including a protocol and declaration annexed thereto) between the Allied and Associated Powers and Hungary, a copy of which has been laid before each House of Parliament, was signed on behalf of His Majesty acting for Canada by the plenipotentiary therein named, and whereas at Sevres, on the tenth day of August, one thousand nine hundred and twenty, a Treaty of Peace between the Allied and Associated Powers and Turkey, a copy of which has been laid before each House of Parliament, was signed on behalf of His Majesty acting for Canada by the plenipotentiary therein named, and it is expedient that the Governor in Council should have power to do all such things as may be proper and expedient for giving effect to the said Treaties: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Governor in Council to carry out provisions of Treaties.

1. (1) The Governor in Council may make such appointments, establish such offices, make such Orders in Council, and do such things as appear to Him to be necessary for carrying out the said Treaties and for giving effect to any of the provisions of the said Treaties.

Orders in Council may be revoked or amended, may impose penalties, and must be laid before Parliament.

(2) Any Order in Council made under this Act may provide for the imposition by summary process or otherwise of penalties in respect of breaches of the provisions thereof, and shall be laid before Parliament as soon as may be after it is made, and shall have effect as if enacted in this Act, but may be varied or revoked by a subsequent Order in Council.

Expense, how to be paid.

(3) Any expense incurred in carrying out the said Treaties shall be defrayed out of moneys provided by Parliament.

Short title.

2. This Act may be cited as *The Hungary and Turkey Treaties of Peace Act, 1922.*

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 204.

An Act respecting the Harbour of Trenton in the Province of Ontario.

AS PASSED BY THE HOUSE OF COMMONS, 24th JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
43190 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA.

BILL 204.

An Act respecting the Harbour of Trenton, in the Province of Ontario.

Preamble.

WHEREAS it is expedient to make better provision for the improvement and management of the harbour of Trenton in the Province of Ontario; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Boundaries of harbour.

1. The harbour of Trenton shall, for the purposes of this Act, comprise all the navigable waters of the river Trent, from its mouth to the head of natural navigation at the first dam south of the Grand Trunk Railway Bridge, and all the waters of the Bay of Quinte inside or north of straight lines drawn from Myers Point to the west point of Baker island, thence southwestwardly to the north point of Indian island, thence northwardly to the point at which the road, that is an extension of Rear Street, Trenton, southwardly meets the shore of the Bay of Quinte.

Who shall be harbour commissioners.

2. The Mayor of the town of Trenton, for the time being, and two persons appointed from time to time by the Governor in Council, shall be commissioners under this Act to have the superintendence of the harbour and harbour master of the port of Trenton, under the title of "The Trenton Harbour Commissioners".

Harbour master may be appointed.

Salary.

3. The commissioners so appointed, or a majority of them, may, from time to time, appoint a fit and proper person to be harbour master for the said port of Trenton; and such harbour master may be paid out of the harbour dues hereinafter mentioned such salary not exceeding two hundred dollars per annum, as the commissioners, with the approval of the Minister of Marine and Fisheries may direct.

Control of commissioners and harbour master.

4. The commissioners and harbour master appointed under this Act shall be under the control of the Minister of Marine and Fisheries, to whom they shall respectively furnish a report in writing and on oath, on or as soon as possible after the thirty-first day of December in each year of their doings in office, and of the moneys received and expended by them.

Rules and regulations may be made.

5. The commissioners may, from time to time, with the consent of the Governor in Council, make, repeal or amend rules and regulations defining the rights, powers and duties of the harbour master of the said port, and respecting the use, management and government of the said harbour; and, by such rules and regulations, they may impose reasonable penalties, not in any case exceeding one hundred dollars, for any breach of such rules and regulations, with, in the case of a continuing breach thereof, a further penalty not exceeding ten dollars, for every twelve hours during which such breach continues, but so that no such rule or regulation shall impose a minimum penalty; and every breach of any such rule or regulation shall be deemed an offence against this Act; and every such penalty shall be held to be a penalty imposed by this Act, and shall be recoverable by summary prosecution under Part XV of the *Criminal Code*.

Buoys and beacons.

6. The commissioners shall place and maintain the necessary buoys and beacons in and for the said harbour.

Collection of dues.

7. The harbour master shall collect the rates and dues hereinafter mentioned, and shall prosecute every person who violates any rule or regulation made under this Act; and the commissioners shall see that such prosecutions are brought and effectively conducted.

Rates and dues may be imposed.

8. (1) The commissioners may impose, levy and collect, on all goods, wares, merchandise and chattels shipped on board or landed from any vessel or other craft within the limits of the harbour, and upon logs, timber, pine, cedar and railway ties passing down the River Trent through or into the harbour, or placed in the waters of the harbour in any manner whatsoever, and on all vessels or craft entering the harbour, the rates and dues set forth in the tariff in force respecting the same; and, until payment of such rates and dues, the commissioners shall have a lien on the goods, wares, merchandise and chattels in respect of which such rates and dues are payable,— and may detain the same, as also the vessel on which they are shipped or from which they are landed, and likewise any vessel or craft liable for the payment of any rates or dues under this Act, until the same are paid in full; and the

Lien for payment.

Sale.

lien in this section mentioned may be enforced by sale, after reasonable notice, by public auction of the article in respect of which the rates or dues have not been paid, ten days after such rates or dues have become payable;

Tariff may be made.

(2) The commissioners may make, and from time to time amend, the tariff of rates and dues to be imposed on cargo landed or shipped over the wharves in the harbour under the control of the commissioners, but no such tariff shall have any force or effect, until it has been approved by the Governor in Council and published in the *Canada Gazette:*

Proviso.

Provided, however, that the tariff provided in the regulations for the use and management of government wharves in Canada shall apply to the harbour of Trenton and the wharves therein until such time as the commissioners have prepared a tariff and obtained the required approval of the Governor in Council.

Expenditure of revenue.

9. (1) The commissioners shall keep separate accounts of all moneys received and expended by them under the authority of this Act, and shall account therefor annually to the Governor in Council in such manner and form as he may direct.

Improvement of harbour.

(2) The commissioners shall expend so much of the moneys collected under the provisions of this Act as remains after the payment of the salary of the harbour master and the necessary expenses of keeping the harbour clean and the wharves and other property of the commissioners in good repair, in improving the said harbour and its appurtenances in such manner and according to such plans as may be submitted by them to and approved by the Minister of Marine and Fisheries.

206.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 206.

An Act to amend The Railway Act, 1919.

AS PASSED BY THE HOUSE OF COMMONS,
26th JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
43120 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 206.

An Act to amend The Railway Act, 1919.

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

Powers of Board continued.

1. Subsection five of section three hundred and twenty-five of *The Railway Act, 1919*, shall, notwithstanding the proviso thereof, remain in effect until the sixth day of July, 1923, and may be continued in force for a further period of one year by order of the Governor in Council published in the *Canada Gazette;* Provided, that notwithstanding anything herein or in said subsection five contained, rates on grain and flour shall, on and from the sixth day of July, 1922, be governed by the provisions of the agreement made pursuant to chapter five of the statutes of Canada, 1897.

Crow's Nest agreement to apply to grain and flour.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 207.

An Act respecting the Department of Soldiers' Civil Re-establishment.

First reading, June 26, 1922.

THE MINISTER OF SOLDIERS' CIVIL RE-ESTABLISHMENT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE HOUSE OF COMMONS OF CANADA

BILL 207.

An Act respecting the Department of Soldiers' Civil Re-establishment.

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

Recommendations in Committee report approved.

1. The recommendations contained in the second and final report of the Special Committee appointed at the present session of Parliament by the House of Commons to consider questions relating to pensions, insurance and re-establishment of returned soldiers, and any amendment in the existing law in relation thereto, are hereby approved and put into full force and effect, subject to such regulations and limitations as the Governor in Council may prescribe.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL A.

An Act to extend the Right of Appeal from Convictions for Indictable Offences

Read a first time, Thursday, 16th March, 1922.

Honourable Mr. McMeans

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38011 1922

1st Session, 14th Parliament, 12-13 George V , 1922

THE SENATE OF CANADA

BILL A.

An Act to extend the Right of Appeal from Convictions for Indictable Offences.

HIS 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 Criminal Code (Appeals) Amendment Act, 1922.*

Repeal. R.S. 1906, c. 146.

2. The following sections of *The Criminal Code,* are hereby repealed, namely,—

sections 1012, 1013, 1014 as amended by chapter 9 of the statutes of 1909, 1015, 1016, 1016 A as enacted by chapter 9 of the statutes of 1909, 1017 to 1023 both inclusive, and section 1055 A as enacted by section 22 of chapter 25 of the statutes of 1921,

New provisions.

and in lieu thereof the following headings and sections are inserted in Part XIX immediately after section 1011.

Appeal from Conviction on Indictment

Interpretation.

"**1012.** In this section and in the sixteen next following sections of this Act, unless the context otherwise requires,—

(a) "appellant" includes a person who has been convicted on indictment and desires to appeal under section 1013 of this Act;

(b) "court of appeal" means the court designated by paragraph (7) of section two of this Act as the court of appeal for the province in which the conviction on indictment was had;

(c) "indictment" includes any information, complaint or charge whereon a person has been tried under the provisions of Part XVI or Part XVIII of this Act and convicted of an indictable offence.

(d) "registrar" means the registrar, clerk or other chief officer of the court of appeal;

(e) "sentence" includes any order of the trial court made on conviction with reference to the person con-

victed or his wife or children; and the power of the court of appeal to pass a sentence includes a power to make any such order of the court of appeal;

(f) "trial court" means the court before which the appellant was tried and convicted, and includes a "magistrate" acting under Part XVI and a "judge" acting under Part XVIII.

Right of appeal against conviction.

"**1013.** (1) A person convicted on indictment may appeal to the court of appeal against his conviction—

(a) on any ground of appeal which involves a question of law alone; and

(b) with leave of the court of appeal, or upon the certificate of the trial court that it is a fit case for appeal, on any ground of appeal which involves a question of fact alone or a question of mixed law and fact; and

(c) with leave of the court of appeal, on any other ground which appears to the court of appeal to be a sufficient ground of appeal.

Right of appeal against sentence.

(2) A person convicted on indictment, or the Attorney General, or the counsel for the Crown at the trial, may with leave of a judge of the court of appeal, appeal to that court against the sentence passed by the trial court, unless that sentence is one fixed by law.

Abolition of proceedings in error and new trials.

(3) No proceeding in error shall be taken in any criminal case, and the powers and practice now existing in the court of criminal appeal for any province, or in the Supreme Court of Canada, in respect of motions for or the granting of new trials of persons convicted on indictment are hereby abolished.

Opinion of majority of members of Court decisive.

(4) The determination of any question before the court of appeal shall be according to the opinion of the majority of the members of that court hearing the case.

How judgment is to be pronounced.

(5) Unless the court of appeal directs to the contrary in cases where, in the opinion of that court, the question is a question of law on which it would be convenient that separate judgments should be pronounced by the members of the court, the judgment of the court shall be pronounced by the president of the court or such other member of the court hearing the case as the president of the court directs, and no judgment with respect to the determination of any question shall be separately pronounced by any other member of the court.

Allowance of appeal against conviction.

"**1014.** (1) On the hearing of any such appeal against conviction the court of appeal shall allow the appeal if it is of opinion—

(a) that the verdict of the jury should be set aside on the ground that it is unreasonable or cannot be supported having regard to the evidence; or

(b) that the judgment of the trial court should be set aside on the ground of a wrong decision of any question of law; or

Dismissal.

(c) that on any ground there was a miscarriage of justice; and in any other case shall dismiss the appeal.

Exception when no substantial wrong or miscarriage of justice.

(2) The court may also dismiss the appeal if, notwithstanding that it is of opinion that on any of the grounds above mentioned the appeal might be decided in favour of the appellant, it is also of opinion that no substantial wrong or miscarriage of justice has actually occurred.

Quashing of conviction.

(3) Subject to the special provisions contained in the following sections of this Part, when the court of appeal allows an appeal against conviction, it shall quash the conviction and direct a verdict of acquittal to be entered.

Verdict of acquittal.

Powers of Court on appeal against sentence.

"1015. (1) On an appeal against sentence, unless the sentence is one fixed by law, the court of appeal shall consider the fitness of the sentence appealed against, and may upon such evidence, if any, as it thinks fit to require or to receive—

(a) refuse to alter that sentence; or

(b) diminish or increase the punishment imposed by that sentence, but always so that the diminution or increase be within the limits of the punishment prescribed by law for the offence of of which the offender has been convicted; or

(c) otherwise, but within such limits, modify the punishment imposed by that sentence; and

(d) in any other case shall dismiss the appeal.

Effect of judgment.

(2) A judgment whereby the court of appeal so diminishes, increases or modifies the punishment of an offender shall have the same force and effect as if it were a sentence passed by the trial court.

Powers of court in special cases.

"1016. (1) If it appears to the court of appeal that an appellant, though not properly convicted on some count or part of the indictment, has been properly convicted on some other count or part of the indictment, the court may either affirm the sentence passed on the appellant by the trial court or pass such sentence in substitution therefor as the court thinks proper, and as may be warranted in law by the verdict on the count or part of the indictment on which the court considers that the appellant has been properly convicted.

Multiple counts.

Possibility of conviction for offence other than that charged.

(2) Where an appellant has been convicted of an offence and the jury or, as the case may be, the judge or magistrate, could on the indictment have found him guilty of some other offence, and on the actual finding it appears to the court of appeal that the jury, judge or magistrate must have been satisfied of facts which proved him guilty of that other offence, the court of appeal may, instead of allowing or dismissing the appeal, substitute for the verdict found a verdict of guilty of that other offence, and pass such sentence in substitution for the sentence passed by the trial court as may be warranted in law for that other offence, not being a sentence of greater severity.

Wrong conclusion on special verdict.

(3) Where on the conviction of the appellant the jury have found a special verdict, and the court of appeal considers that a wrong conclusion has been arrived at by the trial court as to the effect of that verdict, the court of appeal may, instead of allowing the appeal, order such conclusion to be recorded as appears to the court to be in law required by the verdict, and pass such sentence in substitution for the sentence passed by the trial court as may be warranted in law.

Insanity.

(4) If on any appeal it appears to the court of appeal that, although the appellant was guilty of the act or omission charged against him, he was insane at the time the act was done or omission made so as not to be responsible according to law for his actions, the court may quash the sentence passed by the trial court and shall order the appellant to be kept in strict custody, in such place and such manner as to the court of appeal seems fit, until the pleasure of the lieutenant-governor of the province is known.

Restitution of property.

"**1017.** (1) The operation of any order for the restitution of any property to any person made on a conviction on indictment, and the operation in case of any such conviction, of the provisions of sections 795, 1048, 1049 and 1050 of this Act, shall (unless the trial court has directed to the contrary in any case in which, in its opinion, the title to the property is not in dispute) be suspended—

Suspension of orders of trial Court.

(a) in any case until the expiration of such time after the date of the conviction as may be directed by rules of court for giving notice of appeal or of application for leave to appeal; and

(b) in cases where such notice has been given within the time so directed, until the determination of the appeal;

and in cases where the operation of any such order, or the operation of the said provisions, is suspended until the determination of the appeal, the order or provisions, as the case may be, shall not take effect as to the property in question if the conviction is quashed on appeal. Provision may be made by rules of court for securing the safe custody of any property, pending the suspension of the operation of any such order or of the said provisions.

Safe custody of property.

Annulment or variation of orders of trial court.

(2) The court of appeal may by order annul or vary any order made by the trial court for the restitution of any property to any person, although the conviction is not quashed; and the order, if annulled, shall not take effect, and, if varied, shall take effect as so varied.

Procedure on Appeals against Conviction or Sentence.

Manner of and time for appealing.

"**1018.** (1) Where a person convicted on indictment desires to appeal to the court of appeal, or to obtain the leave of that court to appeal, he shall give notice of appeal, or notice of his application for leave to appeal, in such

manner and within such time after the date of his conviction, as may be directed by rules of court. Such rules shall enable any convicted person to present his case and his argument in writing instead of by oral argument if he so desires. Any case or argument so presented shall be considered by the court.

Extension of time.

(2) Except in the case of a conviction involving sentence of death, the time, within which notice of appeal or notice of an application for leave to appeal may be given, may be extended at any time by the court of appeal or by any judge of that court.

Delay of execution of sentence of death or whipping.

(3) In the case of a conviction involving sentence of death or whipping—

(a) the sentence shall not in any case be executed until after the expiration of the time within which notice of appeal or of an application for leave to appeal may be given under this section; and

(b) if notice is so given, the appeal or application shall be heard and determined with as much expedition as practicable, and the sentence shall not be executed until after the determination of the appeal, or, in cases where an application for leave to appeal is finally refused, of the application.

Proof and effect of notice of appeal in cases of sentence of death or whipping.

(4) The production of a certificate from the registrar that notice of appeal or of application for leave to appeal has been duly given, or the production of a certificate from the Minister of Justice that he has directed a new trial, shall be a sufficient warrant to suspend the execution of any sentence of death or whipping.

In other cases.

(5) In the case of a conviction not involving sentence of death or whipping the sentence of the trial court shall not be suspended by reason of any notice of appeal or of application for leave to appeal, whether against conviction or against sentence, unless the court of appeal or a judge of the court of appeal expressly so directs.

Bail.

"**1019.** (1) The court of appeal or a judge of that court, may if it seems fit, on the application of an appellant, admit the appellant to bail pending the determination of his appeal.

Effect as to term of imprisonment.

(2) The time during which an appellant, pending the determination of his appeal, is admitted to bail, and, subject to any directions which the court of appeal may give to the contrary on any appeal, the time during which the appellant, if in custody, is specially treated as an appellant under the rules of any prison in which he is confined, shall not count as part of any term of imprisonment under his sentence; and, in the case of an appeal under this Part any imprisonment under the sentence of the appellant, whether it is the sentence passed by the trial court or the sentence passed by the court of appeal, shall, subject to any directions which may be given by the

court of appeal as aforesaid, be deemed to be resumed or to begin to run, as the case requires, if the appellant is in custody, as from the day on which the appeal is determined, and, if he is not in custody, as from the day on which he is received into prison under the sentence.

Judge's notes of trial.

"**1020.** (1) The judge or magistrate before whom a person has been tried on indictment shall, in the case of appeal under this Part against the conviction or against the sentence, or in the case of an application for leave to appeal under this Part, furnish to the court of appeal, in

Report by judge.

accordance with rules of court, his notes of the trial; and shall also furnish to the court of appeal in accordance with rules of court, a report giving his opinion upon the case or upon any point arising in the case.

Shorthand notes of proceedings and evidence.

(2) Shorthand notes shall be taken of the proceedings had and evidence given at the trial of any person on indictment who, if convicted, is entitled or may be authorized to appeal under this Part, and on any appeal, or application for leave to appeal, a transcript of the notes or any part thereof shall be made and furnished to the court of appeal.

Transcripts.

For interested parties.

(3) A transcript of the shorthand notes, or of any part thereof, shall be furnished to any party interested upon payment of such charges if any as may be fixed by rules of court.

For Minister of Justice.

(4) The Minister of Justice may also, if he thinks fit in any case, direct a transcript of the shorthand notes to be made and furnished to him for his use.

Rules of Court for accuracy and verification.

(5) Rules of court may make such provision as is necessary for securing the accuracy of the notes to be taken and for the verification of any transcript thereof.

Supplemental powers of Court.

"**1021.** (1) For the purposes of an appeal under this Part, the court of appeal may if it thinks it necessary or expedient in the interest of justice—

Production of documents.

(a) order the production of any document, exhibit, or other thing connected with the proceedings, the production of which appears to it necessary for the determination of the case; and

Attendance and examination of witnesses.

(b) if it thinks fit, order any witnesses who would have been compellable witnesses at the trial to attend and be examined before the court of appeal, whether they were or were not called at the trial, or order the examination of any such witnesses to be conducted in manner provided by rules of court before any judge of the court of appeal, or before any officer of the court of appeal or justice of the peace or other person appointed by the court of appeal for the purpose, and allow the admission of any deposition so taken as evidence before the court of appeal; and

Reception of evidence.

(c) if it thinks fit, receive the evidence, if tendered, of any witness (including the appellant) who is a competent but not compellable witness, and, if the appellant

makes an application for the purpose, of the husband or wife of the appellant, in cases where the evidence of the husband or wife could not have been given at the trial except on such an application; and

Reference of certain questions to special commissioners.

(d) where any question arising on the appeal involves prolonged examination of documents or accounts, or any scientific or local investigation, which cannot in the opinion of the court of appeal conveniently be conducted before the court of appeal, order the reference of the question, in manner provided by rules of court, for inquiry and report to a special commissioner appointed by the court of appeal, and act upon the report of any such commissioner so far as the court of appeal thinks fit to adopt it; and

Assessors.

(e) appoint any person with special expert knowledge to act as assessor to the court of appeal in any case where it appears to the court of appeal that such special knowledge is required for the proper determination of the case;

and exercise in relation to the proceedings of the court of appeal any other powers which may for the time being be exercised by the court of appeal on appeals in civil matters, and issue any warrants necessary for enforcing the orders or sentences of the court of appeals.

Custody of documents.

(2) Any documents, exhibits, or other things connected with the proceedings on the trial of any person on indictment, who, if convicted, is entitled or may be authorized to appeal under this Part, shall be kept in the custody of the trial court in accordance with rules of the court of appeal made for the purpose, for such time as may be provided by the rules, and subject to such power as may be given by the rules for the conditional release of any such documents, exhibits, or other things from that custody.

Provision of copies for use of Crown officers.

(3) Provision shall be made by rules of court for furnishing to the attorney-general and to the counsel who acted for the Crown at the trial of certified copies of such documents, exhibits, and other things connected with the proceedings as they may require for the purposes of their duties in respect to appeals and applications for leave to appeal.

Legal assistance for appellant.

"**1021A.** (1) The court of appeal, or any judge of that court, may at any time assign to an appellant a solicitor and counsel, or counsel only, in any appeal or proceeding preliminary or incidental to an appeal in which, in the opinion of that court or judge, it appears desirable in the interests of justice that the appellant should have legal aid, and that he has not sufficient means to enable him to obtain that aid.

Duty of registrar.

(2) The registrar shall report to the court of appeal or some judge thereof any case in which it appears to him that, although no application has been made for the

purpose, a solicitor and counsel, or counsel only, ought to be assigned to an appellant under the powers given to the court of appeal by this Act.

Right of appellant to be present.

(3) An appellant, notwithstanding that he is in custody, shall be entitled to be present, if he desires it, on the hearing of his appeal, except where the appeal is on some ground involving a question of law alone, but, in that case and on an application for leave to appeal and on any proceedings preliminary or incidental to an appeal, shall not be entitled to be present, except where rules of court provide that he shall have the right to be present, or where the court of apppeal or a judge of that court gives him leave to be present.

Sentence in absence of appellant.

(4) The power of the court of appeal to pass any sentence under section 1015 of this Act may be exercised notwithstanding that the appellant is for any reason not present.

Costs of appeal.

(5) On the hearing and determination of an appeal, or any proceedings preliminary or incidental thereto, under this Part, no costs shall be allowed on either side.

Duties of registrar with respect to notices of appeal, etc.

"**1021**B. (1) The registrar shall take all necessary steps for obtaining a hearing of any appeal or application, notice of which is given to him under section 1018 of this Act, and shall obtain and lay before the court of appeal in proper form all documents, exhibits, and other things relating to the proceedings in the trial court which appear necessary for the proper determination of the appeal or application.

Summary determination of frivolous appeals.

(2) If it appears to the registrar that any notice of an appeal against a conviction, purporting to be on a ground of appeal which involves a question of law alone, does not show any substantial ground of appeal, the registrar may refer the appeal to the court of appeal for summary determination, and, where the case is so referrred, the court of appeal may, if it considers that the appeal is frivolous or vexatious, and can be determined without adjourning the same for a full hearing, dismiss the appeal summarily, without calling on any persons to attend the hearing or to appear for the Crown thereon.

Furnishing of forms and instructions.

(3) The registrar shall furnish the necessary forms and instructions in relation to notices of appeal or notices of application under section 1018 of this Act, to any person who demands the same, and to the registrar, clerk, or other chief officer of every provincial court having jurisdiction to try indictable offences, to magistrates having such jurisdiction, to sheriffs, to the warden of the penitentiary for the province, to gaolers or keepers of prisons within the province, and to such other officers or persons as the registrar thinks fit.

Duties of prison officials as to furnishing forms, etc.

Every such warden, gaoler or keeper of a prison shall cause those forms and instructions to be placed at the disposal of prisoners desiring to appeal or to make any application under section 1018 of this Act, and shall cause any such notice given by a prisoner in his

custody to be forwarded on behalf of the prisoner to the registrar.

Powers to make rules of court.

"**1021**c. (1) In addition to the powers for making rules of court conferred upon every superior court of criminal jurisdiction by section 576 of this Act, the court of appeal shall have power to make rules of court, not inconsistent with any statute of Canada or of any province of Canada, for the purposes of carrying out the provisions of this Part relating to appeals from convictions on indictment.

(2) Rules so made may make provision for the practice and procedure upon such appeals and upon all matters arising out of, resulting from or incidental to such appeals.

(3) In so far as rules so made affect the warden, keeper or other officers of any prison, or any officer having the custody of a person convicted on indictment, the rules shall, in the case of prisons under the administration and control of the Minister of Justice, be subject to the approval of the Minister of Justice, and in the case of provincial prisons shall be subject to the approval of the Lieutenant-Governor in Council of the province.

(4) Copies of all rules made under the authority of this section shall be laid before both Houses of Parliament at the session next after the making, or making and approval thereof, and shall also be published in *The Canada Gazette*. If an address is presented to the Governor in Council by either House of Parliament, within the next subsequent thirty days on which that House has sat next after any such rule is laid before it, praying that the rule may be annulled, the Governor in Council may annul the rule, which shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(5) The Governor in Council may make such provision as he deems fit for securing uniformity in rules made under the authority of this section by the several courts of appeal in the provinces.

Prerogative of Mercy.

Prerogative unaffected.

"**1022.** (1) Nothing in the thirteen next preceding sections of this Act shall in any manner limit or affect His Majesty's royal prerogative of mercy.

Powers of Minister of Justice.

(2) Upon any application for the mercy of the Crown on behalf of any person convicted on indictment, the Minister of Justice—

New trials.

(a) if he entertains a doubt whether such person ought to have been convicted, may, after such inquiry as he thinks proper, instead of advising His Majesty to remit or to commute the sentence, direct by an order in writing a new trial at such time and before such court as the Minister of Justice thinks proper; or

Reference to court of appeal for

(b) may, at any time, refer the whole case to the court of appeal, and the case shall then be heard and determined

determination.

by that court as in the case of an appeal by a person convicted; and

Reference for opinion.

(*c*) at any time, if the Minister of Justice desires the assistance of the court of appeal on any point arising in the case with a view to the determination of the petition, he may refer that point to the court of appeal for its opinion thereon, and that court shall consider the point so referred and furnish the Minister of Justice its opinion thereon accordingly."

Appeal from court of appeal to Supreme Court of Canada.

3. Subsection 2 of section 1024 of *The Criminal Code* is hereby repealed and the following subsection is substituted therefor:—

"2. The Supreme Court of Canada shall make such rule or order thereon, either in affirmance of the conviction or otherwise or for granting or refusing such application, as the justice of the case requires, and shall make all necessary rules and orders for carrying such rule or order into effect."

2. The Supreme Court of Canada shall make such rule or order thereon, either in affirmance of the conviction [or for granting a new trial,] or otherwise, or for granting or refusing such application, as the justice of the case requires, and shall make all [other] necessary rules and orders for carrying such rule or order into effect.

Criminal Code s. 1024, subs. 2. *Words to be omitted are shown between brackets.*

1st Session, 14th Parliament, 12-13 George V , 1922

THE SENATE OF CANADA.

BILL B.

An Act to amend The Cold Storage Warehouse Act.

Read a first time, Friday, 17th March, 1922.

Honourable Mr. BRADBURY.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38012 1922

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL B.

An Act to amend The Cold Storage Warehouse Act.

1914, c. 22.

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

1. *The Cold Storage Warehouse Act*, chapter twenty-two of the statutes of 1914 (1st Session) is amended by inserting the following sections therein immediately after section four thereof:—

Food which is not to be placed in cold storage.

"**4A.** (1) No article of food which is tainted or otherwise unfit for human consumption shall be placed in cold storage.

Return to cold storage.

(2) Articles of food which have been taken out of cold storage shall not be returned to cold storage except in such cases and subject to such requirements and conditions as are specified by regulation.

Period of storage.

"**4B.** No article of food mentioned in the schedule to this Act shall be kept in cold storage longer than the time specified in the schedule to this Act for such article.

Proviso.

Provided that the Minister, after satisfying himself that any article of food held in cold storage can be further stored without any undue risk of its becoming unfit for human consumption, and that the holding of such food will not unduly raise the price or make it possible to keep up the price to the consumer of any food affected by this section, may by written permission extend the time for storage for such further period as the Minister may in writing prescribe.

Label required for reception into storage.

"**4C.** (1) An article of food shall not be placed in cold storage unless there is attached to the article or to the package containing it a label complying with the provisions of this section, and with the provisions of any regulations duly prescribed in that behalf.

Particulars to be given on label.

(2) There shall be plainly stamped or printed on the label in black letters and figures, at least one-half of an inch in height, the following particulars:—

(a) A description of the article.

(*b*) The name and address of the firm or person on whose behalf the article is to be stored.

(*c*) The date of killing, taking, packing, manufacturing, or otherwise procuring or producing, as the case may be.

(*d*) The net cost of the article on the date of storing per pound, dozen, package or other unit of price.

Liability for particulars.

(3) The firm or person on whose behalf, as stated on the label, any article of food is delivered for cold storage shall be *primâ facie* liable for compliance with the requirements of subsection (2) of this section.

Further particulars to be put on label at time of storage.

(4) When an article of food is placed in cold storage, the manager or other person in charge of the cold storage warehouse shall cause to be plainly stamped or printed on the label aforesaid in black letters and figures at least one-half of an inch in height the following particulars:—

(*a*) The number of the license under which the warehouse is operated.

(*b*) The name of the firm or person operating the warehouse.

(*c*) The date on which the article was delivered for cold storage.

(*d*) The date on which the article was placed in cold storage.

Preservation of label and particulars.

(5) While an article is in cold storage, the said label shall not be removed. If the label is removed or defaced, or if any of the particulars required to be set out therein become unreadable, the proprietor, manager, or other person in charge of the cold storage warehouse shall forthwith cause it to be replaced by a label complying with the requirements of this section.

Removal from storage.

(6) When an article of food is removed from cold storage, the proprietor, manager or other person in charge of the cold storage warehouse shall cause to be plainly stamped or printed on the label aforesaid in red letters and figures, at least one-half of an inch in height, the following particulars:—

Further particulars on label.

(*a*) The date on which the article was removed from cold storage.

(*b*) The name and address of the firm or person to or for whom the article was delivered by the cold storage warehouse.

(*c*) The date of such delivery.

(*d*) The name and designation, the placing of which on the label shall be held to be a certificate that these particulars have been correctly stated to the best of his knowledge and belief.

Information to be given to purchasers.

"4D. (1) Every person who offers, exposes for sale, or has in his possession for sale, any article of food which has been in cold storage shall, upon enquiry, inform any person proposing to buy the article that it has been in cold storage, and shall, if so required, produce the label

attached to the article or to the package containing the article when the article was removed from cold storage.

Marking of cold storage goods exposed for sale.

(2) All parcels of food which have been in cold storage and are exposed for sale shall be marked with a card attached so as to be plainly in view of the public, on which shall be printed in red block letters, not less than two inches in length, upon a white ground the words "cold storage goods".

Report to Minister.

"4E. The proprietor, manager or other person in charge of a cold storage warehouse shall not less frequently than once in every calendar month make a written report to the Minister giving in detail the quantities of each article of food in cold storage at such a date as is fixed by any regulation, the net cost shown by his books of record of each article per pound, dozen, package, or other unit, and such information as may be required by regulation."

Penalties for contravention of Act or regulations.

2. Section eight of the said Act is hereby repealed, and the following is substituted therefor:—

"**8.** Any person, firm or corporation who contravenes any [provision] of this Act, or [of] any regulation made thereunder, shall be liable upon summary conviction to a fine not exceeding [five] hundred dollars or to imprisonment for a term of six months, or to both [such] fine and imprisonment; [and upon any second or subsequent conviction to a fine not exceeding one thousand dollars or to imprisonment for a term of one year, or to both [such] fine and imprisonment.]"

Note: Words substituted or added are shown in brackets.

3. The said Act is hereby amended by adding at the end thereof the following Schedule:—

SCHEDULE.

(SECTION 4B.)

PERIODS BEYOND WHICH ARTICLES OF FOOD ARE NOT TO BE KEPT IN COLD STORAGE.

Bacon (cured)	Shall not be held in cold storage longer than 12 months
Beef (fresh)	" " " " 8 "
" (salted or cured)	" " " " 12 "
Butter	" " " " 11 "
Eggs (April and May)	" " " " 2 "
" (all other months of the (year)	" " " " 8 "
Fish (not for export)	" " " " 3 "
Fish, frozen (for export only)	" " " " 9 "
Hams (cured or smoked)	" " " " 12 "
Lamb	" " " " 9 "
Pork (fresh)	" " " " 6 "
Veal	" " " " 4 "
Mutton	" " " " 9 "
Poultry (October, November and December)	" " " " 3 "
Poultry (January, February, March and April)	" " " " 9 "

8. Any person, firm or corporation who contravenes any [provisions] of this Act or any regulation made thereunder, shall be liable, upon summary conviction, to a fine not exceeding [two] hundred dollars or to imprisonment for a term of six months, or to both fine and imprisonment.

1914, c. 22, s. 8. *Words to be omitted are shown in brackets.*

1st REPRINT

10th MAY, 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL B.

An Act to amend The Cold Storage Warehouse Act.

Read a first time, Friday, 17th March, 1922.

Reprinted by order of the Select Committee to whom the Bill was referred.

Clauses and words to be substituted or added are shown in square brackets.

Honourable Mr. BRADBURY.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40891 1922

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL B.

An Act to amend The Cold Storage Warehouse Act.

1914, c. 22.

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

1. *The Cold Storage Warehouse Act,* chapter twenty-two of the statutes of 1914 (1st Session) is amended by inserting the following sections therein immediately after section four thereof:—

"4A. (1) No article of food which is tainted or otherwise unfit for human consumption shall be placed in cold storage.

Food which is not to be placed in cold storage.

["(2) Eggs, fish and poultry which have been taken out of cold storage shall not be returned to cold storage. Other fresh meats that have been taken out of cold storage shall not be returned to cold storage except in such cases and subject to such requirements and conditions as may be specified by regulation."]

Return to cold storage.

Period of storage.

["4B. No article of food shall be kept in cold storage longer than twelve months: Provided, however, that if the Minister is of opinion that the conditions of the market are such that it is desirable that any such article be no longer held in cold storage, he may require such article to be taken out of cold storage forthwith. Provided also, that if the Minister is of opinion that further keeping of any such article in cold storage is likely to result in deterioration, he may order that such article be forthwith taken out of cold storage."]

Proviso.

Label required for reception into storage.

"4C. (1) An article of food shall not be placed in cold storage unless there is attached to the article or to the package containing it a label complying with the provisions of this section, and with the provisions of any regulations duly prescribed in that behalf.

Particulars to be given on label.

(2) There shall be plainly stamped or printed on the label in black letters and figures, at least one-half of an inch in height, the following particulars:—

(a) A description of the article.

(*b*) The name and address of the firm or person on whose behalf the article is to be stored.

(*c*) The date of killing, taking, packing, manufacturing, or otherwise procuring or producing, as the case may be.

* * * *

Liability for particulars.

(3) The firm or person on whose behalf, as stated on the label, any article of food is delivered for cold storage shall be *primâ facie* liable for compliance with the requirements of subsection (2) of this section.

Further particulars to be put on label at time of storage.

(4) When an article of food is placed in cold storage, the manager or other person in charge of the cold storage warehouse shall cause to be plainly stamped or printed on the label aforesaid in black letters and figures at least one-half of an inch in height the following particulars:—

(*a*) The number of the license under which the warehouse is operated.

(*b*) The name of the firm or person operating the warehouse.

(*c*) The date on which the article was delivered for cold storage.

(*d*) The date on which the article was placed in cold storage.

Preservation of label and particulars.

(5) While an article is in cold storage, the said label shall not be removed. If the label is removed or defaced, or if any of the particulars required to be set out therein become unreadable, the proprietor, manager, or other person in charge of the cold storage warehouse shall forthwith cause it to be replaced by a label complying with the requirements of this section.

Removal from storage.

(6) When an article of food is removed from cold storage, the proprietor, manager or other person in charge of the cold storage warehouse shall cause to be plainly stamped or printed on the label aforesaid in red letters and figures, at least one-half of an inch in height, the following particulars:—

Further particulars on label.

[(*a*) The length of time the article has been in cold storage.]

(*b*) The date on which the article was removed from cold storage.

(*c*) The name and address of the firm or person to or for whom the article was delivered by the cold storage warehouse.

(*d*) The date of such delivery.

(*e*) The name and designation [of the proprietor, manager or other person in charge of the cold storage warehouse,] the placing of which on the label shall be held to be a certificate[by him] that these particulars have been correctly stated to the best of his knowledge and belief.

*Paragraph *(d)* of original Bill is now struck out. It read as follows:

"*(d)* The net cost of the article on the date of storing per pound, dozen, package or other unit of price."

Information to be given to purchasers.

"4D. (1) Every person who offers, exposes for sale, or has in his possession for sale, any article of food which has been in cold storage shall, upon enquiry, inform any person proposing to buy the article that it has been in cold storage, and shall, if so required, produce the label attached to the article or to the package containing the article when the article was removed from cold storage.

Marking of cold storage goods exposed for sale.

(2) All parcels of food which have been in cold storage and are exposed for sale shall be marked with a card attached so as to be plainly in view of the public, on which shall be printed in red block letters, not less than two inches in length, upon a white ground the words "cold storage goods".

Report to Minister.

"4E. The proprietor, manager or other person in charge of a cold storage warehouse shall not less frequently than once in every calendar month make a written report to the Minister giving in detail the quantities of each article of food in cold storage at such a date as is fixed by any regulation * * * and such information as may be required by regulation."

Penalties for contravention of Act or regulations.

2. Section eight of the said Act is hereby repealed, and the following is substituted therefor:—

"**8.** Any person, firm or corporation who contravenes any [provision] of this Act, or [of] any regulation made thereunder, shall be liable upon summary conviction to a fine not exceeding [five] hundred dollars or to imprisonment for a term of six months, or to both [such] fine and imprisonment; [and upon any second or subsequent conviction to a fine not exceeding one thousand dollars or to imprisonment for a term of one year, or to both [such] fine and imprisonment.]"

Note: Words substituted or added are shown in brackets.

[**3.** The said Act is hereby amended by inserting therein immediately after section six the following as section 6A:—

"6A. The Minister shall cause every cold storage warehouse to be inspected at least once a year for the purpose of ascertaining whether the cold storage warehouse is in sanitary condition, and also for the purpose of ascertaining how long each article of food therein has been held in cold storage therein."]

*The following words are struck out:
"the net cost shown by his books of record of each article per pound, dozen, package or other unit,"

8. Any person, firm or corporation who contravenes any [provisions] of this Act or any regulation made thereunder, shall be liable, upon summary conviction, to a fine not exceeding [two] hundred dollars or to imprisonment for a term of six months, or to both fine and imprisonment.

1914, c. 22, s. 8. *Words to be omitted are shown in brackets.*

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL Y².

An Act respecting Notices of Cancellation of Leases of Dominion Lands.

Read a first time, Friday, 12th May, 1922.

Honourable Mr. DANDURAND.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

40970

1st Session, 14th Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL Y².

An Act respecting Notices of Cancellation of Leases of Dominion Lands.

1908, c. 20.

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

Written notice of cancellation to be deemed effective from date on which it was given.

1. (1) Where by the terms of any lease, license, permit or other authority granted by His Majesty, or by the Minister of the Interior on behalf of the Government of Canada, entitling the lessee, licensee or grantee for any term or period thereby stipulated to possess or occupy any Dominion Lands, or to work or win any mines or minerals therein, or to cut and take any wood or timber growing thereon, it is in effect provided that in case of default in payment of the rent or royalty thereby reserved or for the breach or non-performance of any covenant, proviso, condition or stipulation therein contained and to be observed or performed by the lessee, licensee or grantee, the Minister of the Interior may, either immediately or after the expiration of any period thereby prescribed, by written notice to the lessee, licensee or grantee, cancel such lease, license, permit or other authority, if, at any time after the default has occurred and the power of cancellation has become exerciseable, any written or printed notice is given by or on behalf of and with the authority of the Minister to the lessee, licensee or grantee, or to his assignee, agent, executor, administrator or representative, whereby it is in terms or in effect stated that for or in respect of such default the said lease, license, permit or other authority is cancelled, or has been cancelled, or will be cancelled, or whereby an intention of the Minister is expressed or implied to treat the said lease, license, permit or other authority as no longer subsisting, such notice shall be and be deemed to have been effective from the date of giving the same to cancel and annul the said lease, license, permit or other authority for all purposes

Retroactive effect of this section.

for which the same may according to the terms thereof be cancelled by notice; and this section shall apply and be deemed to have applied to and in respect of all such leases, licenses, permits or other authorities as aforesaid, whether heretofore or hereafter granted or issued, and whether the default has already occurred or shall hereafter occur, and whether the notice aforesaid has heretofore been given or shall hereafter be given.

Signature and service of notice.

(2) In any such case as described in the preceding subsection the notice shall be deemed to be and to have been sufficient if signed by the Minister, or by any officer of the Department of the Interior by the direction and with the authority of the Minister; and moreover the notice shall be deemed to be and to have been duly given and served upon or delivered to the lessee, licensee or grantee, agent, executor or representative or to his assignee as aforesaid, if and when posted prepaid or franked to his last known address.

Limitation of time for actions claiming relief against cancellation.

2. No action, suit or other proceeding, either at law or in equity, shall lie or be instituted, prosecuted or maintained against His Majesty or against the Minister of the Interior, or the Attorney General, or any officer of the Government of Canada, claiming any relief or declaration against or in respect of the cancellation or forfeiture of any such lease, license, permit or other authority by means of any such notice as aforesaid, unless the same was or shall have been instituted within one year from the date of the giving of the said notice.

First Session, Fourteenth Parliament, 12 George V., 1922

THE SENATE OF CANADA.

BILL N3.

An Act respecting a Patent of Simon W. Farber.

AS PASSED BY THE SENATE, 19th JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40363 1922

1st Session, 14th Parliament, 12 George V., 1922

THE SENATE OF CANADA.

BILL N[3].

An Act respecting a Patent of Simon W. Farber.

Preamble.

WHEREAS Simon W. Farber, of the city of Brooklyn, in the state of New York, one of the United States of America, has by his petition represented that he is the owner of a certain patent granted under the *Patent Act*, numbered 181996 and dated the fifth day of February, 1918, for certain new and useful improvements in electric lamps; and whereas by his petition he has prayed that it may be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S., 1906, c. 69; 1921, c. 44.

Extension of time for importation into Canada.

1. Notwithstanding anything contained in the *Patent Act* or in the said patent, the said patent shall not be void by reason of the importation of the invention covered by the said patent into Canada during the period between the tenth day of January, 1922, and the date of the passing of this Act.

Rights saved.

2. If any person has in Canada since the tenth day of January, 1922, and before the date of the coming into force of this Act, commenced to construct, manufacture, use or sell any of the said improvements, such person may continue to construct, manufacture, use or sell such improvement in as full and ample a manner as if this Act had not been passed.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL P3.

An Act to amend The Explosives Act.

Read a first time, Thursday, 18th May, 1922.

Honourable Mr. BOYER.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41380 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL P3.

An Act to amend The Explosives Act.

1914, c. 31.

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

1. Section seven of *The Explosives Act*, chapter thirty-one of the statutes of 1914 is hereby amended by adding thereto the following as subsection (3) thereof:—

Factories and magazines licensed after this subsection comes into force not to be within two miles of any other buildings.

"(3) Notwithstanding any other provision contained in this Act, no regulation made by the Governor in Council under this Act shall authorize the issue of, and the Minister shall not issue any license for, the establishment, location or maintenance of a factory or magazine within two miles of any other building, structure, or premises, except licenses for continuing the maintenance of such factories or magazines as have been established, located and maintained under licenses issued before the date of the coming into force of this subsection."

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

1922

BILL U3.

An Act to incorporate Canadian Casualty Company.

Read a first time, Thursday, 18th May, 1922.

Honourable Mr. WATSON.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41044 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL U3.

An Act to incorporate Canadian Casualty Company.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Samuel Martin Roberts, financier, John S. Walker, manufacturer, Richard William Dickson, contractor, Edward Johnston Williams, physician, Marcel Hyacinthe Lebel, physician, Daniel McLaughlin, gentleman, all of the city of Montreal in the province of Quebec, Albert Brousseau, contractor, Ludger Brien, trader, both of the town of Montreal North in the province of Quebec, and Robert Herbert Roberts, inspector of education, of the city of Calgary in the province of Alberta, together with such persons as become shareholders in the Company, are incorporated under the name of "Canadian Casualty Company", hereinafter called "the Company".

Corporate name.

Provisional directors.

2. The persons named in section one of this Act shall be the provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be five hundred thousand dollars, which may be increased to one million dollars.

Amount to be subscribed.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be fifty thousand dollars.

Head office.

5. The head office of the Company shall be at the city of Montreal in the province of Quebec.

Classes of insurance.

6. The Company may make contracts of any of the following classes of insurance:—

(a) Fire insurance.
(b) Accident insurance.
(c) Automobile insurance.
(d) Burglary insurance.
(e) Sickness insurance.
(f) Guarantee insurance.

Commencing business.

7. (1) The Company shall not commence the business of accident and sickness insurance until at least one hundred thousand dollars of its capital stock has been *bona fide* subscribed and at least fifty thousand dollars paid thereon.

Accident and sickness insurance.

Automobile insurance.

(2) The Company shall not commence the business of automobile insurance until the subscribed capital has been increased to the sum of at least one hundred and fifty thousand dollars and until the paid capital, together with the surplus, has been increased to the sum of at least seventy-five thousand dollars.

Guarantee insurance.

(3) The Company shall not commence the business of guarantee insurance until the subscribed capital has been increased to the sum of at least two hundred thousand dollars and until the paid capital, together with the surplus, has been increased to the sum of at least one hundred and twenty-five thousand dollars.

Other classes of insurance.

(4) The Company shall not commence any of the other classes of business authorized by section six of this Act until the subscribed capital has been increased to the sum of at least three hundred thousand dollars and until the paid capital, or the paid capital together with the surplus, has been increased by an amount or amounts dependent upon the nature of the additional class or classes of business as follows, that is to say:—for burglary insurance the said increase shall be not less than twenty thousand dollars and for fire insurance not less than fifty thousand dollars.

Increase of paid capital.

Fire insurance. Increases of amounts paid on capital stock.

(5) The Company shall, at or before the expiration of one year from the date of its receiving a license for the transaction of fire insurance, increase the amount paid on its capital stock by the sum of fifteen thousand dollars, and during each of the succeeding four years an additional fifteen thousand dollars shall be paid on account of its said capital stock until the total paid capital, together with the surplus, exceeds the total amount from time to time required by the preceding subsections of this section by at least seventy-five thousand dollars.

"Surplus" defined.

(6) In this section the word "Surplus" means excess of assets over liabilities including in the said liabilities the amount paid on account of capital stock and the amount of the reserve of unearned premiums calculated *pro rata*

for the unexpired term of all policies of the Company in force.

Application of Insurance Act.

1917, c. 29.

8. Except as otherwise provided by this Act the Company shall have all the powers, privileges and immunities and shall be subject to all liabilities and provisions set out in *The Insurance Act, 1917*, so far as they may be applicable to the Company.

First Session, Fourteenth Parliament, 12 George V., 1922

THE SENATE OF CANADA.

BILL D[4].

An Act respecting certain Patents of the Holophane Glass Company.

Read a first time, Thursday, 8th June, 1922.

Honourable Mr. BELCOURT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40251 1922

1st Session, 14th Parliament, 12 George V., 1922

THE SENATE OF CANADA.

BILL D4.

An Act respecting certain Patents of the Holophane Glass Company.

Preamble.

WHEREAS Holophane Glass Company, a corporation duly created under the laws of the State of New Jersey and having its principal offices at 342 Madison Avenue, in the borough of Manhattan, in the city of New York, in the State of New York, has by its petition represented that it is the owner by assignment of certain patents granted under the *Patent Act*, which patents are respectively numbered and dated as follows, namely 125628, 10th May, 1910, for certain new and useful improvements in prismatic and diffusion shades for artificial lights, 128872, 25th October, 1910, for certain new and useful improvements in pressed or molded ribbed glassware, 185321, 2nd July, 1918, for certain new and useful improvements in illuminating appliances, 187650, 26th November, 1918, for certain new and useful improvements in illuminating appliances, 190863, 10th June, 1919, for certain new and useful improvements in illuminating appliances; and whereas by its petition the said Company has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S., 1906, c. 69. 1921, c. 44.

Extension of times for construction or manufacture in Canada, and for importation into Canada.

1. Notwithstanding anything contained in the *Patent Act* or in the said patents, no one of the said patents shall be void by reason of failure to construct or manufacture in Canada during the period between the tenth day of January, 1922, and two years from the date of the passing of this Act, the invention covered by that patent, or by reason of importation of that invention into Canada during that period.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

151

BILL A4.

An Act respecting The Edmonton, Dunvegan and British Columbia Railway Company.

AS PASSED BY THE SENATE, 15th JUNE, 1922.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40775 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL A4.

An Act respecting The Edmonton, Dunvegan and British Columbia Railway Company.

1907, c. 85.
1908, c. 104.
1910, c. 94.
1915, c. 41.
1915, c. 42.
1916, cc. 1, 29.

WHEREAS The Edmonton, Dunvegan and British Columbia Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

New branch line authorized.

1. The Edmonton, Dunvegan and British Columbia Railway Company, hereinafter called "the Company", may lay out, construct, maintain and operate an extension of the Grande Prairie branch of its existing line of railway from mileage fifty, at or near Grande Prairie, by the most feasible route and in a general westerly direction, a distance of fifty miles, more or less, to a point in township seventy-one or seventy-two, range eight, west of the sixth meridian, all in the province of Alberta.

Limitation of time for construction.

2. The Company may within two years from the date of the passing of this Act commence to construct the line of railway authorized by section one of this Act, and may within five years of the said date, complete the said line of railway; and, if within the said periods respectively, the said line is not commenced or is not completed and put in operation, the powers of construction conferred upon the Company by Parliament, shall cease and be null and void as respects so much thereof as then remains uncompleted.

Issue of securities.

3. The Company may issue bonds, debentures, or other securities to the amount of forty thousand dollars per mile, constructed or under contract to be constructed, of the line of railway authorized by this Act.

First Session, Fourteenth Parliament, 12 George V., 1922

THE SENATE OF CANADA.

BILL B[4].

An Act respecting a Patent of Daniel Herbert Schweyer.

Read a first time, Thursday, 8th June, 1922.

Honourable Mr. PARDEE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40667 1922

1st Session, 14th Parliament, 12 George V., 1922

THE SENATE OF CANADA.

BILL B4.

An Act respecting a Patent of Daniel Herbert Schweyer.

Preamble.

WHEREAS Daniel Herbert Schweyer, residing at Easton in the county of Northampton and state of Pennsylvania, one of the United States of America, has by his petition represented t at he is the inventor of certain new and useful improvements in train-controlling apparatus for which United States Letters Patent, Number 1342873, were granted to him on the eighth day of June, 1920; and whereas he did not within the time provided by section eight of the *Patent Act* make application for patent for the said invention in Canada; and whereas he has prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S., c. 69.

Extension of time for granting patent in Canada.

1. Notwithstanding anything contained in the *Patent Act*, if an application is made, before the expiration of the two months next after the passing of this Act, to the Commissioner of Patents for the grant and issue to the said Daniel Herbert Schweyer of a patent for the same invention as is covered by the said United States Letters Patent, Number 1342873, the Commissioner of Patents may grant and issue to the said Daniel Herbert Schweyer a patent for that invention, and any patent so granted and issued shall be of as full force and effect as if it had been granted and issued upon an application fyled before the eighth day of June, 1921: Provided that any patent so granted and issued shall, notwithstanding anything in the *Patent Act* or in this Act contained, cease and determine on the eighth day of June, 1939.

Duration of patent so granted.

Rights saved.

2. If any person has in Canada, since the eighth day of June, 1921, and before the sixth day of May, 1922, commenced the manufacture, use or sale of the said invention, such person may continue to manufacture, use and sell such invention in as full and ample manner as if this Act had not been passed.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE SENATE OF CANADA

BILL B[5].

An Act respecting Matches.

Read a first time, Monday, 19th June, 1922.

The Honourable Mr. DANDURAND.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42946 1922

1st Session, 14th Parliament, 12-13 George V., 1922

THE SENATE OF CANADA.

BILL B5.

An Act respecting Matches.

HIS 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 Matches Act.*

Definitions.

'Factory."

2. In this Act, unless the context otherwise requires,—

(a) "Factory" means and includes any building, structure, place or other premises in which the manufacture, or any part of the process of manufacture of matches is carried on, and any such premises in which any chemical substance used in the manufacture of matches is stored during the process of manufacture;

"Inspection."

(b) "Inspector" means and includes any person who is directed by the Minister to perform any duties under this Act or any regulation made thereunder;

"Minister."

(c) "Minister" means the Minister of Finance; or such Minister as the Governor in Council may designate to administer this Act;

'Person."

(d) "Person" means any individual, partnership, association, company or corporation;

"Regulations."

(e) "Regulations" means any regulations made by the Governor in Council under the authority of this Act;

"Warehouse."

(f) "Warehouse" means and includes any building, structure, place or other premises in which matches are kept or stored, but does not include any such premises in which matches are kept during transportation, if such transportation is made in a manner authorized by the Railway Act or any regulation or order made thereunder.

Offences. Penalties.

3. Every person shall be guilty of an offence and liable on summary conviction to a penalty not exceeding five hundred dollars or to imprisonment for a term not exceeding six months, or to both fine and imprisonment, who—

Prohibited use of dangerous or unsafe matches.

(a) imports, manufactures, stores, uses, sells or has in his possession any dangerous or unsafe matches: Provided that the Minister may permit the manufacture of any matches for experimental purposes only and not for sale, and that nothing in this section shall prohibit the transportation of matches through Canada in bond, if such transportation is made in a manner authorized by the Railway Act or any regulation or order made thereunder, and that nothing in this section shall prevent the importation of small quantities of matches for personal use and not for sale;

Unsafe and dangerous factory or warehouse.

(b) manufactures or stores matches or any chemical substance intended to be used in the process of manufacturing matches in any factory or warehouse which is dangerous or unsafe: Provided that this prohibition does not extend to the storing of matches in quantities not exceeding an amount to be prescribed by regulation.

Proviso.

Regulations by Gov. in C. describing safe matches and manner of handling, packing, etc.

4. (1) The Governor in Council may make regulation,—

(a) to describe what matches shall be deemed to be safe matches, and to prescribe the composition, quality and character of such matches and to prescribe the method and manner in which such matches shall be manufactured, handled, packed and stored, and any matches which do not conform to such regulations as to composition, quality or character and as to the method and manner in which they are manufactured, handled, packed and stored, shall be deemed to be dangerous or unsafe matches;

Regulations prescribing tests to be applied by inspectors.

(b) to establish and prescribe tests and other examinations which inspectors shall make to determine whether matches conform in all respects to the requirements of the regulations relating to safe matches, and the manner of making such tests and examinations, and to provide for the taking by inspectors of samples of matches required for examination and testing;

Prescribing precautions to be taken to make factories safe and for inspection.

(c) to prescribe the precautions which shall be taken to render factories safe and to regulate the establishment, location, construction and maintenance of such factories and warehouses, and to provide for their regular inspection, and any factory or warehouse for which a certificate of inspection has not been issued shall be deemed to be dangerous or unsafe;

To provide for inquiries into fires.

(d) to provide for inquiries into fires caused by matches;

Prescribe duties of inspectors and other officers.

(e) to prescribe the duties of inspectors and other officers charged with the administration of this Act and regulations;

To permit the toring under egulations.

(f) to permit matches to be stored in limited quantities in premises which have not been inspected as required by the regulations;

To prescribe certificates and permits to be issued.

(g) to prescribe the certificates and permits to be issued pursuant to this Act;

Regulations generally.

(h) to make any other regulations to enable the Minister to administer this Act effectively,

To prescribe penalties.

(i) to prescribe penalties of fine and imprisonment for breach of any of such regulations.

Regulations to be published in Gazette.

(2) All regulations made under this Act shall be published in The Canada Gazette, and upon being so published shall have the same force and effect as if they formed part of this Act.

Minister to appoint officers.

5. The Minister may direct or appoint officers of his Department, or any other person, to carry out the provisions of this Act and of the regulations made thereunder.

Right of entry and search by inspector.

6. Any inspector may, at any time, for the purposes of carrying into effect the provisions of this Act or any regulation made thereunder, enter any factory, warehouse or other building, or any steamship, vessel or boat, or any carriage, car, truck or other vehicle, or any other premises whatsoever which he suspects of being used for the manufacture, storage or carriage of matches and may also open any package or case containing matches or which he suspects to contain matches found therein.

Certificate of inspector *prima facie* evidence.

7. The certificate of an inspector shall for the purposes of this Act be *prima facie* evidence in all courts of justice and elsewhere of any facts ascertained by him in the execution of his duty.

Inquiry into fires directed by Minister.

8. The Minister may direct any inquiry into any fire reported to have been caused by matches, and the person authorized by the Minister to conduct such inquiry shall have all the powers and authority of a commissioner appointed under Part I of the Inquiries Act.

R.S. c. 104.

Offences and penalties for obstructing inspector or disobeying his directions.

9. Every person who refuses to permit an inspector to enter upon any property or premises and to inspect, examine or make enquiries in pursuance of his duties, and every person who fails to comply with any order or direction of such inspector properly given in pursuance of the requirements of this Act or any regulation made thereunder, or who, in any manner whatsoever, obstructs any inspector in the execution of his duties under this Act shall be guilty of an offence and liable on summary conviction to a penalty not exceeding five hundred dollars, or to imprisonment for a term not exceeding six months, or both fine and imprisonment.

Penalty by summary conviction.

10. Every person who violates any provision of this Act or regulations for which a penalty has not been specially

provided, shall upon summary conviction incur a penalty not exceeding two hundred dollars for a first offence, and a penalty not exceeding five hundred dollars for each subsequent offence.

Penalty for official disclosing information.

11. Any official employed under this Act who without due authority from the Minister, discloses any information obtained by him pursuant to the administration of this Act, shall on summary conviction be liable to a penalty not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding three months and shall not thereafter be eligible for employment in the service of His Majesty.

Act not to affect 1914, c. 12.

12. Nothing in this Act shall be interpreted or construed to repeal or otherwise affect the provisions of *The White Phosphorus Matches Act*, Chap. 12, 4-5 George V.

Act not to derogate from obligations imposed by other existing laws.

13. Nothing in this Act shall relieve any person from the obligation to comply with the requirements of any license law, or other law or by-law of any province or municipality lawfully enacted, with regard to the storage, handling, sale or other dealing with matches, nor from any liability or penalty imposed by such law or by-law for any violation thereof.

Act to come into force by proclamation.

14. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

First Session, Fourteenth Parliament, 12-13 George V., 1922

THE SENATE OF CANADA

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BILL C[5].

An Act respecting a Patent of The Dominion Chain Company, Limited.

Read a first time, Monday, 19th June, 1922.

Honourable Mr. PROUDFOOT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
42777 1922

1st Session, 14th Parliament, 12-13 George V., 1922

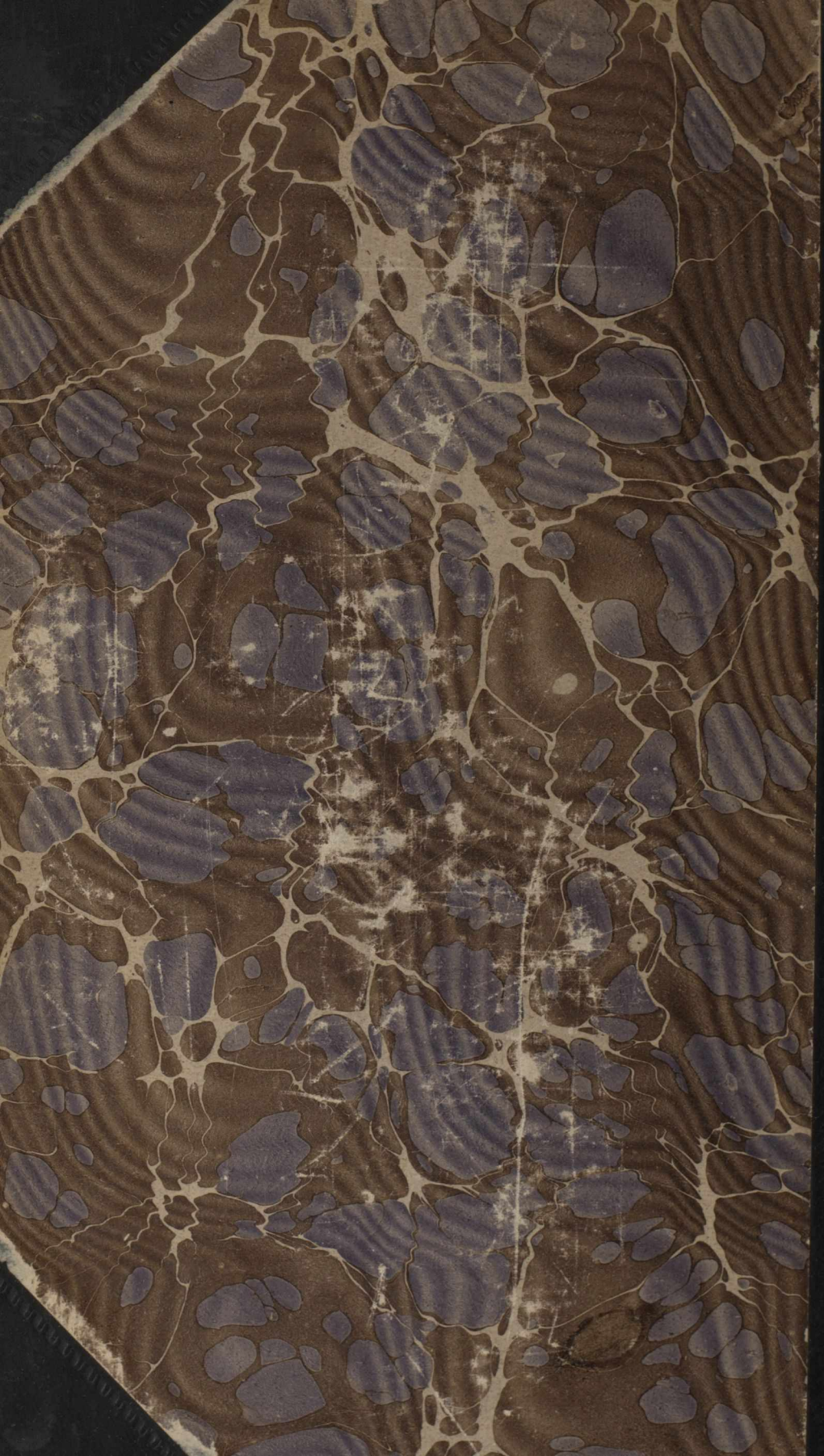
THE SENATE OF CANADA.

BILL C5.

An Act respecting a Patent of The Dominion Chain Company, Limited.

R.S., 1906, c. 69. 1919 (2 Sess.), c. 26. 1921, c. 44.

WHEREAS The Dominion Chain Company, Limited, a corporation duly constituted by letters patent issued on the eleventh day of February, 1913, under *The Companies Act*, and having its principal offices at Niagara Falls, in the province of Ontario, has by its petition represented that it is the owner of certain new and useful improvements in metal working furnaces, for which improvements letters patent, number one hundred and seventy-three thousand two hundred and fifty-six, were issued on the twenty-fifth day of November, 1919, under the Seal of the Patent Office; and whereas under the provisions of chapter twenty-six of the statutes of 1919 (Second Session), the Commissioner of Patents made an order extending the time for manufacturing in Canada the said patented improvements; and whereas by the provisions of chapter forty-four of the statutes of 1921, the said order remained in effect until the fourth day of June, 1922, and whereas by the said petition it is prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Commissioner may require owner to grant licenses to make, use or sell.

1. Notwithstanding anything contained in *The Patent Act*, or in any order made by the Commissioner of Patents under the provisions of chapter twenty-six of the statutes of 1919 (Second Session), or in chapter forty-four of the statutes of 1921, or in the letters patent described in the preamble of this Act, the said letters patent shall be deemed to have become on the fourth day of June, 1922, and to be since then subject to the provisions of section forty-four of *The Patent Act*, instead of being subject to the provisions contained in paragraph *(a)* of section thirty-eight of *The Patent Act*.