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10-11 George 5, 1920.

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Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 2.

An Act to amend the Royal Canadian Mounted Police Act and to transfer to the Commissioner of the Royal Canadian Mounted Police the powers heretofore vested in the Commissioner of Dominion Police.

First reading, March 1, 1920.

The PRESIDENT OF THE PRIVY COUNCIL.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77582 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Royal Canadian Mounted Police Act and to transfer to the Commissioner of the Royal Canadian Mounted Police the powers heretofore vested in the Commissioner of Dominion Police.

R.S., c. 91; 1913, c. 47; 1914, (2 Sess.), c. 2; 1919, c. 69; 1919, (2 Sess.), c. 28. R.S., c. 150.

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

Powers of Com. of Dom. Police transferred to Com. of R. Can. Mounted Police.

1. The Commissioner of the Royal Canadian Mounted Police is hereby substituted for the Commissioner of Dominion Police of Ottawa wherever the said Commissioner of Dominion Police is mentioned or referred to in the *Ticket of Leave Act*, chapter one hundred and fifty of the Revised Statutes of Canada, 1906, and the Governor in Council shall have power to transfer to the Commissioner of the Royal Canadian Mounted Police any statutory or other power, duty or authority heretofore vested in or exercisable by the Chief Commissioner or a Commissioner of Dominion Police.

2. Section sixty-six of the *Royal Canadian Mounted Police Act*, chapter ninety-one of the Revised Statutes of Canada, 1906, as enacted by chapter sixty-nine of the statutes of 1919, is repealed and the following is substituted therefor:—

Constable after ten years may be pensioned if infirm, after twenty years entitled to pension.

"**66.** (1) Subject to the provisions of this Part, every constable who is a member of the Force at the time of the passing of this Act, or who hereafter becomes a member of the Force, if he has completed not less than ten years' service and is incapacitated from the performance of his duty by infirmity of mind or body, may be granted a pension for life, or if he has completed not less than twenty years' service, shall be entitled to retire and receive a pension for life.

Constable pensioned after ten years may be recalled to force if incapacity ceases.

"(2) Any constable who receives a pension before he has completed twenty years' service shall be subject to return to service, as provided by this Part, if he ceases to be incapacitated.

Amount of pension.

"(3) The pension of a constable shall be,—

"*(a)* if he has completed ten but less than twenty-one years' service, one-fiftieth of his annual pay and allowance for every year of service;

"*(b)* if he has completed twenty-one but less than twenty-five years' service, an annual sum equal to twenty-fiftieths of his annual pay and allowances, with an addition of two-fiftieths of such pay and allowances for every completed year of service above twenty years;

"*(c)* if he has completed twenty-five years' service, an annual sum equal to thirty-fiftieths of his annual pay and allowances, with an addition of one-fiftieth of such pay and allowances for every completed year of service above twenty-five years. Provided, that the pension shall not exceed two-thirds of his annual pay at his retirement."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 3.

An Act to amend The Railway Act, 1919.

First reading, March 5, 1920.

Mr. ARMSTRONG
(Lambton).

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78051 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

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. *The Railway Act, 1919*, chapter sixty-eight of the statutes of 1919, is amended by inserting the following section immediately after section thirty-three thereof:—

"**33A.** (1) The Board shall have full jurisdiction to inquire into, hear and determine any application by or on behalf of any party interested,—

Privilege and concession to be under control of Board.

"*(a)* with respect to any privilege or concession given by any company or express company or by any person owning or controlling any such steamboat or vessel as is in the next paragraph mentioned, and where any privilege or concession is given by any such person or by any company or express company to any person or class of business or in any part of Canada, the Board may order that such privilege or concession be discontinued or modified or granted to any other person or class of business or in any other part of Canada, either the same or in a modified form; or,

Steamboats to be subject to regulations of Board of Railway Commissioners.

"*(b)* with respect to the traffic accommodation, classification of freight, traffic agreements and tariffs of maximum tolls to be furnished, made, entered into and charged in connection with and by steamboats, and other vessels engaged in carrying passengers or freight or both from one port or place in Canada to another port or place in Canada, and with respect to the places along the line of route where such steamboats and vessels shall call for traffic, the time of call, and duration of stay, and all such tariffs of tolls, tariff agreements and classifications of freight charged, entered into or adopted in connection with any such steamboat or vessel shall be submitted to the Board and shall not come into operation until approved by the Board.

Tariffs, etc., to be submitted to Board.

"(2) This section shall not apply to sailing vessels or to any vessel smaller than a vessel of fifty tons register."

2. Section three hundred and fifty-eight of the said Act is repealed, and the following is substituted therefor:—

Traffic by water.

Railway Act applies to tolls, tariffs and joint tariffs as approved by Board.

"**358.** (1) The provisions of this Act in respect of tolls, tariffs and joint tariffs shall, so far as deemed applicable by the Board, extend and apply to the traffic carried by any carrier (whether such carrier be or be not a railway company) by sea or by inland water, between any ports or places in Canada; and no freight or passenger rate shall be charged by any such water carrier in excess of the maximum rates from time to time approved by the Board; and no such water carrier shall engage in the business of transportation, whether of freight or of passengers, until such carrier shall have submitted to and the Board shall have approved its standard freight or passenger tariffs.

"(2) This section shall not apply to sailing vessels or to any vessel smaller than a vessel of fifty tons register."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 4.

An Act to incorporate Armor Life Assurance Company.

First reading, March 9, 1920.

(PRIVATE BILL)

Mr. GRIESBACH.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77766 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to incorporate Armor Life 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. George Bligh O'Connor, barrister, Charles Gerald O'Connor, barrister, James Harwood Ogilvie, barrister, and Alphaeus Norman McNutt, law student, all of the city of Edmonton, in the province of Alberta, together with such persons as become shareholders in the Company, are incorporated under the name of "Armor Life Assurance 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.

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.

Commencement of business.

5. The Company shall not commence business until two hundred and fifty thousand dollars of the capital stock has been subscribed and one hundred thousand dollars paid thereon.

Head office.

6. The head office of the Company shall be in the city of Edmonton, in the province of Alberta.

Business authorized.

7. The Company may make contracts of life insurance and may rent, sell or purchase life annuities, grant endow-

ments depending upon the contingency of human life and generally carry on the business of life insurance in all its branches and forms.

1917, c. 29.

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

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 5.

An Act respecting The Burrard Inlet Tunnel and Bridge Company.

First reading, March 9, 1920.

(PRIVATE BILL)

Mr. CROWE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1920

77318

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

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.

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 said 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 sixty-one of the statutes of 1918 is repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 6.

An Act respecting The Canadian Mining Institute, and to change its name to "The Canadian Institute of Mining and Metallurgy."

First reading, March 9, 1920.

(PRIVATE BILL)

Mr. FRIPP.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77317 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act respecting The Canadian Mining Institute, and to change its name to "The Canadian Institute of Mining and Metallurgy."

1898, c. 96.

WHEREAS The Canadian Mining Institute 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:—

Name changed.

1. The name of The Canadian Mining Institute is hereby changed to "The Canadian Institute of Mining and Metallurgy," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Institute, nor in any way affect any suit or proceedings now pending, or judgment existing either by or in favour of or against the Institute, which, notwithstanding such change in the name of the Institute, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 7.

An Act to incorporate The T. Eaton General Insurance Company.

First reading, March 10, 1920.

(PRIVATE BILL)

Mr. MOWAT.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77382 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act to incorporate The T. Eaton 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. John Alexander Livingstone, assistant secretary, James Elliott, accountant, George Dawkins Adams, insurance inspector, John George McKee, buyer, and Allan Edgar Stuart, accountant, all of the city of Toronto, in the province of Ontario, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The T. Eaton 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.

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 at the city of Toronto, in the province of Ontario.

Classes of insurance.

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

(a) Sickness insurance;

(b) Accident insurance;

(c) Guarantee insurance;
(d) Burglary insurance;
(e) Inland Transportation insurance;
(f) Plate Glass insurance;
(g) Automobile insurance;
(h) Sprinkler Leakage insurance;
(i) Fire insurance;
(j) Steam Boiler insurance.

Commencing business.

Sickness and accident insurance.

7. (1) The Company shall not commence the business of sickness insurance and accident insurance until at least two hundred thousand dollars of its capital stock have been *bona fide* subscribed and at least seventy-five thousand dollars have 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, until the subscribed capital 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 guarantee insurance the said increase shall not be less than seventy-five thousand dollars; for burglary insurance not less than twenty-five thousand dollars; for inland transportation insurance not less than fifteen thousand dollars; for plate glass insurance not less than fifteen thousand dollars; for automobile insurance not less than twenty-five thousand dollars; for sprinkler leakage insurance not less than fifteen thousand dollars; for fire insurance not less than one hundred and twenty-five thousand dollars; for steam boiler insurance not less than twenty 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 guarantee insurance the said increase shall not be 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 plate glass insurance not less than ten thousand dollars; for automobile insurance not less than twenty thousand dollars; for sprinkler leakage insurance not less than ten thousand dollars; for fire insurance not less than one hundred thousand dollars, and for steam boiler insurance not less than ten thousand dollars.

Increase of subscribed capital.

Increase of paid capital.

Increases of amounts 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 fifteen thousand dollars and during each of the succeeding four years 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 from time to time required by the preceding

subsection of this section by at least seventy-five thousand dollars.

"Surplus" defined.

(4) In this section the word "surplus" means the 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.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 8.

An Act to incorporate The T. Eaton Life Assurance Company.

First reading, March 10, 1920.

(PRIVATE BILL)

MR. MOWAT.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77382 1920

4th Session 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to incorporate The T. Eaton Life 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. John Alexander Livingstone, assistant secretary, James Elliott, accountant, George Dawkins Adams, insurance inspector, John George McKee, buyer, and Allan Edgar Stuart, accountant, all of the city of Toronto, in the province of Ontario, together with such other persons as become shareholders in the company, are incorporated under the name of "The T. Eaton Life Assurance 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 for before the general meeting for the election of directors is called shall be one hundred thousand dollars.

Commencement of business.

5. The Company shall not commence business until two hundred and fifty thousand dollars of the capital stock have been subscribed and one hundred thousand dollars have been paid thereon.

Head office.

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

Business authorized.

7. The Company may make contracts of life insurance, and may grant, sell or purchase life annuities and endowments, depending upon the contingency of human life, and may generally carry on the business of life insurance in all its branches and forms.

1917, c. 29.

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

Fourth Session, Thirteenth Parliament, 10–11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 9.

An Act to incorporate Scottish Canadian Assurance Corporation.

First reading, March 10, 1920.

(PRIVATE BILL)

Mr. MOWAT.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77961 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to incorporate Scottish Canadian Assurance Corporation.

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. Edward Hay, retired bank manager, John Forbes Michie, merchant, George Washington Howland, manufacturer, Thomas Hammond Hall, insurance company manager, John Alexander Macintosh, barrister-at-law, Hedley Charles Wright, insurance company manager, and Geoffrey Johnston Malcolm, insurance department manager, all of the city of Toronto, in the province of Ontario; Frederick Richardson, of the city of Philadelphia, in the state of Pennsylvania, one of the United States of America, insurance company manager, and William Henry Hurd, of the city of Winnipeg, in the province of Manitoba, insurance agent, together with such persons as become shareholders in the company, are incorporated under the name of

Corporate name.

" Scottish Canadian Assurance Corporation," 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 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 two 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 insurance.

6. The Company may make contracts of fire insurance, accident insurance, sickness insurance, automobile insurance, burglary insurance and hail insurance.

Commencing business.

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 have been *bona fide* subscribed and not less than one hundred thousand dollars 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, 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 sickness insurance not less than ten thousand dollars; for automobile insurance not less than twenty thousand dollars; for burglary insurance not less than twenty thousand dollars; for hail insurance not less than fifty thousand dollars.

Increases of amounts 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 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 said 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.

(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*, and amending Acts shall apply to the Company.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 10.

An Act respecting The Trust and Loan Company of Canada.

First reading, March 10, 1920.

(PRIVATE BILL)

Mr. CRONYN.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78031 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act respecting The Trust and Loan Company of Canada.

Preamble.

WHEREAS *The Trust and Loan Company of Canada*, hereinafter called "the Company", has by its petition represented that chapter one hundred and sixty-eight of the statutes of 1910, entitled *An Act respecting The Trust and Loan Company of Canada*, was, pursuant to section twenty-seven thereof, put in force by proclamation of the Governor in Council, dated the twenty-seventh day of February, nineteen hundred and eleven, and published in the *Canada Gazette* of the fourth day of March, nineteen hundred and eleven.

And whereas the Company has further represented that of its authorized share capital of five million pounds sterling, divided into two hundred and fifty thousand shares of twenty pounds sterling each, one hundred and fifty thousand have been issued and that there has been called up and paid:—

On 100,000 shares £5 per share....	£	500,000
On 25,000 shares £3 per share.....		75,000
On 25,000 shares £1 per share.....		25,000
150,000	£	600,000

And whereas the Company has further represented that it is the intention of the Company forthwith to call up two pounds per share on the shares three pounds paid up and four pounds per share on the shares one pound paid up, making the one hundred and fifty thousand twenty pound shares which have been issued all five pounds paid up and the total paid up capital of the Company seven hundred and fifty thousand pounds.

And whereas the Company has further represented that there is standing to the credit of the Company's Statutory Reserve Fund, provided for in section twelve of the said Act, the sum of six hundred thousand pounds, making

with the seven hundred and fifty thousand pounds paid up or to be paid up on stock the total capital sum of one million, three hundred and fifty thousand pounds.

And whereas 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:—

Short title.

1. This Act may be cited as *The Trust and Loan Company of Canada Act, 1920.*

Power to change denomination of shares.

2. Paragraph *(b)* of section ten of *The Trust and Loan Company of Canada Act, 1910*, being chapter one hundred and sixty-eight of the statutes of 1910, is amended by striking out the words "from £20 to £1" in the second line thereof.

Capital stock.

3. Section thirteen of the said Act, as amended by section one of chapter one hundred and fifty-eight of the statutes of 1912, is repealed and the following section substituted therefor:—

Number of shares increased.

"**13.**(1) Subject to the provisions of subsection six of this section, the capital of the Company shall be five million pounds sterling, divided into two million, five hundred thousand shares of two pounds sterling.

Issue of two pound shares.

"(2) One million, eight hundred thousand of the said two pound shares shall be issued to the holders of the one hundred and fifty thousand twenty pound shares at present issued, in the manner hereinafter provided.

Statutory reserve fund.

"(3) The sum of six hundred thousand pounds now standing to the credit of the Statutory Reserve Fund accumulated, pursuant to the provisions of section twelve of the said Act, shall form part of the capital.

Cancellation and issue of certain shares.

"(4) Every twenty pound share upon which at the date of the passing of this Act five pounds has been paid up shall forthwith be cancelled and the holder thereof shall be entitled to have issued to him in lieu thereof twelve two pound shares upon which fifteen shillings per share has been paid up.

Twenty pound shares when less than £5 paid up.

"(5) Every twenty pound share upon which at the date of the passing of this Act less than five pounds has been paid up shall, if and whenever the full five pounds per share has been paid up, be cancelled and the holder thereof shall be entitled to have issued to him in lieu thereof twelve two pound shares upon which fifteen shillings per share has been paid up.

Validity of shares continued.

"(6) Every twenty pound share upon which at the date of the passing of this Act less than five pounds has been paid up shall, until the full five pounds has been paid up on it, continue to be a valid and subsisting share of

the Company, and all rights of the Company with respect to the making of calls thereon (to the extent of rendering it five pounds paid up) and with respect to forfeiture for non-payment of calls shall be preserved."

Powers and duties of directors saved.

4. Except as provided in section one hereof, nothing in this Act contained shall be construed as taking away, limiting or otherwise affecting, any of the powers or duties conferred or imposed upon the directors by section ten or section twelve of the said Act.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 11.

An Act to amend the Criminal Code (Capital Punishment).

First reading, March 10, 1920.

Mr. EDWARDS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78353 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to amend the Criminal Code (Capital Punishment).

R.S., c. 146.

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

1. Sections one thousand and sixty-four to one thousand and seventy-two, both inclusive, of the *Criminal Code*, Revised Statutes of Canada, 1906, chapter one hundred and forty-six, are hereby repealed, and the following are substituted therefor:—

Prisoner under sentence of death to be confined apart.

"**1064.** Every person who is sentenced to suffer death shall, after judgment, be sent to and confined in the penitentiary for the province, apart from all other prisoners; and no person except the officer charged by the Lieutenant-Governor in Council with the execution and the officers of the penitentiary and such officers as may be thereto authorized by the Lieutenant-Governor in Council of the Province, and a chaplain or a minister of religion, shall have access to any such convict without permission, in writing, of the court or judge before whom such convict has been tried, or of the warden of the penitentiary.

Place of execution.

"**1065.** Judgment of death to be executed on any prisoner shall be carried into effect within the walls of the penitentiary in which the offender is confined at the time of execution.

Persons who shall be present at execution.

"**1066.** The officer charged with the execution and the warden and medical officer or surgeon of the penitentiary, and such other officers of the penitentiary and such persons as the officer charged with the execution requires, shall be present at the execution.

Persons who may be present at execution.

"**1067.** Any relatives of the prisoner or other persons as it seems to the warden of the penitentiary or to the officer charged with the execution proper to admit within the penitentiary for the purpose, and any minister of religion who desires to attend, may also be present at the execution.

Certificate of death by surgeon.

"**1068.** (1) As soon as may be after judgment of death has been executed on the offender, the medical officer or surgeon of the penitentiary shall examine the body of the offender, and shall ascertain the fact of death, and shall sign a certificate thereof, in form seventy-one, and deliver the same to the warden of the penitentiary.

Declaration prisoner was executed.

"(2) The person charged with the execution and the warden of the penitentiary and such other persons present, if any, as the person charged with the execution requires or allows, shall also sign a declaration in form seventy-two to the effect that judgment of death has been executed upon the offender.

Deputies may act.

"**1069.** The duties imposed upon the officer in charge of the execution, the warden of the penitentiary, medical officer or surgeon by the three sections last preceding may be, and, in his absence, shall be performed by his lawful deputy or assistant, or other officer or person ordinarily acting for him, or conjointly with him, or discharging the duties of any such officer.

Inquest.

"**1070.** (1) A coroner of a district, county or place to which the penitentiary belongs wherein judgment of death is executed on any offender shall, within twenty-four hours after the execution, hold an inquest on the body of the offender.

Identity and death.

"(2) The jury at the inquest shall inquire into and ascertain the identity of the body, and whether judgment of death was duly executed on the offender.

In duplicate.

"(3) The inquisition shall be in duplicate, and one of the originals shall be delivered to the warden of the penitentiary.

Jurors.

"(4) No officer of the penitentiary and no prisoner confined therein shall, in any case, be a juror on the inquest.

Place of burial.

"**1071.** The body of every offender executed shall be buried within the walls of the penitentiary within which judgment of death is executed on him, unless the Lieutenant-Governor in Council orders otherwise.

Certificate to be sent to Secretary of State and exhibited at penitentiary.

"**1072.** (1) Every certificate and declaration and a duplicate of the inquest required by this Part shall in every case be sent with all convenient speed by the warden of the penitentiary to the Secretary of State, or to such other officer as is, from time to time, appointed for the purpose by the Governor in Council.

Copies exhibited in penitentiary.

"(2) Printed copies of such several instruments shall as soon as possible be exhibited and shall, for twenty-four hours at least, be kept exhibited on or near the principal entrance of the penitentiary within which judgment of death has been executed."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 12.

An Act respecting the Election of Members of the House of Commons and the Electoral Franchise.

First reading, March 11, 1920.

The SOLICITOR GENERAL.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78444 1920

An Act respecting the Election of Members of the House of Commons and the Electoral Franchise.

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4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

R.S., c. 6; 1908, c. 26; 1912, c. 24; 1915, c.c. 11, 14; 1917, c.c. 34, 39; 1918, c.c. 20, 47, 49; 1919, c. 48; 1919, 2 Sess. c. 2.

An Act respecting the Election of Members of the House of Commons and the Electoral Franchise.

SHORT TITLE.

Short title.

1. This Act may be cited as the *Dominion Elections Act.*

INTERPRETATION.

Definitions.

2. In this Act, unless the context otherwise requires, the expression—

"Advance poll."

(*a*) "advance poll" means a poll held as by section ninety-nine of this Act provided;

"Candidate."

(*b*) "candidate" or "candidate at an election" includes any person elected to serve in the House of Commons of Canada at an election, or who is nominated as a candidate at an election, or who, after the day of the issue of the writ for an election or after the dissolution of Parliament or the occurrence of a vacancy in consequence of which a writ for an election is eventually issued, is declared by himself or by others to be a candidate;

"Dominion election."
"Election."

(*c*) "Dominion election" or "election" means an election of a member or members to serve in the House of Commons of Canada;

"During an election."
"At an election."
"Throughout an election."

(*d*) "during an election" or "at an election" or "throughout an election" includes the period after the issue of the writ for an election, or after the dissolution of Parliament or the occurrence of a vacancy in consequence of which a writ for an election is eventually issued, until the elected candidate is returned as elected;

"Election officer."

(*e*) "election officer" includes the Chief Electoral Officer and every returning officer, election clerk, deputy returning officer, poll clerk, or other person having any duty to perform pursuant to this Act to the faithful performance of which duty he may be sworn;

"Election petition." (*f*) "election petition" means a petition presented in pursuance of the *Dominion Controverted Elections Act;*

"Elector." (*g*) "elector" means any person qualified to vote at a Dominion election, whether his name is or is not on any list of voters;

"Electoral district." (*h*) "electoral district" means any place or territorial area entitled to return a member or members to serve in the House of Commons of Canada;

"Form." (*i*) "form" means a form as in Schedule One to this Act;

"Judge." (*j*) "judge" includes chief justice.

"List of voters." "Voters' list." (*k*) "list of voters" or "voters' list" means any list of electors prepared as required by this Act, and when provincial lists are referred to includes any official list of persons entitled to vote at a provincial election;

"Member." (*l*) "member" means a member of the House of Commons of Canada;

"Nomination day." (*m*) "nomination day" or "day of nomination" means the day fixed by the Governor General for the nomination of a candidate or candidates;

"Official agent." (*n*) "official agent" means the agent appointed by a candidate and specially charged with the paying of all legal expenses on account of the management or conduct of the election, whose name and address have been declared in writing on or before nomination day as by this Act required;

"Oath." (*o*) "oath" includes affirmation and statutory declaration;

"Official stamp." (*p*) "official stamp" means the stamp supplied by the Chief Electoral Officer to the returning officer for the purposes of an election;

"Person." (*q*) "person" includes elector, voter and candidate;

"Personal expenses." (*r*) "personal expenses" as used herein with respect to the expenditure of any candidate in relation to the election at which he is a candidate, includes the reasonable travelling expenses of such candidate and the reasonable expenses of his living at hotels or elsewhere for the purposes of and in relation to such election, and all other expenses which, except as restrained by this Act, he may in person lawfully incur and pay;

"Polling day." (*s*) "polling day" or "day of polling" means the day fixed as provided by section fifty-five of this Act for holding the poll;

"Polling division." (*t*) "polling division" means any division, sub-division, district, sub-district or other territorial area within which a poll may be held;

"Province." (*u*) "province" includes the Yukon Territory;

"Urban polling division." (*v*) "urban polling division" means a polling division which is wholly or partly contained within places having a population of more than one thousand persons

and which places are under the provincial laws cities, towns, or incorporated villages;

"Rural polling division." (*w*) "rural polling division" means a polling division whereof no part is contained within a place having a population of more than one thousand persons and which place under the provincial law is a city, town, or incorporated village;

"Voter." (*x*) "voter" means any elector whose name appears on any list of voters prepared or added to as directed by this Act, and includes any person who, whether or not a voter as defined, applies to vote or has voted at an election;

"Writ." (*y*) "writ" means writ for an election.

Repealed Acts.

Repeal. **3.** The several Acts set out and described in Schedule Four to this Act are hereby repealed to the extent stated in the said Schedule, and all and several of the orders in council made under any of the said Acts are hereby repealed.

MISCELLANEOUS PROVISIONS.

Notices.

Notices, how given. **4.** When any election officer is by this Act authorized or required to give a public notice and no special mode of notification is indicated the notice may be by advertisement, placard, handbill or otherwise as he considers will best effect the intended purpose. (Sec. 312.)

Identification of Printers and Publishers of Election Advertising.

Printed documents to bear name etc., of printer. **5.** Every printed advertisement, handbill, placard, poster or dodger having reference to any election shall bear upon its face the name and address of its printer and publisher, and any person printing, publishing, distributing or posting up, or causing to be printed, published, distributed or posted up, any such document unless it bears upon its face such name and address is guilty of an offence against this Act punishable on summary conviction as in this Act provided, and if he is a candidate or the official agent of a candidate is further guilty of an illegal practice. (Sec. 34 of 7-8 E. VII, c. 26, and Eng. Act, 1883, sec. 18.)

Interference with Election Documents.

Removing notices forbidden. **6.** (1) Any person unlawfully taking down, covering up, mutilating, defacing or altering any printed or written proclamation, notice, list of voters or other document,

authorized or required by this Act to be posted up, is guilty of an indictable offence against this Act and liable on indictment or on summary conviction to a fine not exceeding two thousand dollars and costs of prosecution, or to imprisonment for a term not exceeding two years with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith (in case only a fine and costs are imposed) or are not paid before the expiration of the term of imprisonment imposed (in case imprisonment as well as fine and costs is imposed), to imprisonment, with or without hard labour, for such term, or further term, as such fine and costs or either of them remain unpaid, not exceeding three months.

Copy of subsection one to be printed on documents posted up.

(2) A copy of the immediately preceding subsection shall be printed as a notice in large type upon every such printed document, or printed or written upon every such written document, or printed or written as a separate notice and posted up near to such document and so that such notice can be easily read. (Sec. 250A.)

Oaths and Affirmations.

Oaths, how administered.

7. (1) The returning officer at any election may administer any oath or affirmation which is by this Act authorized or directed to be made with respect to such election; the deputy returning officer or poll clerk may administer any such oath or affirmation except one which is expressly required to be administered by the returning officer (Sec. 74) and where by this Act any oath, affirmation, affidavit or statutory declaration is authorized or directed to be made, taken or administered, the oath or affirmation, including that to an affidavit or statutory declaration, may be administered either by the person, if any, by this Act expressly required to administer it, or by a judge of any court, a notary public, a justice of the peace or a commissioner for taking affidavits having authority or jurisdiction within the place where the oath or affirmation is administered. (Sec. 72 and R.S., c. 1, sec. 25.)

Gratuitous administration.

(2) All such oaths and affirmations shall be administered gratuitously. (Sec. 73.)

Compelling or Inducing False Oaths.

Penalty for inducing persons to make false oath.

8. Every person who, knowingly, in any case wherein an oath is by this Act authorized or directed to be taken, compels or attempts to compel, or induces or attempts to induce, any other person to take such oath falsely, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Sec. 274.)

Executory Contracts Void.

Executory contracts void.

9. Every executory contract, promise or undertaking, in any way referring to, arising out of or depending upon any election under this Act, even for the payment of lawful expenses or the doing of some lawful act, shall be void in law. (Sec. 279.)

Contributions for Political Purposes.

Companies not to contribute for election purposes.

10. (1) No unincorporated company or association and no incorporated company or association other than one incorporated for political purposes alone shall, directly or indirectly, contribute, loan, advance, pay, or promise or offer to pay any money or its equivalent to, or for, or in aid of, any candidate at an election, or to, or for, or in aid of, any political party, committee, or association, or to or for, or in aid of, any company incorporated for political purposes, or to, or for, or in furtherance of, any political purpose whatever, or for the indemnification or reimbursement of any person for moneys so used.

Officers liable to punishment for violation of section.

(2) Every director, shareholder, officer, attorney, or agent of any company or association violating the provisions of this section, or who aids, abets, advises, or takes part in any such violation, and every person who asks or knowingly receives any money or its equivalent in violation of the provisions of this section, is guilty of an indictable offence against this Act punishable as in this Act provided. (Sec. 36 of 7-8 E. VII, c. 26.)

Foreign Canvassers.

Persons not electors and not residents of Canada forbidden to canvass.

11. Any person, not being an elector, who resides without Canada and who, to secure the election of any candidate, canvasses for votes or in any way endeavours to induce voters to vote for any candidate at an election, or to refrain from voting, is guilty of an indictable offence against this Act punishable as in this Act provided. (Sec. 33 of 7-8 E. VII, c. 26.)

Conveyance of Electors to the Polls.

Conveyance of electors to polls, etc., for hire forbidden.

12. Every person who before, during or after an election, directly or indirectly or by any means or device in attempted evasion of the following provisions,—

(a) hires or in whole or in part, pays for, or promises to pay for, or solicits the hire or use for payment of any horse, team, carriage, cab, cart, wagon, automobile, sleigh, aeroplane, boat, vessel, or other means of conveyance; or,

(*b*) lets to hire or demands, receives, or promises to accept payment for the hire or use of any such means of conveyance:

for the purpose of conveying or providing for the conveyance of any elector or electors who may intend to vote to or from the poll or any polling station, or to or from the neighbourhood thereof, is guilty of an illegal practice, and of an offence against this Act punishable on summary conviction as in this Act provided. But the *bona fide* payment by the elector himself of the usual fare or a reasonable charge for his conveyance to or from the poll or polling station shall not be deemed a contravention of this section. (Secs. 270 and 271.)

Illegal Payments to Electors.

Payment of expenses, wages, etc., of electors forbidden.

13. Every person who before, during or after an election, directly or indirectly or by any means or device in attempted evasion of the following provisions,—

(*a*) pays or promises to pay in whole or in part the travelling or other expenses of any elector who may intend to vote, in going to or returning from the poll or any polling station, or going to or returning from the neighbourhood thereof; or,

(*b*) pays or promises to pay or receives or promises to accept payment, in whole or in part by reason of time spent, or for wages or other earnings or possibility thereof lost, by any elector who may intend to vote, in going to, being at or returning from the poll or any polling station, or going to, being at or returning from the neighbourhood thereof,

is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Secs. 270 and 271.)

False Statements as to Character of a Candidate.

Penalty for publishing false statements to affect return of any candidate.

14. (1) Any person who, before or during any election, for the purpose of affecting the return of any candidate at such election, makes or publishes any false statement of fact in relation to the personal character or conduct of such candidate is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Sec. 35 of 7-8 E. VII, c. 26.)

(2) No person shall be deemed guilty of such illegal practice and offence if he proves that he had reasonable grounds for believing and did believe the statement made by him to be true. (Eng. Act 1895, sec. 2.)

Time to Employees for Voting.

Employers to give employees an hour for voting.

15. (1) Every employer shall, on polling day, allow to every elector in his employ at least two additional hours other than the noon hour, for voting, and no employer shall

make any deduction from the pay of any such elector nor impose upon or exact from him any penalty by reason of his absence during such hours.

Exception.

(2) This section shall extend to railway companies and to the Government Railways and their employees, excepting such employees as are actually engaged in the running of trains and to whom such time cannot be allowed without interfering with the manning of the trains. (Sec. 136A.)

Communication by Telegraph.

Communications by telegraph.

16. Whenever it appears to the satisfaction of the Chief Electoral Officer, at a time when an election is about to be held, that necessary communication for the purposes of the election with or within any electoral district will probably be interrupted during such election by the severity of the season, he may direct that the writ of election and all necessary instructions, information, forms, proclamations, notices, commissions, reports, and returns (other than the return of the returning officer as to the result of the election) may be transmitted to or within the electoral district to or by the returning officer, deputy returning officers, registrars and other election officers, by telegraph. (Sec. 313.)

Order as to details.

(2) The Chief Electoral Officer may make such order as to the details of the proceedings at or relating to such election, to be so transmitted by telegraphic communication as to him seems proper for best attaining the purpose of this section. (Sec. 313.)

Noncompliance.

Noncompliance with Act not to invalidate election unless it affected result.

17. No election shall be declared invalid by reason of noncompliance with the provisions of this Act as to limitations of time unless it appears to the tribunal having cognizance of the question that such noncompliance may have affected the result of the election, (Sec. 315) or as to the taking of the poll or the counting of the votes, or by reason of any want of qualification in the persons signing any nomination paper, or because of any error in the name, or omission of or error in the residence, addition or description of any candidate as stated on such nomination paper as received by a returning officer, or of any insufficiency in any publication of any proclamation, notice or other document, or any mistake in the use of the forms contained in this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such noncompliance did not affect the result of the election. (Sec. 314.)

Abolition of the Office of Clerk of the Crown in Chancery.

Office of Clerk of Crown in Chancery abolished.

18. (1) The offices of Clerk of the Crown in Chancery and Deputy Clerk of the Crown in Chancery are hereby abol-

lished and the powers and duties exercisable and performable now by the Clerk of the Crown in Chancery may and shall be exercised and performed henceforth as respects those appertaining to or connected with,—

(*a*) The Senate (except with relation to the commissions of persons called to Parliament as members of the Senate) by the Clerk of the Senate;

(*b*) The House of Commons (except with relation to elections) by the Clerk of the House;

(*c*) Commissions of persons called to Parliament as members of the Senate, by the Secretary of State for Canada;

(*d*) Proclamations (except with relation to elections) by the Secretary of State for Canada; and,

(*e*) Elections, by a Chief Electoral Officer with powers and duties as in this Act defined.

Construction of statutes.

(2) Wherever in any statute of Canada the words "Clerk of the Crown in Chancery" appear there shall be read in their stead such other appropriate words, having relation to and being consistent with the terms of this section, as will give effect to the purposes of such statute.

Chief Electoral Officer.

Chief Electoral Officer.

19. (1) The Parliamentary Counsel of the House of Commons is hereby appointed Chief Electoral Officer and he shall hold office upon the same tenure, and be removable only for cause and in the same manner as Judges of the superior courts of the provinces. He shall rank as a deputy head of a Department, shall communicate with the Governor General through the Secretary of State of Canada, and in addition to the exercise and performance of the powers and duties with respect to elections now exerciseable and performable by the Clerk of the Crown in Chancery, he shall and may,—

Duties and powers.

(a) throughout every election properly direct all returning officers and, in case of incompetency or neglect of duty on the part of any of them, cause their removal from office and the appointment of others;

(*b*) exercise general direction and supervision over the administrative conduct of elections, enforcing on the part of all election officers fair conduct and compliance with the provisions of this Act;

(*c*) report to the House of Commons, through the Speaker, after an election, any matters arising in the course of the election an account of which ought, in his judgment, to be submitted to the House of Commons.

Remuneration.

(2) The Chief Electoral Officer shall be required to devote to the performance of the duties of his office such amount of time as their proper performance shall require. *He*

shall be paid for his services the sum of $..... per annum in addition to any salary or emolument which he receives as Parliamentary Counsel, and he shall also be paid his reasonable travelling and living expenses while absent from Ottawa on the business of his office. Such sums and expenses shall be paid by cheque of the Auditor General out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Appointment of substitute.

(3) In the event of the neglect or inability of the Chief Electoral Officer to perform the duties of his office during, previous to or following an election, the Chief Justice, or in his absence, the senior judge of the Supreme Court of Canada present in Ottawa shall, upon application of the Secretary of State and proof of such neglect or inability, appoint a substitute Chief Electoral Officer whose powers and duties shall be the same as, and shall operate to the exclusion of, those of the Chief Electoral Officer, but they shall be limited in their application to the business of such election, and, in case of any substitute appointment based upon inability of the Chief Electoral Officer to perform the duties of his office, whenever the Chief Electoral Officer shall again become able to perform his duties, with the consent of his substitute he may, and in the absence of such consent, upon order made after application to the same judge who appointed such substitute (or in case of the absence from Ottawa, or inability, of such judge, to any other judge of said Court) and proof to the satisfaction of such judge of restoration to ability he shall resume to the exclusion of such substitute the performance of such duties.

Remuneration of substitute.

(4) The remuneration of a substitute Chief Electoral Officer, for and while acting as such, shall be deemed part of the general expenses of the election and shall be such as the Governor in Council may determine.

Assistant Chief Electoral Officer.

Staff and temporary assistance.

20. (1) Excepting the Chief Electoral Officer and one assistant, to be known as Assistant Chief Electoral Officer, and one stenographer, both of whom shall be appointed by the Governor General in Council, there shall be no permanent officers or employees appointed or paid to perform any duties in connection with elections. The Chief Electoral Officer shall from time to time select and appoint such temporary help as he may require for the proper performance of the duties of his office, first, however, submitting to the Auditor General the name and proposed salary payable to the temporary appointee and obtaining a certificate that such salary is reasonable and that funds are lawfully available for the payment thereof. All such appointees shall be discharged forthwith upon completion

of the business of the election for or during which they respectively were engaged.

Head Clerk.

(2) The Assistant Chief Electoral Officer shall rank in the classification of the Civil Service of Canada as a Head Clerk.

Writs of Election.

Date and form of writs.

21. The Writs for an election shall be in form A and be dated and returnable on such days as the Governor General in Council determines. (Sec. 75).

Returning Officer.

Writs to be addressed to returning officers.

22. The Chief Electoral Officer shall address each writ of election and transmit it (by mail unless the Governor General in Council otherwise directs, in which case he shall transmit as so directed) to the person appointed by the Governor General in Council to be, and such person shall be, returning officer for the electoral district therein stated; but if such person refuses, or is unable, because of disqualification or other cause, to act, another may be appointed in his stead. (Sec. 76.)

Duty on receipt of writ.

23. On receiving the writ of election the returning officer shall,—

(*a*) forthwith endorse thereon the date on which he receives it;

(*b*) before taking any further action thereon, take the oath of office in form B; and,

(*c*) appoint an election clerk under his hand and seal in form C. (Secs. 82 and 83.)

Election Clerk.

Election clerk.

24. (1) The election clerk shall,—

(*a*) before acting as such take the oath in form D;

(*b*) assist the returning officer in the performance of his duties; and,

(*c*) whenever the returning officer refuses or is unable to perform his duties or is disqualified, and unless and until he has been replaced by another, act as and with the powers of the returning officer in his stead. (Secs. 84 and 85.)

Refusal to act.

(2) If an election clerk refuses or is unable to perform his duties the returning officer may at any time during the election, in manner hereinbefore provided, appoint another person to act in his stead. (Sec. 84.)

Deputy Returning Officers.

Deputy returning officers.

25. Every returning officer shall, by writing in form G executed under his hand, appoint one deputy returning officer for each polling division in the electoral district.

Every deputy returning officer shall before acting as such take the oath in form H. (Sec. 108.)

Poll Clerks.

Poll clerks.

26. Each deputy returning officer shall forthwith appoint by writing under his hand, in form I, a poll clerk, who, before acting as such shall take the oath in form J. (Sec. 115.)

Liability of Election Officers.

Misfeasance and malfeasance.

27. (1) Every election officer who is guilty of any wilful misfeasance or any wilful act or omission in violation of this Act shall forfeit to any person thereby aggrieved a sum not exceeding five hundred dollars in addition to the amount of all actual damages to such person thereby occasioned. (Sec. 249.)

Penalty.

(2) Every election officer who refuses or neglects to perform any of the obligations or formalities required of him by this Act shall, for each such refusal or neglect, forfeit the sum of two hundred dollars to any person who sues therefor. (Sec. 250.)

Polling Divisions.

Subdivision of electoral district into polling divisions.

28. As soon as possible after the receipt of the writ of election the returning officer shall divide his electoral district into as many polling divisions as, having regard to the probable number of electors within a division, he deems convenient, or as the Chief Electoral Officer may direct, number or otherwise designate each polling division and fix upon a suitable polling station therein. He may adopt, if convenient for the occasion, any or all of the polling divisions or subdivisions established under the laws of the province for provincial or municipal elections (Sec. 37 (1)), and to this end he shall be entitled to demand and to obtain from the legal custodians of any by-laws, orders, proclamations or other documents or proceedings defining provincial or municipal polling divisions, or who are legal custodians of duly certified duplicates or copies thereof, such certified copies of the said by-laws, orders, proclamations or other documents or proceedings, whether originals or copies, as he deems necessary for the performance of his duties. The legal custodian from whom any such document is so obtained shall be paid therefor the same fees, if any, as are payable in the case of such documents being obtained by a returning officer for the purposes of a provincial election (Sec. 37 (4)), and, if such legal custodian refuses or omits for an unreasonable time after demand made to deliver any such documents so demanded, he is guilty of an indictable offence against this Act, punishable as in this Act provided.

Chief Electoral Officer may demand certified copies of documents.

Qualification of Electors.

Electors, qualifications for.

29. (1) Save as in this Act otherwise provided, every person, male or female, shall be qualified to vote at the election of a member, who, not being an Indian ordinarily resident on an Indian reservation,

(*a*) is a British subject by birth or naturalization; and,

(*b*) is of the full age of twenty-one years; and,

(*c*) has ordinarily resided in Canada for at least twelve months and in the electoral district wherein such person seeks to vote for at least two months immediately preceding the issue of the writ of election.

Allegiance, nationality, and naturalization.

(2) For the purposes of this Act, the allegiance or nationality of a person, as it was at the birth of such person, shall be deemed incapable of being changed, or of having been changed, merely by reason or in consequence of marriage or change of allegiance or naturalization of any other person, or otherwise than by personal naturalization of such first mentioned person. Provided, however, that this subsection shall not apply to any person born on the continent of North America, nor to any person who in person applies to and obtains from any judge having jurisdiction in naturalization proceedings, a certificate under the hand of such judge and the seal, if any, of his court, to the effect following:—

Certificate.

TO ALL WHOM IT MAY CONCERN.

This is to certify that from evidence submitted before me, I am satisfied that A.B. of.....in the province of .....(occupation)..... is a person naturalized as a British subject by operation of law, who, but for such naturalization, is qualified and would be entitled at the date of the issue of this certificate to be personally naturalized in Canada.

Dated at.....this..... day of.....19....

.....

[1919, c. 48, s. 2 (B)] *Judge of, etc.*

Disqualification of Electors.

Electors, disqualifications.

30. (1) The respective persons hereunder mentioned shall for the time specified as to each such person be disqualified and incompetent to vote at an election:—

Judges.

(*a*) The judges of every court whose appointment rests with the Governor in Council—during their tenure of office;

Chief Electoral Officer.

(*b*) The Chief Electoral Officer—during his tenure of office;

Persons disqualified.

(*c*) Persons disfranchised for corrupt or illegal practices under this Act—during the period of their disfranchisement;

Disfranchised voters.

(*d*) Persons disfranchised under the *Disfranchising Act*—during the period of their disfranchisement;

For corrupt practice at election.

(*e*) Persons who, at an election, have committed any corrupt practice or illegal practice—for the whole period of the election at which they have so offended;

Prisoners or patients in asylum or persons supported by charity.

(*f*) Persons who, at the time of an election, are prisoners undergoing punishment for criminal offences, or are patients in lunatic asylums, or are maintained in whole or in part as inmates receiving charitable support or care in municipal poor houses or houses of industry, or are inmates receiving charitable support in any institution receiving aid from the Government of a province under any statute in that behalf—for the whole period of such election. (Sec. 67.)

Persons disqualified in respect of race.

(*g*) Persons who, by the laws of any province in Canada, are disqualified from voting for a member of the Legislative Assembly of such province in respect of race, shall not be qualified to vote in such province under the provisions of this Act: Provided however that the provisions of this paragraph shall not disqualify or render incompetent to vote any person who has served in the naval, military or air forces of Canada in the late war and who produces a discharge from such naval, military or air force to the registrar upon the making of the voters' lists and to the deputy returning officer at the time of polling.

Exception.

Naval, military or air force.

Penalties for violation.

(2) Any person who votes, or induces or procures any other person to vote, at an election, knowing that he, or such other person, is for any reason disqualified, non-qualified or incompetent to vote at such election, shall be guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Secs. 275 and 67 B and Eng. 1883, sec. 9 (1).) On the trial of any person accused of having contravened this section by voting with knowledge of his disqualification, non-qualification or incompetency, the burden of proof as to all matters material shall be upon such person and not upon the Crown.

Election officers, disqualification of.

31. (1) The following persons shall be disqualified and incompetent to vote at an election for the electoral district for which or for a portion of which they hold their offices or positions:—

Returning officers and election clerks.

(*a*) Returning officers and election clerks, but not deputy returning officers, registrars, poll clerks or con-

stables, whether appointed by the returning officer or by a deputy returning officer, employed in connection with the election;

Attorneys, agents, etc., paid or expecting pay.

(*b*) Any person who, at any time, either before or during the election, has been or is employed by any other person to act at the same election or in reference thereto as counsel, attorney, solicitor, agent or clerk, or agent at any polling station at such election, or in any other capacity, and who has received or expects to receive, either before, during or after the said election, from any person, for acting in any such capacity, any sum of money, fee, office, place or employment, or any promise, pledge or security for any sum of money, fee, office, place or employment.

Casting vote of returning officer.

(2) The returning officer may nevertheless, as by this Act provided, vote in the case of an equality of votes between candidates. (Sec. 68.)

PREPARATION OF LISTS OF VOTERS.

What to be the voters' list for Dominion Election.

32. (1) For the purposes of any Dominion election held within the limits of a province the voters' lists shall, except as hereinafter provided, be those prepared and completed for the several polling divisions, under the laws of that province, within one year immediately preceding the issue of the writ for such election, and which were, under such laws, in force, or had been last in force, for the purposes of provincial elections. But to such lists there may be added in manner provided in Schedules A and B respectively to this section the names of such persons, male and female, as, being capable and qualified under this Act to be voters within any polling division (whether or not so capable or qualified under the laws of such province) are not named on such lists; and from such lists there may be subtracted in manner provided in Schedules A and B respectively to this section the names of such persons, male and female, as, pursuant to the provisions of this Act, are disqualified, non-qualified, or incompetent to be voters within such polling division.

When no lists.

(2) If under the laws of any province no such lists have been prepared within such period of time, or if the laws of the province do not provide for the making of such lists, the voters' lists for such Dominion election shall be wholly prepared and completed in manner hereinafter provided.

Certified copies of voters' lists to be furnished by custodian upon payment of fees.

(3) The legal custodian of any provincial voters' list shall deliver certified copies thereof, or any part thereof, as last revised and corrected, to any person applying, on payment therefor of a fee not exceeding that, if any, allowed by the provincial law in the like case. (Section 37, ss. 5.)

If any such legal custodian refuses, or omits for an unreasonable time after application made, to so deliver he is guilty of an indictable offence against this Act punishable as in this Act provided.

If Provincial and Dominion divisions do not conform voters names transferred.

(4) Where under the provisions of this section Provincial voters' lists are adopted for use in a Dominion election, and where new polling divisions are created under section twenty-eight of this Act which do not conform to Provincial polling divisions, the registrar appointed under Schedules A and B to this section shall transfer the names of voters from the Provincial polling divisions and place them in their appropriate Dominion polling divisions.

Voters' lists in urban polling divisions.

(5) In urban polling divisions the voters' lists shall be prepared and completed under the rules set forth in Schedule A to this section.

Power to decide status and population of place.

(6) The Chief Electoral Officer is empowered to decide upon the best available evidence, for all the purposes of this Act, whether any place is a city, town or incorporated village and whether it has a population of over one thousand persons.

Voters' lists in rural polling divisions.

(7) In rural polling divisions, the voters' lists shall be prepared and completed under the rules set forth in Schedule B to this section.

Date, etc., when revising officers, etc., sit, to be advertised.

(8) All revising officers and registrars shall advertise in newspapers or by posted notices, according to directions which shall be given by the Chief Electoral Officer, their names and post office addresses, the days and hours when they sit for the purposes of this Act, and the dates when they respectively will post up or certify the lists of voters.

FALSE REGISTRATION AND PENALTIES.

Penalty for applying to be registered, etc., as voter in name of dead, etc. voter, or to be registered etc., twice.

(9) Every person who applies under this Act to be registered as a voter in the name of some other person, whether such name be that of a person living or dead, or of a fictitious person, or who, having been once registered to his knowledge under this Act as a voter entitled to vote at a pending election, applies to be again registered in the same electoral district as a voter entitled to vote at the same election, shall be guilty of the offence of personation, and liable to the penalties imposed in this Act upon persons guilty of that offence.

Penalty for falsely answering interrogatories necessary to entitle person to be registered as voter.

(10) Any person making a claim to be registered as a voter at any registration sittings, and answering and declaring any of the interrogatories necessary to entitle a person to be registered a voter as by this Act provided, knowing his answer or declaration to be false, shall be guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act

provided, and on the trial of any such person for such offence the burden of proof of all matters material shall be upon such person and not upon the Crown.

Penalty for Registrar, etc., falsely signing, etc., statutory declaration to be used for registration of voters.

(11) Any registrar, additional registrar, notary public, commissioner for oaths, justice of the peace or other functionary or person who falsely signs any statutory declaration to be used for the purposes of procuring the registration of voters under this Act, certifying or declaring that such declaration was made before him, or who signs it prior to the same being signed by the person purporting to declare to the same or otherwise than in the presence of the declarant, shall, for every such act, be guilty of an indictable offence against this Act punishable as by this Act provided.

Lists for by-elections.

(12) In the case of an election other than a general election, the Chief Electoral Officer may, notwithstanding anything in this Act, direct that such lists be wholly prepared for both urban and rural polling divisions pursuant to the provisions of Schedule B to this section, and such lists, when so prepared, shall be the official lists of voters for the election.

Schedule A to Section 32.

Rules for Personal Registration of Voters and revision applicable only to urban polling divisions.

REGISTRARS.

Rule (1) Immediately after the receipt of the writ the returning officer shall appoint by writing in form E one person only to be registrar of voters for each city, town or incorporated village which is wholly or partly contained in the electoral district for which the election is pending who shall before acting as such, take the oath in form F, but the Chief Electoral Officer may authorize the returning officer to appoint, where deemed necessary, sufficient additional registrars, who shall, before acting as such, take the oath in form F, prefixing the word 'additional' to the word 'registrar' wherever in such form the word 'registrar' occurs. Such additional registrars shall, within the limits of their several appointments, while acting as such, have the powers and perform the duties of registrars.

Rule (2) Every registrar shall, immediately after taking oath as such, post up or cause to be posted up in conspicuous places within the city or town or part thereof for which he has been appointed, sufficient copies of a poster notice in form K 1 to this Act, with dates, hours, and place of sitting properly stated therein. He shall so post or cause to be posted not less than six copies of the notice per

thousand of the population which is within the territorial limits of his appointment.

Rule (3) Every registrar shall provide, within the city, town or incorporated village or part thereof for which he is appointed, a convenient place, properly lighted and heated, and being the place mentioned in such notice, for the purpose of the registration of voters. He shall, for such purpose, attend and sit thereat for six days, except Sunday, during the period for registration (to be fixed and notified by the Chief Electoral Officer) from nine o'clock in the forenoon until nine o'clock in the afternoon, with intermissions from one o'clock to two o'clock and from six o'clock to seven o'clock. All persons desiring to be registered as voters shall attend in person before the registrar.

Rule (4) When a person claiming to be entitled to be registered as a voter applies for registration, the registrar shall proceed as follows:—

(*a*) He shall administer to the applicant, orally, under oath or solemn affirmation, the interrogatories contained in Form K2 to this Act.

(*b*) If it appears to the registrar from the answers given by the applicant to such interrogatories that the applicant is entitled to be registered, the registrar shall announce that the application is granted, and the applicant's name, occupation, address and proper polling division shall be written on the registrar's preliminary, or compilation, list, with the letter W in brackets, thus (W) after the name of every female voter; but if it appears to such registrar that such applicant is not entitled to be registered, or if the applicant refuses to answer any of such interrogatories or to be sworn or to solemnly affirm, the registrar shall announce that the application is refused and the applicant's name shall not be written on such preliminary list.

(*c*) Wherever the language of the applicant is not understood by the registrar an interpreter may be sworn and may act; in the event of inability to secure an interpreter the application shall, for the time being, be refused.

(*d*) When an application for registration is refused and the applicant demands a certificate of such refusal the registrar shall sign, date and deliver to the applicant a certificate in form K3 to this Act, which shall state the applicant's name, address and occupation, as given, and the reason for such refusal.

Rule (5) If any person who claims to be entitled to be registered is unable to personally attend the registration sittings by reason of sickness, disability, or necessary, temporary, unavoidable and *bona fide* absence from the city or town wherein he is entitled to be registered, any other

person who is a relative or employer of such first-mentioned person and who has a personal knowledge of the facts may appear before the registrar, who shall administer to him, orally, under oath or solemn affirmation the interrogatories contained in form K4 to this Act, and if he substantiates *(a)* the cause of absence to be such as is in this rule set forth and *(b)* all things requisite to the registration of such first-mentioned person, saving personal appearance, that person may be registered as if he had personally appeared. The registrar shall announce and otherwise proceed as hereinbefore provided in the case of an applicant personally appearing.

Rule (6) The registrar shall, with reasonable expedition and within two days after the closing of the registration:—

(a) Prepare from the preliminary or compilation list kept by him, a true ,complete and final list, certified as such under his hand, for each polling division which is wholly or partly contained within the city town or incorporated village or part thereof for which he is appointed. Such list shall show the names thereon alphabetically arranged according to surnames and shall have the letter W in brackets, thus (W) after the name of every female voter whose name has been placed on, added to or permitted to remain on the registrar's preliminary final compilation list, and such list shall be made in Form K.

(b) Post a certified copy of every such list in a conspicuous place in the city, town or village hall, if any, and in at least two other conspicuous places in the polling division to which the list relates.

(c) Deliver or send by registered mail to each of the candidates one other certified copy of every such list.

Rule (7) The registrar shall preserve an original of such list which shall be accessible to all persons who may apply to see it or to take extracts therefrom.

Rule (8) Immediately after the registrar shall have posted up such lists he shall transmit or deliver to the revising officer for the city, town or incorporated village for or for part of which such registrar is appointed, a certified copy of the list prepared by him with an affidavit in form K5 to this Act.

Rule (9) Every registrar shall, while sitting as such, be a conservator of the peace and have and possess the same powers as a justice of the peace in his province. He may appoint, if necessary, such constables for the maintenance of order and for the arrest of and detention of persons guilty of personation of others, or of attempting to personate others, or who impede or improperly interrupt his proceedings or create a disturbance. He may also, if necessary, forcibly remove or direct the forcible removal of any person from the place wherein the registration is taking place.

He and the constables appointed by him shall have power to act without taking any oath.

Rule (10) In the event of the death or illness of any registrar or of his neglect or refusal to perform any duty imposed upon him by this Act, the returning officer may appoint another person with power, after taking the oath in form E to this Act, to act in such registrar's place and stead.

REVISING OFFICERS.

Rule (11) In the provinces of British Columbia, Ontario, New Brunswick, Nova Scotia and Prince Edward Island, the Senior County Court Judges; in the provinces of Alberta, Saskatchewan and Manitoba the District Court Judges; and in the province of Quebec, in the judicial districts of Montreal and Quebec, the Chief Justice or the Acting Chief Justice of the Superior Court, and in all other judicial districts the Senior Superior Court Judges, shall be and be known as revising officers under this Act, one only of such officers to act within each city, town or incorporated village, in so far as such city, town or incorporated village is wholly or partly contained in the electoral district for which the election is pending, but each of such judges shall have jurisdiction over every electoral district which is within his judicial district, to appoint therein where necessary, for all or any of the towns, cities or incorporated villages within such judicial district, when an election is pending, fit persons, as additional or substitute revising officers, and to define the territorial limits of their jurisdiction. Such revising officers shall revise the voters' lists prepared by registrars under this Act, hear appeals from the rulings of the registrars, finally certify such lists and cause them to be printed and delivered to the deputy returning officers. He shall also appoint a clerk who shall perform all directions of the revising officer given in the execution of the purposes of this Act, provided that in the case of additional or substitute appointments of revising officers hereunder these rules shall be so read as to give the same effect to the action within his territorial jurisdiction of a revising officer over part of a city, town or incorporated village as to the action of a revising officer over the whole of a city or town.

Rule (12) Every revising officer shall, for the purposes of this Act, have jurisdiction and authority, on appeal and otherwise as by this Act provided, over the same territorial area as the registrar who prepared the lists which the revising officer is empowered to revise. He shall, unless he be a judge, before acting as such, be sworn before a judge of a court of record to the faithful performance of his duties. He shall dispose of all matters coming before him in manner not inconsistent with the provisions of this Act and, save as otherwise provided, may prescribe or confirm such

procedure as to notice, evidence or otherwise as, in his judgment, is fair and reasonable according to the circumstances, and in case any matter or thing respecting the revising of lists for the purposes of the pending election is not specifically or sufficiently provided for in this Act, the revising officer shall deal with the same on principles of equity and justice.

Rule (13) The revising officer shall first sit at such place as he may fix and notify by previous public advertisement for four days, on the twenty-first day before the polling day. He shall continue in session as revising officer for six days, excluding Sunday.

METHOD OF REVISION.

Rule (14) The revising officer shall revise the lists of voters to which his appointment relates, in the following manner, but in accordance with all other provisions in these rules contained, that is to say:—

(a) All the names appearing on such lists, including the names appearing on any provincial list adopted pursuant to section thirty-two of this Act, against which no appeals have been asserted to him shall be allowed to stand without investigation as to qualification; but otherwise in case of appeal asserted.

(b) Opposite to or at the side of the name of any person struck off such list of voters he shall write the words "struck off" followed by his initials.

(c) The onus of substantiating sufficient *prima facie* ground to strike off any name shall be upon the applicant, and the person whose name has been objected to shall not be called upon for any evidence or proof until the revising officer avers that in his opinion such *prima facie* ground has been established, nor shall the absence or non-attendance of any person whose name has been objected to relieve the applicant from substantiating such *prima facie* case. No complaint or appeal shall be heard by the revising officer to strike names off the list of voters unless two days' notice in writing has been given by mailing it registered and prepaid to the person affected, addressed as on the list of voters or to his last known residence.

(d) If an applicant has been refused registration by the registrar such refusal may be reviewed by the proper revising officer upon presentation to such revising officer of a certificate in form K3 to this Act, but, notwithstanding the provisions of this rule, any person claiming to be entitled to be placed on any list of electors preparable for any polling division which is wholly or partly contained within any city or town or part thereof under the provisions of this Part may, notwithstanding that he has neglected or omitted to apply for registration at any of the sittings of any regis-

trar, and, as well, any person who has applied and has been refused registration (whether or not he obtains or presents a certificate in form K3 to this Act) may apply at any of the sittings of the revising officer to have his name entered on such list of voters, and he shall be entitled to have his name entered on such list if, after *viva voce* examination on oath the revising officer shall be of opinion that such applicant possesses the necessary qualifications; no notice of application shall in such cases be required.

(e) The revising officer may, without previous notice, complaint or appeal, correct any mistake which is proved to him to have been made by the registrar in respect of any name, residence, occupation or otherwise howsoever.

(f) In all proceedings under this Act the revising officer shall have, with reference to the matters in this Act contained, all the powers which belong to or might be exercised by a judge of a court of record in any action pending in his court.

Rule (15) On the twelfth day before the polling day the revising officer shall

(a) initial all changes or additions made by him to each list of a polling division, and shall write and sign at the foot or end thereof the words following—

"I certify that the foregoing is a correct list of the voters in polling division No.... *(or as the case may be)* of the electoral district of....., as revised on appeal by me this.....day of....., 19..

Revising Officer for the city (town or incorporated village) of.....

Electoral District of.....,

in the province of....."

(b) deliver or mail by registered letter to each of the candidates a statement of such changes or additions as he has made in the lists of voters on appeal;

(c) cause to be printed such number of such lists as the Chief Electoral Officer may advise will be sufficient for the purpose of the election. Such printing shall be superintended by the revising officer's clerk.

Rule (16) Upon completion of printing the revising officer shall carefully compare the printed lists with the originals in his hands, making necessary corrections so that the printed copies shall accord with the written copy, and thereafter certifying under his hand as true copies all such printed lists and dispatching to the Chief Electoral Officer the original lists from which the printing was done and twelve copies of such printed lists, and to each of the candidates or their agents twenty copies thereof.

Rule (17) The revising officer shall so provide that the printing of such lists shall be completed and copies thereof be delivered to the candidates or their agents at least four days before the polling day.

Rule (18) All lists of voters printed and certified as hereinbefore provided shall be and be considered official lists of voters of the polling division to which they relate.

Rule (19) In the event of a revising officer's death, resignation, inability or refusal to act, the Governor in Council may appoint another to act in his stead.

Rule (20) The revising officer shall deliver or cause to be delivered, at or before eight o'clock in the morning of the polling day, or sooner if the returning officer so directs, to the deputy returning officer for the polling division to which it relates a certified copy of the voters' lists for such deputy returning officer's polling division, which list shall be the official list for such polling division.

SCHEDULE B TO SECTION 32.

Rules for Registration of Voters, and revision applicable only to rural polling divisions.

Rule (1) Immediately after the receipt of the writ the returning officer shall appoint by writing in form E one person only to be registrar of voters for each rural polling division. Whenever a competent person can be secured within the limits of the polling division such person shall be appointed and only in case of necessity shall a registrar be selected from an outside polling division.

Rule (2) Each registrar, after taking oath as such in form F, shall, whenever the returning officer so directs, complete in manner provided by Section thirty-two of this Act and by these rules, a list of the persons who are qualified as electors to vote within the polling division for which the registrar has been appointed at the election then pending, making at least three plainly written copies of such list, with the names of the voters placed or added thereon or thereto by him arranged in alphabetical order, stating the occupation and residence of each voter and writing the letter W in brackets, thus [W], after the name of every female voter whose name he places on, adds to or permits to remain on said list, the whole as in form K to this Act.

Rule (3) Each registrar shall complete, date at his place of residence and sign such copies of the voters' list on the fifteenth day before the polling day and not otherwise; two of such copies he shall post up in two of the most public and conspicuous places within such polling division and another he shall retain for revision. He shall on the day fixed for the nomination of candidates deliver or send by registered mail to each of the candidates a copy of such list. He shall attach to each of the copies so posted up a written notice signed by him and designating the place within the polling division and a time where and when

electors may conveniently find him during the hours between two and six o'clock in the afternoon of every day except Sunday of the five days next following the fourteenth day before the polling day. He shall attend and remain at such designated place during the designated times.

Rule (4) If any registrar, at any time after posting up any voters' list, and not later than the tenth day before the polling day, is fully satisfied from representations made to him by any credible person that the name of any person who is qualified as an elector to vote at the election then pending within the polling division for which the registrar has been appointed has been omitted from the voters' list he shall add such name to the copy of the list in his possession, below his signature, and attest by his initials such addition. If in like manner fully satisfied that the name of any person who is not qualified as aforesaid appears on such list he may draw erasing lines through such name and attest by his initials in like manner. If he finds that the occupation, addition or residence of any voter is inaccurately stated on the list he may correct the inaccuracy and attest by his initials as aforesaid.

Rule (5) Every registrar, having revised and corrected such retained copy of the voters' list compiled by him shall write at the foot of such copy and close to the last name thereon, on the ninth day before the polling day, a certificate in the form of the second certificate contained in said form K to this Act. He shall also on the same day deliver or mail by registered letter to each of the candidates a statement of the additions made to and of the changes made in the list posted pursuant to these rules, and, at or before eight o'clock in the morning of the polling day, or sooner if the returning officer so directs, deliver to the deputy returning officer for the polling division to which it relates the said list so retained and certified, which shall be the official voters' list for such polling division, but such list shall be subject to further correction on the polling day as by section sixty-three of this Act provided.

Rule (6) In the event of the death or illness of any registrar, or of his neglect or refusal to perform any duty imposed upon him by this Act, the returning officer may appoint another person, with power, after taking the oath in form E in Schedule One to this Act to act in such registrar's place and stead.

When new lists of voters unnecessary.

33. (1) Except as provided in this section, it shall not be necessary to prepare new lists of voters for the purposes of any election to be held in any electoral district when there has been in that electoral district a previous election for which the lists of voters prepared are of record in the office of the Chief Electoral Officer and there is an interval of

less than twelve months between the dates of the writs for the two elections. (Sec. 52.)

Lists which shall be used.

(2) In such event it shall be the duty of the Chief Electoral Officer to forward to the returning officer, with the writ of election, three certified copies of each of the lists of voters so of record in his office. (Sec. 53.)

Duties of rural registrars and revising officers.

(3) Such certified copies shall be delivered by the returning officer to the rural registrars and to the revising officers, to be appointed as in this Act provided, and each thereof shall post and notify and shall revise, correct, certify, print, and otherwise act in all respects as if such certified copies were list of voters preliminarily prepared, completed, and signed by a registrar as in this Act provided.

Revised and certified copy to be list.

(4) The copy so retained, as revised and certified and as received by the deputy returning officer from the registrar or revising officer, shall be the list of voters for the polling division to which it relates. (Sec. 54.)

List for polling division for which no list is of record.

(5) Should there be in any electoral district a polling division for which a list of voters is not of record in the office of the Chief Electoral Officer, a list for such polling division shall, for the purposes of any election, be wholly prepared in the manner by this Act provided. (Sec. 55.)

Additional polling stations when more than 300 electors in a polling division.

34. Where a polling division is found to contain more than three hundred qualified electors, and in any other case where the Chief Electoral Officer may authorize or direct, the returning officer shall provide within the polling division separate and adjacent additional polling stations, so that not more than three hundred, and, when practicable, not less than one hundred and fifty names shall be on the list of voters for each polling station. The returning officer shall in such case direct the registrar to prepare and he shall prepare from the list of voters for the polling division as finally compiled and revised by him, a separate list, made up in alphabetical order for each polling station according to the initial letter of the surnames of the voters. Each separate polling station shall be designated by the initial letters of the electors who are to vote thereat, as from A to K, from L to R or from S to Z, or as the case may be be. Every voter, the initial letter of whose surname is included within the letters designating a polling station and contained in such list, shall vote in the station so designated. The returning officer shall appoint a deputy returning officer for every such additional polling station and the registrar or revising officer shall deliver to him within the time provided by and subject to the provisions of rule twenty of Schedule A of section thirty-two, a correct and certified list of all voters on the list of voters of the polling division whose surnames commence with the letters included within those by which the polling station is designated. (Sec. 37, ss. 3.)

Persons Ineligible and Persons Excusable as Election Officers.

Who shall not be appointed election officers.

35. (1) None of the following persons shall be appointed Chief Electoral Officer, returning officer or deputy returning officer, election clerk or poll clerk, that is to say:—

(*a*) Members of the King's Privy Council for Canada or of the executive council of any province of Canada;

(*b*) Members of the Senate or of the legislative council of any province of Canada;

(*c*) Members of the House of Commons, or of the Legislative Assembly of any province of Canada, or of the Yukon Territorial Council;

(*d*) Ministers, priests or ecclesiastics of any religious faith or worship;

(*e*) Judges of the courts of superior, civil or criminal jurisdiction, judges of any county or district court, or bankruptcy or insolvency court, and any local judge of the Exchequer Court on its Admiralty side, and in the Yukon Territory, police magistrates;

(*f*) Persons who have served in the Parliament of Canada in the session immediately preceding the election or in the session in progress at the time of the election;

(*g*) Persons who have been found guilty by the House of Commons, or by any court for the trial of controverted elections, or other competent tribunal, of any offence or dereliction of duty in violation of this Act or any provincial Act relating to elections, or under the *Disfranchising Act;*

(*h*) Persons convicted of any indictable offence;

(*i*) Aliens. (Sec. 77.)

Residence of election officers.

(2) No person shall be appointed election clerk, deputy returning officer, registrar or poll clerk unless he is a resident of the electoral district within which he is to act. (Sec. 78.)

Who shall not be bound to act as such.

(3) None of the following persons, unless they are sheriffs, registrars, town clerks or assessors, shall be obliged to act as returning officer, deputy returning officer, registrar, election clerk or poll clerk, that is to say:—

(*a*) Professors in any university, college, high school or academy;

(*b*) Physicians or surgeons;

(*c*) Millers;

(*d*) Postmasters, Customs officers, or clerks in post offices or Customs offices;

(*e*) Persons of sixty years of age or upwards;

(*f*) Persons who have previously served as returning officers at a Dominion election. (Sec. 79.)

Issue and Transmission of Election Materials.

Writ of election, indexed copies of this Act, blank poll books and forms, to be sent to returning officer.

36. (1) Immediately after the issue of the writ of election the Chief Electoral Officer shall transmit to the returning officer,—

(*a*) such writ;

(*b*) sufficient copiously indexed copies of this Act (and of such instructions as are required to properly carry out the election) to enable the supply of one copy each to the returning officer, the election clerk, the deputy returning officers and the registrars;

(*c*) sufficient blank poll books and blank forms, including the forms of oaths, for the purposes of the election, except forms L, P and S which the returning officer shall himself cause to be printed. (Secs. 34, 80, and 81.)

Also official stamp.

Description.

(2) On or before nomination day the Chief Electoral Officer shall cause to be delivered to every returning officer an impression stamp specially made for the purposes of the particular election and so designed that an impression made from it will be readily recognizable and will shew the name of the electoral district and the year of the election. Such stamp is in this Act referred to as "The Official Stamp." (Sec. 112.)

Proclamation by Returning Officer.

Proclamation by returning officer mailed to postmasters.

37. (1) Within two days after the receipt of the writ of election the returning officer shall, by a proclamation in form L issued under his hand in the English and French languages in every electoral district in the Provinces of Quebec and Manitoba, and in the English language only in other electoral districts, and mailed one copy at least to the various postmasters of the post offices within his electoral district, indicate,—

(*a*) the place and time fixed for the nomination of candidates;

(*b*) the day on which the poll for taking the votes of the electors is to be held, in case a poll is demanded;

(*c*) the time when and the place where the returning officer will add up the number of votes given to the several candidates;

The returning officer shall at the same time notify in writing each postmaster of the provisions of subsection (five) of this section.

Yukon Territory.

Publication.

(2) In the Yukon Territory it shall be sufficient compliance with the immediately preceding provisions if, at least six days before the day fixed for the nomination of candidates, the returning officer shall cause such proclamation to be inserted in at least one daily newspaper published in Dawson and in one thereof, if any, published in White-

horse, and mails at least one copy of such proclamation to such postmasters within his electoral district as, in his judgment and in accordance with his knowledge of the prevailing conditions will possibly receive the same at least six clear days before nomination day.

Inadvertent omission.

(3) Inadvertent omission on the part of the returning officer of any electoral district to mail such proclamations or any thereof in time or to mail them to a number less than one-tenth of the postmasters within an electoral district shall not be deemed noncompliance with the provisions of this section.

Copies of proclamation.

(4) Within two days after receipt of the writ of election the returning officer shall deliver or send by mail five copies of such proclamation to each person who is or at the election last held in the electoral district was a candidate for election.

Postmaster to post up proclamation.

(5) Every postmaster shall, forthwith after receipt of such proclamation, post it up in some conspicuous place within his office to which the public has access and maintain it posted there until the time fixed for nomination of candidates has passed, and failure to do so shall be ground for his dismissal from office. For the purposes of this provision such postmaster shall be deemed an election officer and liable as such. (Secs. 86, 87, 88, 35 and 38.)

Qualifications of Candidates.

Qualification of candidates.

38. Except as in this Act otherwise provided any British subject, male or female, who is of the full age of twenty-one years, may be a candidate at a Dominion election. (Sec. 69.)

Disqualifications of Candidates.

Disqualifications.

39. (1) The respective persons hereunder mentioned shall not for the time specified as to each such person be eligible as candidates at an election, namely:—

Corrupt practice.

(*a*) Every person found by the report of the judge on the trial of an election petition to have committed at an election any corrupt practice, or convicted before any competent court of having committed at an election any offence which is a corrupt practice, or ordered to pay any sum forfeited because of the commission of any corrupt practice, or found guilty in any proceeding in which after notice of the charge he has had an opportunity of being heard of any corrupt practice or of any offence which is a corrupt practice— during the period of eight years next after the date of his being so found, convicted, ordered or found guilty;

Illegal practice.

(*b*) Every person found by the report of the judge on the trial of an election petition to have committed at an election any illegal practice, or convicted before any competent court of having committed at an election any offence which is an illegal practice, or ordered to pay any sum forfeited because of the commission of any illegal practice, or found guilty in any proceeding in which after notice of the charge he has had an opportunity of being heard of any illegal practice or of any offence which is an illegal practice—during the period of five years next after the date of his being so found, convicted, ordered or found guilty;

Government contractors.

(*c*) Every person directly or indirectly, alone or with any other person, by himself or by the interposition of any trustee or third party, holding or enjoying, undertaking or executing any contract or agreement express or implied, with or for the Government of Canada on behalf of the Crown, or with or for any of the officers of the Government of Canada, for which any public money of Canada is to be paid—during the time he is so holding, enjoying, undertaking, or executing;

Member of legislature.

(*d*) Every person who is a member of the legislature of any province—during the time he is such member;

Certain public officers.

(*e*) Every person holding the office of sheriff, registrar of deeds, clerk of the peace or county Crown attorney,—during the time he is holding such office;

Persons in employ of Government.

(*f*) Every person accepting or holding any office, commission or employment, permanent or temporary, in the service of the Government of Canada at the nomination of the Crown or at the nomination of any of the officers of the Government of Canada, to which any salary, fee, wages, allowance, emolument or profit of any kind is attached—during the time he is so holding any such office, commission or employment;

Exceptions.

(2) Provided, however, that the provisions of this subsection shall not render ineligible,—

Ministers.

(a) any person holding the office of President of the Privy Council, Minister of Finance, Minister of Justice, Minister of Militia and Defence, Secretary of State, Minister of the Interior, Minister of Railways and Canals, Minister of Public Works, Postmaster General, Minister of Agriculture, Minister of Inland Revenue, Minister of Customs, Minister of Marine and Fisheries, Minister of Trade and Commerce, Minister of Labour, Secretary of State for External Affairs, Minister of Soldiers' Civil Re-establishment, Minister of Immigration and Colonization, Solicitor General, Parliamentary Secretary or Parliamentary Under Secretary, or any office which is hereafter created, to be held by a member of the King's Privy Council for

Canada and entitling him to be a Minister of the Crown, or shall disqualify any such person to sit or vote in the House of Commons;

Members of naval, military or air forces on active service.

(b) any person serving in the naval, military or air forces of Canada, or in any other of the naval or military forces of the Crown, while such forces are on active service in consequence of any war, and receiving salary, pay or allowance as a member of such forces while on such active service;

Shareholder of company having Government contract.

(c) a shareholder in any incorporated company having a contract or agreement with the Government of Canada, except any company which undertakes a contract for the building of any public work; or,

Person on whom contract devolves.

(d) a person on whom the completion of any contract or agreement, expressed or implied, devolves by descent or limitation, or by marriage, or as devisee, legatee, executor or administrator, until twelve months have elapsed after the same has so devolved on him; or,

Contractor for loans to Government.

(e) a contractor for the loan of money or of securities for the payment of money to the Government of Canada under the authority of Parliament, after public competition, or respecting the purchase or payment of the public stock or debentures of Canada, on terms common to all persons; or,

Militia officer or militiaman.

(f) an officer of the militia or militiaman, not receiving any salary or emolument out of the public money of Canada, except his daily pay when called out for drill or active service, or annual or other allowances of any kind prescribed by the *Militia Act*, or fixed or prescribed by the Governor in Council under the provisions of the *Militia Act*, or sums paid for enrolment, and any pay or remuneration allowed him for the care of arms or for drill instruction.

Effect of election of disqualified person.

(3) The election of any person who is by this Act declared to be ineligible as a candidate shall be void, and if a member of the legislature of any province, notwithstanding his disqualification, receives a majority of votes at an election, the returning officer shall return the person having the next greatest number of votes, provided he is otherwise eligible. (Secs. 70, 71.)

Nomination of Candidates.

Nomination day.

40. (1) The Governor General in Council shall fix the day for the nomination of candidates and it shall be named in the writ of election. At every general election he shall for such purpose fix one and the same day in all electoral districts. (Secs. 36 and 89.)

Place of nomination.

(2) The place fixed for the nomination of candidates shall be the court house, city or town hall, or some other public or private building, in the most central or most convenient place for the majority of the electors of each electoral district. (Sec. 92.)

Hours for nomination.

(3) The time appointed for the nomination of candidates shall be from the hour of twelve at noon until the hour of two in the afternoon of the day fixed for that purpose, and, during such time, the returning officer and the election clerk shall remain at the place fixed in the notice for the purpose of receiving nomination papers. (Sec. 93.)

Form of nomination.

(4) Any ten or more electors of an electoral district for which an election is to be held may nominate a candidate, or as many candidates as are required to be elected for such electoral district, by signing a nomination paper in form M, stating therein the name, residence and addition or description of each person proposed, in such manner as sufficiently to identify such candidate, and by causing such nomination paper to be produced to the returning officer at the time and place indicated in the proclamation, or to be filed with the returning officer at any other place and at any time between the date of the proclamation and the day of nomination. (Secs. 40 and 94.)

Each candidate separately.

(5) Each candidate shall be nominated by a separate nomination paper; but the same electors, or any of them, may subscribe as many nomination papers as there are members to be elected. (Sec. 95.)

Nomination paper to be attested on oath.

(6) The returning officer shall require the person, or one or more of the persons, producing or filing as aforesaid any such nomination paper, to make oath before him that he knows or they know that,—

(*a*) the several persons who have signed such nomination paper are duly qualified electors of the electoral district for which the election is to be held, and,

(*b*) they have signed it in his or their presence; and,

(*c*) the consent of the candidate was signed in his or their presence, or, as the case may be, that the person named as candidate is absent from the electoral district. (Sec. 99.)

Form of oath.

(7) Such oath may be in form N and the fact of its having been taken shall be stated on the back of the nomination paper. (Sec. 99.)

(8) No nomination paper shall be valid or acted upon by the returning officer unless it is accompanied by,—

Consent of candidate.

(*a*) the consent in writing of the person therein nominated, except where such person is absent from the province in which the election is to be held, when such absence shall be stated in the nomination paper; and,

Deposit by candidate.

(*b*) a deposit of two hundred dollars in legal tender or in the bills of any chartered bank doing business in Canada, or a cheque made payable to the Receiver

General of Canada, for that amount drawn upon and accepted by such bank. (Sec. 96.)

Receipt for deposit.

(9) The returning officer shall give to the candidate or his agent a receipt for such deposit, which shall in every case be sufficient evidence of the production of the nomination paper, of the consent of the candidate and of the payment therein mentioned (Sec. 97). At the close of the nomination proceedings the returning officer shall forward by registered mail to the Auditor General of Canada the money or cheques so deposited with the names and addresses of the candidates who made the several deposits.

Sent to Auditor General.

How dealt with.

(10) The sum so deposited by any candidate shall be returned to him by the Auditor General in the event of his being elected or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected; otherwise, except in the case hereinafter provided for, it shall belong to His Majesty for the public uses of Canada (Sec. 98.)

Returned in case of death.

(11) The sum so deposited shall, in case of the death of any candidate after being nominated and before the closing of the poll, be returned to the personal representatives of such candidate or to such other person or persons as may be determined by the Treasury Board. (Sec. 98.)

List of candidates nominated.

(12) At the close of the time for nominating the candidates the returning officer shall deliver to every candidate or agent of a candidate applying therefor a duly certified list of the names of the several candidates who have been nominated. (Sec. 100.)

Votes for any other to be void.

(13) Any votes given at the election for any other candidates than those nominated in the manner provided by this Act shall be null and void. (Sec. 101.)

Return by Acclamation.

Return when no more candidates than number of members required.

41. (1) Whenever only one candidate, or only such a number of candidates as are required by law to be elected to represent the electoral district for which the election is held, have been nominated within the time fixed for that purpose the returning officer shall forthwith make his return to the Chief Electoral Officer, in form O, that such candidate or candidates, as the case may be, is or are duly elected for the said electoral district, of which return he shall send within forty-eight hours a duplicate or certified copy to the person or persons elected. (Sec. 102.)

Report with return.

(2) The returning officer shall accompany his return to the Chief Electoral Officer with a report of his proceedings and of any nomination proposed and rejected for non-compliance with the requirements of this Act. (Sec. 103.)

No one a candidate without his consent.

(3) Nothing in this Act shall be construed to impose any liability upon any person nominated as a candidate

or declared to be a candidate by others without his consent, unless he has afterwards given his assent to such nomination or declaration or has been elected. (Sec. 3.)

Postponement of nomination day upon unforeseen event, or death of candidate.

42. Whenever from unforeseen accident, delays or otherwise, the proclamation in form L cannot be mailed as in section thirty-seven required, or whenever any candidate dies after being nominated and before the close of the polls, the returning officer shall fix another day for the nomination of candidates, which day shall be the nearest which will admit of compliance with the requirements of said section, and shall reissue and republish in manner provided by this Act said proclamation, with such necessary changes thereof as result from the postponement of the nominations. In every such case, the returning officer shall, with his return, make to the Chief Electoral Officer a special report of the causes which occasioned such postponement. (Secs. 39, 91 and 105.)

Special report.

Withdrawal of Candidates.

Withdrawal of candidates.

43. (1) Any candidate nominated may withdraw at any time after his nomination and before the closing of the poll, by filing with the returning officer a declaration in writing to that effect signed by himself; and any votes cast for the candidate who has so withdrawn shall be null and void.

If no more remain than number to be elected.

(2) If, after the withdrawal, there remains but one candidate, or no more than the number to be elected, then the returning officer shall return as duly elected the candidate or candidates so remaining, without waiting for the day fixed for holding the poll, or for the closing of the poll, if such withdrawal is filed on the polling day. (Sec. 104.)

False statement of withdrawal

(3) Any person who, before or during an election, for the purpose of providing or procuring the election of another candidate, knowingly publishes a false statement of the withdrawal of a candidate at such election is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Sec. 276.)

Penalty.

The Granting and Organization of a Poll.

Granting of poll.

44. (1) If more candidates than the number required to be elected for the electoral district are nominated in the manner required by this Act the returning officer shall grant a poll for taking the votes of the electors. (Sec. 106.)

Returning officer to mail notice to postmasters.

(2) On such poll being granted, the returning officer shall as soon thereafter as possible mail to the same postmasters to whom the proclamation in form L shall have been mailed (and in the Yukon Territory advertise in the same papers) notices in form P of his having granted such poll, and indicating,—

Candidates.

(*a*) the names, residences and occupations of the candidates nominated, in the order in which they are to be printed on the ballot papers (Sec. 107); and,

Polling stations.

(*b*) the several polling stations fixed by him and (in as brief as possible terms) the territorial limits to which they respectively apply.

Copy of Act and instructions.

(3) The returning officer shall also supply to each deputy returning officer a copy of this Act and of the instructions referred to in section thirty-six. (Secs. 80 and 109.)

Further duty of returning officer.

45. (1) The returning officer shall furnish in time to each deputy returning officer (*a*) a sufficient number of ballot papers to enable the supply of at least the number of voters on the list of such deputy's polling division, (*b*) a certificate of the number of ballot papers so supplied, (*c*) the necessary materials for voters to mark their ballots, and (*d*) at least ten copies of printed directions in form Q for the guidance of voters in voting. (Secs. 57 and 113.)

Ballots.

(2) All ballots shall be of the same description and as nearly alike as possible.

Stamped.

(3) Every ballot paper so supplied shall be stamped by the returning officer with the official stamp so placed on the ballot paper that, when the latter is folded by a voter, the stamp can be seen without the ballot paper being opened. (Secs. 111 and 113.)

(4) Two days at least before polling day the returning officer shall furnish,—

Ballot boxes, etc.

(*a*) to each deputy returning officer, a ballot box, a blank poll book, forms of oaths to be administered to voters, envelopes, sealing wax, such other stationery as may be authorized by the Chief Electoral Officer, and a screen, if required. (Sec. 110.);

List of deputies and enumerators.

(*b*) to each candidate or his agent, a list of all deputy returning officers and enumerators appointed to act in the electoral district, with the name or number of the polling division or polling station at which each is to act. (Sec. 114.)

Safe keeping of ballot papers, etc.

46. Until the opening of the poll the deputy returning officer shall keep the blank poll book, forms of oaths, envelopes and ballot papers carefully locked up in the ballot box, and shall take every precaution for their safe-keeping and for preventing any person from having unlawful access to them. (Sec. 112A.)

Information as to poll clerks.

47. Each deputy returning officer shall, if practicable, furnish to the returning officer, not later than ten o'clock in the morning of the day prior to the day fixed for polling, the name and occupation or addition of his poll clerk; and the returning officer shall, not later than twelve o'clock

List of deputies and poll clerks.

noon of the day prior to the day fixed for polling, post up in his office and as well forward to the Chief Electoral Officer a list of the names and addresses of the deputy-returning officers and poll clerks, with the occupation or addition of each, showing the polling station where each is to act, and shall permit free access to and afford full opportunity for inspection of such list by any candidate, agent or elector up to at least six o'clock in the evening of the same day. (Sec. 116.)

When deputy dies or cannot act.

48. (1) Whenever a deputy returning officer dies, or refuses or is unable to act, the returning officer may appoint another person in his stead as deputy returning officer; and if no such appointment is made the poll clerk, without taking another oath of office, shall act as deputy returning officer. (Sec. 117.)

Another poll clerk appointed.

(2) Whenever the poll clerk acts as deputy returning officer, he shall, by a commission in form R, appoint a poll clerk to act in his stead, who shall take the oath in form J. (Sec. 118.)

Returning officer may act as deputy.

(3) If the returning officer sees fit to act in the capacity of deputy returning officer for any polling division, he may dispense with appointing a deputy for such division, and himself perform the duties of deputy returning officer therein, without taking any oath of office other than that which he is required to take as returning officer. (Sec. 56.)

Ballot Boxes and Ballot Papers.

Ballot boxes.

49. (1) The Chief Electoral Officer may cause to be made for each electoral district such ballot boxes as are required; or he may give to the returning officer such instructions as are deemed necessary to secure ballot boxes of a uniform size and shape. (Sec. 119.)

Construction.

(2) The ballot boxes shall be made of some durable material, with one lock and key, and a slit or narrow opening in the top, and so constructed that the ballot papers may be introduced therein, but cannot be withdrawn therefrom unless the box is unlocked. (Sec. 122.)

Furnished by sheriff, registrar, or postmaster.

(3) The sheriff of the county or district, or the registrar of the county or registration division, or the postmaster of the locality in which the nomination has been held, shall, immediately after the granting of the poll, deliver to the returning officer the ballot boxes deposited in his custody in accordance with this Act. (Sec. 120.)

If not furnished.

(4) Whenever the returning officer fails to furnish the ballot box to the deputy returning officer for any polling division within the time prescribed by this Act, such deputy returning officer shall otherwise procure it or cause it to be made. (Sec. 121.)

Form of ballot.

50. (1) The ballot of each voter shall be a printed paper, in this Act called a ballot paper, on which the names of the

candidates alphabetically arranged in the order of their surnames, shall be printed exactly as they are set out in the nomination paper; the ballot paper shall be provided with a counterfoil and a stub, and there shall be a line of perforations between the ballot and the counterfoil and between the counterfoil and the stub, the whole as in form S. (Sec. 123.)

Arrangement of names thereon.

(2) Where two members are to be elected for the electoral district and there are more than two candidates, the candidates may, within an hour after the time appointed for the nomination, agree to their names being arranged otherwise than alphabetically, and in such case the returning officer shall have the names arranged accordingly on the ballot paper. (Sec. 124.)

Quality and weight of paper.

(3) The ballot shall be printed upon thick writing paper which shall be furnished to the returning officer by the Chief Electoral Officer at the time of or as soon as possible after the transmission of the writ of election; if foolscap paper is used, it shall be of a weight of not less than sixteen pounds to the ream; if large post paper is used, it shall be of a weight of not less than twenty-five pounds to the ream. (Secs. 125 and 126.)

Numbering of ballot papers.

(4) The ballot papers shall be numbered on the back of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil; they shall be bound or stitched in books containing twenty-five, fifty, or one hundred ballots, as may be most suitable for supplying the polling divisions proportionately to the number of voters in each. (Sec. 127.)

Printer's name and affidavit.

They shall bear the name of the printer and such printer shall, upon delivering the ballot papers to the returning officer, file in his hands an affidavit setting forth the description of the ballot papers so printed by him, the number of ballot papers supplied to such returning officer, and the fact that no other ballot papers have been supplied by him to any other person. (Secs. 128 and 129.)

Property in His Majesty.

(5) The property of the ballot boxes, ballot papers, envelopes and marking instruments procured for or used at any election shall be in His Majesty. (Sec. 130.)

51. Every one who,—

Forgery or destruction of ballots.

(*a*) forges, counterfeits, fraudulently alters, defaces, or fraudulently destroys a ballot paper or the initials of the deputy returning officer signed thereon; or,

Illegal supply.

(*b*) without authority supplies a ballot paper to any person; or,

Fraudulently put in box.

(*c*) fraudulently puts into a ballot box a paper other than the ballot paper which he is authorized by law to put in; or,

Taking out of polling station.

(*d*) fraudulently takes a ballot paper out of the polling station; or,

Destroying or opening box or packet.

(*e*) without due authority destroys, takes, opens or otherwise interferes with a ballot box or book or packet of ballot papers then in use for the purpose of the election; or,

Counterfeiting of stamp.

(*f*) forges or counterfeits any official, legal or authorized stamp for the stamping of ballot papers, or uses any such stamp for any purpose other than the stamping of ballot papers, or, not being a returning officer, has in his possession any such stamp or any counterfeit or imitation thereof; or,

Illegally initialling bogus ballots.

(*g*) being a deputy returning officer, fraudulently puts otherwise than as authorized by this Act, his initials on the back of any paper purporting to be or capable of being used as a ballot paper at an election; or,

Printing ballots.

(*h*) with fraudulent intent, prints any ballot paper or what purports to be or is capable of being used as a ballot paper at an election; or,

Printing more ballots than required

(*i*) being authorized by the returning officer to print the ballot papers for an election, with fraudulent intent, prints more ballot papers than he is authorized to print; or,

Marking ballots.

(*j*) being a deputy returning officer, places upon any ballot paper, except as authorized by this Act, any writing, number, or mark with intent that the voter to whom such ballot paper is to be, or has been, given may be identified thereby; or,

Making, importing or having ballot boxes with secret devices.

(*k*) manufactures, constructs, imports into Canada, has in possession, supplies to any election officer, or uses for the purposes of an election, or causes to be manufactured, constructed, imported into Canada, supplied to any election officer, or used for the purposes of any election, any ballot box containing or including any compartment, appliance, device or mechanism by which a ballot paper may or could be secretly placed or stored therein, or having been deposited during polling, may be secretly diverted, misplaced, affected or manipulated; or,

Attempts.

(*l*) attempts to commit any offence specified in this section; is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Sec. 255.)

Agents at the Polls.

Who may be present at polling station.

52. (1) In addition to the deputy returning officer and the poll clerk, the candidates, and their agents not exceeding two in number for each candidate in each polling station, and, in the absence of agents, two electors to represent each candidate on the request of such electors, and no others, shall be permitted to remain in the room where the votes are given during the time the poll remains open. (Sec. 137.)

Oath of secrecy.

(2) One of the agents of each candidate, and, in the absence of such agent, one of the electors representing each candidate, on being admitted to the polling station, shall take an oath in form T, to keep secret the names of the candidate for whom any of the voters has marked his ballot paper in his presence. (Sec. 142.)

Agent authorized in writing.

(3) Any agent bearing a written authorization from the candidate shall always be entitled to represent such candidate in preference to, and to the exclusion of, any two electors who might otherwise claim the right of representing such candidate under this Act. (Sec. 138.)

Who may act as agent for candidate.

(4) Any person producing to the returning officer or deputy returning officer, at any time, a written authority from a candidate to represent him at the election or at any proceeding of the election, shall be deemed an agent of such candidate, within the meaning of this Act. (Sec. 139.)

Voting on Certificate.

Certain officers and agents may vote at polling stations where employed.

53. (1) Any candidate, deputy returning officer, agent or poll clerk who is an elector qualified in a polling division other than that whereat he is employed on polling day shall be permitted to vote at the polling station where he is so employed if he produces and files with the deputy returning officer at such polling station a certificate from the revising officer or registrar of such other polling division that he, such candidate, officer, agent, or clerk, is a qualified elector in such other polling division, which certificate the receiving officer or registrar shall give *gratis* to any qualified elector who is on polling day so employed.

Certificates.

(2) The revising officer or registrar,—

(*a*) shall not issue to the agents of any candidate more than two such certificates for use in any one polling station;

(*b*) shall sign every such certificate and mention thereon the date of its issue;

(*c*) shall consecutively number every such certificate in the order of its issue; and,

(*d*) shall not issue any such certificate in blank.

What to contain.

(3) Every such certificate shall contain in writing the name of the person to whom it is issued, and shall state that such person is a qualified elector, the polling division in which he is entitled to vote, and, if he is a deputy returning officer, agent or poll clerk, the polling station for which he is appointed. (Sec. 59.)

Condition.

(4) No such certificate shall entitle any such deputy returning officer, poll clerk or agent to vote at such polling station unless he has been actually engaged as such thereat during the day of polling.

Limitation.

(5) No more than two agents of any candidate shall have the right to vote in such manner at any one polling station.

Oath.

(6) Every person so appointed deputy returning officer, poll clerk or agent, and claiming to vote by virtue of such certificate, shall, if required, before voting, take the oath

To be filed.

in form U, and such oath shall be filed with the deputy returning officer at the polling station where the person taking it has voted. (Sec. 144.)

Entry.

(7) In every case of a vote polled under authority of this section, the poll clerk shall enter in the poll book, opposite the voter's name, in the column for remarks, a memorandum stating that the voter voted under certificate, giving the number of such certificate, and stating the particular office or position which the voter is filling at the polling station. (Sec. 60.)

Preliminaries at the Poll.

Counting of ballots before opening of poll.

54. (1) If the agents and electors entitled to be present in the room of the polling station during polling hours are in attendance at least fifteen minutes before the hour fixed for opening the poll, they shall be entitled to have the ballot papers intended for use thereat carefully counted in their presence before the opening of the poll, and to inspect such ballot papers, and all other papers, forms and documents relating to the poll. (Sec. 141.)

Candidate may act as his own agent.

(2) A candidate may himself undertake the duties which any agent of his, if appointed, might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, be authorized to attend. (Sec. 140.)

Provisions requiring presence of agents.

(3) The non-attendance of any agent or agents of candidates at any time or place required by this Act shall not in any wise invalidate any act or thing done during the absence of such agent or agents if such act or thing is otherwise duly done (Sec. 140), and whenever in this Act any expressions are used requiring or authorizing any act to be done at the polls or otherwise, in the presence of agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as are authorized to attend, and as have, in fact, attended at the time and place where such act or thing is being done. (Sec. 4.)

Polls and Polling Stations.

When poll shall be held.

55. (1) Except as in this Act otherwise provided the poll shall be held on the fourteenth day next after the expiration of the day fixed for the nomination of candidates, or, if such fourteenth day is a Sunday or statutory holiday, then on the next following day, not being a Sunday or statutory holiday. (Sec. 58.) But where there is an interval of less than twelve months between the date of the writ for an election and that of the writ for the election last previously held in the same electoral district, the word "fourteenth" in this subsection shall be read as "seventh." (Sec. 131.)

Polling stations.

(2) The poll shall be held in each polling division in a room or building of convenient access, with an outside door for the admittance of voters, and having, if possible, another door through which they may leave after having voted. (Sec. 132.)

Compartments.

(3) The polling station shall contain one or two compartments so arranged that each voter may be screened from observation, and may, without interference or interruption, mark his ballot paper. (Sec. 133.)

Table or desk.

(4) In such compartment there shall be provided for the use of voters in marking their ballots, a table or desk with a hard and smooth surface and a suitable black lead pencil, which shall be kept properly sharpened throughout the hours of polling. (Sec. 134.)

Instructions.

(5) The Chief Electoral Officer may give to the returning officer such instructions as are deemed necessary as to the mode of making the compartments. (Sec. 135.)

Hours of polling.

(6) The poll shall be opened at the hour of six of the clock in the forenoon and kept open until six of the clock in the afternoon of the same day; and each deputy returning officer shall, during that time, in the polling station assigned to him, receive in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling station. (Sec. 136.)

Directions to be posted.

(7) The deputy returning officer shall, on polling day, at or before the opening of the poll, cause such printed directions to voters as have been supplied to him in form Q to be posted up in some conspicuous places outside of and near to the polling station and also in each compartment of the polling station. (Sec. 113.)

Proceedings at the Poll.

Opening and locking of ballot box.

56. (1) At the hour fixed for opening the poll the deputy returning officer and the poll clerk shall, in the presence of the candidates, their agents, and such of the electors as are present, open the ballot box and ascertain that there are no ballot papers or other papers therein, after which the box shall be locked, and the deputy returning officer shall keep the key thereof. (Sec. 145.) The box shall be placed on a table in full view of all present and shall be maintained there and so until the close of the poll. (Sec. 162, end.)

Calling voters.

(2) Immediately after the ballot box is so locked, the deputy returning officer shall call upon the electors to vote. (Sec. 146.)

Voters not to be impeded.

(3) The deputy returning officer shall secure the admittance of every elector into the polling station, and shall see that voters are not impeded or molested at or about the polling station. (Sec. 146.)

One voter at a time.

(4) Not more than one voter for each compartment shall, at any time, enter the room where the poll is held.

Elector to declare his name, etc.

Each elector, upon so entering, shall declare his name and addition, which particulars shall be entered in the poll book to be kept by the poll clerk in form V, a number being prefixed to the voter's name. (Sec. 147.)

Who may vote and where.

57. (1) Except as otherwise provided in this Act every person shall be entitled to vote whose name appears on a voters' list prepared under this Act. He may vote at the polling station of the polling division upon the list of voters for which his name so appears and at no other. (Secs. 143, 65, and 148.)

Voting more than once in same electoral district.

(2) No elector shall vote more than once in the same electoral district at the same election nor in more than one electoral district on the same day, but each elector may vote for as many candidates as are required to be elected to represent the electoral district in which he votes. (Sec. 170.)

Oath by elector.

58. (1) A voter if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present, shall, before receiving his ballot paper, take an oath in form Y or Z or both of them (Sec. 153), and, if he refuses to take the same, erasing lines shall be drawn through his name on the list of voters and in the poll book, if such name has been entered in the said book, and the words *"Refused to be sworn"* shall be written thereafter. (Sec. 63.)

Refusing to be sworn.

Voter refusing oath not entitled to vote.

(2) No voter who has refused to take any oath or affirmation or to answer any questions, or produce any evidence, as by this Act required, shall receive a ballot paper or be admitted to vote or be again admitted to the polling place. (Sec. 156.)

Improper varying of oath.

(3) If any deputy returning officer, or other person presiding at a polling station, in administering to any person any oath knowingly mentions as a disqualification any fact or circumstance which is not a disqualification according to the provisions of this Act, he is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Sec. 253.)

Corrections in list and entries in poll book.

59. The poll clerk shall,—

(*a*) make such additions, alterations and erasures in the list of voters, and such entries in the poll-book, as the deputy returning officer, pursuant to any provision of this Act, directs (Sec. 64);

(*b*) enter in the poll book opposite the name of each voter, as soon as the voter's ballot paper has been deposited in the ballot box, the word *"Voted"*;

(*c*) enter in the poll book the word *"Sworn"* or *"Affirmed"* opposite the name of each voter to whom any oath or affirmation as to qualification or otherwise

has been administered, indicating the nature of the oath or affirmation; and,

(*d*) enter in the poll book the words "*Refused to be sworn*" or "*Refused to affirm*" or "*Refused to answer*," opposite the name of each voter who has refused to take an oath or to affirm, when he has been legally required so to do, or has refused to answer questions which he has been legally required to answer. (Sec. 171.)

Secrecy.

Secrecy during poll.

60. (1) Every candidate, officer, clerk, agent or other person in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no candidate, officer, clerk, agent or other person shall,—

No information given before poll is closed.

(*a*) before the poll is closed, communicate to any person any information as to whether any person on the list of voters has or has not applied for a ballot paper or voted at that polling station (Sec. 219); or,

Interfering with voter marking ballot.

(*b*) at the polling station interfere with, or attempt to interfere with a voter when marking his ballot paper, or otherwise attempt to obtain information as to the candidate for whom any voter is about to vote or has voted (Sec. 220); or,

Taking number of ballot on count.

(*c*) at the counting of the votes attempt to ascertain the number on the back of any ballot paper (sec. 223); or,

Giving number of ballot at any time.

(*d*) at any time communicate (except to a court or judge lawfully requiring him so to do) any information as to the number on the back of the ballot paper given to any voter at a polling station (Sec. 223); or,

Inducing voter to display ballot.

(*e*) at any time or place directly or indirectly, induce or endeavour to induce any voter to show his ballot paper after he has marked it, so as to make known to any person the name of the candidate for or against whom he has so marked his vote (Sec. 222); or,

Vote not to be disclosed.

(*f*) at any time communicate to any person any information obtained at a polling station as to the candidate for whom any voter at such polling station is about to vote or has voted (Sec. 224); or,

Secrecy respecting counting of votes.

(*g*) at such counting attempt to obtain any information or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. (Sec. 225.)

Penalty for violation.

(2) Every person who contravenes or fails to observe any provision of this section is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Sec. 258.)

Ballot not to be displayed.

61. No voter shall, except when incapacitated by blindness or other physical cause from voting in the manner pre-

scribed by this Act, show his ballot paper, when marked, to any person so as to allow the name of the candidate for whom he voted to be known (Sec. 221), and any person who violates the provisions of this section shall be guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided.

Penalty.

Manner of Voting.

Ballot paper to be initialled.

62. (1) Voting shall be by ballot. Each voter shall receive from the deputy returning officer a ballot paper, on the back of which such officer has previously put his initials, so placed as indicated in form S that when the ballot is folded they can be seen without opening it, and on the back of the counterfoil of which he has placed a number corresponding to that placed opposite the voter's name in the poll book. (Sec. 160.)

Counterfoil to be numbered.

Instructions to voter on receiving ballot paper.

(2) The deputy returning officer shall instruct the voter how and where to affix his mark, and properly fold the voter's ballot paper, directing him to return it, when marked, folded as shown, but without inquiring or seeing for whom he intends to vote, except in the case herein provided for of a voter who is incapacitated by blindness or any physical cause from voting in the manner prescribed by this Act. (Sec. 161.)

Mode of voting and marking ballot.

(3) The voter, on receiving the ballot paper, shall forthwith proceed into one of the polling compartments and there mark his ballot paper by making a cross with a black lead pencil within the white space containing the name of the candidate or of each of the candidates for whom he intends to vote. He shall then fold the ballot paper as directed so that the initials and official stamp on the back of it and the number on the counterfoil can be seen without opening it, and hand the paper to the deputy returning officer, who shall, without unfolding it, ascertain by examination of the initials, official stamp and number appearing thereon that it is the same paper as that delivered to the voter and if the same he shall forthwith, in full view of the voter and all others present, remove and destroy the counterfoil and deposit the ballot in the ballot box. (Sec. 162.) Provided that where the deputy returning officer has inadvertently omitted to remove the counterfoil from the ballot paper before placing such ballot paper in the ballot box, he may, exercising care however that the number on such counterfoil be not seen by any person present and without himself examining such number, remove and destroy such counterfoil at the counting of the ballots; and the judge who may conduct any recount proceedings shall have the like power, inadvertence on the part of the deputy returning officer being, for the purposes of the recount, presumed. The ballots, if otherwise in proper form, shall be counted as if

the counterfoil had been at the proper time removed therefrom.

Spoiled ballot paper.

(4) A voter who has inadvertently dealt with the ballot paper delivered to him in such manner that it cannot conveniently be used shall restore it to the deputy returning officer, who shall deface it in such manner as to render it a spoiled ballot and deliver another in its place. (Sec. 163.)

Elector in whose name another has voted.

(5) Subject to all other provisions of this Act as to proof of qualification as an elector and the administration of oaths, if a person representing himself to be a particular elector applies for a ballot paper after another person has voted as such person, he shall be entitled to receive a ballot paper and to vote after taking the oath,—

(*a*) in form AA, if his name is on the list of voters;

(*b*) in form BB, if his name is not on the list of voters; and,

(*c*) otherwise establishing his identity to the satisfaction of the deputy returning officer. (Sec. 164.)

Ballot paper initialled and numbered.

(6) In such case, the deputy returning officer shall put on the back of the ballot paper his initials, together with a number corresponding to that entered on the poll book opposite the name of such voter, and the poll clerk shall enter in the poll book,—

Entry in poll book.

(*a*) the name of such voter;

(*b*) a note of his having voted on a second ballot paper issued under the same name;

(*c*) the fact of the oath of identity having been required and taken, and the fact of any other oaths being so required or taken; and,

(*d*) any objections made on behalf of any and of which of the candidates. (Sec. 165.)

Voter unable to mark his ballot paper.

(7) The deputy returning officer, on the application of any voter who is unable to read or is incapacitated by blindness or other physical cause from voting in the manner prescribed by this Act, shall require the voter making such

Oath.

application to make oath in form CC of his incapacity to vote without assistance, and thereafter assist such voter by marking his ballot paper in the manner directed by such voter, in the presence of the sworn agents of the candidates, or of the sworn electors, representing the candidates in the polling station, and of no other person, and place such ballot in the ballot box. (Sec. 166.)

Entry in poll book.

(8) Whenever any voter has had his ballot paper marked as provided in the next preceding subsection, the deputy returning officer shall enter in the poll book opposite the voter's name, in addition to any other requisite entry, the reason why such ballot paper was marked by him. (Sec. 167.)

Interpreter to be sworn.

(9) Whenever the deputy returning officer does not understand the language spoken by any voter that officer shall swear an interpreter, who shall be the means of

No interpreter, no vote.

communication between him and the voter with reference to all matters required to enable such voter to vote, and in case no interpreter is found, such voter shall not be allowed to vote. (Sec. 168.)

No delay in voting.

(10) Every voter shall vote without undue delay, and shall quit the polling station as soon as his ballot paper has been put into the ballot box. (Sec. 169.)

Name not on list.

Oath.

63. (1) At polling stations in rural polling divisions, the deputy returning officer shall, while the poll is open, if required by any person whose name is not on the voters' list, administer to such person oath number one in form Z No. 1 of Schedule One to this Act, and, such oath having been taken, the deputy returning officer shall at once cause such person's name to be added to the voters' list, with the word "*sworn*" written thereafter, and, subject to the two next following sub-sections of this Act, such person may thereupon vote.

Oaths, when to be tendered, person refusing not to vote.

(2) Every deputy returning officer may, and, when required by any candidate, agent, or elector so to do, shall administer to any person who claims the right to vote at such deputy's polling station either one or both of the oaths set forth in form Z to Schedule One of this Act, and if such person refuses to take such oath or oaths, he shall not be permitted to vote at the election, and if his name is on the voters' list or has been entered in the poll book, erasing lines shall be drawn through such name and the words "*refused to be sworn*" shall be written thereafter. The poll clerk shall make such additions, alterations, and erasures in the voters' list, and such entries in the poll book, as the deputy returning officer directs him to make, as is required by any provision of this Act.

Persons on voters' list entitled to vote.

(3) Every voter whose name is on the voters' list, and has not been erased therefrom in accordance with the foregoing provisions of this Act, shall be entitled to vote. (1919, c. 48 (C), Secs. 13, 14, 15.)

Peace and Good Order at Elections.

Returning officer and deputy to be conservator of peace.

64. (1) Every returning officer, and every deputy returning officer, from the time he takes his oath of office until completion of the performance of his duties as such officer, shall be a conservator of the peace invested with all the powers appertaining to a justice of the peace. He may,—

May command assistance.

(*a*) require the assistance of justices of the peace, constables or other persons present, to aid him in maintaining peace and good order at the election; and,

Swear in constables.

(*b*) on a requisition made in writing by any candidate, or by his agent, or by any two electors, swear in such special constables as he deems necessary; and,

Arrest disturbers.

(*c*) arrest or cause by verbal order to be arrested, and place or cause to be placed in the custody of any constables or other persons, any person disturbing the peace and good order at the election; and,

Imprison disturbers.

(*d*) cause such arrested person to be imprisoned under an order signed by him until an hour not later than the close of the poll. (Secs. 229, 230 and 231.)

When constables may be appointed.

(2) Constables shall be appointed to act at polling stations only in cases where the returning officer fears that otherwise disorder will result thereat. In cities and towns returning officers may provide, and locate during polling day at convenient places, one or more *posses* of three or more constables each, as may be authorized by the Chief Electoral Officer, with means of information and of quick conveyance to any place where the services of such *posses* may be required.

Summary proceedings in case of personation.

(3) If a person is charged at a polling station with having committed the offence of personation, or having voted knowing that he was for any reason disqualified, nonqualified, or incompetent to vote at such election, the deputy returning officer at such polling station may, and, if requested so to do on behalf of a candidate, shall, take the information on oath of the person making the charge. Such information may be made in form DD or EE, as the case may be. (Sec. 294.)

Detention of alleged personator.

(4) If the person against whom it is proposed to lay the information has not left the polling station the deputy returning officer may, either on his own motion or at the request of any one proposing forthwith to lay such information, detain or direct the detention of such person until a written information can be drawn up. (Sec. 295.)

Warrant of arrest.

(5) Upon receiving the information the deputy returning officer may, on the polling day, but not afterwards, issue his warrant, in form FF or GG, as the case may be, for the arrest of the person charged, in order that he may be brought before the magistrate, or one of the magistrates therein named, to answer to the said information and to be further dealt with according to law. (Sec. 296.)

Execution of warrant.

(6) Such warrant shall be sufficient authority for any peace officer, as defined by the *Criminal Code*, to detain such person until he is brought before the magistrate. (Sec. 297.)

If name of alleged personator is unknown.

(7) If the correct name of the person charged is unknown to the informant, it shall be sufficient, in the information and other proceedings, to describe the person charged as a person whose name is to the informant unknown but who is detained under the order of the deputy returning officer; or, the person charged may be described in such other manner as will suitably identify him; and, when the name of the person so charged is ascertained, it shall be stated in any subsequent warrant or proceeding. (Sec. 298.)

Constables.

(8) Every poll clerk shall have the authority of a constable for the purpose of carrying out the provisions of this Act respecting summary proceedings in cases of personation; and every deputy returning officer may appoint such special constables as he deems necessary for the like purpose, who shall have full power to act without taking any oath. (Sec. 299.)

Special constables.

Before what magistrate to be tried.

(9) The magistrate named in any such warrant shall be one having jurisdiction under Part XVI of the *Criminal Code*, and shall be the nearest such magistrate available in the county or judicial district. (Sec. 300.)

Criminal Code to apply.

(10) The provisions of the said Part XVI of the *Criminal Code* shall apply to all proceedings under this Act against any person or persons accused of personation under the seven subsections last preceding. (Sec. 301.)

Strangers not to enter polling districts armed.

65. (1) Except the returning officer, the deputy returning officer, the poll clerk, and the constables and special constables appointed by the returning officer or the deputy returning officer for the orderly conduct of the election or poll and the preservation of the public peace thereat, no person who has not had a stated residence in the polling division for at least six months next before the day of such election shall come during any part of the day upon which the poll is to remain open into such polling division armed with offensive weapons of any kind, such as firearms, swords, staves, bludgeons or the like, and no person being in such polling division shall arm himself, during any part of the day, with any such offensive weapon, and, thus armed, approach within the distance of one mile of the place where the poll of such polling division is held, unless called upon so to do by lawful authority. (Sec. 233.)

Demand that weapons be delivered up.

(2) The returning officer or deputy returning officer may, during the nomination day and polling day at any election, require any person within half a mile of the place of nomination or of the polling station to deliver to him any firearm, sword, stave, bludgeon, or other offensive weapon in the hands or personal possession of such person (sec. 232) and the person so required shall forthwith so deliver.

Flags, etc., not to be furnished or carried.

(3) No person shall furnish or supply any ensign, standard, or set of colours, or any other flag, to or for any person with intent that it shall be carried or used in such electoral district on the day of election, or within eight days before such day, or during the continuance of such election or the polling, by any person, as a party flag to distinguish the bearer thereof and those who follow it as the supporters of any candidate, or of the political or other opinions entertained or supposed to be entertained by such candidate; and no person shall, for any reason, carry or use any such ensign, standard, set of colours or other flag, as a party

flag, within such electoral district on the day of any such election or polling or within eight days before such day, or during the continuance of such election. (Sec. 234.)

Ribbons or favours not to be furnished or worn.

(4) No person shall furnish or supply any ribbon, label or like favour to or for any person with intent that it be worn or used within such electoral district on the day of election or polling, or within eight days before such day, or during the continuance of such election, by any person, as a party badge to distinguish the wearer as the supporter of any candidate, or of the political or other opinions entertained or supposed to be entertained by such candidate; and no person shall use or wear any ribbon, label, or other favour, as such badge, within such electoral district on the day of any such election or polling, or within eight days before such day, during the continuance of such election. (Sec. 235.)

Liquor not to be sold or given on polling day.

(5) No spirituous or fermented liquors (whether or not intoxicating) shall be sold or given at any hotel, tavern, shop or other place within the limits of any polling division, before, during or after the hours during which the poll is open on polling day. (Sec. 236.)

Penalty.

(6) Every person who violates, contravenes, or fails to observe any of the provisions of this section is guilty of an indictable offence against this Act, punishable as in this Act provided. (Secs. 259 and 260.)

Counting and Reporting the Vote.

Counting votes by deputy returning officers.

66. (1) Immediately after the close of the poll the deputy returning officer shall, in the following order, (1) place all the defaced ballots in an envelope and seal it up; (2) count the number of voters whose names appear on the poll book as having voted and make an entry thereof on the line immediately below the name of the voter who voted last, thus: "*The number of voters who voted at this election in this polling division is*" (*stating the number*), and sign his name thereto; (3) in the presence of and in full view of the poll clerk and the candidates or their agents, and, if the candidates and their agents or any of them are absent, then in the presence of such, if any, of them as are present, and of at least three electors, open the ballot box and proceed to count the number of votes given for each candidate, giving full opportunity to those present to examine each ballot. (Sec. 172.)

Rejection of ballots.

(2) In counting the votes, the deputy returning officer shall reject all ballot papers,—

(*a*) which have not been supplied by him; or,

(*b*) by which votes have been given for more candidates than are to be elected; or,

(*c*) upon which there is any writing or mark by which the voter could be identified, other than the numbering by the deputy returning officer in the cases hereinbefore referred to, but no ballot paper shall be rejected on account of any writing, number or mark placed thereon by any deputy returning officer. (Sec. 173.)

Objections to ballot papers.

(3) The deputy returning officer shall take a note of every objection made by any candidate, or his agent or any elector present, to any ballot paper found in the ballot box, and shall decide every question arising out of the objection; the decision of the deputy returning officer shall be final, subject to reversal on recount or on petition questioning the election or return. Every such objection shall be numbered, and a corresponding number placed on the back of the ballot paper and initialled by the deputy returning officer. (Sec. 174.)

To be numbered.

Duties after counting the votes.

(4) All the ballot papers not rejected by the deputy returning officer shall be counted and a list kept of the number of votes given to each candidate, and of the number of rejected ballot papers, and the ballot papers which respectively indicate the votes given for each candidate shall be put into separate envelopes or parcels; all rejected, spoiled and unused ballot papers shall respectively be put into separate envelopes or parcels and all such envelopes or parcels shall be endorsed so as to indicate their contents, and shall be sealed by the deputy returning officer, and by such agents present as may desire to seal them or to sign their names thereon in addition or instead. (Sec. 175.)

Disposition of ballot papers.

Oaths by deputy and poll clerk.

(5) The deputy returning officer and the poll clerk, immediately after the completion of the counting of the votes, shall take and subscribe respectively the oaths in forms HH, and JJ, which shall remain attached to the poll book. (Sec. 177.)

Statement by deputy.

(6) The deputy returning officer shall make out a statement in triplicate, in form KK, one copy to remain attached to the poll book, one copy to be retained by the deputy returning officer, and the third copy to be enclosed by him in a special envelope supplied for the purpose, which envelope he shall seal and deposit in the ballot box. (Sec. 178.) He shall also deliver to each of the candidates, or to their agents, or, in the absence of such candidate or agents, to the electors present representing the candidates, a certificate in form LL of the number of votes given for each candidate, and of the number of rejected ballot papers, and mail to each candidate, by registered letter to their addresses stated in the ballot paper, a like certificate. (Sec. 179.)

Certificate to candidates or representatives.

Documents enclosed in ballot box.

(7) The poll book, the envelopes containing the ballot papers, the envelope containing the voters' lists, and all other documents which served at the election shall then be placed in the large envelope supplied for the purpose, and this large envelope shall be sealed and placed in the

ballot box (Sec. 180), which, being first locked and sealed with the seal of the deputy returning officer, shall be forthwith delivered by the deputy returning officer to the returning officer, or to the election clerk, or to one or more persons specially appointed for that purpose by the returning officer, who shall receive the same; and such person or persons shall on delivering the ballot boxes to the returning officer take the oath in form MM. (Sec. 181.)

Ballot boxes delivered free of postage.

(8) The returning officer may direct the delivery of ballot boxes to him by parcel post, registered, and any ballot box addressed to any returning officer on or subsequent to polling day by his title as such, or with the addition of his name, shall, when posted in Canada, be carried free in the Canadian mails as registered matter.

Penalty for failure to enclose necessary documents.

(9) If any deputy returning officer shall omit to enclose within the ballot box the list of voters or any statement, certificate or other document, in contravention or non-observance of the provisions of this Act, he shall, in addition to any other punishment or consequences to which he may be liable, forfeit all right to payment for, and he shall not be paid for, his services as such officer or be paid or repaid his disbursements made.

Proceedings of Returning Officer after Return of Ballot Boxes.

Custody of ballot boxes.

67. (1) The returning officer, upon the receipt by him of each of the ballot boxes, shall take every precaution for its safekeeping and for preventing any person other than himself and his election clerk from having access thereto, sealing it under his own seal so that it cannot be opened without the seal being broken, but without effacing or covering any other seals thereto affixed. (Sec. 182.)

Opening of boxes and addition of votes.

(2) After all the ballot boxes have been received the returning officer, at the place, day and hour appointed by his proclamation and in the presence of the election clerk, the candidates or their representatives, if present, or of at least two electors if the candidates or their representatives are not present, shall open such ballot boxes, and from the statements therein, returned by the deputy returning officers, of the ballot papers counted by them, add together the number of votes given for each candidate. (Sec. 183.)

Declaration of election.

(3) The candidate who, on the addition of the votes, is found to have a majority of votes shall then be declared elected. (Sec. 184.)

Casting vote of returning officer.

(4) Whenever, on such addition of votes, an equality of votes is found to exist between any two or more candidates and an additional vote would entitle any of such candidates to be declared elected, the returning officer, shall give such additional vote. (Sec. 185.)

Adjournment if ballot boxes are missing.

68. (1) If the ballot boxes are not all returned on the day fixed for adding up the number of votes given to the several candidates the returning officer shall adjourn the proceedings to a subsequent day, which shall not be more than a week later than the day originally fixed for the purpose of adding up the votes. (Sec. 186.)

Adjournment for other causes.

(2) In case any deputy returning officer has not enclosed in the ballot box the statement of the ballot papers counted by him as required by this Act, or if, for any other cause, the returning officer cannot, at the day and hour appointed by him for that purpose, ascertain the exact number of votes given for each candidate, he may thereupon adjourn to a future day and hour the adding up of the number of votes given for each candidate, and so from time to time, such adjournment or adjournments not in the aggregate to exceed two weeks. (Sec. 187.)

Provision in case of loss of ballot boxes.

(3) If the ballot boxes or any of them have been destroyed or lost, or, for any other reason, are not forthcoming within the time fixed by this Act, the returning officer shall ascertain the cause of the disappearance of such ballot boxes, and shall call on each of the deputy returning officers whose ballot boxes are missing, or on any other person having them, for the lists, statements and certificates or copies of the lists, statements and certificates, of the number of votes given to each candidate required by this Act, the whole verified on oath. (Sec. 188.)

If list, etc., cannot be obtained.

(4) If such lists, statements and certificates or any of them, or copies thereof cannot be obtained, the returning officer shall ascertain by such evidence as he is able to obtain, the total number of votes given to each candidate at the several polling stations; and, to that end, may summon any such deputy returning officer, his poll clerk, or any other person, to appear before him at a day and hour to be named by him, and to bring all necessary papers and documents with him, of which day and hour and of the intended proceedings the candidates shall have due notice; and the returning officer may examine on oath such deputy returning officer or poll clerk, or any other person, respecting the matter in question. (Sec. 189.)

Duty of returning officer if statement not in ballot box.

(5) In case of an adjournment by reason of any deputy returning officer not having placed in the ballot box a statement of the ballot papers counted by him, the returning officer shall, in the meantime, use all reasonable efforts to ascertain the exact number of votes given for each candidate in the polling division of such deputy returning officer, and, to that end, shall have the powers set out in the next preceding subsection. (Sec. 190.)

Return of candidate appearing to have majority.

(6) In any case arising under the two last preceding subsections, the returning officer shall return the candidate appearing to have the majority of votes, and shall mention specially, in a report to be sent with the return, the cir-

cumstances accompanying the disappearance of the ballot boxes, or the want of any statement as aforesaid, and the mode by which he ascertained the number of votes given to each candidate. (Sec. 191.)

Not obeying summons of returning officer.

(7) Any person refusing or neglecting to attend on the summons of a returning officer issued under this Act, in any case where ballot boxes are not forthcoming and it is necessary to ascertain by evidence the total number of votes given to each candidate at the several polling stations, shall be guilty of an indictable offence against this Act punishable as in this Act provided. (Sec. 256.)

Custody of ballot boxes after the election.

69. After the close of the election the returning officer shall cause to be deposited in the custody of the sheriff of the county or district, or of the registrar of deeds in the county or registration division, or of the postmaster in the locality, in which the nomination was held, the ballot boxes used at the election; and the sheriff, registrar or postmaster shall, at the next ensuing election, deliver such ballot boxes to the returning officer named for such election. (Sec. 192.)

Recount by Judge.

Provision for recount or final addition of votes by judge.

70. (1) If within four days after the day on which the returning officer has made addition of the votes for the purpose of declaring the candidate or candidates elected it is made to appear on the affidavit of a credible witness to the judge of the county court of the county or union of counties, or to the judge of the judicial district, in which the electoral district or any part thereof is situated, or, in the province of Quebec, to a judge of the Superior Court ordinarily discharging his duties in the judicial district in which the electoral district or any part thereof is situated, or, in the Yukon Territory, to a judge of the Territorial Court, that a deputy returning officer at an election in such electoral district, in counting the votes, has improperly counted or improperly rejected any ballot papers or made an incorrect statement of the number of ballot papers cast for any candidate or improperly added up the votes, and if the applicant deposits within the said time with the clerk of the county or district court, or in the province of Quebec, with the prothonotary of the Superior Court in the said judicial district, or in the Yukon Territory, with the clerk of the Yukon Territorial Court, as the case may be, the sum of one hundred dollars in legal tender or in the bills of any chartered bank doing business in Canada, as security for the costs in connection with the recount or final addition of the candidate appearing by the addition to be elected, the said judge shall appoint a time within four days after the receipt of the said affidavit by him to recount the votes or to make the final addition thereof, as the case may be. (Sec. 193.)

Notice and service.

(2) The judge shall appoint and give written notice to the candidates or their agents of a time and place at which he will proceed to recount or to make final addition, as the case may be; and he may at the time of the application or afterwards, decide and announce that service of the notice will be substitutional, or by mail or by posting, or in any other manner. He shall also summon and command the returning officer and his election clerk to attend at the time and place so appointed with the parcels containing (*a*) the used and counted, (*b*) the rejected, and (*c*) the spoiled ballot papers, or the original statements of the deputy returning officers, as the case may be, with respect to or in consequence of which such recount or final addition is to take place, which summons and command the returning officer and election clerk shall obey, and they shall attend throughout the proceedings, at which proceedings each candidate shall be entitled to be present and to be represented by not more than three agents appointed to attend. In case any candidate is not present or represented, any three electors who may demand to attend in his behalf shall be entitled to attend. Except with the sanction of the judge, no other person shall be present at such recount or final addition. (Secs. 194, 195 and 196.)

Order of judge to returning officer.

Who may be present at recount.

If candidate not represented, authority of judge.

Making final addition or recount.

(3) At the time and place appointed, and in the presence of such of the said persons as shall attend, the judge shall proceed to make such final addition from the statements contained in the several ballot boxes returned by the several returning officers, or to recount all the votes or ballot papers returned by the several deputy returning officers, as the case may be, and shall, in the latter case, open the sealed packets containing (*a*) the used and counted, (*b*) the rejected, and (*c*) the spoiled ballot papers, and he shall not, except as hereinafter provided, open any other ballot papers or any other packets or envelopes containing ballots or ballot papers. (Sec. 197.)

Opening sealed packets of ballots.

Mode of proceeding with the recount.

(4) In the case of a recount, the judge shall recount the votes according to the directions in this Act set forth for deputy returning officers at the close of the poll, and shall verify or correct the ballot paper account and statement of the number of votes given for each candidate. (Sec. 199.) He shall also, if necessary or required, review the decision of the returning officer with respect to the number of votes given for a candidate at any polling place where the ballot box used was not forthcoming when the returning officer made his decision, or when the proper certificates or papers were not found therein, and for the purpose of arriving at the facts as to such missing box, certificates or papers, the judge shall have all the powers of a returning officer with regard to the attendance and examination of witnesses (Sec. 201), who in case of non-attendance shall be subject to the same consequences as in case of refusal or neglect to attend on the summons of a returning officer.

Powers of judge.

Proceedings to be continuous.

(5) The judge shall, as far as practicable, proceed continuously, except on Sunday, with the final addition or recount, allowing only necessary recess for refreshment, and excluding, except as he shall otherwise openly direct, the hours between six o'clock in the afternoon and nine in the succeeding forenoon. During such recess or excluded time the ballot papers and other documents shall be kept enclosed in parcels under the seals of the judge and of such other of the said persons as desire to affix their seals thereto. The judge shall personally supervise such parcelling and sealing and take all other necessary precautions for the security of such papers and documents. (Sec. 198.)

During excluded time documents to be under seal.

Judge to seal ballots in separate packets.

(6) The judge shall thereupon declare the recount or final addition at an end, seal up all the ballot papers in separate packages and forthwith certify the result of the recount or final addition to the returning officer, who shall then declare to be elected the candidate so certified as having the highest number of votes. In case of equality of votes, the returning officer notwithstanding that he may have already voted pursuant to subsection four of section sixty-six of this Act, shall have and shall cast another or deciding vote. (Secs. 200 and 202.)

Certificate by judge.

Costs.

(7) If the recount or final addition does not so alter the result of the poll as to affect the return, the judge shall,

(*a*) order the costs of the candidate appearing to be elected to be paid by the applicant (Sec. 203);

To be taxed.

(*b*) tax such costs, following as closely as possible the tariff of costs allowed with respect to proceedings in the court in which the judge ordinarily presides. (Sec. 204.)

Disposal of deposit; action for balance.

(8) The moneys deposited as security for costs shall, so far as necessary, be paid out to the candidate in whose favour costs are awarded and if the deposit is insufficient the party in whose favour the costs are awarded shall have his action for the balance. (Sec. 205.)

Procedure if the Judge Fails to Comply.

Failure of judge to act.

71. (1) Except in the Yukon Territory, in case of any omission, neglect or refusal of the judge to comply with the foregoing provisions in respect of the recount or final addition, or to proceed therewith, any party aggrieved may, within eight days thereafter, make application,—

Remedy.

(*a*) in the province of Ontario, to a judge of the High Court division of the Supreme Court;

(*b*) in the provinces of Quebec, Manitoba or Saskatchewan, to a judge of the Court of King's Bench;

(*c*) in the provinces of Nova Scotia, New Brunswick, Prince Edward Island, British Columbia, or Alberta, to a judge of the Supreme Court of the province.

Application upon affidavit.

(2) Such application may be made upon affidavit, which need not be entitled in any matter or cause, setting forth the facts relating to such omission, refusal or neglect.

Order of judge.

(3) The judge to which the application is made shall, if it appears that there is such omission, refusal or neglect, make an order appointing a time, within eight days, and a place, for the consideration of such application, and directing the attendance of all parties interested at such time and place, and giving such directions for the service of the order and of the affidavit or affidavits upon which the order was granted, upon the judge so alleged to be in default, and upon the other parties interested, as he thinks proper.

Service of notice.

(4) If the circumstances appear to the judge to warrant it, he may direct that service upon any such parties may be substitutional, or by mail or by posting, or in any other manner. (Sec. 207.)

Affidavits may be filed.

(5) The judge complained of, or any of the parties interested, may file in the office of the clerk, registrar or prothonotary of the court of the judge to whom the application is made affidavits in reply to those filed by the applicant, and, upon demand, shall furnish the applicant with copies thereof. (Sec. 208.)

Order of court after hearing.

(6) At the time and place appointed by the judge or at any other time and place to which the hearing may be adjourned, after hearing the parties, or such of them as are present, or their counsel, the judge or some other judge of the same court shall make such order as the facts of the case in the opinion of the judge warrant, either dismissing the application or commanding the judge in default to take such action as is necessary in order to a compliance with the requirements of this Act in respect of the recount or final addition of votes and to proceed with and complete such recount or final addition and the judge may make such order as to costs as he thinks proper. (Sec. 209.)

Judge to obey order.

(7) A judge so found to be in default as aforesaid shall forthwith carry out the directions of any order so made; and there shall be the same remedies for the recovery of the costs awarded by such order as for costs in ordinary cases in the court to which the judge making such directions or order belongs. (Sec. 210.)

Election Return.

Return of candidate elected.

72. (1) The returning officer, immediately after the sixth day next following that upon which he has made final addition of or ascertained the number of votes given for each candidate, unless before that time he shall have received notice that he is required to attend before a judge for the purposes of a recount or final addition by such judge of the votes given at the election, and, where there has been a recount or final addition by the judge, immediately thereafter, shall transmit by registered post to the Chief Electoral Officer,—

Form of return.

(*a*) the election writ with his return in form NN that the candidate having the largest number of votes has been duly elected;

Report by returning officer.

(*b*) a report of his proceedings, which report shall contain such observations as he may think proper as to the state of the ballot boxes or ballot papers as received by him;

Certain documents to be sent with return.

(*c*) the official stamp and all the ballot papers, including those unused, the original statements of the several deputy returning officers, together with the lists of voters and the poll books used in the several polling divisions, and all other books, lists, and documents used or furnished for the election, or which have been transmitted to him by the deputy returning officers. (Secs. 211, 213, 214, and 215.)

Return not to be made until certificate of judge received.

(2) In case of such receipt of notice of recount or final addition the returning officer shall delay transmission of such return and report until he shall have received from the judge a certificate of the result of such recount or final addition, whereupon he shall transmit the same in manner hereinbefore directed. (Sec. 212.)

Duplicate of return to each candidate.

(3) The returning officer shall forward to each of the candidates a duplicate or copy of the return made by him. (Sec. 211.)

If return is irregular.

(4) In the event of the returning officer making a return and report to the Chief Electoral Officer not complying with the immediately preceding provisions, or making a return and report pending an application before a judge or court for an order commanding the judge to comply with the foregoing provisions for a recount or final addition, the Chief Electoral Officer shall, on presentation of an order of a judge or court having jurisdiction in respect of such application, return the said report and return, together with all ballot papers, to the returning officer. (Sec. 216.)

Notice of return in *Canada Gazette*.

(5) The Chief Electoral Officer shall, on receiving the return of any member elected to serve in the House of Commons, enter it, in the order in which such return is received by him, in a book to be kept by him for such purpose and thereupon immediately give notice in an ordinary or special issue of the *Canada Gazette* of the name of the candidate so elected and in the order in which it was received. (Sec. 217.)

Statement to Auditor General

He shall also forward to the Auditor General a certified statement of the number of votes cast for each candidate and when the Auditor General has satisfied himself that pursuant to subsection ten of Section forty of this Act a candidate is entitled to the return of his deposit the Auditor General shall return it accordingly.

Delay, neglect or refusal of returning officer to return elected candidate.

73. If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the House of Commons for any electoral district, and if it has been determined on the hearing of an election petition respecting the election for such electoral district that such person was entitled to have been returned, the returning officer who has so wilfully delayed, neglected

or refused duly to make such return of his election, shall forfeit to the person aggrieved the sum of five hundred dollars and costs in addition to all damages sustained. (Sec. 257.)

Report to Speaker by Chief Electoral Officer of suggestion regarding working of law.

74. The Chief Electoral Officer shall, after each election, make a report to the Speaker of the House of Commons, suggesting what, if any, amendments are in his opinion desirable for the more convenient administration of the law, and each candidate and the agent of each candidate shall have the right to send written statements to the Chief Electoral Officer suggesting such changes and improvements in the law as to such person may seem desirable, and to make written complaint of the conduct of any officer employed in such election. Any such statements and complaints shall be transmitted by the Chief Electoral Officer to the said Speaker, and they shall, together with the report of the Chief Electoral Officer, be forthwith submitted by the said Speaker to the House of Commons if Parliament is then sitting, and if not, within fifteen days after the opening of the next session of Parliament.

To be submitted to Parliament.

Chief Electoral Officer to retain papers, etc.

75. (1) The Chief Electoral Officer shall, subject to the provisions of this Act, retain in his possession the papers transmitted to him by any returning officer, with the return, for at least one year, if the election is not contested during that time, and, if the election is contested, then for one year after the termination of such contestation. (Sec. 218.)

Inspection of ballots.

(2) No person shall be allowed to inspect any ballot paper in the custody of the Chief Electoral Officer except under the rule or order of a superior court or a judge thereof (Sec. 227) which, if and when made, the Chief Electoral Officer shall obey. (Sec. 228.)

Order of court.

(3) Such rule or order may be granted by such court or judge on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition which has been filed questioning an election or return.

Conditions of inspection.

(4) Any such rule or order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place and mode of inspection or production as the court or judge thinks expedient.

Fees and Expenses of Election Officers.

Fees and expenses.

76. (1) The fees and expenses in Schedule Two to this Act mentioned, and no others, shall be allowed to the several officers therein mentioned, respectively, for their services and disbursements at any election. (Sec. 308.)

Governor in Council may revise and amend.

(2) Whenever it shall appear to the Governor in Council that the provisions made in said Schedule are inadequate

or insufficient for the purposes of a fair and just but economical remuneration for the services performed, the Governor in Council may make a tariff of fees, costs and expenses to be paid and allowed to returning officers and other persons employed at or with respect to elections under this Act, and may, from time to time, revise and amend such tariff. (Sec. 309.)

Such tariff to be substituted.

(3) Such tariff, when so revised and amended, shall then be substituted for the tariff in the said Schedule as respects any election held after the making, revising or amending thereof. (Sec. 309.)

Copy to House of Commons.

(4) A copy of any such tariff and of any amendment thereof shall be laid before the House of Commons within the first fifteen days of the next ensuing session of Parliament. (Sec. 309.)

Payment of fees.

(5) *Such fees, allowances and disbursements shall be paid by warrant of the Governor General and shall be distributed by such person or persons as the Governor General in Council may direct to the several officers and persons entitled thereto under the provisions of this Act, which distribution the person or persons so distributing shall report to the Governor General through the Secretary of State.* (Sec. 310.)

Certificate of returning officer.

(6) The returning officer shall certify the correctness of the accounts of his deputy returning officers and of the registrars. (Sec. 310.)

Fees, etc., may be increased by Governor in Council.

(7) Whenever it shall appear to the Governor in Council that the fees and allowances provided for by the tariff are not sufficient remuneration for the services required to be performed at any election, or that any claim for any necessary service performed, or for materials supplied for or at an election is not covered by such tariff, he may authorize the payment of such sum or additional sum for such services or materials supplied as is considered just and reasonable. (Sec. 311.)

How disagreements as to taxation of expenses settled.

77. The Auditor General and the Chief Electoral Officer, acting jointly, shall tax all election expense accounts. Any disagreement between them which involves only the legal right of a person claiming payment to be paid at all, shall be referred to and be finally resolved by the Treasury Board, and any disagreement between the Auditor General and the Chief Electoral Officer which involves only the fairness of the amount payable to any person with relation to the services or materials supplied, shall be referred to and shall be finally resolved by the Secretary of State. Notwithstanding anything in this section contained the rights, if any, of all claimants to compel payment or further payment by process of law shall remain unimpaired.

Rights saved.

Election Expenses.

Official agent.

78. (1) Every candidate shall appoint an official agent, in this Act termed "the official agent," whose name and

address shall be declared to the returning officer, in writing, by or on behalf of the candidate, on or before nomination day, and the returning officer shall forthwith give public notice of the name and address of the official agent so declared. (Sec. 237.) In the event of the death or legal incapacity of any such agent, the candidate shall forthwith appoint another, making like declaration to the returning officer, who shall give like public notice. (Sec. 238.)

Case of death or legal incapacity of official agent.

Election officers acting as official agents.

(2) No returning officer, deputy returning officer or registrar or the partner or clerk of either of them, shall be eligible to act as the official agent for any candidate in the management or conduct of his election, and if any such officer shall so act he is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Sec. 252.)

No payment to be made except through official agent.

(3) Subject to the subsequent provisions of this section, no payment and no advance or deposit shall be made before, during or after an election by a candidate or by any agent on behalf of a candidate or by any other person, in respect of any expenses incurred on account of or in respect of the conduct or management of such election, otherwise than by or through the official agent; and all money provided by any person other than the candidate for any expenses incurred on account of or in respect of the conduct or management of the election, whether as contribution, gift, loan, advance, deposit or otherwise, shall be paid to the official agent and not otherwise; provided that this subsection shall not be deemed to apply to payment,—

Exceptions.

(*a*) by a candidate, out of his own money for his personal expenses to an aggregate amount not exceeding five hundred dollars; or,

(*b*) by any person, out of his own money, for any small expense legally incurred by him, if no part of the sum so paid is repaid to him. (Sec. 237 and Eng. sec. 28 (1).)

Penalty for contravention.

(4) Every person who makes any payment, advance or deposit in contravention of the immediately preceding subsection, or pays in contravention thereof any money so provided as aforesaid is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided.

No action against candidate unless payment made by himself or official agent.

(5) A contract whereby any expenses are incurred on account of or in respect of the conduct or management of an election shall not be enforceable against a candidate unless made by the candidate himself or by his official agent or by a sub-agent of the official agent thereto authorized in writing: Provided that inability to enforce such contract against the candidate shall not relieve him from the consequences of any corrupt or illegal practice having been committed by his agent. (Eng. 27 (2).)

Proviso.

Bill of particulars.

(6) Every payment made by or through an official agent in respect of any expenses incurred on account of or in respect of the conduct or management of an election, shall, except where less than ten dollars, be vouched for by a bill stating the particulars and by a receipt. (Eng. 29 (1).)

Claims to be sent in within one month, or rights to be barred.

If no agent.

(7) All persons who have any bills, charges or claims upon any candidate for or in relation to any election shall send in such bills, charges or claims within one month after the day on which the candidate returned has been declared elected, to the official agent of the candidate, or, if such agent is dead or legally incapable, to the candidate in person; otherwise such persons shall be barred of the right to recover such claims or any part thereof. (Secs. 239 and 241.)

Penalty for illegal payment.

Subject to such exception as may be allowed in pursuance of this Act, an official agent who pays a claim in contravention of this enactment is guilty of an illegal practice (Eng. 29 (2)) and of an offence against this Act punishable on summary conviction as in this Act provided.

Death of claimant.

(8) In the event of the death, within such month, of any person claiming the amount of any such bill, charge or claim, the legal representative of such person shall send in the bill, charge or claim within one month after his obtaining probate or letters of administration, or of his becoming otherwise able to act as legal representative; otherwise the right to recover such bill, charge or claim shall be barred as aforesaid. (Sec. 240.)

Payment within fifty days.

Penalty for contravention.

(9) All expenses incurred by or on behalf of a candidate on account of or in respect of the conduct or management of an election shall be paid within fifty days after the day on which the candidate returned was declared elected, and not otherwise; and, subject to such exception as may be allowed in pursuance of this Act, an official agent who makes a payment in contravention of this provision is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided. (Eng. 29 (4) and (5).)

Payment of lawful claims sent in after time prescribed.

(10) Notwithstanding anything in this section contained, cause being at any time shown to the satisfaction of a judge competent to recount or make final addition of the votes given at the election, such judge, on application by the claimant, or by the candidate or his official agent, may by order give leave for the payment by a candidate through his official agent of a disputed claim or of a claim for any such expenses as aforesaid, although sent in after the time in this section mentioned for sending in claims, or although sent in to the candidate and not to the official agent. (Sec. 243 and Eng. 29 (9).)

Election not void in consequence of illegal payment.

(11) Where an election court reports that it has been proved by a candidate that any payment made by an official agent in contravention of this section was made without the sanction or connivance of such candidate the election of such candidate shall not be void nor shall he be subject to any incapacity by reason only of such payment having been made in contravention of this section. (Eng. 29 (6).)

Action for recovery in claims deemed disputed.

(12) If the official agent in the case of any claim sent in to him within the time limited by this Act disputes it, or refuses or fails to pay it within the period of fifty days after the day on which the candidate returned was declared elected, the claim shall be deemed to be a disputed claim and the claimant may, if he thinks fit, bring an action to recover the same in any competent court; and any sum paid by the candidate or his agent in pursuance of the judgment or order of such court shall be deemed to be paid within the time limited by this Act, and to be an exception from the provisions of this Act requiring claims to be paid by the official agent. (Eng. 29 (7) and (8).)

Payment in pursuance of judgment deemed exception.

Candidate's expenses up to $500.

(13) The candidate may pay any personal expenses incurred by him on account of or in connection with or incidental to such election to an amount not exceeding five hundred dollars, but any further personal expenses so incurred by him shall be paid by his official agent. (Eng. 31 (1).)

Written statement of personal expenses.

(14) The candidate shall send to his official agent within the time limited by this Act for sending in claims a written statement of the amount of personal expenses paid by such candidate. (Eng. 31 (2).)

Petty expenses.

(15) Any person may, if so authorized in writing by the official agent, pay any necessary expenses for stationery, postage, telegrams and other petty expenses to a total amount not exceeding that named in the authority, but any excess above the total amount so named shall be paid by the official agent. (Eng. 31 (3).)

Statement of particulars and vouchers.

(16) A statement of the particulars of payments made by any person so authorized shall be sent to the official agent within the time limited by this Act for the sending in of claims and shall be vouched for by a bill containing the receipt of that person. (Eng. 31 (4).)

Return of election expenses by official agent.

79. Within two months after the candidate returned has been declared elected, the official agent of every candidate shall transmit to the returning officer a true signed return substantially in the form OO (in this Act referred to as a return respecting election expenses) containing detailed statements as respects that candidate of,—

(*a*) all payments made by the official agent, together with all the bills and receipts (which bills and receipts

are in this Act included in the expression "return respecting election expenses");

(*b*) the amount of personal expenses, if any, paid by the candidate;

(*c*) the disputed claims, so far as the official agent is aware;

(*d*) the unpaid claims, if any, in respect of which application has been or is about to be made pursuant to section seventy-seven, subsection ten, so far as the official agent is aware;

(*e*) all money, securities and equivalent of money received by or promised to the official agent from the candidate or any other person, for the purpose of expenses incurred or to be incurred on account of or in respect of the conduct or management of the election, naming every person from whom the same may have been received or by whom such promise was made, showing as to each sum whether it was received or merely promised, whether in money or otherwise and whether as contribution, loan, advance, deposit or otherwise. (Sec. 244 and Eng. 33 (1).)

Vouchers, and declaration in form PP.

(2) The return so transmitted shall include all bills and vouchers relative thereto and be accompanied by a declaration made by the official agent before a notary public or a justice of the peace in the form PP (which declaration is in this Act referred to as a declaration respecting election expenses). (Eng. 33 (2).)

Candidate's declaration in form QQ, or RR.

(3) At the same time that the official agent transmits the said return, or within seven days afterwards, the candidate shall transmit or cause to be transmitted to the returning officer a declaration made by the candidate before a notary public or a justice of the peace, in the form QQ or RR (which declaration is in this Act referred to as a declaration respecting election expenses). (Eng. 33 (3).)

Supplementary return in case of death of creditor.

(4) Whenever by reason of the death of a creditor no bill has been sent in within such period of two months, the official agent shall, within one month after such bill has been sent in, and likewise with respect to all payments approved by a judge pursuant to section seventy-eight, subsection ten, of which the official agent is aware shall, within one week after such approval, as fully as possible comply with the provisions of this section by means of a supplementary return. (Sec. 244.)

Publication of summary by returning officer.

(5) The returning officer, within ten days after he receives from the official agent any return or supplementary return respecting election expenses, shall publish at the expense of the candidate a summary thereof with the signature of the official agent thereto in one and the same newspaper published or circulated in the electoral district

wherein the election was held. (Secs. 243, 245 and Eng. 35 (11).

Bills, etc., to be preserved.

(6) The returning officer shall preserve all such returns and declarations with the bills and vouchers relating thereto and at all reasonable times during six months next after they have been delivered to him shall permit any elector to inspect them and to make extracts therefrom on payment of a fee of twenty cents. (Sec. 246.) After the expiration of such six months period the documents may be destroyed, or, if before destruction the candidate or his official agent applies for their return, they shall be returned to the candidate. (Eng. 35 (2).)

After six months to be destroyed or returned to candidate.

Penalty for member sitting in contravention.

(7) If the said return and declarations are not transmitted before the expiration of the time limited for the purpose, the candidate shall not after the expiration of such time, sit or vote in the House of Commons as member until either such return and declarations have been transmitted or until the date of the allowance of such an authorized excuse for the failure to transmit the same, as in this Act mentioned, and if he sits or votes in contravention of this enactment he shall forfeit five hundred dollars with costs for every day on which he so sits or votes to any person who sues therefor. (Eng. 33 (5).)

Default of agent in delivering statements.

(8) If without such authorized excuse as in this Act mentioned a candidate or an official agent fails to comply with the foregoing requirements of this section he is guilty of an illegal practice and of an offence against this Act, punishable on summary conviction as in this Act provided. (Sec. 263, and Eng. 33 (6).)

Furnishing false statements.

(9) If any candidate or official agent knowingly makes a false declaration respecting election expenses he is guilty of a corrupt practice (Sec. 264 and Eng. 33 (7)) and of an indictable offence against this Act punishable as in this Act provided.

When candidate out of Canada at time of return.

(10) Where a candidate is out of Canada at the time when the return is so transmitted to the returning officer, the declaration required by this section may be made by him within fourteen days after his return to Canada, and in that case shall be forthwith transmitted to the returning officer; but the delay hereby authorized in making such declaration shall not exonerate the official agent from complying with the provisions of this Act as to the return and declaration respecting election expenses. (Eng. 33 (8).)

Statement of payments in pursuance of leave and copy of judge's order.

(11) Where after the date at which the return respecting election expenses is transmitted leave is given pursuant to section seventy-seven, subsection ten, for any claims to be paid, the agent shall, within seven days after the payment thereof, transmit to the returning officer a return of the sums paid in pursuance of such leave, accompanied by a copy of the order of the judge giving the leave, and in default he shall be deemed to have failed to comply with the require-

ments of this section without such authorized excuse as in this Act mentioned. (Eng. 33 (9).)

When return and declaration not transmitted.

(12) Where the return and declarations respecting election expenses of a candidate at an election have not been transmitted as required by this Act, or, being transmitted, contain some error or false statement, then,—

If on account of candidate's illness, etc.

(*a*) if the candidate applies to a judge competent to recount or make final addition of the votes given at the election and shows that the failure to transmit such return and declarations or any of them, or any part thereof, or any error or false statement therein, has arisen by reason of his illness, or of the absence, death, illness or misconduct of his official agent or of any clerk or officer of such agent, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant; or,

Or agent's illness, etc.

(*b*) if the official agent of the candidate applies to the said judge and shows that the failure to transmit the return and declarations which he was required to transmit, or any part thereof, or any error or false statement therein, arose by reason of his illness or of the death or illness of any prior official agent of the candidate, or of the absence, death, illness or misconduct of any clerk or officer of an official agent of the candidate, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant;

Judge may allow authorized excuse.

the judge may, after such notice of the application in the electoral district and on production of such evidence of the grounds stated in the application and of the good faith of the application, and otherwise as to the judge seems fit, make such order for allowing an authorized excuse for the failure to transmit such return and declaration, or for an error or false statement in such return and declaration as to the judge seems just. (Eng. 34 (1).)

Or may order official agent to appear, and make return and declaration, or order examination of official agent.

(13) Where it appears to the judge that any person being or having been an official agent has refused or failed to make such return or to supply such particulars as will enable the candidate and his official agent respectively to comply with the provisions of this Act as to the return and declaration respecting election expenses, the judge before making an order allowing the excuse as in this section mentioned shall order such person to attend before him, and on such person's attendance shall, unless such person shows cause to the contrary, order him to make the return and declaration, or to deliver a statement of the particulars required to be contained in the return, as to the judge seems just, and to make or deliver the same within such time and to such person and in such manner as the judge may direct, or may order such person to be examined with respect to such

particulars, and if the person so ordered does not comply with such order he is guilty of an indictable offence against this Act punishable as in this Act provided. (Eng. 34 (2).)

When order conditional relief of applicant or of candidate.

(14) The order may make the allowance conditional upon the making of the return and declaration in a modified form or within an extended time, and upon the compliance with such other terms as to the judge seems best calculated for carrying into effect the objects of this Act; and an order allowing an authorized excuse shall relieve the applicant for the order from any liability or consequence under this or any other Act in respect of the matter excused by the order; and where it is proved by the candidate to the judge that any act or omission of the official agent in relation to the return and declaration respecting election expenses was without the sanction or connivance of the candidate, and that the candidate took all reasonable means for preventing such act or omission, the judge shall relieve the candidate from the consequences of such act or omission on the part of his official agent. (Eng. 34 (3).)

Date of order deemed date of allowance.

(15) The date of the order or, if conditions and terms are to be complied with, the date at which the applicant fully complies with them, shall for the purposes of this section be deemed the date of the allowance of the excuse. (Eng. 34 (4).)

Bribery, Treating, Undue Influence and Personation.

Giving money, etc., to procure votes.

80. Every person is guilty of the corrupt practice of bribery and of an indictable offence against this Act punishable as in this Act provided, who,—

(*a*) directly or indirectly, by himself or by any other person on his behalf, gives, lends or agrees to give or lend, or offers or promises or promises to procure or to endeavour to procure, any money or valuable consideration, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act on account of such voter having voted or refrained from voting at any election; or,

Giving or promising employment.

(*b*) directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises or promises to procure or to endeavour to procure, any office, place or employment, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting, or corruptly does any such act as aforesaid, on account of any voter having voted or refrained from voting at any election; or,

Gift or promise in order to obtain return of any person.

(*c*) directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in the House of Commons, or the vote of any voter at any election; or,

Procuring return in consequence.

(*d*) upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages or promises or endeavours to procure the return of any person to serve in the House of Commons, or the vote of any voter at an election; or,

Advancing money to be used in bribery.

(*e*) advances or pays, or causes to be paid, any money to or to the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election; or,

Demanding bribe of candidate or agent.

(*f*) directly or indirectly, by himself or by any other person on his behalf, on account of and as payment for voting or for his having voted or for illegally agreeing or having agreed to vote for any candidate at an election, or on account of and as payment for his having illegally assisted or agreed to assist any candidate at an election, applies to such candidate, or to his agent or agents, for the gift or loan of any money or valuable consideration, or for the promise of the gift or loan of any money or valuable consideration or for any office, place or employment; or,

Receiving money, etc., before or during an election.

(*g*) before or during any election, directly or indirectly, by himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election; or,

Or after an election.

(*h*) after any election, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of such or any other person having voted or refrained from voting, or having induced any other person to vote or refrain from voting, at any election; or,

Bribery of candidates.

(*i*) in order to induce a person to allow himself to be nominated as a candidate, or to refrain from becoming a candidate, or to withdraw, if he has become a candidate, gives or procures any office, place or employment, or agrees to give or procure, or offers or promises to procure, or to endeavour to procure any office, place or employment, for such person.

Proviso as to legal expenses.

Provided always that the terms of this section shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any expenses legally payable and *bona fide* incurred at or concerning any election, and provided that the actual personal expenses of any candidate and his expenses for professional services actually performed and for the fair cost of printing and advertising and for halls or rooms for the holding of meetings shall be held to be expenses legally payable. (Sec. 265, and Eng. C. and I.P.P. Act, 1854.)

Treating of any person.

81. Every person is guilty of the corrupt practice of treating and of an indictable offence against this Act punishable as in this Act provided, who, corruptly, by himself or by any other person, either before, during or after an election, directly or indirectly gives or provides, or causes to be given or provided, or is accessory to the giving or providing, or pays or engages to pay wholly or in part the expense of giving or providing, any meat, drink, refreshment or provision, or any money or ticket or other means or device to enable the procuring of any meat, drink, refreshment or provision, to or for any person for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at such election or on account of such person or any other person having voted or refrained from voting or being about to vote or refrain from voting at such election, and every elector who corruptly accepts or takes any such meat, drink, refreshment or provision or any such money or ticket, or who adopts such other means or device to enable the procuring of such meat, drink, refreshment or provision is guilty likewise. (Secs. 266 and 268, and Eng. C. and I.P.P. Act, 1883.)

Treating of voter during election.

Undue influence.

82. (1) Every person is guilty of the corrupt practice of undue influence and of an indictable offence against this Act punishable as in this Act provided who, directly or indirectly, by himself or by any other person on his behalf, makes use of, or threatens to make use of, any force, violence or restraint, or inflicts, or threatens the infliction, by himself, or by or through any other person, of any temporal or spiritual injury, damage, harm or loss, or in any manner practices intimidation upon or against any person, in order to induce or compel such person to vote for any candidate, or to refrain from voting, or on account of such person having voted for any candidate or refrained from voting at any election, or who, by abduction, duress, or any false or fraudulent pretense, device or contrivance, impedes, prevents or otherwise interferes with the free exercise of the franchise of any elector, or thereby compels, or induces or prevails upon any elector either to vote for any candidate or to refrain from voting at any election.

False pretence interpreted.

(2) It shall be deemed a false pretense within the meaning of this section to represent to an elector, directly or indirectly, that the ballot to be used, or the mode of voting at an election, is not secret. (Sec. 269, and Eng. C. and I.P.P, Act, 1883, sec. 2.)

Personation and subornation of personation.

83. Every person is guilty of the corrupt practice of personation, and of an indictable offence against this Act punishable as in this Act provided, who at an election,—

(*a*) applies for a ballot paper in the name of some other person, whether such name is that of a person living or dead, or of a fictitious person; or,

(*b*) having voted once at such election, applies at the same election for a ballot paper in his own name; or,

(*c*) aids, abets, counsels, procures or endeavours to procure the commission by any person of personation as now defined. (Secs. 272, 273 and 274.)

Penalties and Procedure.

Procedure.

84. (1) Any indictable offence against this Act may be prosecuted alternatively, on indictment or by way of summary conviction.

Fines and other penalties for indictable offences.

(2) Any person who is guilty of any indictable offence against this Act is liable on indictment or on summary conviction to a fine not exceeding two thousand dollars and costs of prosecution or to imprisonment for a term not exceeding two years, with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith (in case only a fine and costs are imposed) or are not paid before the expiration of the term of imprisonment imposed (in case imprisonment as well as fine and costs is imposed) to imprisonment with or without hard labour for such term (or such further term) as such fine and costs or either of them remain unpaid, not exceeding three months.

Fines, etc., for non-indictable offences.

85. Any person, who is guilty of any non-indictable offence against this Act which is punishable on summary conviction, is liable to a fine not exceeding five hundred dollars and costs of prosecution or to imprisonment for a term not exceeding one year, with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith (in case only a fine and costs are imposed) or are not paid before the expiration of the term of imprisonment imposed (in case imprisonment as well as fine and costs is imposed) to imprisonment with or without hard labour, for such term (or further term) as such fine and costs or either of them may remain unpaid, not exceeding three months.

Disqualification for corrupt act.

86. Any person who during an election commits a corrupt practice or an illegal practice shall *ipso facto* become disqualified from voting and incompetent to vote at such election. He shall also in addition to any other punishment for such offence by this or any other Act prescribed, forfeit to any person who in any competent court shall therefor sue,—

Additional penalties.

(*a*) for every corrupt practice committed the sum of two hundred dollars and costs; and,

(*b*) for every illegal practice committed the sum of one hundred dollars and costs.

Effect of corrupt practices.

87. Any person, who,—

(*a*) is on the trial of an election petition reported by the trial judges to the Speaker as one who has committed at an election any corrupt practice or illegal practice; or,

(*b*) is before any competent court convicted of having committed at an election any offence which is a corrupt practice or illegal practice, or ordered to pay any sum forfeited because of the commission of any corrupt practice or illegal practice; or,

(*c*) is, in any proceeding in which after notice of the charge he has had an opportunity of being heard, found guilty of any corrupt practice or of any illegal practice, or of any offence which is a corrupt practice or illegal practice;

Five years' disqualification.

shall, in addition to any other punishment for such offence by this or any other Act prescribed be, for a corrupt practice during the eight years or for an illegal practice during the five years, next after the date of his being so reported, convicted, ordered, or found guilty, incapable of being elected to or of sitting in the House of Commons or of voting at any election of a member of that House or of holding any office in the nomination of the Crown or of the Governor General in Canada. (Secs. 280, 281 and 282.)

Candidate not convicted unless corrupt practice done by himself, agent, or with his knowledge.

88. No candidate shall on the trial of any election petition be reported by the trial judges to the Speaker as one who has committed any corrupt practice or any illegal practice, or before any court be convicted of having committed at an election any offence which is a corrupt practice or an illegal practice or be ordered to pay any sum as forfeited because of the commission of any corrupt practice, or illegal practice, or in any other proceeding be found guilty of any corrupt practice or illegal practice or of any offence which is a corrupt practice or an illegal practice, unless the thing omitted or done the omission or doing of which constitutes the corrupt practice or illegal practice was omitted or done by,—

(*a*) the candidate in person; or,

(*b*) his official agent; or,

(*c*) some other agent of the candidate with the candidate's actual knowledge and consent;

Proviso.

provided that nothing in this section shall prevent the avoidance pursuant to section fifty-one of the *Dominion Controverted Elections Act*, of any election in consequence of the commission of any corrupt practice or illegal practice.

Election not avoided unless illegal practices by candidate, agent, etc.

89. No election shall on the trial of any election petition be avoided because of any of the illegal practices referred to in sections five, fourteen, thirty, forty-three, fifty-eight or sixty of this Act unless the thing omitted or done the omission or doing of which constitutes the illegal practice, was omitted or done by,—

(*a*) the elected candidate in person; or,

(*b*) his official agent; or,

(*c*) some other agent of such candidate with such candidate's actual knowledge and consent:

Provided that nothing in this section shall be deemed to impair or affect the provisions of section fifty-six of the *Dominion Controverted Elections Act* as it now is or as it may be amended.

Removal of disqualification procured by perjury.

90. If, at any time after a person has become disqualified under this Act, the witnesses, or any of them, on whose testimony such person has so become disqualified, are convicted of perjury with respect to such testimony, such person may move the court before which such conviction takes place to order, and such court shall, upon being satisfied that such disqualification was procured by reason of such perjury, order that such disqualification shall therefore cease and determine; and it shall cease and determine accordingly. (Sec. 283.)

Secrecy of vote protected.

91. No person who has voted at an election shall in any legal proceeding questioning the election or return be required to state for whom he voted. (Sec. 226.)

Recovery of penalties and forfeitures.

92. (1) All penalties which are by this Act expressly made payable by way of forfeiture to any person aggrieved or to any person who sues therefor shall be recoverable or enforceable with full costs of suit by action of debt or information in any court of competent jurisdiction in the province in which the cause of action arises.

Imprisonment for non-payment.

(2) In default of payment of the amount which the offender is condemned to pay, within the period fixed by the court, the offender shall be imprisoned in the common jail of the county or district for any term less than two years, unless such penalty and costs are sooner paid. (Sec. 284.)

Security for costs.

(3) No action or information for the recovery of any such penalty by way of forfeiture shall be commenced unless the person suing therefor has given good and sufficient security, to the amount of fifty dollars, to indemnify the defendant for the costs occasioned by his defence, if the person suing is condemned to pay such costs. (Sec. 285.)

Allegations in action.

(4) It shall be sufficient for the plaintiff, in any action or suit under this Act, to allege in his pleading or declaration that the defendant is indebted to him in the sum of money thereby demanded, and to allege the particular offence with respect to which the action or suit is brought, and that the defendant has acted contrary to this Act, without mentioning the writ of election or the return thereof. (Sec. 286.)

Evidence of husbands and wives.

(5) In any such civil action, suit or proceeding, instituted under this Act, the parties thereto, and the husbands or wives of such parties respectively, shall be competent and compellable to give evidence to the same extent and subject to the same exceptions as in other civil suits in the same province; but such evidence shall not thereafter be used in any indictment or criminal proceeding under this Act against the person giving it. (Sec. 287.)

Burden of proof of justification.

(6) In any action, suit or proceeding instituted only for the recovery under this Act of a penalty imposed by way of forfeiture, if the right of any person (in this section referred to as the voter) to vote, or to vote at any particular place, at an election, is questioned or involved, the burden of proof of the voter being entitled to vote, or to vote at such particular place, shall be upon the voter or such other person as is the accused or defendant in such action, suit or proceeding, and not upon the person suing or instituting the proceeding. (Sec. 275, and Eng. Act, 1883, sec. 9 (1).)

No privileged excuse from answering questions.

93. No person shall be excused from answering any question put to him in any action, suit or other proceeding, in any court, or before any judge, commissioner or other tribunal touching or concerning any election, or the conduct of any person thereat, or in relation thereto, on the ground of any privilege, except that no elector shall be obliged to state for whom he voted at any election; provided that no answer given by any person claiming to be excused on the ground of privilege shall be used in any criminal proceeding against such person other than an indictment for perjury, if the judge, commissioner or president of the tribunal gives to the witness a certificate that he claimed the right to be excused on such ground, and made full and true answers to the satisfaction of the judge, commissioner or tribunal. (Sec. 288.)

Production of writ of election, etc., not required in suits.

94. (1) It shall not be necessary, on the trial of a suit or prosecution under this Act, to produce the writ of election

or the return thereof, or the authority of the returning officer founded upon such writ of election, but general evidence of such facts shall be sufficient evidence. (Sec. 289.)

If notified Chief Electoral Officer to produce ballots, etc.

(2) If the original ballot papers or other papers are required on any such trial of any suit or prosecution, the clerk or registrar of the court having cognizance of the election petition may, at the instance of any of the parties thereto, notify the Chief Electoral Officer to produce them on the day fixed for the trial; and the said Chief Electoral Officer shall on or before the said day, deposit them with such clerk or registrar, taking his receipt therefor. (Sec. 290.)

Criminal court may allow costs to prosecutor.

95. (1) Any criminal court before which a prosecution is instituted for an offence against the provisions of this Act may order payment by the defendant to the prosecutor of such costs and expenses as appear to the court to have been reasonably incurred in and about the conduct of such prosecution.

Prior recognizance required.

(2) The court shall not make such order unless the prosecutor before or upon the finding of the indictment or the granting of the information enters into a recognizance with two sufficient sureties, in the sum of five hundred dollars, and to the satisfaction of the court, to conduct the prosecution with effect and to pay the defendant his costs in case he is acquitted. (Sec. 291.)

Costs in cases of private prosecution.

(3) In case of an indictment or information by a private prosecutor for an offence against the provisions of this Act, if judgment is given for the defendant, he shall be entitled to recover from the prosecutor the costs sustained by the defendant by reason of such indictment or information, which costs shall be taxed by the proper officer of the court in which the judgment is given. (Sec. 292.)

In a suit for criminal corrupt practice, what allegation sufficient.

96. (1) In an indictment or prosecution for a corrupt practice or an illegal practice and in any action or proceeding for a penalty or by way of forfeiture for a corrupt practice, or an illegal practice, it shall be sufficient to allege that the defendant was, at the election at or in connection with which the offence is intended to be alleged to have been committed, guilty of a corrupt practice or an illegal practice, describing it by the name given to it by this Act, or otherwise, as the case requires.

Evidence.

(2) In any criminal or civil proceeding in relation to such offence the certificate of the returning officer shall be sufficient evidence of the due holding of the election and of any person named in such certificate having been a candidate thereat. (Sec. 293.)

Summoned by court to person liable to penalty.

97. (1) Whenever it appears to the court or judge trying an election petition that any person has violated any of the

provisions of this Act, for which violation such person is liable to a fine or penalty other than the fines or penalties imposed for any offence amounting to an indictable offence, such court or judge may order that such person may be summoned to appear before such court or judge, at the place, day and hour fixed in such summons for hearing the charge. (Sec. 302.)

Disobeying summons.

(2) If, on the day so fixed by the summons, the person summoned does not appear, he shall be condemned, on the evidence already adduced on the trial of the election petition, to pay such fine or penalty as he is liable to pay for such violation, and in default of paying such fine or penalty, to the imprisonment prescribed in such case by this Act. (Sec. 303.)

Trial.

(3) If, on the day so fixed, the person summoned does appear, the court or judge, after hearing such person and such evidence as is adduced, shall give such judgment as to law and justice appertains. (Sec. 304.)

Appropriation of fines.

(4) All fines and penalties recovered under the three next preceding subsections shall belong to His Majesty for the public uses of Canada, but no fine or penalty shall be imposed thereunder if it appears to the court or judge that the person has already been sued to judgment or acquitted with respect to the same offence, nor shall any such fine or penalty be imposed for any offence proved only by the evidence or admission of the person committing it. (Sec. 305.)

Limitation of time for prosecutions and suits.

98. Notwithstanding anything in the *Criminal Code*, every prosecution for an offence against this Act, and every action, suit or proceeding for any pecuniary penalty given by this Act to any person aggrieved or to any person suing therefor shall, when commenced, be proceeded with and carried on without wilful delay, and shall be commenced within the space of one year next after the day when the offence was committed or when such action, suit or proceeding might first have been brought or taken, and not afterwards, unless the prosecution, action, suit or proceeding is prevented by the withdrawal or absconding of the defendant out of the jurisdiction of the court, in which case such prosecution, action, suit or proceeding may be commenced within one year after his return (Sec. 307), or in case of a charge against a returning officer pursuant to section seventy-three for wilful delay, neglect or refusal to return a candidate as elected, in which case such prosection, suit or proceeding shall be commenced within six months after the conclusion of the trial of the petition relating to such election. (Sec. 257.)

Delay, neglect or refusal of returning officer to return elected candidate.

Quarter Sessions Court incompetent.

99. Notwithstanding anything in the *Criminal Code*, no indictment for an offence which is a corrupt practice

or an illegal practice shall be tried before any court of quarter sessions or general sessions of the peace. (Sec. 306.)

Advance Polls for Railway Employees and Others.

Advance voting by railway employees, sailors, etc.

100. (1) Every railway employee, sailor, commercial traveller or other person, being an elector whose name appears on the list of voters of a polling division within which any place mentioned in Schedule Three is wholly or partly contained, and whose employment or calling is such as to necessitate from time to time his absence from his ordinary place of residence, and who has reason to believe that, because of necessary absence from such place of residence in the pursuit of his employment or calling, he will be unable to vote on polling day, may vote in advance of polling day as in this section provided.

Establishment of "Advance Polls."

(2) For the purpose of enabling such electors to vote the returning officer in every electoral district wherein any place mentioned in Schedule Three is wholly or partly contained, shall establish within such place as many special polling stations as may be necessary, numbering them in order and terming them, as in this section they are hereafter termed, "Advance Polls." Every such polling station shall be located so as to suit the convenience of that class of voters which, in the judgment of the returning officer, is most likely to resort in any considerable number thereto.

Amendment of Schedule by Chief Electoral Officer.

(3) The Chief Electoral Officer may from time to time amend such Schedule by striking therefrom the name of any place or by adding thereto the name of any other place, and, so amended, such Schedule shall have effect as if now incorporated into this Act. He shall amend under the following circumstances only:—

(*a*) If a total of less than fifty votes is polled at the advance polls held within any such place at the election which immediately preceded the amendment, he may strike off the name of that place; or,

(*b*) If he is advised and believes that a total of fifty votes will be polled at any place in case an advance poll is established there, he may add the name of that place.

Notice in *Canada Gazette*.

(4) The Chief Electoral Officer shall give notice, under his hand published in the *Canada Gazette* of all amendments made to such Schedule, and he shall, at every election, furnish to every returning officer a copy of such Schedule as it then stands amended.

Sixty days limit for amendment to be in force.

(5) In case the date of the writ for an election falls within sixty days after notice so given of any such amendment that amendment shall not be in force nor have any effect at such election.

Advance polls conducted as ordinary polls.

(6) Except as in this section provided all advance polls shall be held, conducted and officered in the same manner as, and for all purposes of this Act be regarded as ordinary polling stations.

When polls to be open.

(7) Advance polls shall be open, and shall only be open, between the hours of seven and ten o'clock in the afternoon of the three days, exclusive of Sunday, immediately preceding polling day.

Notice in form SS.

(8) The returning officer shall, not later than seven days before polling day, give public notice within the place where an advance poll is to be held, of the poll and of the location of the polling station. Such notice may be in form SS.

Conditions for voting at Advance polls.

(9) A person applying to vote at an advance poll shall be permitted to do so only after compliance with the following in addition to all other applicable provisions of this Act:—

Form TT.

(*a*) He shall produce and deposit with the deputy returning officer a certificate of his right to vote, issued and signed by the registrar or revising officer of his polling division and countersigned by himself in the presence of such registrar or revising officer, the whole in form TT;

Form TT.

(*b*) He shall, in the presence of the deputy returning officer, sign the statement of identification appearing on form TT;

Form UU.

(*c*) He shall make before the deputy returning officer a declaration in form UU.

Registrar or revising officer to issue certificate *gratis* to applicant.

(10) Every registrar or revising officer of a polling division within which any place mentioned in Schedule Three is wholly or partly contained shall, on application of an elector whose name appears on the list of voters of such polling division, issue *gratis* to such elector on that elector's attendance and request made in person, but not otherwise, a certificate in form TT, and shall forthwith thereafter enter in the "Remarks" column of his list of voters, opposite the name of such elector, the words "Advance Poll." The vote of such elector shall thereafter be pollable at an advance poll, and not otherwise. If, at the time of issue of such certificate, the registrar or revising officer has already delivered to the deputy returning officer the official list of voters, the registrar or revising officer shall issue such certificate in duplicate and forthwith deliver to the deputy returning officer one of such duplicates, whereupon the deputy returning officer shall make, opposite such name on the official list of voters, the like entry, which shall produce the like effect. For the purposes of the election officers at ordinary polling stations, persons who have secured certificates in form TT shall be deemed to have already voted.

Form and conditions.

When returning officer or clerk may act.

(11) In case of an election for which this Act does not require that registrars or revising officers be appointed, either at all or for any specific polling division, the duties performable by registrars and revising officers pursuant to this section shall be performed by the returning officer or by his election clerk, who may vary any prescribed form to fit the circumstances.

No list or poll book kept, but notations to be made.

(12) There shall be no list of electors nor poll book supplied to or kept at an advance poll, but the poll clerk thereat shall assist the deputy returning officer as required, preserving each certificate deposited and marking thereon such notations as, if there were a poll book, he would be required by this Act to mark opposite the voter's name in the poll book.

Voting at any advance poll in same electoral district.

(13) An elector who is by this section authorized to vote at an advance poll may vote at any advance poll within the electoral district whereof the person who has issued to such elector a certificate in form TT is a registrar or revising officer; but no deputy returning officer shall permit any person to vote at an advance poll upon any certificate in form TT issued by a registrar or revising officer of another electoral district.

Affixing of seals each day.

(14) At the close of the poll each day, the deputy returning officer and every candidate or agent present who desires so to do shall affix their respective seals to the ballot box in such a manner that the box cannot be opened nor any ballots be deposited therein without breaking such seals.

Count of ballots daily at close of poll.

(15) The deputy returning officer shall, at six o'clock in the afternoon of polling day, attend with his poll clerk at the polling station where the advance poll was held, and there, in the presence of such of the candidates and their agents as may attend, open the ballot box, count the votes and take all other proceedings provided by this Act for deputy returning officers and poll clerks in connection with the conduct of an election after the close of the poll, except that such statements and other documents as other provisions of this Act may require to be made and to be written in or attached to the poll book shall be made as so required and be annexed to the certificates in form TT in this section referred to.

Anyone who makes false statement, forges certificate, makes false declaration, attempts to vote at another poll, is guilty of an offence.

(16) Any person who corruptly,—

(*a*) for the purpose of obtaining from a registrar, revising officer or returning officer a certificate in form TT, makes to such officer any false statement; or,

(*b*) forges or fabricates any such certificate, or any name thereon, or not being the person named therein, presents any such certificate to any deputy returning officer or poll clerk at any polling station; or,

(*c*) makes before any deputy returning officer a false declaration as to the cause or necessity of his voting at an advance poll; or,

(*d*) after having obtained from a registrar, revising officer or returning officer a certificate in form TT votes or attempts to vote at any other than an advance poll; or,

(*e*) in any other manner contravenes any provision of this section;

is guilty of an offence against this Act punishable on summary conviction as by this Act provided.

Canada Temperance Act Elections.

Act to apply in elections under Canada Temperance Act.

101. This Act shall, in so far as the same can be made applicable, apply to all elections held under the provisions of the *Canada Temperance Act*, Revised Statutes of Canada, 1906, chapter one hundred and fifty-two, and the amendments thereto, in the place of and instead of the acts hereby repealed.

SCHEDULE ONE.

FORMS.

A

WRIT OF ELECTION. (Sec. 21.)

George V, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

To

of the county (*or as the case may be*),

GREETING:

Whereas, by the advice of Our Privy Council for Canada, We have ordered a Parliament to be holden at Ottawa, on the day of next (*omit this preamble, except in the case of a general election*), We command you that notice of the time and place of election being duly given, you do cause election to be made according to law of a member (*or as the case may be*) to serve in the House of Commons of Canada, for the electoral district of (*except in case of a general election, insert here* in the place of deceased, *or otherwise, stating the cause of vacancy*) and that you do cause the nomination of candidates at such election to be held on the day of next, and do cause the name (*or* names) of such member or members when so elected, whether he is (*or* they are) present or absent, to be certified to our Chief Electoral Officer, as by law directed.

Witness, Our Right Trusty and Well-beloved, etc., Governor General (*or* Administrator of the Government) of our Dominion of Canada, at our city of Ottawa, the day of in the year of our Reign and in the year of our Lord 19 .

Endorsement.

Received the within Writ on the day of 19 .

A. B.,

Sheriff of (*or as the case may be*) Returning Officer.

B

OATH OF THE RETURNING OFFICER. (Sec. 23.)

I, the undersigned, A.B., returning officer for the electoral district of , do swear (*or* solemnly affirm) that I am legally qualified according to law to act as returning officer for the said electoral district of , and that I will act faithfully in that capacity, without partiality, fear, favour or affection. So help me God.

A. B.,
Returning Officer.

Certificate of Returning Officer having taken Oath of Office.

I, the undersigned, hereby certify that on the day of the month of , 19 , A. B., the returning officer for the electoral district of , took and subscribed before me, the oath (or affirmation) of office, in such case required of a returning officer, by section 23 of the *Dominion Elections Act.*

In testimony whereof, I have delivered to him this certificate.

C. D.,
Justice of the Peace.

C

APPOINTMENT OF AN ELECTION CLERK. (Sec. 23.)

To E. F. (*set forth his legal addition and residence.*)

Know you that, in my capacity of returning officer for the electoral district of , I do hereby

appoint you to be my election clerk, to act in that capacity at the approaching election for the said electoral district , which election will be opened by me, on the day of the month of 19 .

Given under my hand this day of , in the year 19 .

A. B.,
Returning Officer.

D

OATH OF THE ELECTION CLERK. (Sec. 24.)

I, the undersigned, E. F., appointed election clerk for the electoral district of , do swear (*or* solemnly affirm) that I will act faithfully in my said capacity as election clerk, and also in that of returning officer, if required to act as such, according to law, without partiality, fear, favour or affection. So help me God.

E. F.,
Election Clerk.

Certificate of the Election Clerk having taken the Oath of Office.

I, the undersigned, hereby certify that, on the day of 19 , E. F., election clerk for the electoral district of , took and subscribed before me the oath (*or* affirmation) of office required in such case of an election clerk by section 24 of of the *Dominion Elections Act.*

In testimony whereof, I have delivered to him this certificate under my hand.

C. D.,
Justice of the Peace,
or A. B.,
Returning Officer.

E

APPOINTMENT OF A REGISTRAR. (Sec 25.)

To E. F. (*insert his legal addition and residence.*)

Know you that, in pursuance of authority given by section 25 of the *Dominion Elections Act*, the undersigned , returning officer for the electoral district of , does hereby appoint you to be registrar for the polling

division No. , of the said electoral district (or as the case may be), to compile, revise and post up within said polling division a list of persons qualified as electors within said polling division (or as the case may be) in strict compliance with the provisions of the Dominion Elections Act and to perform and have all the duties and functions imposed upon or exercisable by a registrar under that Act.

Given under my hand this day of , in the year 19 .

A. B.,
Returning Officer.

F

OATH OF REGISTRAR. (Sec. 32.)

I, the undersigned, I. J., appointed registrar for the , (*or as the case may be*) of the electoral district of , in the province of Alberta, or the Yukon Territory, (*or as the case may be*) do solemnly swear (*or, being one of the persons permitted by law to affirm in civil cases,* solemnly affirm) that I will act faithfully in my said capacity of registrar, without partiality, fear, favour, or affection, and in every respect according to law. So help me God.

I. J.

Certificate of a Registrar having taken the Oath of Office.

I, the undersigned, hereby certify that on the day of the month of , I, J., registrar for the polling division No. , (*or as the case may be*) of the electoral district of , in the province of (*or as the case may be*), took and subscribed the oath (*or* affirmation) of office, required in such case of a registrar, by section 32 of the *Dominion Elections Act.*

In testimony whereof, I have delivered to him this certificate under my hand.

C. D.,
Justice of the Peace,
or A. B.,
Returning Officer.

G

APPOINTMENT OF A DEPUTY RETURNING OFFICER. (Sec. 25.)

To G. H. (*insert his legal addition and residence*).

Know you, that I, in my capacity of returning officer for the electoral district of , hereby

appoint you to be deputy returning officer for the polling division number , of the said electoral district of , there to take the votes of the electors by ballot according to law, at the polling station to be by you opened and kept for that purpose; and you are hereby authorized and required to open and hold the poll of such election for the said polling division on the day of , at six o'clock in the forenoon, at (*here describe particularly the place in which the poll is to be held*), and there to keep the said poll open during the hours prescribed by law, and to take at the said polling place, by ballot, in the manner by law provided, the votes of the electors voting at the said polling place, and after counting the votes given and performing the other duties required of you by law, to return to me forthwith the ballot box sealed with your seal, and enclosing the ballots, envelopes, list of voters, poll book, and other documents required by law, together with this commission.

Given under my hand, at , this day of , in the year 19 .

A. B.,
Returning Officer.

H

OATH OF DEPUTY RETURNING OFFICER. (Sec. 25.)

I, the undersigned, G. H., appointed deputy returning officer for the polling division No. of the electoral district of , swear (*or* solemnly affirm), that I will act faithfully in my said capacity of deputy returning officer, without partiality, fear, favour or affection. So help me God.

G. H.,
Deputy Returning Officer.

Certificate of a Deputy Returning Officer having taken the Oath of Office.

I, the undersigned, hereby certify that on the day of the month of , G. H., deputy returning officer for the polling division No. of the electoral district of , took and subscribed the oath (*or* affirmation) of office, required in such case of a deputy returning officer, by section 25 of the *Dominion Elections Act.*

In testimony whereof, I have delivered to him this certificate under my hand.

C. D.,
Justice of the Peace,
or A. B.,
Returning Officer.

I

APPOINTMENT OF A POLL CLERK. (Sec. 26.)

To I. J., (*insert his legal addition and residence*).

Know you, that in my capacity of deputy returning officer for the polling division No. , of the electoral district of , I hereby appoint you to be poll clerk for the said polling division.

Given under my hand, at , this day of , in the year 19 .

G. H.,
Deputy Returning Officer.

J

OATH OF POLL CLERK. (Sec. 26.)

I, the undersigned, I. J., appointed poll clerk for the polling division No. , of the electoral district of swear (*or* solemnly affirm) that I will act faithfully in my capacity of poll clerk, and also in that of deputy returning officer, if required to act as such, according to law, without partiality, fear, favour or affection, and that I will keep secret the names of the candidates for whom any of the voters at the polling station in the polling division No. marks his ballot paper in my presence at this election. So help me God.

I. J.,
Poll Clerk.

Certificate of the Poll Clerk having taken the Oath.

I, the undersigned, hereby certify that on the day of the month of , I. J., poll clerk, for the polling division No. , of the electoral district of , took and subscribed before me the oath (*or* affirmation) of office required of a poll clerk in such cases by section 26 of the *Dominion Elections Act*.

In testimony whereof, I have delivered to him the certificate under my hand.

C. D.,
Justice of the Peace,
or A. B., Returning Officer,
or G. H., Deputy Returning Officer.

K

LIST OF VOTERS. (Sec. 32.)

Electoral District of
Polling Division No.

No.	Name.	Occupation or Addition.	Residence.	Remarks. This column is for the use of the Poll Clerk on Polling Day.
1	Allen, John.....	Labourer.....	16 Elgin St.....	
2	Baker, Miss Mary...	(W) Clerk.....	12 Luke St.....	
3	Carter, Miss Jane....	(W) Spinster.....	Pine Road.....	
4	Dow, Mrs. Ann.....	(W) Married Woman...	Back Lots.....	
5	Dow, Mrs. Jane.....	(W) Widow of Peter.....	"	
6	Dow, John.....	Farmer.....	"	
7	Egan, William.....	Grocer.....	136 Sparks St.....	

I certify that the foregoing is a true copy of the voters' list in polling division No. (*or as the case may be*) of the electoral district of , as prepared by me for use in the election of a member (*or* members, *as the case may be*) of the House of Commons for the said electoral district, now pending.

I. J.,
Registrar.

(*Here the registrar shall make any addition to the list which he finds necessary.*)

I certify that the foregoing is a correct list of the voters in Polling Division No. (*or as the case may be*) of the electoral district of , as revised (*or, if no correction is made,* as finally approved) by me this day of 19 .

I. J.,
Registrar.

(*Add for posting a copy of subsection (1) of section 6 of this Act.*)

FORM K1.

Registration of Voters.

Electoral District of.....

Public notice is hereby given:—

(1) That the undersigned has been appointed registrar to prepare the list of voters for every polling division in the above-mentioned electoral district that is wholly or partly contained within the city (town or incorporated village) of.....

(2) That registration sittings shall be held from the .....day of.....19.. until the.....day of.....19 .., both inclusive, between the hours of nine o'clock in the forenoon and nine o'clock in the afternoon, with intermission from one o'clock to two o'clock and from six o'clock to seven o'clock.

(3) That all persons desiring and requiring to be registered as voters must apply personally at the place hereinafter stated, to wit:.....

(Signed).....

Registrar for the city (town or incorporated village) of.....

FORM K2.

Interrogatories to be administered orally, under oath or affirmation, to applicants in person for registration as voters.

You do swear (or affirm) to make true and full answer to such questions as I shall now address to you. (So help you God.)

1. What is your surname?
2. What is your full Christian name or names?
3. Where is your ordinary place of residence and what is your post office address?
4. What is your occupation?
5. Do you now reside in polling division No..... (*or as the case may be*) of the electoral district of .....for which you now apply to be registered?
6. Are you of the full age of twenty-one years?
7. Are you a British subject?
8. Are you such by birth or by naturalization? State which.
9. If by naturalization when and how were you naturalized?
10. Have you a certificate from a judge entitling you to be registered as a voter?

11. Have you ordinarily resided in Canada for twelve months or more immediately preceding the..... day of.....last? (Here mention the date of the writ of election.)
12. Have you resided in this electoral district of..... for two months or more immediately preceding the date just mentioned?
13. Are you in any respect disqualified to vote at the pending election for this electoral district?
14. Are you now registered as a voter in any other polling division in this electoral district?

Sworn before me this.....day of..... A.D....., at.....

(Signature).....
Registrar.

FORM K3.

Certificate of Refusal to Register.

This is to certify that
.....(name
.....(address)..
.....(occupation).
on this.....day of.....19...
applied to me for registration as a voter in polling division No.....*(or as the case may be)* in the electoral district of.....and that I refused his application for the reason that, etc.

A.B.
Registrar for the city (or town or incorporated village) of.....

FORM K4.

Interrogatories to be administered orally, under oath or affirmation, to person appearing before Registrar and applying for registration of another person as a voter.

You do swear (or affirm) to make true and full answer to such questions as I shall now address to you. (So help you God.)

1. What is the surname of the person for whom you apply that he be registered?

2. What is his full Christian name or names?
3. Where is his ordinary place of residence and what is his post office address?
4. What is his occupation?
5. Does he now reside in polling division No..... *(or as the case may be)* of the electoral district of .....for which he now, through you, applies to be registered?
6. What is your Christian name, surname, ordinary place of residence and post office address?
7. Are you related to the applicant and if you are what is the relationship or is he in your employ?
8. How long and how well have you known him?
9. Is he of the full age of twenty-one years?
10. Is he a British subject?
11. Is he such by birth or by naturalization? State which and if by naturalization state when and how was he naturalized.
12. Has he a certificate from a judge entitling him to be registered as a voter?
13. Has he ordinarily resided in Canada for twelve months or more immediately preceding the..... day of.....last? (Here mention the date of the writ of election.)
14. Has he resided in this electoral district of..... for two months or more immediately preceding the date just mentioned?
15. Is he in any respect disqualified to vote at the pending election for this electoral district?
16. Is he now registered as a voter in any other polling division in this electoral district?
17. What is the reason why the applicant does not attend before me in person? Is he disabled or absent? If disabled what is his disability? If absent do you know where he is and that he was and will be unable to attend here before me?

FORM K5.

Affidavit of Registrar.

Canada:
Province of.....
To wit:—

I,.....of the.. .....of.....in the province..... of..... .....(occupation) make oath and say:—

(1) That I am registrar under the *Dominion Elections Act* for the city (or town) of.....
in the electoral district of.....

(2) That as such registrar I have set down in the list of electors appended hereto for (*state the polling division*) according to the best of my knowledge, information and belief, the name of every person entitled to be entered thereon.

(3) That I have not entered upon the said list the name of any person which I have any reason to know or believe ought not to be entered thereon.

(4) That I have not intentionally omitted from the said list the name of any person which I have any reason to know or believe ought to be entered thereon.

L

PROCLAMATION OF THE RETURNING OFFICER DECLARING THE TIME AND PLACE FIXED FOR THE NOMINATION OF CANDIDATES, AND THE DAY FOR OPENING THE POLL. (Secs. 36 and 37.)

Proclamation.

Electoral district of to wit:

Public notice is hereby given to the electors of the electoral district aforesaid, that, in obedience to His Majesty's writ to me directed, and bearing date the day of , 19 , I require the presence of the said electors at
(*describe the place where the nomination is to take place*), in the county (*or* township, *or* in the city *or* town) of on the day of the month of , in the year 19 , from noon until two of the clock in the afternoon, for the purpose of nominating a person (*or* persons, *as the case may be*), to represent them in the House of Commons of Canada; and that, in case a poll is demanded and allowed in the manner by law prescribed, such poll will be opened on the day of the month of in the year, from the hour of six in the forenoon till the hour of six in the afternoon at places of which in that case I shall subsequently give public notice.

And further, that in that case I shall on the day of , in the year 19 , at open the ballot boxes, add up the votes given for the several candidates and return as elected the candidate (*as the case may be*) having the majority of votes.

Of which all persons are hereby required to take notice, and to govern themselves accordingly.

Given under my hand at , this day of in the year 19 .

A. B.,
Returning Officer.

(*Add for posting a copy of subsection (1) of section 6 of this Act*).

M

NOMINATION PAPER, ETC. (Sec. 40.)

We, the undersigned electors of the electoral district of, , hereby nominate (*names, residence, and additions or description of person or persons nominated*) as a candidate at the election now about to be held of a member (*or* two members, *as the case may be*) to represent the said electoral district in the House of Commons of Canada.

Witness our hands at in the said electoral district, this day of 19 .

Signed by the said electors, in the presence of of (*additions*). } (*Signatures, with residence and additions.*)

I, the said , nominated in the foregoing nomination paper, hereby consent to such nomination, and name as my address for the serving of process and papers under this Act and under the *Dominion Controverted Election Act* (*here insert address*).

Witness my hand at , this day of 19 .

Signed by the said nominee, in the presence of of (*additions*). } J. K.

N

OATH OF ATTESTATION OF THE NOMINATION PAPER, (Sec. 40 subsec. (8).

I, N. O., of (*addition*) swear (*or* solemnly affirm) that I know (*mentioning the names of the signers known to him*), and that they are duly

qualified as electors of the electoral district of , to vote at an election of a member (*or* members, *as the case may be*) to serve in the House of Commons of Canada, and that they respectively signed the foregoing (*or* within) nomination paper in my presence; and further (*if the case be so*), that I know the said thereby nominated as a candidate, and that he signed his consent to the nomination in my presence.

Sworn (*or* affirmed) before me, at this day of 19 .

C. D.,
Justice of the Peace.

N. O.

NOTE.—(*This Form may be varied according to circumstances, the intention of the Act being complied with; and the assent of the candidate may be sworn to by a separate elector if the facts require it.*)

O

RETURN WHERE THERE ARE NO MORE CANDIDATES THAN MEMBERS TO BE ELECTED. (Sec. 41.)

I hereby certify that the member (*or* members) elected for the electoral district of , in pursuance of the within written writ, is (*or* are) J. K., of in , and L.M., of (*as in nomination paper*), no other candidate having been nominated (*or* the other *or* all other candidates having withdrawn, *as the case may be*).

Dated at , this day of , 19 .

A. B.,
Returning Officer.

P

NOTICE OF GRANT OF A POLL. (Sec. 44, subsec. (2).)

Electoral district of

To wit:

Public notice is hereby given to the electors of the electoral district aforesaid, that a poll has been granted

for the election now pending for the said district, and that such poll will be open on , the day of , 19 , from the hour of six in the forenoon till the hour of six in the afternoon, in each of the following divisions, that is to say:—

For the polling division No. 1 (*or other designation*) consisting of (*or* bounded as follows, *or as the case may be*) at (*describe the polling station; and so continue for all the other polling divisions and polling stations in the electoral district*).

Further, that the persons duly nominated, and for whom only votes will be received, are:—

1.
2. } (*Insert the names and additions of each candidate as given in the nomination paper.*)
3.

Of which all persons are hereby required to take notice and govern themselves accordingly.

Given under my hand at , this day of , 19 .

A. B.,
Returning Officer.

(*Add for posting a copy of subsec. (1) of sec. 6 of this Act.*)

Q

DIRECTIONS TO VOTERS. (Sec. 45.)

Each voter may vote only at one polling station and for only one candidate, unless two members are to be returned for the electoral district, in which case he may vote for one or for two candidates as he thinks fit.

The voter will go into one of the compartments, and, with a black lead pencil there provided, place a cross within the white space containing the name of the candidate for whom he votes, thus X.

The voter shall then fold the ballot paper so that the initials and stamp on the back and the number on the counterfoil can be seen and the counterfoil detached without opening the paper; he shall then return the ballot paper so folded, to the deputy returning officer, who shall, in full view of those present, including the voter, remove the counterfoil, destroy the same, and place the ballot paper in the ballot box. The voter shall then forthwith quit the polling station.

If a voter inadvertently spoils a ballot paper he may return it to the deputy returning officer, who, on being satisfied of the fact, will give him another.

If a voter votes for more candidates than he is entitled to vote for, or places any mark on the ballot paper by which

he can afterwards be identified, his vote will be void, and will not be counted.

If the voter fraudulently takes a ballot paper out of the polling station or fraudulently delivers to the deputy returning officer to be put into the ballot box any other paper than the ballot paper given him by the deputy returning officer, he will be disqualified from voting at any election for five years thereafter and be liable to a fine of five hundred dollars and to a forfeiture of one hundred dollars and to imprisonment for a term not exceeding one year with or without hard labour.

In the following form of ballot paper, given for illustration, the candidates are William R. Brown, Frank Hamon, Joseph O'Neil and John R. Smith, and the voter has marked his ballot paper in favour of John R. Smith.

1 **WM. R. BROWN**
of the city of Ottawa, Barrister.

2 **FRANK HAMON**
of the city of Ottawa, Artist.

3 **JOSEPH O'NEIL**
of the city of Ottawa, Gentleman.

4 **JOHN R. SMITH** X
of the city of Ottawa, Merchant.

(Add for posting a copy of subsec. (1) of sec. 6 of this Act.)

R

COMMISSION OF A POLL CLERK ACTING AS DEPUTY RETURNING OFFICER. (Sec. 48.)

To of

(*insert his residence and legal addition.*)

Know you, that in my capacity of acting deputy returning officer for the polling division No. of the electoral district of , in consequence of the decease (*or* incapacity to act, *or as the case may be*) of the deputy returning officer for the said polling division whose poll clerk I was, I hereby appoint you to be poll clerk for the said polling division No. , of the said electoral district.

Given under my hand at , this day of , in the year 19 .

I. J.,

Poll Clerk, acting as Deputy Returning Officer.

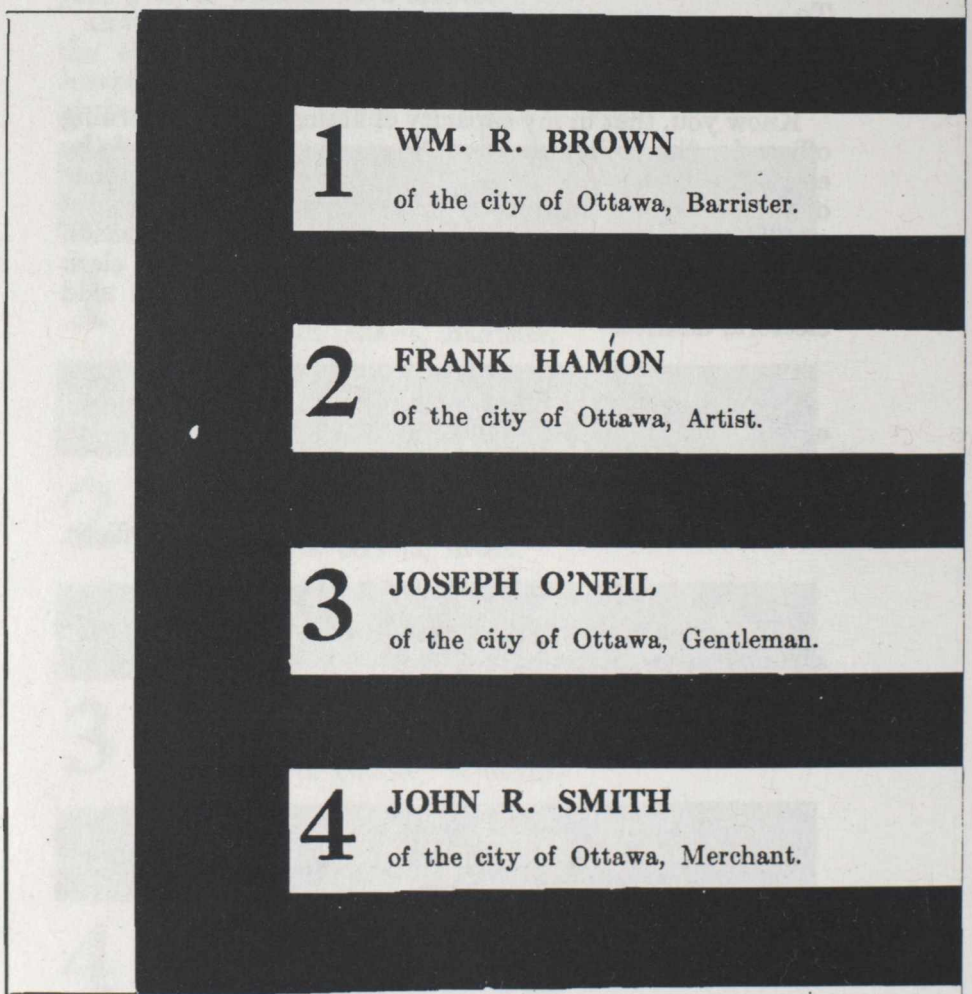
(*The oath and certificate of its having been taken will be the same as in the case of a poll clerk appointed by the deputy returning officer.*)

S

FORM OF BALLOT PAPER. (Sec. 50.)

Front.

The black line above the first name shall extend to the upper edge, and the black line below the last name shall extend to the lower edge of the ballot paper, and all black lines be prolonged to the edge of the paper.



S—*Continued.*

FORM OF BALLOT PAPER.

Back.

No. 325

(*Line of Perforations here.*)

No. 325

P. B. No.....

(*Line of Perforations here.*)

D.-R.-O.
INITIALS

R. O.
STAMP

ELECTORAL DISTRICT OF
OTTAWA CITY,
November 24, 1900.

JAMES BROWN, Printer,
Ottawa.

T

OATH OF AGENT OF A CANDIDATE, OR ELECTOR REPRESENTING CANDIDATE. (Sec. 52.)

I, the undersigned, P. Q., agent for (or elector representing) J. K., one of the candidates at the election now pending for the electoral district of , do swear (or solemnly affirm) that I will keep secret the names of the candidates for whom any of the voters at the polling station in the polling division No. marks his ballot paper in my presence at this election. So help me God.

P. Q.

Sworn (*or* affirmed) before me, at , this day of 19 .

A. B.,
Returning Officer,
or C. D.,
Justice of the Peace.

U

OATH BY DEPUTY RETURNING OFFICER, POLL CLERK OR AGENT WISHING TO VOTE. (Sec. 53.)

I, G. H., of , etc., deputy returning officer (*or* poll clerk, *or* agent) for J. K., one of the candidates at the election for the House of Commons for the electoral district of (*or as the case may be*) do swear (*or* solemnly affirm) that I am actually entitled to vote for a member of the said House of Commons for this electoral district at the present election;

That I have not voted before at this election, either at this or any other polling place;

That I have not received anything, nor has anything been promised me, directly or indirectly, either to induce me to vote at this election, or for loss of time, travelling expenses, hire of team or for any other service connected therewith;

That I have not directly or indirectly paid or promised anything to any person either to induce him to vote or to refrain from voting at this election. So help me God.

H. H.

Sworn (*or* affirmed) before me, at , this day of , A.D., 19 .

A. B.,
Returning Officer.
or C. D.,
Justice of the Peace.

V

FORM OF POLL BOOK. (Sec. 56.)

Number of the Voters.	Names of the Voters.	Addition or occupation.	Place of residence.	Qualification of voters.	Objections.	Sworn or affirmed.	Voter refusing to be sworn, or to affirm, or to answer.	Voter voting after another has voted in his name.	Remarks.

Y

OATH AS TO BRIBERY. (Sec. 58.)

You swear that you have not received any money or other reward, nor have you accepted any promise made to you, directly or indirectly, to induce you to vote at this election, and that you have not before voted at this election in this electoral district, either at this or any other polling station. So help you God.

Z

OATH THAT VOTER IS NOT DISQUALIFIED UNDER THE DOMINION ELECTIONS ACT. (Sec. 58.)

You swear that you have not been disfranchised under the provisions of the Disfranchising Act, or for corrupt practices under the Dominion Elections Act, or have not otherwise become and are not disfranchised or disqualified from voting at Dominion elections.

That you have not voted before at this election, either at this or at any other polling station;

That you have not received anything, that you do not expect anything, nor has anything been promised you directly or indirectly, to induce you to vote at this election, either for loss of time, travelling expenses, hire of team, or for any other service connected therewith;

That you have not, directly or indirectly, paid or promised anything to any person either to induce him to vote or to refrain from voting at this election;

That you are not otherwise disqualified from voting at this election. So help you God.

FORM Z No. 1.

Oath to be taken by Electors.

You do swear that you are a British subject within the intendment of Section 29 of the Dominion Elections Act, that you are not an Indian ordinarily resident on an Indian reservation, that you are of the full age of twenty-one years, that you ordinarily resided in Canada for at least twelve months, and in this electoral district of..... (as the case may be) for at least two months, immediately preceding the issue of the Writ for this election, that you are now resident in this polling division, and that you are not disqualified in respect of race, by the laws of this province of.....from voting for a member of the Legislative Assembly of such province. So help you God.

OATHS OF IDENTITY BY VOTER RECEIVING A BALLOT PAPER AFTER ANOTHER HAS VOTED IN HIS NAME.
(Sec. 62, subsec. (5).)

AA

You swear that you are (*name as on list of voters*), of (*residence as on list of voters*), whose name is entered on the list of voters now shown you. So help you God.

BB

You swear that you are legally qualified to vote at this election, that your name is (*name as given by person who has already voted*) that you reside at (*residence as so given*) and that your occupation is that of a (*occupation as so given*). So help you God.

CC

OATH OF VOTER UNABLE TO MARK HIS BALLOT PAPER. (Sec. 62, subsec. (7).)

You swear that you are incapacitated by inability to read or by blindness or other physical cause (*as the case may be*) from voting without assistance. So help you God.

DD

INFORMATION FOR PERSONATION. (Sec. 64, subsec. (3).)

Canada
Province of
County of

The information of P. Q., of taken this day of , in the year , before the undersigned, a deputy returning officer at a polling station in the , of for an election being held for the electoral district of of a member of the House of Commons.

The said informant says that he believes that T. U. (*or* that a person whose name is to the informant unknown but who is now detained in the said polling station under my order (*or as the case may be*), on this day at the said polling place did commit the offence of personation by (*describing the offence*).

Taken and sworn before me at the said polling station, the day and year above mentioned.

G. H.,
Deputy Returning Officer.

EE

INFORMATION FOR VOTING WITH KNOWLEDGE OF DISQUALIFICATION, NON-QUALIFICATION, OR INCOMPETENCY. (Sec. 30.)

Canada
Province of
County of

The information of P.Q. of taken this day of in the year before the undersigned, a deputy returning officer at a polling station in the of for an election being held for the electoral district of

of a member of the House of Commons.

The said informant says that he believes that T. U., who is now detained in the said polling station under my order (*or as the case may be*) on this day at the said polling place did commit the offence of voting at said election then knowing that he was disqualified (or non-qualified or incompetent, *as the case may be*) to vote at such election.

Taken and sworn before me at the said polling station, the day and year above mentioned.

G. H.,
Deputy Returning Officer.

FF

WARRANT FOR ARREST OF A PERSON CHARGED WITH PERSONATION. (Sec. 64, subsec. (5).)

Canada
Province of
County of

To all or any of the constables and other peace officers in the county of

Whereas, before the undersigned, a deputy returning officer at a polling station in the of for an election being held for the electoral district of of a member of the House of Commons, T. U., of , has this day been charged upon oath with having committed the offence of personation on this day and at the said polling place by (*describing the offence*).

These are therefore to command you in His Majesty's name forthwith to apprehend the said T. U., and to bring him before to answer unto the said charge, and to be further dealt with according to law.

Given under my hand and seal, under the *Dominion Elections Act*, this day of , in the year 19 .

G. H.,
Deputy Returning Officer.

GG

WARRANT FOR ARREST OF A PERSON CHARGED WITH VOTING WITH KNOWLEDGE OF DISQUALIFICATION, NON-QUALIFICATION, OR INCOMPETENCY. (Sec. 64, ss. (5).)

Canada
Province of
County of

To all or any of the constables and other peace officers in the county of

Whereas, before the undersigned, a deputy returning officer at a polling station in the of for an election being held for the electoral district of of a member of the House of Commons, T. U., of has this day been charged upon oath with having committed on this day and at the said polling place the offence of having then and there voted at such election knowing that he was disqualified (or non-qualified or incompetent, as the case may be) to so vote.

These are therefore to command you in His Majesty's name forthwith to apprehend the said T. U., and to bring him before to answer unto the said charge, and to be further dealt with according to law.

Given under my hand and seal, under the Dominion Elections Act, this day of in the year 19

G. H.,
Deputy Returning Officer.

HH

OATH OF THE DEPUTY RETURNING OFFICER AFTER THE CLOSING OF THE POLL. (Sec. 66, subsec. (5).)

I, the undersigned, deputy returning officer for the polling division No. , of the electoral district of , do swear (*or* solemnly affirm) that, to the best of my knowledge and belief, the poll book kept for the said polling division, under my direction, has been so kept correctly; that the total number of votes polled in the said poll book is and that it contains a true and exact record of the votes given at the polling station in the said polling division, as the said votes were taken thereat; that I have faithfully counted the votes given for each candidate, in the manner by law provided, and performed all duties required of me by law, and that the report, poll book, packets of ballot papers and other documents required by law to be returned by me to the returning officer, have been faithfully and truly prepared and placed within the ballot box, as this oath (*or* affirmation) will be, to the end that the said ballot box, being first carefully sealed with my seal, may be transmitted to the returning officer according to law.

G. H.,
Deputy Returning Officer.

Sworn before me at , in the county of , this day of , 19 .

C. D.,
Justice of the Peace.
or A. B.,
Returning Officer.
or I. J.,
Poll Clerk.

JJ

OATH OF THE POLL CLERK AFTER THE CLOSING OF THE POLL. (Sec. 66, subsec. (5).)

I, the undersigned, poll clerk for the polling division No. , of the electoral district of , do swear (*or* do solemnly affirm) that the poll book in and for the said (*as the case may be*), under the direction of G. H., who has acted as deputy returning officer therein, has been so kept by me, under his direction as aforesaid, correctly, and to the best of my skill and judgment; that the total number of votes polled in the said poll book is , and that to the best of my knowledge and belief it contains a true and exact record of the votes given at the polling station in the said polling division (*as the case may be*) as the said votes were taken at the said poll by the said deputy returning officer.

I. J.,
Poll Clerk.

Sworn (*or* affirmed) and subscribed before me, at this day of , in the year 19 .

C. D.,
Justice of the Peace,
or A. B.,
Returning Officer,
or G. H.,
Deputy Returning Officer.

KK

STATEMENT OF THE POLL AFTER COUNTING THE BALLOTS.
(Sec. 66, subsec. (6).)

Polling Division No.
Electoral District of

Number of Ballot Papers received from the Returning Officer			
Number of Ballot Papers cast for			
"	"		
"	"		
"	"		
"	"		
"	"		
"	spoiled		
"	rejected		
"	polled in envelopes		
"	not used and returned		
	Totals		

I hereby certify that the above statement is correct.

Dated 19 } G. H.,
Deputy Returning Officer.

LL

CERTIFICATE TO BE DELIVERED TO CANDIDATES, ETC.
(Sec. 66, subsec. (6).)

I, the undersigned, deputy returning officer for polling division No. , in the electoral district of , in the province of , do hereby certify that, at the election held this day, for a member to serve in the House of Commons, the hereinafter mentioned candidates received the number of ballot papers set opposite their respective names, viz.:—

Names of Candidates.	Number of Ballot Papers.
.....	.....
.....	.....
.....	.....
.....	.....

and also that ballot papers were polled in envelopes and were rejected.

Dated at
this day of 19 .

G. H.,
Deputy Returning Officer.

MM

OATH OF MESSENGER SENT TO COLLECT THE BALLOT BOXES. (Sec. 66, subsec. (7).)

I, R. S., of , messenger appointed by A. B., returning officer for the electoral district of , in the province of , do swear (*or* solemnly affirm)) that the several boxes, to the number of , now delivered by me to the said returning officer have been handed to me by the several deputy returning officers at the present election for the said electoral district (*or* by—*here insert the names of the deputy returning officers who have delivered the said boxes*); that they have not been opened by me, or any other person; and that they are in the same state as they were in when they came into my possession. (*If any change has taken*

place, the deponent shall vary his deposition by fully stating the circumstances).

R. S.,

Sworn (*or* affirmed) and subscribed before me, at this day of , in the year 19 .

C. D.,
Justice of the Peace.
or A. B.,
Returning Officer.
or G. H.,
Deputy Returning Officer.

NN

RETURN AFTER A POLL HAS BEEN TAKEN. (Sec. 72.)

I hereby certify that the member (*or* members) elected for the electoral district of , in pursuance of the within written writ, as having received the majority of votes lawfully given, is (*or* are A. B., etc. *names, etc., in the nomination papers*).

Dated at , this day of , 19 .

A. B.,
Returning Officer.

OO

FORM OF RETURN OF ELECTION EXPENSES. (Sec. 79, subsec. (1).)

I, A. B., being official agent for C. D., a candidate at the election for the electoral district of in the Province of , held on the day of 191 , make the following return respecting election expenses of the said candidate at the said election:—

Receipts.

Received of the above named candidate.....$
Received of J. K.....$

(Here set out the name and description of every person, club, society, or association, whether the candidate or not, from whom any money, securities or equivalent of money was received in respect of expenses incurred on account of or in connection with or incidental to the above election, and the amount received from each person, club, society, or association separately. Show in each case the character of the amount received, that is whether as contribution, loan, advance, deposit or otherwise.)

Expenditure.

Personal Expenses of said C. D., paid by himself as candidate.....$

Personal Expenses of said C. D., paid by me as Official Agent.....$

Paid to the following persons in respect of goods supplied or work done:—

To P. Q. (Printing).....$
To M. N. (Advertising).....$
To R. S. (Stationery).....$

(The name and description of each person and the nature of the goods supplied or the work and labour done by each must be set out separately either in the account or in a separate list annexed to and referred to in the account.)

Paid for Postage.....$

Paid for Telegrams.....$

Paid for the hire of Rooms as follows:—

For holding public meetings.....$
For Committee rooms.....$

(A room hired for a public meeting or for a committee room must be named or described so as to identify it, and the name and description of every person to whom any payment was made for each such room, together with the amount paid, must be set out separately either in the account or in a separate list annexed to and referred to in the account.)

Paid for Miscellaneous matters, namely:— $

(The name and description of each person to whom any sum is paid, and the reason for which it was paid to him, must be set out separately either in the account or in a separate list annexed to and referred to in the account.)

In addition to the above , I am aware, as official agent for said C. D., of the following disputed and unpaid claims, namely:—

Disputed claims—

By T. U. for.....$

(Here set out the name and description of each person whose claim is disputed, the amount of the claim, and the goods, work, or other matter on the ground of which the claim is based.)

Unpaid claims, allowed by a judge to be paid after the proper time or in respect of which application has been or is about to be made to a judge.

By M. O. for.....$

(Here state the name and description of each person to whom any such claim is due, and the amount of the claim, and the goods, work, and labour or other matter on account of which the claim is due.)

Promised but not received.

In addition to the items shown under the preceding heading of "Receipts" the following named have promised to pay to me for the purpose of expenses incurred or to be incurred on account of or in respect of the conduct or management of said election the following amounts:—

T. S.....$

(Here set out the name, description and other particulars precisely as required in the case of money, securities or equivalent of money actually received.)

A. B.

PP

DECLARATION AS TO EXPENSES. (Sec. 79, subsec. (2).)

Form for Official Agent.

I, , being official agent to , candidate at the election for the electoral district of in the Province of , held on the day of 19 , do hereby solemnly declare that I have examined the return of election expenses about to be transmitted by me to the returning officer at the said election and now shewn to me and marked , and to the best of my knowledge and belief that return is correct.

And I hereby further solemnly declare that, except as appears from that return, I have not and to the best of my knowledge and belief no other person, nor any club, society, or association has on behalf of the said candidate made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election;

And I further solemnly declare that I have received from the said candidate and no more (*or* nothing) for the purpose of said election, and that, except as specified in the said return sent by me, no money, security, or equivalent for money has been paid, advanced given, or deposited by any one to me or in my hands, or to the best of my knowledge and belief, to or in the hands of any other person for the purpose of defraying any expenses incurred on behalf of the said candidate on account of, or in respect of the conduct or management of the said election.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, by virtue of the *Canada Evidence Act.*

(*Signature of Declarant*) C. D.

Signed and declared by the above named declarant at in the Province of on the day of 19 , before me.

A. B.,

Notary Public (*or* Justice of the Peace.)

QQ

DECLARATION AS TO EXPENSES. (Sec. 79, subsec. (3).)

Ordinary Form for Candidate.

I, having been a candidate at the election for the electoral district of in the province of held on the day of 19 , do hereby solemnly declare that I have examined the return of election expenses (about to be) transmitted by my official agent to the returning officer at the said election, a copy of which is now shown to me and marked , and to the best of my knowledge and belief that return is correct;

And I further solemnly declare that, except as appears from that return, I have not, and to the best of my knowledge and belief no person, nor any club, society, or association, has, on my behalf, made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election;

And I further solemnly declare that I have paid to my said official agent the sum of and no more for the purpose of the said election, and that, except as specified in the said return, no money, security, or equivalent for money has to my knowledge or belief been paid, advanced, given or deposited by any one to or in the hands of my official agent or any other person for the purpose of defraying any expenses incurred on my behalf on account of or in respect of the conduct or management of the said election;

And I further solemnly declare that I will not, except so far as I may be permitted by law, at any future time make or be party to the making or giving of any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent for money for the purpose of defraying any such expenses.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, by virtue of the *Canada Evidence Act.*

(*Signature of Declarant*) C. D.

Signed and declared by the above named declarant at , in the Province of on the day of 19 , before me.

E. F.,

Notary Public (*or* Justice of the Peace.)

RR

DECLARATION AS TO EXPENSES. (Sec. 79, subsec. (3).)

Form for Candidate where declared a Candidate, or nominated in his absence and taking no part in the Election.

I , having been nominated (*or* having been declared by others) in my absence (to be) a candidate at the election for the electoral district of in the Province of , held on the day of 19 , do hereby solemnly declare that I have taken no part whatever in the said election.

And I further solemnly declare that (*or* with the exception of) I have not, and no person, club, society, or association at my expense has made any payment, or given, promised, or offered, any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election.

And I further solemnly declare that (*or* with the exception of) I have not paid any money or given any security or equivalent for money to the person acting as my official agent at the said election, or to any

other person, club, society, or association on account of or in respect of the conduct or management of the said election, and that (*or* with the exception of) I am entirely ignorant of any money, security, or equivalent for money having been paid, advanced, given, or deposited by any one for the purpose of defraying any expenses incurred on account of or in respect of the conduct or management of the said election.

And I further solemnly declare that I will not, except so far as I may be permitted by law, at any future time, make or be party to the making or giving of any payment, reward office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent of money for the purpose of defraying any such expenses.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, by virtue of the *Canada Evidence Act.*

(*Signature of Declarant*) C. D.

Signed and declared by the above named declarant at , in the Province of on the day of 19 , before me.

Notary Public (*or* Justice of the Peace.)

SS

Notice of Holding of Advance Poll for Railway Employees and Others. (Sec. 100, subsec. (8).)

DOMINION ELECTION.

Take notice that, pursuant to the provisions of Section 99 of the *Dominion Elections Act,* an advance poll will be open between the hours of seven and nine o'clock, in the afternoon of the three days, exclusive of Sunday, immediately preceding the day fixed for polling at the pending Dominion election, at (*here particularly specify the place where the polling station will be located*) in the (city, town *or as the case may be*) whereat electors of this electoral

district of whose employment or calling will necessarily cause their absence from their ordinary places of residence on polling day, and who comply with the provisions of said section of said Act may vote in advance of polling day.

Published this day of 19 .

Returning Officer for said Electoral District.

Add for posting a copy of subsection (1) of Section 6 of this Act.

TT

CERTIFICATE OF A REGISTRAR TO AN ELECTOR ENTITLED TO VOTE AT AN ADVANCE POLL. (Sec. 100, subsecs. (9), (10), (13), (16) and (17).)

I, the undersigned, registrar (or revising officer) of polling division No. of the Electoral District of , in the Province of , hereby certify to all deputy returning officers of advance polls held pursuant to Section 99 of the *Dominion Elections Act*, as follows:—

1. That (*name of elector*)
(*his ordinary place of residence*)
(*his employment or calling*)
is an elector whose name appears on the official list of voters of the said polling division compiled or revised by me for the purposes of the pending Dominion Election.

2. That said elector on this day of , 19 , having personally attended before me and requested of me a certificate enabling him to vote at such election in advance of polling day, I, being satisfied that he is a person who is, pursuant to said Section 99 of the *Dominion Elections Act* thereto entitled, required him to sign his name hereunder, which, being by him first done, I have signed and issued this certificate.

.....
Registrar or Revising Officer for said Polling Division.

.....

Elector will sign his name above this line before the registrar or receiving officer.

Statement of Identification.

The undersigned is the elector mentioned in the preceding certificate.

.....

Elector will sign his name above this line before the *deputy returning officer.*

UU

DECLARATION OF NECESSITY FOR VOTING AT AN ADVANCE POLL. (Sec. 100, subsec. (9).)

NOTE.—*This declaration must be taken by every person who votes at an advance poll.* It is not made under oath.

I declare that my employment or calling is such as to necessitate from time to time my absence from my ordinary place of residence and that I have reason to believe that because of necessary absence from my ordinary place of residence in the pursuit of my employment or calling I will be unable to vote at the pending Dominion Election on polling day. I am aware that after voting or attempting to vote at an advance poll I have no right to vote or to attempt to vote at any other polling station at the pending Dominion election.

SCHEDULE TWO.

FEES OF RETURNING OFFICERS AND OTHERS.

In the case of a contested election.

1. For returning officer's personal services and for his office rent and office furnishings, per polling division (not to exceed $600, and with a minimum allowance of $100)	$ 4 00
2. For services of election clerk, stenographer, extra clerks and all other clerical assistance to the returning officer, collectively, per poll	0 50
3. For constable at nomination and on any other necessary occasion, per diem	3 00
4. For printing proclamations, notices of nomination, ballot papers and for any other printing required, actual value, as determined by the King's Printer.	
5. For travel of returning officer, election clerk or messengers appointing and swearing registrars, appointing and swearing deputies, furnishing ballot papers and ballot boxes, collecting ballot boxes after the close of the poll, and of the returning officer and election clerk going to and returning from nomination, and for any other necessary travel, per mile, by rail, not exceeding	0 08
and by any other conveyance by land in the Provinces of Ontario, Quebec, New Brunswick, Nova Scotia, and Prince Edward Island, per mile, not exceeding	0 15
and in the Provinces of Manitoba, Alberta and Saskatchewan, per mile, not exceeding	0 20
and in the Province of British Columbia and the Yukon Territory, per mile, not exceeding	0 25
This allowance to cover services, transportation and expenses. Travel by any other means of conveyance shall be paid for in accordance with the actual expenses reasonably incurred.	
6. For each deputy returning officer for taking the poll, including the swearing of the poll clerk before and after the poll, (and including expense of travel to poll and return when deputy resides within five miles of the polling station)	7 00
7. For service of each poll clerk (including expense of travel to poll and return when poll clerk resides within five miles of the polling station.)	4 00
8. For mileage of deputy returning officer or poll clerk to and from the polling station, and, when so instructed, delivering ballot box to messenger appointed by returning officer (the mileage allowance to poll and return to be paid only in the event of competent persons not being available within five miles of the polling station)	0 15
9. For necessary services of one interpreter to deputy returning officer, or on any other necessary occasion	2 50
10. For the supply of stationery, postage, telegrams, and all other incidental expenses of the returning officer not otherwise provided for, the actual expenses reasonably incurred.	
11. For each deputy returning officer for taking the poll at an Advance Poll, attendance at the poll, and all services before, at and after the poll, in full for the whole	12 00
12. For each poll clerk's services at an Advance Poll, in full	8 00
13. For actual expenses incurred for the use of polling stations, not exceeding ten dollars in cities of ten thousand or over, and five dollars in other places. This fee to cover fuel, light, furniture and screen.	

4. For attendance at recount—

(*a*) Returning Officer, per day..... 7 00

(*b*) Election clerk, per day..... 4 00

To cover the expenses in electoral districts wholly within the confines of an incorporated city of the services specified in item 3 of this schedule as well as for locating polling divisions and polling stations, securing officials, visiting polls on polling day and other travel, an allowance of one dollar per poll for the whole.

16. For and to rural registrars—

(*a*) For all services compiling, copying, posting, etc., of lists of voters up to and including those performed thirteen days before polling day, two dollars per calendar day of not less than six hours' labour payable for not more than twelve calendar days, and eight cents for each name appearing on the list of voters as finally revised by the registrar.

(*b*) For any subsequent services in revising and certifying lists, ten dollars in full..... 10 00

17. For and to urban registrars—

For all services not to exceed dollars per day while actually engaged, days.

NOTE.—A statutory declaration will be required that such services have been performed. It must show dates and hours of service and number of names on list finally revised by the enumerator, and, in addition, the enumerator must produce a certificate of the returning officer that in his belief such services were actually performed and that the time consumed in their performance up to the thirteenth day before polling day was reasonable.

(*d*) For each mile necessarily travelled beyond five miles from the enumerator's place of residence (the claim for mileage to be supported by statutory declaration)..... 0 15

In the case of an election "by acclamation."

17. Where the election is not contested the fees of returning officers and others shall be such as without necessary reference to the preceding items of this schedule shall be taxed and allowed by the Auditor General and the Chief Electoral Officer as fair and reasonable, but subject to the provisions of subsection eight of section seventy-six of this Act in the event of disagreement between such officers, and subject to the immediately following item of this schedule.

In cases where the preceding scales cannot be equitably applied.

18. In cases which present special circumstances wherefrom it shall appear to the Governor in Council that the application of the preceding scale of fees or of part thereof would (because of lack of an applicable provision, or because of insufficiency of the fee provided or allowed, or otherwise) be unfair or unjust, and, as respects the Yukon Territory, in all cases, the Governor General will make special provision for the payment to returning officers, and to other persons, of such fees as may be fair and reasonable.

SCHEDULE THREE.

NAMES OF PLACES WHERE ADVANCE POLLS MAY BE ESTABLISHED BY RETURNING OFFICERS.

(NOTE *that the following names are those of cities, towns and other places, and not in any case the names of electoral districts.*)

Alberta.—Acme, Aldersyde, Banff, Bassano, Big Valley, Calgary, Cardston, Coalspur, Coronation, Coutts, Edmonton, Edson, Frank, Grande Prairie, Hanna, Jasper, Lac La Biche, Lacombe, Langdon, Lethbridge, Lamond, Loverna, Lovett, MacLeod, McLennan, Medicine Hat, Mirror, Mountain Park, Pocahontas, Spirit River, Smith, Stirling, Tofield, Ullin, Vermillion, Wetaskiwin.

British Columbia.—Blue River, Boston Bar, Brodie, Campbell River, Clinton, Donald, Endako, Field, Golden, Grand Forks, Hope, Kamloops, Kamloops Junction, Kootenay Landing, Lillouet, Lucerne, McBride, Mission, New Westminster, Pacific, Penticton, Port Alberni, Port Mann, Prince George, Prince Rupert, Revelstoke, Rossland, Sicamous, Smithers, Spences Bridge, Squamish, Vancouver, Vernon, Victoria, Waldo, Yank, South Vancouver, North Vancouver.

Manitoba.—Arborg, Binscarth, Boissevain, Brandon, Dauphin, Elm Creek, Emerson, Gilbert Plains Junction, Gretna, La Pas, Minnedosa, Molson, Neepawa, Portage La Prairie, Rivers, Riverton, Souris, Swan River, Virden, Winnipeg.

New Brunswick.—Aroostook, Bathurst, Boutouche, Campbellton, Cape Tormentine, Caraquet, Chatham Junction, Edmunston, Fredericton, Gagetown, Loggieville, McAdam, McGivney, Moncton, Napadogan, Newcastle, Petitcodiac, Plaster Rock, Point du Chene, Richibucto, Shippigan, St. John, St. Lennards, Tracadie.

Nova Scotia.—Bridgewater, Halifax, Kentville, Lunenburg, Mulgrave, New Glasgow, North Sydney, Oxford, Parrsboro, Pictou, Point Tupper, Springhill, Stewart, St. Peters, Sydney, Truro, Yarmouth.

Ontario.—Allandale, Armstrong, Atkokam, Berton, Belleville, Brantford, Brent, Bridgeburg, Brockville, Capreol, Chalk River, Cochrane, Chapleau, Collingwood, Courtright, Depot Harbour, Eganville, Elora, Englehart, Foleyet, Fort Erie, Fort Francis, Fort William, Galt, Glencoe, Goderich, Graham, Grant, Guelph, Hamilton, Havelock, Hawkesbury, Hearst, Hornepayne, Jellicoe, Kincardine, Kingston, Lindsay, Listowel, London, MacTier, Madawaska, Mattawa, Michipecoten Harbour, Midland, Niagara Falls, North Bay, Ottawa, Owen Sound, Palmerston, Pembroke, Penetang, Peterboro, Port Arthur, Port Burwell, Port Colborne, Port Dalhousie, Port Dover, Port Hope, Port McNicoll, Port Rowan, Prescott, Rainy River, Raith, Redditt, Renfrew, Rosedale, St. Mary's, St. Thomas, Sarnia, Sarnia Tunnel, Sault Ste. Marie, Schreiber, Scotia Junction, Smith's Falls, Stratford, Sudbury, Superior Junction, Teeswater, Toronto, Trenton, Walkerville, Webbwood, West Toronto, Windsor, Wingham, Woodstock.

Prince Edward Island.—Charlottetown, Elmira, Georgetown, Montague, Murray Harbour, Summerside, Tignish.

Quebec.—Calumet, Chaudiere Junction, Chicoutimi, Coteau, Doucet, Doucet's Landing, English Lake, Farnham, Fitzpatrick, Fortierville, Freligsburg, Frontier, Gaspe Hemmingford, Hochelaga, Hull, Iberville Junction, Joliette, Labelle, LaTuque, Levis, Maniwaki, Matane, Matapedia, Megantic, Monklands, Mont Laurier, Montreal, Mont Joli, New Carlisle, Nicolet, O'Brien, Outremont, Parent, Point Fortune, Quebec, Richmond, Rigaud, Riviere du Loup, Roberval, Sherbrooke, Sorel, Stanbridge, Sutton, St. Charles, St, Guillaume, St. Hyacinthe, St. Johns, St. Lambert, St. Leonards Junction, Three Rivers, Valley Junction, Victoriaville, Waterloo, Waltham, Windsor Mills.

Saskatchewan.—Alsask, Altawana, Assinaboia, Battleford, Biggar, Broadview, Bulyea, Canora, Carruthers, Erwood, Hudson, Bay Junction, Humboldt, Kamsack, Kerrobert, Kindersley, Kipling, Macklin, Maple Creek, Melville, Moose Jaw, Northgate, North Battleford, North Portal, Prince Albert, Radville, Regina, Riverhurst, Saskatoon, Swift Current, Vanguard, Wainwright, Watrous, Weyburn, Yorkton.

Yukon.—Carcross, Dawson, Whitehorse.

SCHEDULE FOUR.

Acts Repealed by this Act, with Extent of Repeal.

Title of Repealed Act.	Year.	Chapter.	Extent of Repeal.
1.—The Dominion Elections Act..	Rev. Statutes, 1906.	6	*The whole Act.*
2.—An Act to amend the Dominion Elections Act.	Statutes, 1908...	26	*The whole Act.*
3.—An Act to correct certain clerical errors in the French version of the Revised Statutes, 1906.	Statutes, 1912...	24	*Paragraph 1 of the Schedule to the Act.*
4.—An Act to amend the Dominion Elections Act.	Statutes, 1915...	14	*The whole Act.*
5.—The Military Voters Act, 1917.	Statutes, 1917...	34	*The whole Act.*
6.—The War Time Elections Act..	Statutes, 1917...	39	*The whole Act.*
7.—An Act to confer the Electoral Franchise upon women.	Statutes, 1918...	20	*The whole Act.*
8.—An Act to amend Chapter thirty-nine of the Statutes of 1917.	Statutes, 1918...	47	*The whole Act.*
9.—An Act respecting the Election held in the Electoral District of Yukon.	Statutes, 1918...	49	*The whole Act.*
10.—The Dominion By-Election Act, 1919.	Statutes, 1919...	48	*The whole Act.*
11.—An Act to amend the Dominion By-Election Act, 1919.	Statutes, 1919... 2nd Session.	2	*The whole Act.*

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 13.

An Act to provide for the Settlement of Differences between the Governments of the Dominion of Canada and the Province of British Columbia respecting Indian Lands and certain other Indian Affairs in the said Province.

First reading, March 12, 1920.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78364 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act to provide for the Settlement of Differences between the Governments of the Dominion of Canada and the Province of British Columbia respecting Indian Lands and certain other Indian Affairs in the said Province.

WHEREAS by Memorandum of Agreement bearing date the twenty-fourth day of September, one thousand nine hundred and twelve, made between J. A. J. McKenna, Special Commissioner appointed by the Governor in Council to investigate the condition of Indian affairs in British Columbia, and the Honourable Sir Richard McBride as Premier of the Province of British Columbia, an Agreement was arrived at, subject to the approval of the Governments of the Dominion and of the Province, for the purpose of settling all differences between the said Governments respecting Indian lands and Indian affairs generally in the Province of British Columbia, and for the final adjustment of all matters relating thereto by the appointment of a Royal Commission for the purpose set out in the Agreement; and whereas by orders in council subsequently made by the respective Governments of the Dominion and the Province the said Agreement was approved, subject to the further provision that, notwithstanding anything in the said Agreement contained, the acts and proceedings of the Royal Commission shall be subject to the approval of the two Governments, and that the Governments agree to consider favourably the reports, whether final or interim, of the Royal Commission, with a view to give effect as far as reasonably may be to the acts, proceedings and recommendations of the Royal Commission, and to take all such steps and proceedings as may be reasonably necessary with the object of carrying into execution the settlement provided for by the Agreement in accordance with its true intent and purpose; and whereas a Royal Commission on Indian affairs for the Province of British Columbia was duly appointed for the purpose of carrying out the said Agreement; and whereas the said Royal Commission has since

reported its recommendations as to lands reserved and to be reserved for Indians in the Province of British Columbia, and otherwise for the settling of all differences between the said Governments respecting Indian lands and Indian affairs generally in the said Province: Now, therefore, 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 British Columbia Indian Lands Settlement Act.*

Power given to Governor in Council to settle differences between Canada and B.C. with respect to Indian matters.

2. To the full extent to which the Governor in Council may consider it reasonable and expedient the Governor in Council may do, execute, and fulfil every act, deed, matter or thing necessary for the carrying out of the said Agreement between the Governments of the Dominion of Canada and the Province of British Columbia according to its true intent, and for giving effect to the report of the said Royal Commission, either in whole or in part, and for the full and final adjustment and settlement of all differences between the said Governments respecting Indian lands and Indian affairs in the Province.

Power to order reductions or cutoffs from reserves without surrender by Indians.

Further negotiations.

3. For the purpose of adjusting, readjusting or confirming the reductions or cutoffs from reserves in accordance with the recommendations of the Royal Commission, the Governor in Council may order such reductions or cutoffs to be effected without surrenders of the same by the Indians, notwithstanding any provisions of the *Indian Act* to the contrary, and may carry on such further negotiations and enter into such further agreements with the Government of the Province of British Columbia as may be found necessary for a full and final adjustment of the differences between the said Governments.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 14.

An Act to amend the Indian Act.

First reading, March 12, 1920.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78261 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

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.

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

1. Sections nine and eleven of the *Indian Act*, Revised Statutes of Canada, 1906, chapter eighty-one, and section ten of the said Act as enacted by chapter thirty-five of the statutes of 1914, are repealed and the following are substituted therefor:—

Power to establish day schools and industrial or boarding schools.

"**9.** (1) The Governor in Council may establish,—

"*(a)* day schools in any Indian reserve for the children of such reserve;

"*(b)* industrial or boarding schools for the Indian children of any reserve or reserves or any district or territory designated by the Superintendent General.

Or to declare any school to be industrial or boarding school.

"(2) Any school or institution the managing authorities of which have entered into a written agreement with the Superintendent General to admit Indian children and provide them with board, lodging and instruction may be declared by the Governor in Council to be an industrial school or a boarding school for the purposes of this Act.

Transport of children to schools.

"(3) The Superintendent General may provide for the transport of Indian children to and from the boarding or industrial schools to which they are assigned, including transportation to and from such schools for the annual vacations.

Regulations to prescribe standards.

"(4) The Superintendent General shall have power to make regulations prescribing a standard for the buildings, equipment, teaching and discipline of and in all schools, and for the inspection of such schools.

Inspection of schools by chief or council.

"(5) The chief and council of any band that has children in a school shall have the right to inspect such school at such reasonable times as may be agreed upon by the Indian agent and the principal of the school.

Annuities and interest applied to maintenance.

"(6) The Superintendent General may apply the whole or any part of the annuities and interest moneys of Indian children attending an industrial or boarding school to the maintenance of such school or to the maintenance of the children themselves.

Children from 7 to 15 to attend school.

"**10.** (1) Every Indian child between the ages of seven and fifteen years who is physically able shall attend such day, industrial or boarding school as may be designated by the Superintendent General for the full periods during which such school is open each year. Provided, however, that no Protestant child shall be assigned to a Roman Catholic school or a school conducted under Roman Catholic auspices, and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices.

Proviso as to religions.

Truant officers and compulsory attendance.

"(2) The Superintendent General may appoint any officer or person to be a truant officer to enforce the attendance of Indian children at school, and for such purpose a truant officer shall be vested with the powers of a peace officer, and shall have authority to enter any place where he has reason to believe there are Indian children between the ages of seven and fifteen years, and when requested by the Indian agent, a school teacher or the chief of a band shall examine into any case of truancy, shall warn the truants, their parents or guardians or the person with whom any Indian child resides, of the consequences of truancy, and notify the parent, guardian or such person in writing to cause the child to attend school.

Power to investigate cases of truancy.

Notice to parents, guardians, etc.

Penalty for guardian, parent or others failing to cause child to attend school, after notice.

"(3) Any parent, guardian or person with whom an Indian child is residing who fails to cause such child, being between the ages aforesaid, to attend school as required by this section after having received three days' notice so to do by a truant officer shall, on the complaint of the truant officer, be liable on summary conviction before a justice of the peace or Indian agent to a fine of not more than two dollars and costs, or imprisonment for a period not exceeding ten days or both, and such child may be arrested without a warrant and conveyed to school by the truant officer: Provided that no parent or other person shall be liable to such penalties if such child, *(a)* is unable to attend school by reason of sickness or other unavoidable cause; *(b)* has passed the entrance examination for high schools; or, *(c)* has been excused in writing by the Indian agent or teacher for temporary absence to assist in husbandry or urgent and necessary household duties."

Exemptions from penalties.

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

Effect of marriage of Indian woman.

"**14.** Any Indian woman who marries any person other than an Indian, or a non-treaty Indian, shall cease to be an Indian in every respect within the meaning of this

Act, except that she shall be entitled to share equally with the members of the band to which she formerly belonged, in the annual or semi-annual distribution of their annuities, interest moneys and rents: Provided that such income may be commuted to her at any time at ten years' purchase, with the approval of the Superintendent General."

Superintendent may commute income.

Enfranchisement of Indians.

3. Paragraph *(h)* of section two, and sections one hundred and seven to one hundred and twenty-three, both inclusive, of the said Act are repealed and the following are substituted therefor:—

Enquiry and report as to fitness of Indians to be enfranchised.

"**107.** (1) The Superintendent General may appoint an officer or person to make enquiry and report as to the fitness of any Indian or Indians to be enfranchised. 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 officer or person to obtain.

Governor in Council may enfranchise Indians, on approval of report of Superintendent.

"(2) On the report of the Superintendent General that any Indian, male or female, over the age of twenty-one years is fit for enfranchisement, the Governor in Council may by order enfranchise such Indian, and from the date of such order the provisions of the *Indian Act* and of any other Act or law making any distinction between the legal rights, privileges, disabilities and liabilities of Indians and those of His Majesty's other subjects, shall cease to apply to such Indian or to his or her minor unmarried children, or, in the case of a married male Indian, to the wife of such Indian, and every such Indian and child and wife shall thereafter have, possess and enjoy all the legal powers, rights and privileges of His Majesty's other subjects, and shall no longer be deemed to be Indians within the meaning of any laws relating to Indians.

Effect of enfranchisement.

Right of Indian to choose name, and to be known by same.

"(3) An Indian over the age of twenty-one years shall have the right to choose the christian name and surname by which he or she wishes to be enfranchised and thereafter known, and from the date of the order of enfranchisement such Indian shall thereafter be known by such names, and if no such choice is made such Indian shall be enfranchised by and bear the name or names by which he or she has been theretofore commonly known.

Letters patent for his land to be issued to Indian upon enfranchisement.

"(4) Upon the issue of an order of enfranchisement the Superintendent General shall, if any Indian enfranchised holds any land on a reserve, cause letters patent to be issued to such Indian for such land: Provided that such Indian shall pay to the funds of the band such amount per acre for the land he holds as the Superintendent General considers to be the value of the common interest of the

band in such land, and such payment shall be a charge against the share of such Indian in the funds of the band.

Receives his share of funds.

The Superintendent General shall also pay to each Indian upon enfranchisement his or her share of the funds to the credit of the band, including such amount as the Superintendent General determines to be his or her share of the value of the common interest of the band in the lands of the reserve, or share of the principal of the annuities of the band capitalized at five per centum, out of such moneys as are provided by Parliament for the purpose or which may be otherwise available for such purpose. The land and money of any minor, unmarried children may be granted and paid to the father, or, if the father is dead, to the mother, or in either case to such person as the Superintendent General may select for such purpose, and the land and money of the wife shall be granted and paid to the husband, unless in any case the Superintendent General shall direct that the whole or any part thereof be granted or paid to the wife herself, in which case the same shall be granted or paid to the wife.

Land and money of children and wife.

Payments from funds of band, if no land.

"(5) If such Indian holds no land in a reserve he or she shall be paid from the funds of the band such amount as the Superintendent General determines to be his or her share of the value of the common interest of the band in the lands of the reserve, and shall also be paid his or her share of the funds or annuities of the band capitalized as aforesaid.

Indians not members of band, and non-treaty Indians, enfranchised, and granted letters patent.

"(6) Every Indian who is not a member of the band and every non-treaty Indian who, with the acquiescence of the band and approval of the Superintendent General, has been permitted to reside on the reserve or to obtain a holding or location thereon, may be enfranchised and given letters patent for such land as a member of the band, provided that such Indian or non-treaty Indian shall pay to the credit of the band the value of the common interest of the band in the land for which he receives a patent.

Claims on funds of band cease on issue of letters patent.

"(7) On the issue of the letters patent to any enfranchised Indian for any land he may be entitled to, or the payment from the capital funds or annuities of the band, as above provided, such Indian and his or her minor unmarried children and, in the case of a male married Indian, the wife of such Indian shall cease to have any further claims whatsoever against any common property or funds of the band.

Enfranchisement of Indian on probation.

"**108.** Where an Indian is undergoing a period of probation in accordance with the provisions of sections one hundred and seven to one hundred and twenty-two, inclusive, heretofore in force, such Indian may on the recommendation of the Superintendent General be enfranchised by order of the Governor in Council, and given letters patent for the lands held by such Indian under location ticket issued to him or her in respect of such en-

Receives letters patent and payment of share of fund.

franchisement, and paid his or her share of the capital funds at the credit of the band or share of the principal of the annuities of the band capitalized at five per centum as aforesaid, out of such moneys as are provided for the purpose by Parliament or which may be otherwise available for such purpose.

Enfranchisement of whole band or majority.

"**109.** When a whole band, or the majority of the members of a band, is enfranchised, the common land or other public property of the band may be sold by the Superintendent General and the proceeds of such sale placed to the credit of the funds of the band to be divided as provided in section one hundred and seven: Provided, however, that the Governor in Council may reserve and set apart from the funds of the band such sum as the Superintendent General may consider necessary for the perpetual care and protection of any Indian cemetery or burial plot belonging to such Indians, and any other common property which in the opinion of the Superintendent General should be preserved as such. And provided also that no part of such land or other property shall be sold to any person who is not a member of the band except by public auction after three months' advertisement in the public press.

Land or property to be sold and proceeds divided.

Care of Indian cemeteries, and common property which should be preserved.

Sales at public auction

"**110.** The Governor in Council shall have power to make regulations for the carrying out of the provisions of the three sections immediately preceding this section, and subject to the provisions of this Act for determining how the land, capital moneys and other property of a band, or any part thereof, shall be divided, granted and paid, upon the enfranchisement of any Indian or Indians belonging to such band or having any interest in any of the property of such band, and to decide any questions arising under the said sections, and the decision of the Governor in Council thereon shall be final and conclusive.

Regulations to enforce these provisions.

Final decision of Governor in Council.

"**111.** The Minister shall, within fifteen days after the opening of each session of Parliament, submit to both Houses of Parliament a list of the Indians enfranchised under this Act during the previous fiscal year, and the amount of land and money granted and paid to each Indian so enfranchised."

Report to Parliament.

4. Section one hundred and thirty-nine of the said Act is amended by adding thereto the following subsection:—

Offences.

"(2) Any person or Indian who has been gambling or has been drunk on an Indian reserve, or has had liquor in his possession on an Indian reserve, shall be liable on summary conviction to imprisonment for any term not exceeding three months, or to a penalty not exceeding fifty dollars and not less than ten dollars, with costs of prosecution, half of which pecuniary penalty shall belong to the informer."

Gambling, drinking or possession of liquor on Indian reserve.

Penalty.

Powers of Council to make by-laws.

5. Subsection two of section one hundred and ninety-four of the said Act is amended by inserting the following paragraph immediately after paragraph *(g)* thereof:—

"*(gg)* the construction, maintenance and improvement of water, sewerage and lighting works and systems."

Fourth Session, Thirteenth Parliament, 10–11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 15.

An Act to amend The Currency Act, 1910.

First reading, March 12, 1920.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77192 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act to amend The Currency Act, 1910.

1910, c. 14; 1919, c. 16.

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 Currency Act, 1910*, chapter fourteen of the statutes of 1910, is repealed, and the following is substituted therefor:—

Standard for gold coins.

"**3.** (1) The standard for gold coins of the currency of Canada shall be such that of one thousand parts by weight nine hundred shall be of fine gold and one hundred of alloy.

Standard for silver coins changed from fineness of 925 to 800.

"(2) The standard for silver coins of such currency shall be such that of one thousand parts by weight eight hundred shall be of fine silver and two hundred of alloy."

Schedule amended.

2. The Schedule to the said Act is amended by striking out the part thereof pertaining to silver coins and substituting the following therefor:—

Denomination of coin.	Standard weight.	Least current weight.	Standard fineness.	Remedy allowance.	
				Weight per piece.	Millesimal fineness.
	Grains.	Grains.		Grains.	
"(b) Silver—					
One dollar	360	.....	Eight-tenths	1·50	4
Fifty cent	180	.....	fine silver	1·50	4
Twenty-five cent	90	.....	two-tenths	1·00	4
Ten cent	36	.....	alloy; or	*3·00	4
Five cent	18	.....	millesimal fineness, 800.	†3·50	4

*This remedy is on a group of one dollar's worth—ten pieces.
†This remedy is on a group of one dollar's worth—twenty pieces.

Silver coins heretofore struck to continue current.

3. The silver coins of a millesimal fineness of nine hundred and twenty-five heretofore struck by authority of the Crown shall continue to be current and a legal tender, and the silver coins of a millesimal fineness of eight hundred

struck since the first day of January, one thousand nine hundred and twenty, under the authority of the order of the Governor in Council dated the twenty-fifth day of November, one thousand nine hundred and nineteen, (P.C. No. 2373) and the order of the Governor in Council dated the twenty-ninth day of January, one thousand nine hundred and twenty, (P.C. No. 198) shall be current and a legal tender.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 16.

An Act to amend the Government Annuities Act, 1908.

First reading, March 12, 1920.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77191 1920

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 17.

An Act to amend the Civil Service Superannuation and Retirement Act.

First reading, March 16, 1920.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
7712S 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act to amend the Civil Service Superannuation and Retirement Act.

R.S., c. 17.

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

Separate account for each person.

1. Subsection two of section twenty-seven of the *Civil Service Superannuation and Retirement Act*, chapter seventeen of the Revised Statutes, 1906, is repealed and the following are substituted therefor:—

Rate of interest increased from 4% to 5%

"(2) The amount reserved in the case of each person, together with any sum transferred to his credit as in the preceding section mentioned, shall be entered in a separate account and interest at the rate of five per centum per annum shall, on the first days of January and July in each year, be computed on all sums to the credit of the Retirement Fund, whether principal or interest, and such interest shall be credited to the said sums and form part thereof.

Rate of interest may be reduced.

"(3) The Governor in Council shall have power to reduce the said rate of interest; provided, however, that such rate shall not be reduced to less than four per centum per annum."

Commencement of Act.

2. This Act shall be deemed to have come into force and effect on and from the first day of January, one thousand nine hundred and twenty.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 18.

An Act to incorporate Canada Security Assurance Company.

First reading, March 17, 1920.

(PRIVATE BILL)

Mr. MOWAT.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77502 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act to incorporate Canada Security 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. John Baird Laidlaw, insurance manager, Henry F. Gooderham, barrister, Alexander H. Rogers, branch secretary, Sir James W. Woods, Knight Commander of the Order of the British Empire, Conrad C. Paull, insurance superintendent, John Meen, insurance clerk, Arthur J. Phillip, accountant, Frederick A. A. Campbell, barrister, C. Stuart Malcolm, assistant insurance manager, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "Canada Security Assurance 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 and 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 five hundred thousand dollars.

Classes of business authorized.

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

(a) Fire insurance;

(b) Automobile insurance;

(*c*) Hail insurance;
(*d*) Accident insurance;
(*e*) Sickness insurance;
(*f*) Guarantee insurance;
(*g*) Plate Glass insurance;
(*h*) Burglary insurance;
(*i*) Inland transportation insurance;
(*j*) Explosion insurance.

Commencement of business.

6. (1) The Company shall not commence the business of fire, automobile and hail insurance until at least five hundred thousand dollars of its capital stock has been *bona fide* subscribed and at least one hundred and seventy-five 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 five of this Act, or any of them, until the subscribed capital has been increased or until 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 accident insurance the said increase shall not be less than forty thousand dollars; for sickness insurance the said increase shall not be less than ten thousand dollars; for guarantee insurance the said increase shall not be less than fifty thousand dollars; for plate glass insurance the said increase shall not be less than ten thousand dollars; for burglary insurance the said increase shall not be less than twenty thousand dollars; for inland transportation insurance the said increase shall not be less than ten thousand dollars; and for explosion insurance the said increase shall not be less than twenty-five thousand dollars.

Increase of capital.
Accident insurance.
Sickness insurance.
Guarantee insurance.
Plate glass insurance.
Burglary insurance.
Inland transportation insurance.
Explosion insurance.

Increases of amounts paid on capital stock.

(3) The Company shall, within one year from the date of the granting of 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 an additional fifteen thousand dollars shall be paid on the capital stock until the total paid up capital, together with its 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.

(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.

Head office.

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

Acquisition of property of Alberta company.

8. The Company may acquire the whole or any part of Canada Security Assurance Company, incorporated by special Act of the province of Alberta, being chapter fifty-seven of the statutes of Alberta, nineteen hundred and thirteen; and in case of such acquisition the Company shall perform and discharge all such duties, obligations and liabilities of that company with respect to the rights and property acquired as are not performed or discharged by that company.

1917, c. 29.

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,* so far as they may be applicable to the Company.

Issue of license.

10. A license shall not be issued to the Company nor shall any license issued be renewed, unless and until the Superintendent of Insurance has been satisfied by such evidence as he may require that Canada Security Assurance Company, incorporated by special Act of the province of Alberta being chapter fifty-seven of the statutes of nineteen hundred and thirteen, is ceasing to do business, nor unless and until such undertaking as he may require has been given that the said company will entirely cease to do business within such reasonable time as he may fix.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 19.

An Act to amend and consolidate the Acts relating to Patents of Invention.

First reading, March 17, 1920.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77402 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act to amend and consolidate the Acts relating to Patents of Invention.

R.S. c. 69; 1913, c. 17; 1919, c. 64; 1919, (2 sess.), c. 26.

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

SHORT TITLE.

Short title.

1. This Act may be cited as *The Patent Act.* R.S., c. 69, s. 1.

INTERPRETATION.

Definitions

2. In this Act, and in any regulation or order made hereunder, unless the context otherwise requires,—

(*a*) "Minister" means the Minister of the Crown named by the Governor in Council to administer this Act;

(*b*) "Commissioner" means the Commissioner of Patents;

(*c*) "invention" means any new and useful art, process, machine, manufacture or composition of matter, or any new and useful improvement in any art, process, machine, manufacture or composition of matter;

(*d*) "legal representatives" includes heirs, executors, administrators, guardians, curators, tutors, assigns or other legal representatives. R.S., c. 69, s. 2.

PATENT OFFICE AND APPOINTMENT OF OFFICERS.

Patent office.

3. (1) There shall be attached to such Department of the Government of Canada as may be determined by the Governor in Council an office which shall be called the Patent Office, and a Commissioner of Patents may be appointed.

Commissioner.

Staff.

(2) There may be appointed from time to time, in accordance with *The Civil Service Act, 1918,* and any amendments thereto, such officers and clerks as are necessary for the purposes of this Act. 1919, c. 64.

Duties of Commissioner.

4. The Commissioner shall receive all applications, fees, papers, documents and models for patents, and shall perform and do all acts and things requisite for the granting and issuing of patents of invention; and he shall have the charge and custody of the books, records, papers, models, machines and other things belonging to the Patent Office. R.S., c. 69, s. 4.

Powers of Commissioner.

5. The Commissioner of Patents may do any act or thing, whether judicial or ministerial, which the Minister is authorized or empowered to do by any provision of *The Patent Act*, and any Act in amendment of the said Act; and, in the absence or inability to act of the Commissioner, any officer or clerk named by the Minister to perform the duties of the Commissioner may, as acting Commissioner, exercise such powers and do any such act or thing. 1919, c. 64.

Seal of office.

6. The Commissioner shall cause a seal to be made for the purposes of this Act, and may cause to be sealed therewith every patent and other instrument and copy thereof issuing from the Patent Office. R.S., c. 69, s. 6.

APPLICATIONS FOR PATENTS.

Who may obtain patents.

7. (1) Any person who has invented any new and useful art, process, machine, manufacture or composition of matter, or any new and useful improvements thereof, not known or used by others in Canada before his invention thereof and not patented or described in any printed publication in this or any foreign country before his invention thereof, or more than two years prior to his application and not in public use or on sale in this country for more than two years prior to his application may, on a petition to that effect, presented to the Commissioner, and on compliance with the other requirements of this Act, obtain a patent granting to such person an exclusive property in such invention.

What may not be patented.

(2) No patent shall issue for an invention which has an illicit object in view, or for any mere scientific principle or abstract theorem.

Inventions for which foreign patents have been taken out.

8. (1) Any inventor who elects to obtain a patent for his invention in a foreign country before obtaining a patent for the same invention in Canada, may obtain a patent in Canada if the patent is applied for within one year from the earliest date on which an application for a patent for the invention was filed in any foreign country or within one year from the passing of this Act.

Effect of application for foreign patent if same applied for in Canada.

(2) An application for patent for an invention filed in Canada by any person who has previously regularly filed an application for a patent for the same invention in a foreign country shall have the same force and effect as the same

application would have if filed in Canada on the date on which the application for patent for the same invention was first filed in such foreign country, provided the application in this country is filed within twelve months from the earliest date on which any such foreign application was filed, or within one year from the passing of this Act. But no patent shall be granted on an application for patent for an invention which had been patented or described in a printed publication in this or any foreign country more than two years before the date of the actual filing of the application in Canada, or which had been in public use or on sale in Canada for more than two years prior to such filing.

Limitation of two years after publication or public use or sale.

Expiry of Canadian patent.

(3) No Canadian patent issued previous to the thirteenth day of August, one thousand nine hundred and three, shall be deemed to have expired before the end of the term for which it was granted merely because of the expiry of a foreign patent for the same invention.

Improvements may be patented.

9. Any person who has invented any improvement on any patented invention may obtain a patent for such improvement, but he shall not thereby obtain the right of vending or using the original invention, nor shall the patent for the original invention confer the right of vending or using the patented improvement. R.S., c. 69, s. 9.

Oath of inventor to be made before obtaining patent.

10. (1) Every inventor shall, before a patent can be obtained, make oath, or, when entitled by law to make an affirmation instead of an oath, shall make an affirmation, that he verily believes that he is the inventor of the invention for which the patent is asked, and that the several allegations in the petition contained are respectively true and correct.

Or of the applicant if inventor dead, incapable, or his residence unknown.

(2) In the event of the inventor being dead, or mentally or physically incapable, or if, after the assignment of his invention, the inventor refuses to make such oath or affirmation, or if his whereabouts cannot be ascertained after diligent enquiries, such oath or affirmation shall be made by the applicant, and shall state that he verily believes that the person whose assignee or legal representative he is was the inventor of the invention for which the patent is solicited, and that the several allegations in the petition contained are respectively true and correct.

Before whom oath may be made.

(3) Such oath or affirmation may be made before a minister plenipotentiary, charge d'affaires, consul, vice-consul or consular agent, a judge of any court, a notary public, a justice of the peace, or the mayor of any city, borough or town, or a commissioner for taking affidavits having authority or jurisdiction within the place where the oath may be administered. R.S., c. 69, s. 10.

Refusal to execute assignment.

Disputes between joint applicants.

11. In any case where,—

(a) an applicant has agreed in writing to assign a patent when granted to another party or a joint applicant and refuses to proceed with the application; or,

(b) disputes arise between joint applicants as to proceeding with an application;

Powers of Commissioner.

the Commissioner, on proof of such agreement to his satisfaction, or if satisfied that one or more of such joint applicants ought to be allowed to proceed alone, may allow such other party or joint applicant to proceed with the application, and may grant a patent to him, so however that all parties interested shall be entitled to be heard before the Commissioner, and an appeal shall lie from the decision of the Commissioner under this section to the Exchequer Court.

Election of domicile.

12. The applicant for a patent shall, for the purposes of this Act, elect his domicile at some known and specified place in Canada, and shall mention the same in his petition for a patent. R.S., c. 69, s. 11.

Particulars required on application.

13. The applicant shall, in his petition for a patent, insert the title or name of the invention, and shall, with the petition, send in a specification in duplicate of the invention and an additional or third copy of the claim or claims. R.S., c. 69, s. 12.

Specifications.

14. (1) The specification shall correctly and fully describe the mode or modes of operating the invention, as contemplated by the inventor; and shall state clearly and distinctly the contrivances and things which he claims as new and for the use of which he claims an exclusive property and privilege.

Place and date.

(2) Such specification shall bear the name of the place where, and the date when it is made, and shall be signed by the applicant, and by two witnesses to such signature of the applicant.

Case of machine.

(3) In the case of a machine the specification shall fully explain the principle and the several modes in which it is intended to apply and work out the same.

Drawings.

(4) In the case of a machine, or in any other case in which the invention admits of illustration by means of drawings, the applicant shall also, with his application, send in drawings in duplicate, showing clearly all parts of the invention; and each drawing shall bear the signature of the inventor, or of the applicant, or of the attorney of such inventor or applicant, and shall have written references corresponding with the specification; but the Commissioner may require further drawings or dispense with any of them as he sees fit.

Duplicates.

(5) One duplicate of the specification and of the drawings, if there are drawings, shall be annexed to the patent, of which it shall form an essential part, and the other duplicate shall remain deposited in the Patent Office.

Copies in place of duplicates.

(6) The Commissioner may, in his discretion, dispense with the duplicate specification and drawing, and in lieu thereof cause copies of the specification and drawing, in print or otherwise, to be attached to the patent, of which they shall form an essential part. R.S., c. 69, s. 13.

Models and specimens.

15. (1) In all cases in which the invention admits of representation by model, the applicant, if required by the Commissioner, shall furnish a model of convenient size exhibiting its several parts in due proportion; and when the invention is a composition of matter, the applicant, if required by the Commissioner, shall furnish specimens of the ingredients, and of the composition, sufficient in quantity for the purpose of experiment.

Dangerous substances.

(2) If such ingredients or composition be of an explosive or dangerous character, they shall be furnished with such precautions as are prescribed in the requisition therefor. R.S., c. 69, s. 14.

Patents to be for special methods or processes of manufacture.

16. (1) In the case of inventions relating to articles or substances prepared or produced by chemical processes, or intended for food or for medicinal or surgical purposes, the specification shall not include claims for the product, substance, or article itself, but only for the special methods or processes of manufacture; and in the case of any patent for an invention intended for or capable of being used for the production of food or medicine or surgical appliances, the Commissioner shall, unless he sees good reason to the contrary, grant to any person applying for the same, a license limited to the use of the patented method or process for the purposes of the preparation or production of food, medicine or surgical appliances, but not otherwise; and with a view to making the food, medicine or surgical appliance available for the public at the lowest possible price, the Commissioner, in settling the terms of such a license, shall fix the royalty or other consideration payable at such an amount as will secure to the patentee the minimum profit consistent with his deriving a reasonable advantage from his patent rights.

No patent to preclude free manufacture or free sale or use of article for human food or medical purpose.

Appeals.

Any decision of the Commissioner under this section shall be subject to appeal to the Exchequer Court.

Application.

(2) This section shall apply only to patents granted after the passing of this Act.

Examination of applications.

17. On each application for a patent, a thorough and reliable examination shall be made by competent examiners to be employed in the Patent Office for that purpose. R.S., c. 69, s. 15.

Withdrawal of applications.

18. No application for a patent shall be withdrawn without the consent in writing of each and every registered assignee of such patent or any part thereof. R.S., c. 69, s. 16.

REFUSAL TO GRANT PATENTS.

Power of Commissioner to refuse grant.

19. The Commissioner may object to grant a patent whenever he is satisfied that the applicant is not by law entitled thereto, and when it appears to him that the invention has already been patented, unless the Commissioner has doubts as to whether the patentee or the applicant is the first inventor and the application was filed within two years from the date of the patent.

Notice to applicant.

20. Whenever the Commissioner objects to grant a patent as aforesaid, he shall notify the applicant to that effect and shall state the ground or reason therefor, with sufficient detail to enable the applicant to answer, if he can, the objection of the Commissioner. R.S., c. 69, s. 18.

Appeal to Exchequer Court.

21. (1) Every applicant who has failed to obtain a patent by reason of the objection of the Commissioner as aforesaid may, at any time within six months after notice thereof has been mailed by registered letter, addressed to him or his agent, appeal from the decision of the said Commissioner to the Exchequer Court.

Jurisdiction.

(2) The Exchequer Court shall have exclusive jurisdiction to hear and determine any such appeal. 3-4 Geo. V, c. 17.

CONFLICTING APPLICATIONS.

To be decided by Exchequer Court.

22. In case of conflicting applications for any patent, the applicants shall be notified by the Commissioner that the question is one for the decision of the Exchequer Court, and no further proceedings shall be had or taken by the Commissioner concerning the applications until a judgement is produced deciding which applicant is entitled to the patent.

GRANT AND DURATION OF PATENTS.

What patent shall contain and confer.

23. (1) Every patent granted under this Act shall contain the title or name of the invention, with a reference to the specification, and shall, subject to the conditions hereinafter mentioned, grant to the patentee and his legal representatives for the term therein mentioned, from the granting of the same, the exclusive right, privilege and liberty of making, constructing and using, and vending to others to be used, the said invention, subject to adjudication in respect thereof before any court of competent jurisdiction.

Joint applications.

(2.) In cases of joint applications, the patents shall be granted in the names of all the applicants. R.S., c. 69, s. 21.

Patents for inventions by persons in public service.

24. (1) Every patent granted in respect of an invention made by a person while employed in the public service of Canada and relating to the nature of his employment shall, notwithstanding anything in the patent or *The Patent Act* to the contrary contained, be subject to the following conditions, which shall be endorsed on such patent, that is to say,—

Terms.

(a) The Commissioner may grant to any person applying therefor a license to use the patented invention on terms to be fixed by the Commissioner;

Duty of Commissioner.

(b) In fixing the said terms the Commissioner shall have regard to the circumstances under which the invention was made and the right and interest of the Government of Canada therein in consequence thereof, which right and interest the said government is hereby declared to have, and shall reduce the royalty payable to the patentee accordingly or apportion the royalty between the patentee and the Government of Canada, but in no case shall the amount payable to the patentee be less than one-half of what it would have been had the inventor not been in the public service when making the invention;

Respective rights of Government and patentee.

Consent of Commissioner to use of invention.

(c) The patentee shall not make use of nor allow others to make use of the patented invention without the consent of the Commissioner, who in granting such consent may exact a royalty for such use to be fixed by him and paid to the Government of Canada;

Restraint of unauthorized use.

(d) The Government of Canada shall have a right of action in any court of competent jurisdiction to restrain the unauthorized use of the patented invention and recover damages therefor which may be apportioned by the Commissioner between the patentee and the Government in such way as to him seems fit.

Disputes.

(2) Any question which may arise as to whether any invention comes within the terms of this section shall be determined by the Commissioner on the application for a patent therefor.

Deputy may apply if inventor refuses.

(3) On the refusal of such inventor to apply for a patent for such invention after being thereunto duly required by the deputy head of the department in which he was at the time of making the invention employed, such deputy head may in his official capacity apply for and obtain a patent for such invention.

Inventor's rights outside of Canada.

(4) Nothing herein contained shall be construed to restrict the right of the inventor to the full enjoyment of his invention outside of Canada.

Form of issue.

25. Every patent shall be issued under the seal of the Patent Office and the signature of the Commissioner or of the acting commissioner, and, when duly registered, shall be good, and shall avail the grantee and his legal representatives for the term mentioned in the patent. R.S., c. 69, s. 22 (1).

26. The term limited for the duration of every patent of invention issued by the Patent Office shall be eighteen years. R.S., c. 69, s. 23 (1).

RE-ISSUE OF PATENTS.

Issue of new or amended patents.

27. (1) Whenever any patent is deemed defective or inoperative by reason of insufficient description or specification, or by reason of the patentee claiming more than he had a right to claim as new, but at the same time it appears that the error arose from inadvertence, accident or mistake, without any fraudulent or deceptive intention, the Commissioner may, upon the surrender of such patent and the payment of the further fee hereinafter provided, cause a new patent, in accordance with an amended description and specification made by such patentee, to be issued to him for the same invention, for any part or for the whole of the then unexpired residue of the term for which the original patent was or might have been granted.

Death or assignment.

(2) In the event of the death of the original patentee or of his having assigned the patent, a like right shall vest in his assignee or his legal representatives.

Effect of new patent.

(3) Such new patent, and the amended description and specification, shall have the same effect in law, on the trial of any action thereafter commenced for any cause subsequently accruing, as if the same had been originally filed in such corrected form before the issue of the original patent.

Separate patents for separate parts.

(4) The Commissioner may entertain separate applications, and cause patents to be issued for distinct and separate parts of the invention patented, upon payment of the fee for a re-issue for each of such re-issued patents. R.S., c. 69, s. 24.

DISCLAIMERS.

Patentee may disclaim anything included in patent by mistake.

28. (1) Whenever, by any mistake, accident or inadvertence, and without any wilful intent to defraud or mislead the public, a patentee has,—

(*a*) made his specification too broad, claiming more than that of which he or the person through whom he claims was the first inventor; or,

(*b*) in the specification, claimed that he or the person through whom he claims was the first inventor of any

material or substantial part of the invention patented of which he was not the first inventor, and to which he had no lawful right;

the patentee may, on payment of the fee hereinafter provided, make disclaimer of such parts as he does not claim to hold by virtue of the patent or the assignment thereof.

Form and attestation of disclaimer.

(2) Such disclaimer shall be in writing, and in duplicate, and shall be attested in the manner hereinbefore prescribed, in respect of an application for a patent; one copy thereof shall be filed and recorded in the office of the Commissioner, and the other copy thereof shall be attached to the patent and made a part thereof by reference, and such disclaimer shall thereafter be taken and considered as part of the original specification.

Pending suits not affected

(3) Such disclaimer shall not affect any action pending at the time of its being made, except in so far as relates to the question of unreasonable neglect or delay in making it.

Death of patentee.

(4) In case of the death of the original patentee, or of his having assigned the patent, a like right shall vest in his legal representatives, any of whom may make disclaimer.

Effect of disclaimer.

(5) The patent shall thereafter be deemed good and valid for so much of the invention as is truly the invention of the disclaimant, and is not disclaimed, if it is a material and substantial part of the invention, and is definitely distinguished from other parts claimed without right; and the disclaimant shall be entitled to maintain an action or suit in respect of such part accordingly. R.S., c. 69, s. 25.

ASSIGNMENTS.

Representatives may obtain patent.

29. The patent may be granted to any person to whom the inventor, entitled under this Act to obtain a patent, has assigned or bequeathed the right of obtaining the same, or in default of such assignment or bequest, to the legal representatives of the deceased inventor. R.S., c. 69, s. 26.

Patents to be assignable.

30. (1) Every patent issued for an invention shall be assignable in law, either as to the whole interest or as to any part thereof, by any instrument in writing; but such assignment, and every grant and conveyance of any exclusive right to make and use and to grant to others the right to make and use the invention patented, within and throughout

Registration.

Canada or any part thereof, shall be registered in the Patent Office in the manner from time to time prescribed by the Commissioner for such registration; and every

Assignment null if not registered.

assignment affecting a patent for invention shall be null and void against any subsequent assignee, unless such instrument is registered as hereinbefore prescribed, before the registration of the instrument under which such subsequent assignee claims. R.S., c. 69, s. 27.

Duly registered patents admitted as evidence.

(2) No assignment of, or any other instrument affecting the title to, a patent or any interest therein, or a license to use a patent, shall be admitted in evidence in any court unless it has been registered in the Patent Office.

Assignments in case of joint applications.

31. In cases of joint applications or grants, every assignment from one or more of the applicants or patentees to the other or others, or to any other person, shall be registered in like manner as other assignments. R.S., c. 69, s. 28.

IMPEACHMENT AND OTHER LEGAL PROCEEDINGS IN RESPECT OF PATENTS.

Patent to be void in certain cases, or valid only for parts.

32. (1) A patent shall be void, if any material allegation in the petition or declaration of the applicant hereinbefore mentioned in respect of such patent is untrue, or if the specifications and drawings contain more or less than is necessary for obtaining the end for which they purport to be made, when such omission or addition is wilfully made for the purpose of misleading: Provided that if it appears to the court that such omission or addition was an involuntary error, and if it is proved that the patentee is entitled to the remainder of his patent *pro tanto*, the court shall render a judgment in accordance with the facts, and shall determine as to costs, and the patent shall be held valid for such part of the invention described, as the patentee is so found entitled to.

Proviso.

Copies of judgment to be sent to patent office.

(2) Two office copies of such judgment shall be furnished to the Patent Office by the patentee, one of which shall be registered and remain of record in the office, and the other of which shall be attached to the patent, and made a part of it by a reference thereto. R.S., c. 69, s. 29.

Remedy for infringement of patent.

33. Every person who, without the consent in writing of the patentee, makes, constructs or puts in practice any invention for which a patent has been obtained under this Act or any previous Act, or who procures such invention from any person not authorized by the patentee or his legal representatives to make or use it, and who uses it, shall be liable to the patentee or his legal representatives in an action of damages for so doing; and the judgment shall be enforced, and the damages and costs that are adjudged shall be recoverable, in like manner as in other cases in the court in which the action is brought. R.S., c. 69, s. 30.

Action for infringement of patent.

34. Any action for the infringement of a patent may be brought in the court of record having jurisdiction, to the amount of the damages claimed, in the province in which the infringement is alleged to have taken place, which holds its sittings nearest to the place of residence or of business of the defendant; and such court shall decide the case and determine as to costs. R.S., c. 69, s. 31.

Injunction may issue.

35. (1) In any action for the infringement of a patent, the court, or any judge thereof, may, on the application of the plaintiff or defendant, respectively, make such order as the court or judge sees fit,—

(a) restraining or for an injunction restraining the opposite party from further use, manufacture or sale of the subject matter of the patent, and for his punishment in the event of disobedience of such order; or,

(b) for and respecting inspection or account; and,

(c) generally respecting the proceedings in the action.

Appeal.

(2) An appeal shall lie from any such order under the same circumstances, and to the same court, as from other judgments or orders of the court in which the order is made. R.S., c. 69, s. 32.

Court may discriminate in certain cases.

36. Whenever the plaintiff, in any such action, fails to sustain the same, because his specification and claim embrace more than that of which he was the first inventor, and it appears that the defendant used or infringed any part of the invention justly and truly specified and claimed as new, the court may discriminate, and the judgment may be rendered accordingly. R.S., c. 69, s. 33.

Defence.

37. The defendant, in any such action, may plead as matter of defence, any fact or default which, by this Act, or by law, renders the patent void: and the court shall take cognizance of such pleading and of the facts connected therewith, and shall decide the case accordingly. R.S., c. 69, s. 34.

Proceedings for impeachment of patent.

38. (1) Any person who desires to impeach any patent issued under this Act, may obtain a sealed and certified copy of the patent and of the petition, affidavit, specification and drawings thereunto relating, and may have the same filed in the office of the prothonotary or clerk of any of the divisions of the Supreme Court of Ontario, or of the Superior Court of Quebec, or of the Supreme Court in Nova Scotia, New Brunswick, British Columbia or Prince Edward Island, respectively, or of the Court of King's Bench in Manitoba, or of the Supreme Court of the Northwest Territories in the provinces of Saskatchewan and Alberta respectively, pending the disestablishment of that Court by the legislature of those provinces respectively, and thereafter of such superior court of justice as, in respect of civil jurisdiction, is established by the said legislatures respectively in lieu thereof, or of the Territorial Court in the Yukon Territory, according to the domicile elected by the patentee, as aforesaid, or in the office of the registrar of the Exchequer Court of Canada, and such courts, respectively, shall adjudicate on the matter and decide as to costs; and if the domicile elected by the patentee is in that part of Canada formerly

known as the district of Keewatin, the Court of King's Bench of Manitoba shall have jurisdiction until there is a superior court therein, after which such superior court shall have jurisdiction.

Scire facias may issue.

(2) The patent and documents aforesaid shall then be held as of record in such courts respectively, so that a writ of *scire facias*, under the seal of the court, grounded upon such record, may issue for the repeal of the patent, for cause as aforesaid, if, upon proceedings had upon the writ in accordance with the meaning of this Act, the patent is adjudged to be void. R.S., c. 69, s. 35.

Judgment voiding patent to be filed.

39. A certificate of the judgment avoiding any patent shall, at the request of any person filing it to make it of record in the Patent Office, be entered on the margin of the enrolment of the patent in the Patent Office, and the patent shall thereupon be and be held to have been void and of no effect, unless the judgment is reversed on appeal as hereinafter provided. R.S., c. 69, s. 36.

Appeal.

40. The judgment declaring or refusing to declare any patent void shall be subject to appeal to any court having appellate jurisdiction in other cases decided by the court by which such judgment was rendered. R.S., c. 69, s. 37.

CONDITIONS.

41. (1) Every patent, except those governed by section twenty-four, shall be subject to the following conditions:—

Manufacture for reasonable requirements.

(a) Every patentee shall satisfy the reasonable requirements of the public with reference to his patent and to that end shall adequately manufacture the patented article or carry on the patented process within Canada;

Petition to compel supply.

(b) Any person interested may present a petition to the Commissioner alleging that the reasonable requirements of the public with respect to a patented invention have not been satisfied and praying that the patentee be ordered to supply the patented article at a reasonable price or grant licenses for the use of the invention on reasonable terms;

Powers of Commissioner.

(c) The Commissioner shall then consider the petition and, if the parties do not come to an arrangement between themselves, the Commissioner, if satisfied that a *prima facie* case has been made out, shall refer the petition to the Exchequer Court and, if the Commissioner is not so satisfied, he may dismiss the petition.

Reference to Exchequer Court.

(d) Where any such petition is referred by the Commissioner to the Exchequer Court, such Court shall have jurisdiction to hear and determine the matter, and if it is proved to the satisfaction of the Court that the reasonable requirements of the public with respect

Order to compel supply.

to the patented invention have not been satisfied, the patentee may be ordered by the Court to supply the patented article within reasonable limits at such price as may be fixed by the Court and in accordance with the custom of the trade to which the invention relates as to payment and delivery, or to grant licenses for the use of the patented invention on such terms as may be fixed by the Court, in either case within and after such time as may be fixed by the Court and on pain of forfeiture of the patent:

Proviso.

Provided that such an order shall not be made before the expiration of three years from the date of the patent and not less than one year after the passing of this Act, or if the patentee gives satisfactory reasons for his default;

Reasonable requirements.

(e) For the purposes of this section the reasonable requirements of the public shall not be deemed to have been satisfied,—

Default to manufacture to adequate extent, or on reasonable terms.

(i) if by reason of the default of the patentee to manufacture to an adequate extent and supply on reasonable terms the patented article, or any parts thereof which are necessary for its efficient working, or to carry on the patented process to an adequate extent or to grant licenses on reasonable terms, any existing trade or industry, or the establishment of any new trade or industry, in the Dominion of Canada is unfairly prejudiced, or the demand for the patented article or the article produced by the patented process is not reasonably met; or,

Unfair conditions of patentee.

(ii) if any trade or industry in the Dominion of Canada is unfairly prejudiced by the conditions attached by the patentee before or after the passing of this Act to the purchase, hire, or use of the patented article or to the using or working of the patented process.

Revocation, of patent, time limit.

42. (1) At any time not less than three years after the date of a patent and not less than one year after the passing of this Act, any person may apply to the Commissioner for the revocation of the patent on the ground that the patented article or process is manufactured or carried on exclusively or mainly outside Canada.

Powers of Commissioner.

(2) The Commissioner shall consider the application, and, if after enquiry he is satisfied that the allegations contained therein are correct, then, subject to the provisions of this section, and unless the patentee proves that the patented article or process is manufactured or carried on to an adequate extent in Canada, or gives satisfactory reasons why the article or process is not so manufactured or carried on, the Commissioner may make an order revoking the patent either,—

Order.

(a) forthwith; or,

(b) after such reasonable interval as may be specified in the order, unless in the meantime it is shown to his satisfaction that the patented article or process is manufactured or carried on within Canada to an adequate extent:

Provided that no such order shall be made which is at variance with any treaty, convention, arrangement or engagement with any foreign country.

Extension of time.

(3) If within the time limited in the order the patented article or process is not manufactured or carried on within Canada to an adequate extent, but the patentee gives satisfactory reasons why it is not so manufactured or carried on, the Commissioner may extend the period mentioned in the previous order for such period not exceeding twelve months as may be specified in the subsequent order.

Appeal.

(4) Any decision of the Commissioner under this section shall be subject to appeal to the Exchequer Court.

WAR PROVISIONS.

Minister to have power to extend time in certain cases for doing any act, etc.

43. (1) The Commissioner may at any time extend the time prescribed by this Act, or any rules made thereunder, for doing any act, paying any fee or filing any document, upon such terms and subject to such conditions as he may think fit in the following cases, namely:—

(a) Where it is shown to his satisfaction that the applicant, patentee or proprietor, as the case may be, was prevented from doing the said act, paying the said fee or filling the said document, by reason of active service or enforced absence from the country, or any other circumstance arising from a state of war which, in the opinion of the Commissioner, would justify such extension;

(b) Where the doing of any act within the time by any law prescribed therefor would, by reason of the circumstances arising from a state of war, be or have been prejudicial or injurious to the rights or interests of any applicant, patentee or proprietor as aforesaid;

such extension of any prescribed time, if granted after its expiration, shall have the same effect as if granted prior thereto, provided such expiration occurred on or after the fourth day of August, one thousand nine hundred and fourteen.

Minister to have power to waive requirement to manufacture, etc., invention within prescribed period.

(2) In any case in which, by reason of circumstances arising from a state of war, the Commissioner may deem it expedient, he may order that neither the failure to construct or manufacture in Canada any patented invention nor the importation of any such invention into Canada during the continuance of the war and for one year thereafter shall in anywise affect the validity of the patent granted in respect

of such invention, notwithstanding any other provision in this Act or in such patent.

Saving rights of persons who have used, etc., invention while patent was void.

(3) In any case where an order is made by the Commissioner under the authority of the preceding sections, or where a patent which has become void under the terms of this Act in consequence of the non-payment of fees or failure to manufacture, or because of the importation of the patented invention, has been subsequently restored and made valid by the operation of any order made under the authority of this section or under any order in council or regulation heretofore lawfully passed, and during the period when such patent was void any person has commenced lawfully to manufacture, use or sell the invention covered by such patent, the patentee or proprietor of the patent shall not be entitled to any claim, action or demand in respect of such manufacture or sale, or the use of the article so manufactured or sold; and moreover the Commissioner, upon hearing the parties after such notice as he may deem requisite and sufficient and considering all the facts and circumstances of the case, may impose such terms and conditions (including if he so deems advisable, permission to continue such manufacture, use or sale), to which any such order by him heretofore or hereafter made shall be subject, as the Commissioner may deem reasonably necessary for the protection of persons who have commenced lawfully to manufacture, use or sell the invention covered by the patent.

Proviso respecting rights under Treaty of Peace.

(4) Nothing in the provisions of this section shall be deemed in any way to affect or to operate in derogation of any rights as to the revival or restoration of any lapsed rights to or in respect of any patent of invention applied for or acquired under the provisions of this Act which may be asserted or claimed by any person under and in virtue of the stipulations of the Treaty of Peace between the Allied and Associated Powers, on the one part, and Germany on the other, or under or in virtue of any treaty entered into and ratified, or that may be duly entered into and ratified by His Majesty, acting on behalf of Canada, with any other power with which the said Allied and Associated Powers are or have been at war, with regard to industrial property, or otherwise affecting patent rights. 1919, (2 Sess.) c. 26.

PROVISIONS IN RE WAR 1914 TO 1919.

Validity of patents protected, under orders or regulations during war.

44. In any case where an order has been made under the Orders and Regulations respecting patents of invention made in virtue of *The War Measures Act, 1914*, and approved by the Governor in Council on the second day of October, 1914, and the fourteenth day of February, 1916, purporting to exempt any patent from the effect of failure to manufacture or construct within Canada the invention thereby patented,

or from the effect of importation of such patented invention into Canada during the continuance of the war, the validity of such patent shall not be deemed to be in any way affected by such failure to manufacture or construct or by such importation, as may be stated in such order, at any time within the period beginning on the fourth day of August, 1914, and terminating at the expiration of six months from the date of peace as determined by the Peace Conference.

Validity of any extensions already granted.

45. The validity of any extension granted or assumed to be granted before the thirteenth day of August, one thousand nine hundred and three, of the period of two years theretofore limited by statute in that behalf for the commencement of the construction or manufacture of a patented invention, or of the period of twelve months theretofore so limited for the importation of a patented invention, shall not be open to impeachment, nor shall the patent for any invention in respect of which any such extension had been so granted be deemed to have lapsed or expired, because,—

(a) such extension, instead of being granted by the Commissioner, was so granted or assumed to be granted by the Deputy Commissioner, or, as acting deputy commissioner, by a person performing the duties of the Deputy Minister of Agriculture under the provisions of the *Civil Service Act*, in that behalf, instead of by the Commissioner; or,

(b) in the case of the invention to which such extension relates, there had been granted or assumed to be granted a previous extension or previous extensions of such period of two years, or such period of twelve months, as the case may be. R.S., c. 69, s. 41.

Conditional validity of certain patents granted before August 13th, 1903.

46. The validity of any patent granted before the thirteenth day of August, one thousand nine hundred and three, shall not be impeached, nor shall such patent be deemed to have lapsed or expired, by reason of the failure of the patentee to construct or manufacture the patented invention if the patentee within the period of two years from the date of the patent allowed for such construction or manufacture, or within an authorized extension of that period, became, and at all times thereafter continued to be ready either to furnish the patented invention himself or to license the right of using it, on reasonable terms, to any person desiring to use it, and if the patentee or his legal representatives, within six months from the thirteenth day of August, one thousand nine hundred and three, had,—

(a) commenced, and after such commencement continuously carried on in Canada, the construction or manufacture of the patented invention in such manner as to enable any person desiring to use it to obtain it,

or cause it to be made for him, at a reasonable price at some manufactory or establishment for making or constructing it in Canada; or,

(b) applied for and thereupon obtained an order of the Commissioner making the patent subject to the condition (provided in section forty-four of chapter sixty-nine of the Revised Statutes of Canada, 1906) for authorizing application for the issue of licenses to make, construct, use and sell the patented invention. R.S., c. 69, s. 42.

Rights of third persons saved.

47. In the case of any patent which before the thirteenth day of August, one thousand nine hundred and three, had become void or the validity of which might have been impeached, and which was revived or protected from impeachment by any provision of the Act, passed in the third year of the reign of His Majesty King Edward the Seventh, chapter forty-six, intituled *An Act to amend the Patent Act*, or which, by reason of any such provision, is to be deemed not to have elapsed or expired, any person who had, between the time when such patent became void or the ground for such impeachment arose, and the thirteenth day of August, one thousand nine hundred and three, aforesaid, commenced to manufacture, use or sell in Canada the invention covered by such patent, may continue to manufacture, use or sell it in as full and ample a measure as if such revival, or protection from impeachment had not been effected; and in case any person had, before the thirteenth day of August aforesaid, contracted with the owner of the patent for the right to manufacture, use or sell such invention in Canada, the contract shall be deemed to have remained in full force and effect notwithstanding that the patent had become void as aforesaid, unless the person who had so contracted with such owner can show that in the meantime, by reason or on the faith of such invalidity or lapsing, he has materially altered his position with respect to such invention, and that the revival of such contract would cause him damage. R.S., c. 69, s. 43.

CAVEATS.

Intending applicant for patent may file a *caveat*.

48. (1) Any intending applicant for a patent who has not yet perfected his invention and is in fear of being despoiled of his idea, may file, in the Patent Office, a description of his invention so far as it has proceeded, with or without plans, at his own will; and the Commissioner, on payment of fee in this Act prescribed, shall cause the said document, which shall be called a *caveat*, to be preserved in secrecy with the exception of delivering copies of the same whenever required by the said applicant or by any judicial tribunal, but the secrecy of the document shall

cease when the applicant obtains a patent for his invention.

Notice of application by another to be sent to person filing *caveat*.

(2) If application is made by any other person for a patent for any invention with which such *caveat* may in any respect interfere, the Commissioner shall forthwith give notice by mail, of such application, to the person who has filed such *caveat*, and such person shall, within three months after the date of mailing the notice, if he wishes to avail himself of the *caveat*, file his petition and take the other steps necessary on an application for a patent, and if, in the opinion of the Commissioner, the applications are conflicting, like proceedings may be had in all respects as are by this Act provided in the case of conflicting applications.

Duration of *caveat*.

(3) Unless the person filing a *caveat* makes application within one year from the filing thereof for a patent, the Commissioner shall be relieved from the obligation of giving notice, and the *caveat* shall then remain as a simple matter of proof as to novelty or priority of invention, if required. R.S., c. 69, s. 46.

PATENT FEES.

Tariff of fees.

49. (1) The following fees shall be payable before an application for any of the purposes herein mentioned shall be received by the Commissioner, that is to say:—

On filing an application for patent	$15 00
On grant of patent	20 00
(Payable on pain of forfeiture within six months from the receipt of notice of the allowance of patent.)	
On lodging a caveat	5 00
On asking to register a judgment *pro tanto*	4 00
On asking to register an assigment, or any other document affecting or relating to a patent	2 00
On asking to attach a disclaimer to a patent	2 00
On asking for a copy of patent with specification	4 00
On petition to re-issue a patent after surrender in addition to the fees on the original patent which shall, notwithstanding such surrender, continue to be payable as aforesaid, for every unexpired year of the duration of the original patent	4 00
On office copies of documents, not above-mentioned, the following charges shall be made:—	
For every single or first folio of one hundred words certified copy	$ 0 25
For every such subsequent folio, fractions of or under one-half not being counted, and of one-half or more being counted as a folio	0 10

Fees paid prior to this Act.

(2) In the case of patents on which fees to the extent of thirty-five dollars or more were paid prior to the passing of this Act, no further fee shall be required, but no refund of any amount in excess of thirty-five dollars shall be made. In the case of a patent on which a fee of twenty dollars was paid prior to the coming into force of this Act, a further fee of fifteen dollars on pain of nullity of the patent shall be payable at or before the expiration of six years from the date of its issue.

Unprovided cases.

(3) The fees on any proceedings not herein provided for shall be such as may be fixed by the Commissioner with the approval of the Governor in Council.

Copies of drawings.

50. For every copy of drawings, the person applying shall pay such sum as the Commissioner considers a fair remuneration for the time and labour expended thereon by any officer of the Patent Office, or of the Department, or person employed to perform such service. R.S., c. 69, s. 48.

Fees in full for all services.

51. The said fees shall be in full of all services performed under this Act, in any such case, by the Commissioner or any person employed in the Patent Office. R.S., c. 69, s. 49.

Application of fees.

52. All fees received under this Act shall be paid over to the Minister of Finance, and shall form part of the Consolidated Revenue Fund of Canada, except such sums as are paid for copies of drawings when made by persons not receiving salaries in the Patent Office. R.S., c. 69, s. 50.

No exemptions.

53. No person shall be exempt from the payment of any fee or charge payable in respect of any services performed for such person under this Act; and no fee, when paid, shall be returned to the person who paid it.

GENERAL.

Government may use patented invention.

54. The Government of Canada may, at any time, use any patented invention, paying to the patentee such sum as the Commissioner reports to be a reasonable compensation for the use thereof. R.S., c. 69, s. 52.

Patented invention in foreign vessels.

55. No patent shall extend to prevent the use of any invention in any foreign ship or vessel, if such invention is not so used for the manufacture of any goods to be vended within or exported from Canada. R.S., c. 69, s. 53.

Patent not to affect a previous purchaser.

56. Every person who, before the issuing of a patent, has purchased, constructed or acquired any invention for which a patent is afterwards obtained under this Act,

shall have the right of using and vending to others the specific article, machine, manufacture or composition of matter patented and so purchased, constructed or acquired before the issue of the patent therefor, without being liable to the patentee or his legal representatives for so doing; but the patent shall not, as regards other persons, be held invalid by reason of such purchase, construction or acquisition or use of the invention, by the person first aforesaid or by those to whom he has sold the same, unless the same was purchased, constructed, acquired or used, with the consent or allowance of the inventor thereof, for a longer period than one year before the application for a patent therefor, thereby making the invention one which has become public and in public use. R.S., c. 69, s. 54.

Proviso as to other persons.

Patented article to be stamped on marked.

57. Every patentee under this Act shall stamp or engrave on each patented article sold or offered for sale by him the year of the date of the patent applying to such article, thus,—Patented, 1906, or as the case may be; or when, from the nature of the article, this cannot be done, then by affixing to it, or to every package wherein one or more or such articles is or are enclosed, a label marked with a like notice. R.S., c. 69. s. 55.

Inspection by the public.

58. All specifications, drawings, models, disclaimers, judgments and other papers, except *caveats*, and except those filed in connection with applications for patents which are still pending, shall be open to the inspection of the public at the Patent Office, under such regulations as are adopted in that behalf. R.S., c. 69, s. 56.

Clerical errors.

59. Clerical errors which occur in the framing or copying of any instrument in the Patent Office shall not be construed as invalidating the same, but, when discovered, they may be corrected under the authority of the Commissioner. R.S., c. 69, s. 58.

Destroyed or lost patents.

60. If any patent is destroyed or lost, a certified copy thereof may be issued in lieu thereof upon the person who applies therefor paying the fees hereinbefore prescribed for office copies of documents. R.S., c. 69, s. 59.

Seal of patent Patent Office to be evidence.

61. Every court, judge and person whosoever shall take notice of the seal of the Patent Office and shall receive the impressions thereof in evidence, in like manner as the impressions of the Great Seal are received in evidence, and shall also take notice of and receive in evidence, without further proof and without production of the originals, all copies or extracts certified under the seal of the Patent Office to be copies of or extracts from documents deposited in such office. R.S., c. 69, s. 60.

Officers of Patent Office not to deal in patents.

62. No officer or employee of the Patent Office shall buy, sell or acquire or traffic in any invention or patent, or in any right to a patent; and every such purchase and sale, and every assignment or transfer thereof by or to any officer or employee, as aforesaid, shall be null and void, but this provision shall not apply to any original inventor, or to any acquisition by bequest. R.S., c. 69, s. 61.

Patent agent or attorney.

63. For gross misconduct or any other cause which he may deem sufficient, the Commissioner may refuse to recognize any person as a patent agent or attorney either generally or in any particular case.

Regulations and forms.

64. The Commissioner may, from time to time, subject to the approval of the Governor in Council, make such rules and regulations, and prescribe such forms, as appear to him necessary and expedient for the purposes of this Act, and notice thereof shall be given in the *Canada Gazette*; and all documents, executed in conformity with the same and accepted by the Commissioner, shall be held valid, so far as relates to proceedings in the Patent Office. R.S., c. 69, s. 62.

Annual report.

65. The Commissioner shall cause a report to be prepared annually and laid before Parliament of the proceedings under this Act, and shall, from time to time and at least once in each year, publish a list of all patents granted, and may, with the approval of the Governor in Council, cause such specifications and drawings as are deemed of interest, or essential parts thereof, to be printed, from time to time, for distribution or sale. R.S., c. 69, s. 63.

Offences and Penalties.

Patented articles to be stamped or marked.

66. Any patentee under this Act who sells or offers for sale any article patented under this Act not stamped or engraved with the year of the patent, applying to such article, or when from the nature of the article this cannot be done, not having affixed to it or every package wherein one or more of such articles is or are enclosed a label marked with the year of the date of the patent applying to such article in manner and form provided by this Act, shall be liable to a penalty not exceeding one hundred dollars, and in default of the payment of such penalty, to imprisonment for a term not exceeding two months. R.S., c. 69, s. 64.

Penalty.

Falsely marking article as patented.

67. Every person who,—

(a) writes, paints, prints, moulds, casts, carves, engraves, stamps or otherwise marks upon anything made or sold by him, and for the sole making or selling of which he is not the patentee, the name or any imitation of

the name of any patentee for the sole making or selling of such thing, without the consent of such patentee; or,

(b) without the consent of the patentee, writes, paints, prints, moulds, casts, carves, engraves, stamps or otherwise marks upon anything not purchased from the patentee, the words, *Patent*, *Letters Patent*, *King's* or *Queen's Patent*, *Patented*, or any word or words of like import, with the intent of counterfeiting or imitating the stamp, mark or device of the patentee, or of deceiving the public and inducing them to believe that the thing in question was made or sold by or with the consent of the patentee or his legal representatives; or,

(c) offers for sale as patented any article not patented in Canada, for the purpose of deceiving the public;

An indictable offence.

is guilty of an indictable offence, and liable to a fine not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months, or to both. R.S., c. 69, s. 65.

False entries an indictable offence.

68. Every person who wilfully makes or causes to be made any false entry in any register or book, or any false or altered copy of any document relating to the purposes of this Act, or who produces or tenders any such false or altered document in evidence, knowing the same to be such, is guilty of an indictable offence and shall be liable to be punished by fine and imprisonment accordingly. R.S., c. 69, s. 66.

Repeal.

69. The *Patent Act*, chapter sixty-nine of the Revised Statutes of Canada, 1906, as amended by chapter sixty-four of the statutes of 1919, with the exception of section 5A thereof which is not repealed, and chapter twenty-six of the statutes of 1919, second session, are hereby repealed.

Commencement of Act.

70. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 20.

An Act to amend The Opium and Drug Act.

First reading, March 18, 1920.

The MINISTER OF HEALTH.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77759 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 20.

An Act to amend The Opium and Drug Act.

1911 c. 17; 1919, (2nd Sess.) c. 25.

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

Definition of "drug."

1. (1) Section two, subsection *(a)* of *The Opium and Drug Act*, chapter seventeen of the statutes of 1911, is repealed and the following is substituted therefor:—

"*(a)* "drug" means and includes any substance (whether, alone or in conjunction with any other substance) mentioned in the Schedule to this Act or which may be added to such Schedule under the authority of this Act."

Amendment in consequence of section 5A.

(2) Section three of the said Act is amended by striking out the words "imports, manufactures, sells, offers for sale, has in his possession, or" immediately after the word "excuse" in the first line thereof.

Amendment in consequence of section 5A.

(3) Section four of the said Act is amended by striking out the words "or who, without lawful or reasonable excuse, has in his possession opium prepared or being prepared for smoking," in the first, second and third lines thereof.

(4) The said Act is amended by inserting the following section immediately after section five thereof:—

Minister may issue licenses for import, export, etc., of any drug, and may make regulations therefor.

"**5A.** (1) The Minister presiding over the Department of Health shall have power to issue licenses for the import, export, sale, manufacture and distribution of any drug, to name the ports or places in Canada where any drug may be exported or imported, to prescribe the manner in which any raw opium, prepared opium or any drug is packed and marked for export, to prescribe the record that shall be kept by any licensee in connection with the export, import, receipt, sale, disposal and distribution of the drug or drugs mentioned in such license, and to make all convenient and necessary regulations with respect to the issue and duration and the terms and forms of the several licenses that may be issued hereunder and to the payment of fees for such

licenses, but such fee shall not exceed the sum of twenty-five dollars for any license, and no such license shall continue in force for a longer period than one year.

Penalty for importing or exporting drug without license.

"(2) Any person who,—

"*(a)* imports into or exports from Canada any drug without first obtaining a license therefor from the Minister presiding over the Department of Health;

For importing or exporting at unauthorized port.

"*(b)* imports into or exports from Canada any drug at any port or place in Canada which has not been named by the said Minister as a port or place into or from which any drug may be imported or exported;

Export of opium or drug not packed, etc., as prescribed.

"*(c)* exports any raw opium or prepared opium or any drug which is not packed and marked in such manner as may be prescribed by the Minister;

For manufacturing opium, etc., without a license.

"*(d)* without first obtaining a license therefor from the said Minister, imports into or exports from Canada, or manufactures in Canada, any prepared opium, that is to say, any product of raw opium obtained by any series of special operations, especially by dissolving, boiling, roasting and fermenting, designed to transform it into an extract suitable for consumption, and including dross and all other residues remaining when opium is smoked;

Manufacturing, selling or distributing ing drugs without license.

"*(e)* has in his possession or manufactures, sells, gives away or distributes any drug without first obtaining a license from the Minister; or,

Not keeping record.

"*(f)* manufactures, imports, exports, sells or distributes any drug and neglects or refuses to enter in a proper book kept for such purpose the quantities of such drug received, manufactured, imported, exported, sold or distributed by him and any other particulars required by any regulations made by the said Minister, or neglects or refuses to produce such book 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 an offence, and shall be liable upon summary conviction to a fine not exceeding one thousand dollars and costs, and not less than five hundred dollars and costs, or to imprisonment for a term not exceeding one year, or to both fine and imprisonment.

Physicians, veterinary surgeons, dentists and druggists excepted.

"(3) The provisions of paragraphs *(e)* and *(f)* of this section shall not apply to a duly authorized and practising physician, veterinary surgeon or dentist, or to a druggist carrying on a *bona fide* business in a shop or store, but every druggist shall keep such record as the said Minister may by regulation prescribe with respect to the amount of any drug received or sold by such druggist, and any druggist refusing or neglecting to keep such record, or refusing or neglecting to produce the same for inspection by any peace officer or any person authorized to inspect the same by the said Minister, shall be guilty of an offence and liable upon

Druggist must keep records.

summary conviction to the penalties mentioned in subsection two of this section.

Liniments, ointments, etc., excepted.

"(4) The provisions of paragraphs *(e)* and *(f)* of this section shall not apply to any liniments, ointments or other preparations which are prepared for external skin use only which do not contain cocaine or any of its salts or preparations: Provided, however, that the Governor in Council may by regulation to be published in the *Canada Gazette* extend and apply the provisions of the said paragraphs *(e)* and *(f)* to any preparation named or described in such regulation."

Minister may apply paragraphs to any excepted preparation.

Repeal of c. 25, 1919, (2nd Sess.)

2. Chapter twenty-five of the statutes of 1919, second session, *An Act to amend The Opium and Drug Act*, is hereby repealed.

Fourth Session, Thirteenth Parliament. 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 21.

An Act to amend the Canada Shipping Act (Certificates o Service).

First reading, March 19, 1920.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77499 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

1907, cc. 46, 47; 1908, cc. 64, 65; 1912, c. 51; 1913, c. 49; 1914, cc. 48, 49; 1916, cc. 12, 13; 1919, c. 41. 1919 (2), c. 7.

An Act to amend the Canada Shipping Act (Certificates of Service).

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

1. Sections eighty-five to eighty-nine, both inclusive, and section ninety-one of the *Canada Shipping Act*, chapter one hundred and thirteen of the Revised Statutes of Canada, 1906, are hereby repealed, and the following are substituted therefor:—

Requirements for certificates of service as masters and mates.

"**85.** Every British subject who,—

"*(a)* served as a master or mate of a sea-going or coasting sailing vessel of over seventy-five tons, gross tonnage, before the first day of January, one thousand nine hundred and twenty, for a full period of twelve months within ten years immediately next preceding the date of his application for a certificate of service;

"*(b)* produces satisfactory evidence of his sobriety, experience, ability and general good conduct on board ship; and,

"*(c)* passes the sight test and the prescribed examination in signalling;

shall be entitled, on payment of the prescribed fee, to a certificate of service as a master or mate of a square rigged or fore-and-aft rigged sea-going or coasting sailing vessel not exceeding seven hundred and fifty tons, registered tonnage, according as his service has been *(a)* as master or as mate, *(b)* on a sea-going or on a coasting sailing vessel, *(c)* on a square rigged sailing ship or on a fore-and-aft rigged sailing vessel.

What certificates of service must contain.

"**91.** In every such certificate of service the name, place and date of birth of the person to whom the same is issued shall be stated, and each certificate shall specify whether the holder is entitled to act as master or mate, whether the

certificate is for sea-going vessels or for vessels in the coasting trade, and whether for square rigged sailing vessels or for fore-and-aft sailing vessels, and that it is not for any vessel exceeding seven hundred and fifty tons, registered tonnage."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 22.

An Act to confirm an Agreement between His Majesty the King and the Corporation of the City of Ottawa.

First reading, March 19, 1920.

The MINISTER OF PUBLIC WORKS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to confirm an Agreement between His Majesty the King and the Corporation of the City of Ottawa.

1899, c. 10;
1902, c. 25;
1903, c. 45;
1905, c. 29;
1910, c. 45;
1919, c. 62.

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

Agreement confirmed.

1. The agreement set out in the Schedule hereto, dated December, one thousand nine hundred and nineteen, and made between His Majesty the King and the Corporation of the City of Ottawa is hereby ratified and confirmed, and declared to be valid and binding on the parties thereto in all respects whatsoever.

SCHEDULE.

AGREEMENT entered into this day of December, in the year of our Lord One Thousand Nine Hundred and Nineteen;

Between HIS MAJESTY THE KING, as represented by the Minister of Public Works of Canada, hereinafter referred to as "The Government," *of the First Part:* and THE CORPORATION OF THE CITY OF OTTAWA, hereinafter referred to as "the Corporation," *of the Second Part:*

Whereas by Chapter Ten (10) of the Statutes of the year 1899, the Government provided for the annual payment of Sixty Thousand Dollars ($60,000.00) for Ten (10) years from July 1st, 1899, to the Ottawa Improvement Commission, for the purpose of building parks and driveways, and otherwise beautifying the City of Ottawa; and whereas, by Chapter 45 of the Statutes of 1903, provision was made for the annual payment of the said sum of Sixty Thousand Dollars ($60,000.00) for a period not exceeding Twenty (20) years from the First day of July, 1899; and whereas

by Chapter 45 of the Statutes of 1910, the annual payment for such purpose was increased to the sum of One Hundred Thousand Dollars ($100,000.00) from July 1st, 1909, up to the 1st day of July A.D. 1919; and whereas the Parliament of Canada, at its first session of the year 1919 did grant the sum of One Hundred and Fifty Thousand Dollars ($150,000.00) to the said Ottawa Improvement Commission, for a further term of Ten (10) years from the 1st day of July, 1919; and whereas, under certain Orders-in-Council passed respectively on the 21st day of December, 1883, the 11th day of January, A.D. 1885, and the 17th day of June, 1885, and by certain By-laws passed by the Corporation on the 10th day of August, 1885, the 2nd day of October, 1899, the 14th day of July, 1910, and the 18th day of September, 1916, and known respectively as Numbers 607, 1956, 3066 and 4274 of the By-laws of the said Corporation, and by the provisions of the said Statutes of the years 1899, 1903 and 1910, certain agreements were entered into between the Government and the Corporation respecting the maintenance by the Government of certain streets, bridges, sidewalks, pavements and other works in the City of Ottawa, which Agreements have continued down to the present time; and whereas it has been deemed advisable by the Government and the Corporation that a new agreement be made and that the terms of all agreements made under and by virtue of said Statutes, Orders-in-Council and By-laws, in so far as the same are inconsistent with the provisions of such agreement be cancelled; Now THEREFORE, THIS AGREEMENT WITNESSETH:—

1. That the Government will pay to the Corporation the sum of Seventy-five Thousand Dollars ($75,000.00) annually for a period of Five (5) years, from the First day of July, A.D. One Thousand Nine Hundred and Nineteen, said payments to be made quarterly, the amount due including the current quarterly payment to be paid as soon as may be after the passing of an Act confirming this Agreement, and the remaining quarterly payments to be made on the First day of the months of October, January, April and July in each year, during the said period, the last of such payments to be made on the First day of April, A.D. 1924. The said payments shall be in full satisfaction and discharge of all claims and demands on the Government, by and on the part of the Corporation, except as otherwise provided in this Agreement.

2. (a) The Government will pay to the Corporation for a supply of water from the Waterworks of the Corporation, for use in and on all buildings, and parts of buildings, lands and premises in the City of Ottawa, now or hereafter owned or occupied by the Government, at any time during the period of Five (5) years from the First day of July, A.D. 1919, (except buildings, parts of buildings, lands and

premises leased by the Government and subject to the general water rates established by By-law of the Corporation hereinafter referred to), and also for use in and on the Rideau Hall grounds and the Central Experimental Farm, and the buildings thereon, at the price or rate of Thirteen (13) cents per Thousand (1,000) gallons for such quantity of water as it may use in any year up to Two Hundred Million (200,000,000) gallons, and for water used in excess of Two Hundred Million (200,000,000) gallons in any year, at the price or rate of Ten (10) cents per thousand (1,000) gallons. It is also agreed that water rates shall be paid the Corporation in respect of all buildings and parts of buildings, and in respect of all premises leased by the Government, as to which the Government is under obligation by the terms of their lease to make payment of water rates, at the general rate from time to time established by the Waterworks By-law of the Corporation; but in no case shall the Government be required to pay on the same property in both the ways above recited, or partly in one way and partly the other, and no special By-law or special provisions of any By-law relating to water or otherwise shall in any way affect this agreement.

(b) The Corporation will install and maintain water meters at all convenient places where a supply of water is taken from its Waterworks for the use of the Government, in and on all such buildings, lands and premises, and the Government will pay the Corporation annually a sum equal to Ten (10) per centum of the cost of such meters. The amount payable by the Government in each year for water shall be determined by readings taken from the said meters at quarterly intervals, and shall be payable quarterly at the office of the Collector of Taxes of the Corporation, without discount, during the continuance hereof. The Government will pay the Corporation for such quantity of water supplied to it, on and after the 1st day of July, 1919, and prior to the installation of meters as would equal the quantity supplied to it for a like number of days next after the installation of such meters.

(c) In consideration of the said annual payments of Seventy-five Thousand Dollars ($75,000.00), and of the grant to the Ottawa Improvement Commission of One Hundred and Fifty Thousand Dollars ($150,000.00), a year for Ten (10) years, the Corporation agrees that the payment of the said sum of Seventy-five Thousand Dollars ($75,000.00) annually to the Corporation shall be in full payment, satisfaction and discharge of all claims and demands, by or on the part of the Corporation on the Government, in respect of water supplied for street sprinkling, for fire protection by the Corporation to any of the buildings or premises owned or occupied by the Government, and for use in Major's Hill Park, and in such other

parks and driveways as may be owned or maintained by the Ottawa Improvement Commission, provided that, for sprinkling purposes, such use shall be restricted to the hours fixed by the City, namely, from 5.00 a.m. to 8.00 a.m. and 5.00 p.m. to 8.00 p.m.

3. That the Government shall and will maintain, repair and keep in repair the substructure, superstructure, pavements and walks of the bridge over the Rideau Canal known as Connaught Place, formerly consisting in part of Dufferin and Sapper's Bridges, also the Laurier Avenue Bridge over the Rideau Canal, and the bridges over the Chaudiere Slides, in the City of Ottawa, and will maintain, repair and keep in repair the sidewalks on the east side of Elgin Street and on the south side of Laurier Avenue in front of and along the side of Cartier Square.

4. The Government shall maintain and repair good and sufficient sidewalks on the northern side of that portion of Wellington Street between Connaught Place and the western boundary of the Perley Home property, and on so much of the southern side of the said street as is in front of property owned by the Government, and shall maintain and keep in repair the roadway, as it now exists, of the portion of Wellington Street which lies between Connaught Place and Bank Street, and shall maintain, repair and keep in repair, and from time to time renew and replace the existing asphalt pavement on that part of the said street which lies between Bank Street and the westerly boundary of the Perley Home property; and should it be deemed desirable that a new pavement be hereafter placed on that part of Wellington Street which lies East of Bank Street such work shall be done by the Corporation in the same manner as similar works are done in other portions of the City, nothing herein contained to be construed as releasing property holders on the said portion of Wellington Street from any obligations imposed on them by law as regards payment of any taxes or local improvement rates in respect of their property on the said street, and all the provisions of a contract made between the same parties hereto, dated the seventh day of August, A.D. 1916, with regard to said Wellington Street are hereby incorporated in and made a part of this Agreement. The Government undertakes to indemnify and keep indemnified the Corporation from all manner of damage or injury suits, claims, and demands on account of the said works or incurred by reason or in consequence of the execution thereof, or the supply of material therefor, and that the Government will pay to the Corporation on demand any expense sustained by it in consequence of such claims or any money reasonably and properly paid by the Corporation in settlement thereof, save and except suits, claims and demands arising by

reason of anything done or omitted to be done by the Corporation, its agents, servants and workmen.

5. The Government further agrees to be subject to local improvement rates imposed by the Corporation under the provisions of *The Local Improvement Act, Ontario,* in the same way as other property owners, and the Corporation agrees that the Government shall have the same right as any other owner to petition for a local improvement, to petition against a local improvement, or to appeal from any improvement report.

6. The provisions of every Statute of Canada, Order-in-Council, By-law and agreement, whereby the Corporation in consideration of certain obligations undertaken or payments to be made, by the Government, agreed and was authorized to agree, to exempt from income tax, the incomes of officers and servants of the Government, resident in the City of Ottawa, derived from the Government, are hereby in so far as they may have any force or effect at this date, abrogated and cancelled and declared to be no longer binding on the Corporation.

The provisions of all former agreements between the said Government and the Corporation with respect to the subject matters hereof, in so far as the same are inconsistent with the provisions of this Agreement, are hereby cancelled.

IN WITNESS WHEREOF this Agreement has been executed by the Mayor and the Clerk of the Corporation of the City of Ottawa, and the Seal of the said Corporation has been affixed thereto, and the Minister of Public Works of Canada has executed the same on behalf of His Majesty the King.

SIGNED, SEALED AND DELIVERED at the City of Ottawa on the day and year first above written

In the presence of
J. W. Pugsley
as to signature of the Acting Minister of Public Works.

W. P. Harrell
as to signature of the Secretary, Department of Public Works.

(Sgd.) J. D. Reid,
Acting Minister of Public Works.

(Sgd.) R. C. Desrochers,
Secretary.

SEAL OF THE DEPARTMENT

The Corporation of the City of Ottawa,
(Sgd.) Harold Fisher,
Mayor.

(Sgd.) Norman H. H. Lett, Clerk.

SEAL OF THE CITY

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 23.

An Act to incorporate Canadian American Fire Insurance Company.

First reading, March 22, 1920.

(PRIVATE BILL)

Mr. GRIESBACH.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78031 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act to incorporate Canadian American Fire 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. George Bligh O'Connor, Charles Gerald O'Connor and James Harwood Ogilvie, barristers at law, and Alphaeus Norman McNutt, law student, all of the city of Edmonton, in the province of Alberta, together with such persons as become shareholders in the company, are incorporated under the name of "Canadian American Fire 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.

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 Edmonton, in the province of Alberta.

Classes of insurance.

6. The Company may make contracts of any of the following classes of insurance:—Fire insurance, inland marine insurance, guarantee insurance, accident insurance, inland transportation insurance, plate glass insurance, burglary insurance, sickness insurance and automobile insurance.

Commencing business.

Fire and Inland Marine insurance.

7. (1) The Company shall not commence the business of fire insurance and inland marine insurance or of fire insurance or inland marine insurance until at least two hundred and fifty thousand dollars of the capital stock has been subscribed and at least one hundred thousand dollars 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 or inland marine insurance or both, until the subscribed capital has been increased to at least five hundred thousand dollars nor 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 guarantee insurance the said increase shall not be less than fifty thousand dollars, for accident insurance not less than forty thousand dollars, for inland transportation insurance not less than ten thousand dollars, for burglary insurance not less than twenty thousand dollars, for sickness insurance not less than ten thousand dollars, for automobile insurance not less than twenty thousand dollars and for plate glass insurance not less than ten thousand dollars.

Increases of amounts 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 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, or 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.

(4) In this section the word "surplus" means the excess of assets over liabilities including in the said liabilities the amount paid on 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.

1917, c. 29.

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

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 24.

An Act to incorporate The Pabos, Amqui and Edmundston Railway Company.

First reading, March 22, 1920.

(PRIVATE BILL)

Mr. PELLETIER.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77501 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 24.

An Act to incorporate The Pabos, Amqui and Edmundston Railway 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. Duncan Napoléon Dubé, lumber dealer, Jules André Brillant, manager, Joseph Alfred Desbiens, merchant, Georges Léonidas Dionne, notary, Nazaire Caron, annuitant, Louis Alphonse Pednault, bank manager, Gratien Langlais, lumber dealer, of the town of Amqui, in the county of Rimouski, Joseph Sirois, farmer, of Val-Brillant, in the county of Matane, Joseph Têtu Bertrand, civil engineer, of L'Isle Verte, in the county of Témiscouata, all in the province of Quebec, and Joseph Adolphe Guy, physician, of Edmundston, in the province of New Brunswick, together with such persons as become shareholders in the company, are incorporated under the name of "The Pabos, Amqui and Edmundston Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section one of this Act are constituted provisional directors of the Company.

Capital stock.

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

Head office.

4. The head office of the Company shall be in the town of Amqui, in the province of Quebec.

Annual meeting.

5. The annual meeting of the shareholders shall be held on the first Wednesday in September.

Directors.

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

Railway authorized.

7. The Company may lay out, construct and operate a railway from a point at or near Pabos, in the county of Gaspé, and to follow up the Grand Pabos River, turning slightly to the west-south-west and across the seigniory of Pabos, an unorganized territory in the counties of Bonaventure and Matane, and running through the townships of Blais, Lepage, crossing the Canadian National Railway near Amqui station, the townships of Humqui, Pinault and Jetté, in the county of Matane, the seigniory of Lake Métis in the counties of Matane and Rimouski, an unorganized territory in the counties of Rimouski and Témiscouata, the township of Rouillard, the seigniory of Lake Témiscouata, in the county of Témiscouata, to a point in the town of Edmundston, in the county of Madawaska, in the province of New Brunswick, together with a branch from a point at or near Grand-Vallee, a seaport on the St. Lawrence River in the county of Gaspé, to the main line by the most feasible route.

Bonds on railway.

8. The securities issued by the Company shall not exceed thirty-five thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Borrowing.

9. In addition to the securities authorized by section eight 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 or operate; and to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock, or other securities, shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Telegraphs and telephones.

10. The Company may, subject to the provisions of *The Railway Act, 1919*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor.

Electric and other power.

11. For the purposes of its undertaking, and subject to the provisions of section three hundred and sixty-eight of *The Railway Act, 1919*, the Company may acquire, but not

by expropriation, electric or other power or energy; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor.

Vessels, wharfs, docks, etc.

12. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire, and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and may charge wharfage and other dues for the use of any such property.

Warehousemen and wharfingers.

Hotels, etc.

13. The Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels or restaurants along its railway and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out, manage and lease parks and summer pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer pleasure resorts are situated and upon terms to be agreed upon by such municipality.

Parks, etc.

Consent of municipalities.

Agreements with other companies.

14. Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of *The Railway Act, 1919*, the Company may, for any of the purposes specified in the said section one hundred and fifty-one, enter into agreements with any company.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 25.

An Act respecting The Pacific Coast Fire Insurance Company.

First reading, March 22, 1920.

(PRIVATE BILL)

Mr. STEVENS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78351 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 25.

An Act respecting The Pacific Coast Fire Insurance Company.

1908, c. 143.

WHEREAS The Pacific Coast 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:—

Subdivision of shares.

1. Section two of chapter one hundred and forty-three of the statutes of 1908, is hereby amended by adding thereto the following: "Provided that the new Company may by resolution of its directors at any time, or from time to time, subdivide its shares, or any of them, into shares of five dollars each, or into shares of a larger amount, but in the event of such subdivision the proportion between the amount paid and the amount, if any, unpaid on each reduced share shall be the same as it was in the case of the share from which the reduced share is derived."

Additional classes of insurance authorized.

2. Section twelve of the said chapter one hundred and forty-three of the statutes of 1908 is hereby amended by striking out all the words after the word "insurance" in the ninth line, and all of the tenth and eleventh lines, and substituting therefor the words "inland transportation insurance, automobile insurance, tornado insurance, explosion insurance, hail insurance, marine insurance, sprinkler leakage insurance, burglary insurance, and accident insurance, in all their branches and forms."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 26.

An Act respecting The Pacific Marine Insurance Company.

First reading, March 22, 1920.

(PRIVATE BILL)

Mr. STEVENS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78697 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 26.

An Act respecting The Pacific Marine Insurance Company.

1906, c. 140.

WHEREAS The Pacific Marine 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:—

1. Chapter one hundred and forty of the statutes of 1906 is amended by adding to section seven thereof the following subsections:—

Other classes of insurance authorized.

"(2) The Company may also make contracts of inland marine insurance, fire insurance, inland transportation insurance and automobile insurance.

Commencement of business.

"(3) The Company shall not commence the transaction of the classes of business authorized by subsection two hereof, or any of them, until the subscribed capital has been increased to at least five hundred thousand dollars nor until the paid capital or the paid capital together with the surplus of the Company has been increased by an amount or amounts dependent upon the class or classes so transacted as follows, that is to say:—For inland marine insurance the said increase shall be not less than fifty thousand dollars; for fire insurance not less than one hundred thousand dollars; for inland transportation insurance not less than ten thousand dollars; and for automobile insurance not less than twenty thousand dollars.

Increase of paid capital required.

"(4) The Company shall at or before the expiration of one year after obtaining a license for fire insurance, increase its paid capital or its paid capital together with its surplus by the sum of at least fifteen thousand dollars, and during each of the succeeding four years an additional fifteen thousand dollars shall be added to the paid capital or the paid capital and surplus until the said capital or the said capital and surplus exceeds the amount from time to time required by section six and the preceding subsections of

this section by the sum of at least seventy-five thousand dollars.

"Surplus" defined.

"(5) 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."

Repeal.

2. Sections eight, nine, ten and twelve of the said Act are repealed.

1917, c. 29.

3. Except as otherwise provided in the said Act or in this Act, *The Insurance Act, 1917*, shall apply to the Company from the date of the passing of this Act.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 27.

An Act respecting Food and Drugs.

First reading, March 22, 1920.

The MINISTER OF HEALTH.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78956 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 27.

An Act respecting Food and Drugs.

R.S., c. 133; 1907, c. 4; 1913, c. 4; 1914, c. 19; 1915, c. 9; 1919, c. 24; 1919 (2 Sess.), c. 4.

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 Food and Drugs Act, 1920.*

Definitions.

2. In this Act, and in any regulation made under this Act, unless the context otherwise requires,—

"Department."

(*a*) "Department" means the Department of the Government under which or in connection with which this Act is administered;

"Dominion Analyst."

(*b*) "Dominion analyst" means any analyst appointed for the purposes of this Act and includes the Chief Dominion Analyst and the Assistant Chief Dominion Analyst;

"Drug."

(*c*) "drug" includes all medicines for internal or external use for man or for any domestic animal;

"Food."

(*d*) "food" includes every article used for food or drink by man, and every ingredient intended for mixing with the food or drink of man for any purpose whatever;

"Inspector."

(*e*) "inspector" means any person appointed by His Majesty or by a municipality for the purpose of carrying out the provisions of this Act;

"Magistrate."

(*f*) "magistrate" means and includes any judge of the sessions of the peace, recorder, police magistrate, two justices of the peace or any magistrate or court having the power or authority of two or more justices of the peace;

"Minister."

(*g*) "Minister" means the Minister charged with the administration of this Act;

"Package."

(*h*) "package" includes any box, bottle, basket, tin, barrel, case, receptacle, sack, bag, wrapper or other thing in which any article is placed or packed;

"Sample." *(i)* " sample " means a sample of any food or drug taken under the provisions of this Act or of any regulation made hereunder.

ADULTERATION.

Food, when deemed to be adulterated.

3. (1) Food shall be deemed to be adulterated within the meaning of this Act,—

(a) if any substance has been mixed with it so as to reduce or lower or injuriously affect its quality or strength;

(b) if any inferior or cheaper substance has been substituted wholly or in part for the article;

(c) if any valuable constituent of the article has been wholly or in part abstracted;

(d) if its consists wholly or in part of any diseased or decomposed or putrid or rotten animal or vegetable substance, whether manufactured or not;

(e) if it is obtained from a diseased animal, or from an animal fed upon unwholesome food;

(f) if it contains any added poisonous ingredient, or any ingredient which may render it injurious to the health of the person consuming it, whether added with intent or otherwise; or,

(g) if its strength or purity falls below the standard, or its constituents are present in quantity not within the limits of variability fixed by the Governor in Council as hereafter provided.

Milk. (2) In the case of milk any adulteration shall be deemed to be injurious to health.

Drug, when deemed to be adulterated.

4. (1) Every drug shall be deemed to be adulterated within the meaning of this Act if its strength, quality or purity falls below the professed standard under which it is sold; or if, when offered or exposed for sale under or by a name,—

Recognized standards.

(a) recognized in the latest edition of the British Pharmacopoeia; or,

(b) recognized in the latest edition of any foreign pharmacopoeia; or,

(c) which is not recognized in any pharmacopoeia but is found in some generally recognized standard work on *materia medica* or drugs;

it differs from the standard of strength, quality or purity laid down therein.

British standard to prevail if authority not named.

(2) Unless a drug is sold in such a manner as plainly to indicate that its quality is to be judged by an authority other than the British Pharmacopoeia, and such authority is named, it shall be deemed to be adulterated unless it conforms to the standard of strength, quality and purity for such drug as these are defined by the latest edition of the British Pharmacopoeia.

MISBRANDING.

Food, when deemed to be misbranded.

5. Food shall be deemed to be misbranded within the meaning of this Act,—

(a) if it is an imitation of the article under whose name it is sold or offered for sale and if it is not clearly and explicitly described as an imitation;

(b) if it is stated to be the product of a place or a country of which it is not truly a product;

(c) if it is sold or offered for sale by a name which belongs to another article;

(d) if it is so coloured or coated or powdered or polished that damage is concealed, or if it is made to appear better or of greater value than it really is;

(e) if false or exaggerated claims are made for it upon the label or otherwise;

(f) if in package form, sealed by the manufacturer or producer, and bearing his name and address, the contents of each package are not conspicuously and correctly stated in terms of weight, measure or number, upon the outside of the package;

(g) if sold as a compound, mixture, imitation or substitute, it is not labelled in accordance with the requirements of this Act;

(h) if the package containing it, or the label on the package, bears any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device is false or misleading in any particular; or,

(i) if the package containing it, or the label on the package, bears the name of an individual or of a company, claimed to be the manufacturer or producer of the article, which individual or company is fictitious or non-existent.

Compounds, mixtures, etc., to be labelled as such, and not to be marked "pure," "genuine," etc.

6. Every article of food which is a compound, mixture, imitation or substitute shall be plainly and correctly labelled as such; and the words "pure" or "genuine" or words equivalent to these terms, shall not be used on the labels or in connection with such articles, and such articles shall be so packed, marked or labelled as not to be likely to deceive any person with respect to their true nature.

PROCURING SAMPLES.

Samples may be obtained.

7. (1) Any inspector may procure samples of food or drugs from any person who has such articles in his possession for the purpose of sale, or who sells or exposes the same for sale; and he may procure such samples either by purchasing the same or by requiring the person in whose possession they are to show him and allow him to inspect all such

articles in his possession, and the place or places in which such articles are stored, and to give him samples of such articles on payment or tender of the value of such samples.

Seizure of suspected articles.

(2) An inspector may, if he has reason to believe that any article of food or drug is held or exposed or offered for sale in violation of the requirements of this Act, seize and hold such article until a sample taken by him and submitted for analysis to a Dominion analyst has been reported upon. If the Dominion analyst reports that the said article is adulterated or misbranded within the meaning of this Act the article so seized and held shall *ipso facto* be forfeited to His Majesty. Otherwise it shall be released forthwith.

Examination at Customs.

(3) Any inspector when authorized thereto by the Minister shall have the right to examine any customs entries of imports of food or drugs into Canada and shall have the right to take samples of any food or drug sought to be imported into Canada and to submit such samples for analysis to a Dominion analyst for examination and report, and in any case where samples are taken hereunder such food or drug shall not be delivered to the importer or consignee until the Dominion analyst has reported upon the samples taken; and if he reports that the food or drug is adulterated or misbranded, such food or drug shall not be admitted into Canada for use as a food or drug.

ANALYSIS.

Inspector has to deal with samples.

8. (1) The inspector procuring any sample with the intention of submitting it to be analysed shall, after the transaction has been completed, forthwith notify the seller, or his agent selling the article, of his intention to submit it to a Dominion analyst for analysis, and shall, except in special cases as provided by regulations under section seventeen of this Act, divide the article into three parts to be then and there separated and each part marked and sealed up or fastened up as its nature may permit. The inspector shall deliver one of such parts to the seller or his agent, and he shall send the other two parts to the Department for analysis.

Owner may require sample to be specially marked and fastened up.

(2) The person from whom any sample is obtained under this Act may require the inspector obtaining it to annex to the vessel or package containing the parts of the sample which he is hereby required to transmit to the Department the name and address of such person, and to secure with a seal or seals belonging to him the vessel or package containing such parts of the sample, and the address annexed thereto, in such a manner that the vessel or package cannot be opened or the name and address taken off without breaking such seals; and the certificate of the analyst shall state the name and address so annexed to the vessel or package, that the vessel or package was not open, and that

the seals securing to the vessel or package the name and address of such person were not broken until such time as he opened the vessel or package, for the purpose of making his analysis, and in such case no certificate shall be receivable in evidence unless there is contained therein such statement, or a statement to like effect.

Anaylsis and certificate thereof.

(3) When the inspector has, by the means aforesaid, procured samples of the articles to be analysed, he shall send the same to the Department for purposes of analysis, and if it appears to the Dominion analyst that the sample is adulterated or misbranded within the meaning of this Act the Dominion analyst shall so certify, stating in such certificate whether such adulteration is, in his opinion, injurious to the health of the person consuming the same or not; and the certificate so given shall be received as evidence in any proceedings taken against any person in pursuance of this Act, subject to the right of such person to require the attendance of the Dominion analyst for the purpose of cross-examination.

Copy of certificate to be sent to owner.

(4) A copy of such certificate shall be furnished by the Department to the person from whom the sample was procured within six months of the time of procuring the sample.

Appeal.

9. (1) If the person who supplied the article respecting which the certificate referred to in the last preceding section is given, deems himself aggrieved thereby, he may, within ten days of the receipt of the copy of such certificate furnished to him, notify the minister in writing that he intends to present evidence in his own behalf to controvert the certificate of the Dominion analyst, stating in full the nature of such evidence. In the absence of such notice the certificate of the analyst shall be taken as final.

Notice.

Further investigation and analysis.

(2) Should the evidence submitted by the person above referred to be such as in the opinion of the Chief Dominion Analyst to justify further investigation, the Chief Dominion Analyst may cause the second part of the sample submitted to the Department, as provided in section eight, to be analysed to his satisfaction, and a certificate of such analysis signed by the Chief Dominion Analyst shall be final and conclusive evidence of the facts therein set out.

Analysis may be obtained of any sample.

10. (1) Nothing contained in this Act shall be held to prevent any person from submitting any sample of food or drug for analysis to a Dominion analyst, or from prosecuting the vendor thereof if it is found to be adulterated or misbranded within the meaning of this Act.

Fees.

(2) The person submitting such sample shall at the same time deposit with the Dominion analyst the amount of the fee prescribed for such analysis; and all such money

shall be deposited by the Dominion analyst to the credit of the Receiver General.

Inspectors appointed by Councils.

11. (1) The Council of any city, town, county or village or other municipality may appoint one or more inspectors of food or drugs, and any such inspectors may require a Dominion analyst to analyse any samples of food or drugs procured by him if such samples have been procured in accordance with the requirements of this Act.

Analysis.

(2) Such Dominion analyst shall, on payment of the prescribed fee, forthwith analyse the same and give the inspector a certificate of such analysis.

Prosecutions.

(3) Such inspector may prosecute any person manufacturing, selling or offering or exposing for sale within the city, county, town or village for which he is appointed inspector any article of food or drug which has been certified by a Dominion analyst to be adulterated or misbranded within the meaning of this Act.

Special application of penalties.

(4) All penalties imposed and recovered at the suit of any such inspector, shall be paid into the revenue of the city, county, town or village by the council of which such inspector was appointed, and may be used in such manner as the council of such city, county, town or village may direct.

Seizure.

12. (1) Whenever any article of food or any drug is reported by a Dominion analyst as being adulterated or misbranded within the meaning of this Act, the Department may order such article and all other articles of the same description which were in the same place at the time the article analysed was obtained to be seized by an inspector and detained by him until an analysis of a sample of the whole is made.

Forfeiture.

(2) If the Dominion analyst reports to the Department that the whole or any part of such articles of food or drugs as have been submitted for analysis by the aforesaid inspector is adulterated or misbranded, the Minister may declare such articles, or so much thereof as the Dominion analyst reports to be adulterated or misbranded, to be forfeited to the Crown, and they shall be forfeited accordingly, and may be disposed of as the minister directs.

Reports of Chief Analyst.

13. The Chief Dominion Analyst shall report from time to time to the Minister the number of articles of food and drugs analysed under this Act, and shall specify the nature and kind of adulteration detected, the nature and kind of misbranding found therein, together with all particulars regarding the vendors and manufacturers of such articles,

Publication.

and the reports of the Chief Dominion Analyst shall be printed and published for the information of the public at such times and in such manner as the Minister directs.

REGULATIONS.

Regulations by Governor in Council.

14. (1) The Governor in Council shall have power to make regulations,—

(a) prescribing standards of quality for and fixing the limits of variabilities permissible in any article of food or drug the standard of which is not otherwise prescribed by this Act;

(b) requiring a label to be attached, in such manner as he may direct, to any article of food or drug, and prescribing what the colour, size and contents of such label shall be;

(c) prescribing, in the case of foods in packages, sold at retail in such packages, what the shape and size of such package shall be, and of what material it shall be made.

Publication.

(2) All regulations made under this section shall be published in the *Canada Gazette*.

Regulations by Minister.

15. (1) The minister shall have power to make regulations,—

(a) prescribing the duties of inspectors appointed under this Act;

(b) prescribing a tariff of fees to be paid for analysing any article of food or drug;

(c) prescribing that a portion not exceeding one-half of the fine imposed upon any person violating the provisions of this Act may be paid to any person who has given information or otherwise given assistance leading to conviction in the case in question; provided that no portion of any fine shall be paid to any Dominion analyst or to any inspector or to any employee in the Department;

(d) for carrying out the provisions of this Act.

PENALTIES.

Sale of adulterated or misbranded article.

16. (1) Every person who by himself or his agent or employee manufactures for sale, sells, offers for sale or exposes for sale, any article of food or any drug which is adulterated or misbranded, shall be guilty of an offence, and,—

Injurious.

(a) if such adulteration is deemed to be injurious to health within the meaning of this Act, shall for a first offence be liable upon summary conviction to a fine not exceeding two hundred dollars and costs, and not less than fifty dollars and costs, or to imprisonment for any term not exceeding three months, or to both fine and imprisonment, and for each subsequent offence to a fine not exceeding five hundred dollars and costs and not less than fifty dollars and costs, or to imprison-

Penalty.

ment for any term not exceeding six months, or to both fine and imprisonment; and,

Not injurious.

(b) if such adulteration is not deemed to be injurious to health within the meaning of this Act, or if the article is misbranded, shall for a first offence be liable upon summary conviction to a fine not exceeding one hundred dollars and costs and not less than twenty-five dollars and costs, or to imprisonment for any term not exceeding three months, and for each subsequent offence to a fine not exceeding two hundred dollars and costs and not less than fifty dollars and costs, or to imprisonment for any term not exceeding six months, or to both fine and imprisonment.

Penalty.

Double penalty if offence wilful.

(2) In all cases where the adulteration is proved to have been wilful the penalties imposed by this section shall be doubled.

Want of knowledge.

17. (1) If the person accused proves to the magistrate before whom any prosecution is brought for selling, offering or exposing for sale any article of food or drug that is adulterated or misbranded, that he purchased the article in question for and as an article of the same nature, substance and quality as that demanded of him by the purchaser or inspector, with a written warranty to that effect, and produces the said warranty, or other evidence satisfactory to the magistrate, at the trial, and also proves that he sold it in the same state as that in which he purchased it and that he could not with reasonable diligence have obtained knowledge of its adulteration or misbranding, he shall be discharged from such prosecution, but shall be liable to pay the costs incurred by the prosecutor, unless he has given due notice to him that he will rely on the above defence and has called the party from whom he purchased the said article into the case as hereinafter provided.

Discharged from prosecution but liable for costs.

Calling in third party.

(2) If the person presenting such defence shall, upon his sworn declaration that he purchased the article in good faith and as provided for in the last preceding subsection, obtain a summons to call such third party into the case, the magistrate shall at the same time hear all the parties and decide upon the entire merits of the case, not only as regards the person originally accused, but also as regards the third party so brought into the case.

No *certiorari*.

18. No conviction, judgment or order in respect of an offence against this Act shall be removed by *certiorari* into any of His Majesty's courts of record.

Voluntary payments.

19. If any sum of money is voluntarily paid to and accepted by the Minister as a penalty and costs for a first offence under this Act, such sum of money may be dealt with as if lawfully recovered upon a prosecution.

Refusal of access.

20. If after being requested to do so by an inspector any person who has in his possession or under his control any food or drug refuses or omits to show the inspector the place in which such articles are stored, or refuses or fails to admit the inspector into every such place, or refuses or omits to show the inspector all or any of such articles in his possession, or to permit the inspector to inspect the same, or to give any sample thereof, or to furnish the inspector with any light or assistance he requires for any of such purposes, he shall be guilty of an offence, and shall be liable, upon summary conviction, to a fine not exceeding two hundred dollars and costs, and not less than fifty dollars and costs, or to imprisonment for any term not exceeding three months, or to both fine and imprisonment.

Penalty.

Possession of materials by manufacturer usable for adulteration.

21. Any material found in possession of a manufacturer of food or drugs, or in any of the premises occupied by him as such, and being apparently of a kind which might be employed for purposes of adulteration and for the possession of which he is unable to account to the satisfaction of an inspector, may be seized by such inspector and a sample of such material submitted for identification to a Dominion analyst. Should the Dominion analyst's certificate prove the material to be of such a kind as might be used for purposes of adulteration, the manufacturer shall be deemed wilfully to have exposed for sale adulterated food or drugs, and shall be liable, upon summary conviction, for a first offence, to a fine not exceeding two hundred dollars and costs, and not less than fifty dollars and costs, or to imprisonment for any term not exceeding three months, or to both fine and imprisonment, and for each subsequent offence to a fine not exceeding five hundred dollars and costs and not less than one hundred dollars and costs, or to imprisonment for any term not exceeding six months, or to both fine and imprisonment, and the material in question shall be forfeited to His Majesty, and may be disposed of as the minister may direct.

Penalty.

False label or neglect to label.

22. Every person who knowingly attaches to any article or package of food or drug sold or offered or exposed for sale any label or mark containing any untrue or misleading name, device or statement, or who neglects or refuses to label or mark any article or package of food or drug in accordance with the requirements of this Act, shall for a first offence be liable, upon summary conviction, to a fine not exceeding two hundred dollars and costs and not less than fifty dollars and costs, or to imprisonment for any term not exceeding three months, or to both fine and imprisonment, and for each subsequent offence to a fine not exceeding three hundred dollars and costs and not less than fifty dollars and costs, or to imprisonment for any term

Penalty.

not exceeding six months, or to both fine and imprisonment.

Expenses.

23. (1) Any expenses incurred in connection with procuring and analysing any food or drug, together with necessary travelling expenses of any inspector or Dominion analyst, shall, if the person from whom the sample is taken is convicted of having in his possession, selling, offering or exposing for sale any food or drug adulterated or misbranded, in violation of this Act, be deemed to be a portion of the costs of the proceedings against him, and shall be paid by him accordingly.

Deemed a portion of costs.

Counsel fee.

(2) Such expenses of prosecution shall also include a reasonable counsel fee, in the discretion of the magistrate.

Other remedies.

24. Nothing in this Act contained shall affect the power of proceeding by indictment against any offender, or take away any other remedy against such offender.

Disposition of fees.

25. Except as herein otherwise provided, all fees paid and penalties recovered under this Act shall form part of the Consolidated Revenue Fund of Canada.

Repeal.

26. The Acts mentioned in the Schedule hereto are repealed.

SCHEDULE.

The *Adulteration Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirty-three;

Chapter four of the statutes of 1907;
Chapter four of the statutes of 1913;
Chapter nineteen of the statutes of 1914;
Chapter nine of the statutes of 1915.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 28.

An Act respecting Maple Products.

First reading, March 22, 1920.

The MINISTER OF HEALTH.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78957 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 28.

An Act respecting Maple Products.

1915, c. 9.

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

1. This Act may be cited as *The Maple Products Act, 1920.*

Manufacture and sale of adulterated maple sugar or syrup.

2. (1) No person shall manufacture for sale, keep for sale, or expose for sale, or sell, any article of food resembling or being an imitation of maple sugar or maple syrup, or which is composed partly of maple sugar or maple syrup, and which is not pure maple sugar or pure maple syrup.

Adulterated maple sugar or syrup defined.

(2) Any maple sugar or maple syrup which is not up to the standard prescribed by the Governor in Council under *The Food and Drugs Act, 1920*, shall be deemed to be adulterated within the meaning of *The Food and Drugs Act, 1920.*

Use of word "maple" restricted to pure maple sugar or syrup.

(3) The word "maple" shall not be used, either alone or in combination with any word or words, or letter or letters, on the label or other mark, illustration or device on a package containing any article of food, or on any article of food itself, which is not pure maple sugar or pure maple syrup, and any article of food labelled or marked in violation of this subsection shall be deemed to be adulterated within the meaning of *The Food and Drugs Act, 1920.*

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 29.

An Act respecting Honey.

First reading, March 22, 1920.

The MINISTER OF HEALTH.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78955 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 29.

An Act respecting Honey.

R.S. c. 133, s. 5. 1914, c. 19, s. 5.

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 Honey Act, 1920.*

Feeding bees with sugar. (R.S. c. 133, s. 5.)

2. Feeding bees with sugar, except for the purpose of being consumed by them as food, or with glucose or any sweet substance other than such bees gather from natural sources, with the intent that the same shall be used by the bees in the making of honey, or, excepting as aforesaid, the exposing of any such substance with such intent, shall be deemed a wilful adulteration of honey within the meaning of this Act.

The word "Honey" not to be used on labels, etc., except for pure honey. (1914, c. 19, s. 5.)

3. (1) The word "honey" shall not be used either alone or in combination with any other word or words on the label or other mark, illustration or device on any package containing any article of food which is or which resembles honey and which is not pure honey made by bees, and no package containing any article of food which is not pure honey shall be labelled or marked in such a manner as is likely to make persons believe it is pure honey, and any article of food labelled or marked in violation of this section shall be deemed to be adulterated within the meaning of *The Food and Drugs Act, 1920.*

Medical syrups and compounds excepted.

(2) The provisions of this section shall not apply to any syrup or compound manufactured and sold for medical purposes only.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 30.

An Act to amend The Ottawa Mint Act.

First reading, March 22, 1920.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78855 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 30.

An Act to amend The Ottawa Mint Act.

R.S. c. 26; 1913, c. 31.

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 Ottawa Mint Act, 1920.*

2. Section two of the *Ottawa Mint Act*, Revised Statutes of Canada, 1906, chapter twenty-six, as enacted by *The Ottawa Mint Act, 1913*, chapter thirty-one of the statutes of 1913, is repealed and the following is substituted therefor:—

Yearly payment increased from $110,000 to $200,000.

"**2.** There shall be payable to His Majesty in every year, out of the Consolidated Revenue Fund, a sum or sums not exceeding in the whole in any year two hundred thousand dollars, for defraying the salaries, contingencies, retiring and other allowances and expenses connected with the maintenance of the Ottawa Branch of the Royal Mint and of the refinery forming part thereof."

Fourth Session, Thirteenth Parliament. 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act to amend the Customs Act.

First reading, March 22, 1920.

The MINISTER OF CUSTOMS AND INLAND REVENUE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77718 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act to amend the Customs Act.

R.S., c. 48; 1907, c. 10; 1908, c. 19; 1911, c. 7; 1914, c. 25; 1917, c. 15;

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

Firearms and munitions of war not to be imported without permission; exception in favour of United Kingdom struck out.

1. Section one hundred and twenty-seven of the *Customs Act*, Revised Statutes of Canada, 1906, chapter forty-eight, is amended by striking out the words "except from the United Kingdom of Great Britain and Ireland" in the second and third lines thereof.

Printer's error corrected.

2. Section two hundred and sixty-four of the said Act is amended by inserting the word "or" between the words "forfeiture" and "for" in the eighth line thereof.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 32.

An Act respecting Commercial Feeding Stuffs.

First reading, March 23, 1920.

The MINISTER OF HEALTH.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78954 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 32.

An Act respecting Commercial Feeding Stuffs.

1909, c. 15; 1919 (2 Sess.), c. 4.

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 Commercial Feeding Stuffs Act, 1920.*

Definitions.

2. In this Act, and in any regulation made under this Act, unless the context otherwise requires,—

"Agent."

(a) "agent" means any person whose name has been filed with the Minister as provided by section four of this Act;

"Bran."

(b) "bran" means a product of the milling of wheat or other grain, containing not less than fourteen per cent of proteids, not less than three per cent of fat, not more than ten per cent of crude fibre and free from vital seeds of any noxious weeds;

"Chop feed."

(c) "chop feed" means whole grain of one or more kinds more or less finely ground, containing not less than ten per cent of proteids, not less than two per cent of fat, not more than ten per cent of crude fibre, and free from vital seeds of any noxious weeds;

"Commercial feeding stuff."

(d) "commercial feeding stuff" means any article offered for sale for the feeding of domestic animals, excepting only hay, straw, roots, whole grain and wet brewers' grains;

"Dominion analyst."

(e) "Dominion analyst" means a Dominion analyst as defined in *The Food and Drugs Act, 1920*;

"Guaranteed analysis."

(f) "guaranteed analysis" means the valuation of a commercial feeding stuff by the manufacturer or agent, in terms of its minimum content of protein and fat, and its maximum content of fibre;

"Minister."

(g) "Minister" means the Minister charged with the administration of this Act;

Noxious weed.

(h) "noxious weed" means any weed determined to be included in the term "noxious weed" under the provisions of *The Seed Control Act*, chapter twenty-three of the statutes of 1911;

"Registered commercial feeding stuff."

(i) "registered commercial feeding stuff" means a commercial feeding stuff which is designated by a number granted by the Minister for the specific identification of such commercial feeding stuff, as hereinafter defined;

"Registration number."

(j) "registration number" means the specific number given by the Minister to a commercial feeding stuff;

"Shorts or middlings."

(k) "shorts or middlings" means the coarser material sifted out from the products of a second treatment of the grain by crushing the coarsely ground material that is sifted out from the bran after the first grinding; and containing not less than fifteen per cent of proteids, not less than four per cent of fat, not more than eight per cent of crude fibre, and free from vital seeds of any noxious weeds.

Distinct brands.

3. Commercial feeding stuffs shall be considered as of distinct brands when differing either in guaranteed composition, trade mark, name, or in any other characteristic method of marking.

Name of foreign manufacturer's agent or representative in Canada to be filed with Minister.

4. (1) Where the manufacturer of any commercial feeding stuff has his factory or chief place of business elsewhere than in Canada, he shall file with the Minister the name of a person resident in Canada and acceptable to the Minister, or a corporation having its head office in Canada, as the agent or representative of such manufacturer for all the purposes of this Act; and any notice to, or communication or dealing with, such agent or representative by the Minister shall be effectual for all the purposes of this Act.

Default of filing.

(2) In default of such filing, the Minister may take any proceeding or action under this Act *ex parte*, and without any notice to, or communication with such person or corporation.

Registration number.

5. Every brand of commercial feeding stuff, except bran, shorts or middlings and chop feeds, as defined in paragraphs *(b)*, *(k)* and *(c)* of section two of this Act, offered for sale in Canada shall bear a registration number, which shall be permanently assigned to the particular brand of commercial feeding stuff for which it is issued. The number shall be granted by the Minister on the application of the manufacturer of such brand of commercial feeding stuff, or his agent, and on payment of a fee of two dollars.

Application for registration number.

6. Every application for a registration number shall be accompanied by a statement giving the following particulars:—

(a) Name of brand for which the registration number is asked, and trade mark, if any;
(b) Name and address of manufacturer;
(c) Name and address of the person applying for registration;
(d) Guaranteed analysis;
(e) The material of which the commercial feeding stuff is composed.

This is required to be filed in the Department for the information of the Minister, and not for publication.

Registration number, how affixed.

7. The registration number must be affixed by the manufacturer or agent in a plain and legible manner to every package of registered commercial feeding stuff sold or offered for sale, and shall constitute an identification of the brand. In addition to the registration number there must be legibly printed, on every package of registered commercial feeding stuff sold, the statement set out in Schedule A to this Act. This condition shall be held to be fulfilled if a printed tag bearing the registration number, and the statement required, is securely attached to the package.

Statement required.

Notice of change of composition and application for new number.

8. If a manufacturer elects to change the composition of any registered commercial feeding stuff for which a registration number has been granted, he shall notify the Minister to that effect, and shall apply for a new registration number to designate the new or altered commercial feeding stuff; and the former registration number shall be cancelled, and shall not be reissued.

Annual license to sell.

9. (1) No manufacturer of a registered commercial feeding stuff, and no agent of such manufacturer, shall sell or offer for sale any registered commercial feeding stuff, as defined by section two of this Act, unless he has a license under this Act authorizing the sale thereof.

Fee.

(2) Upon the application of any such manufacturer or his agent, and upon payment of a fee of five dollars therefor, the Minister may grant a license authorizing the sale of such brands of registered commercial feeding stuff as are named in the license.

Period of validity.

(3) Such license shall be in such form as the Minister prescribes, and shall confer authority to sell during the calendar year in which the license is issued.

Renewal.

(4) The Minister may renew any such license from year to year, on payment of one dollar per annum.

Purchaser of registered feeding stuff may obtain analysis.

10. Any purchaser of a registered commercial feeding stuff may obtain from the Minister an analysis of the feed as delivered to him, by making application for such analysis, accompanied by a sample of the feed of at least one pound weight, and taken in accordance with the directions given

Fee.

in Schedule B to this Act; and on payment of a fee of one dollar.

Bran, shorts and chop feed may be sold without registration.

11. The following classes of commercial feeding stuffs may be sold without registration, namely, bran, chop feed and shorts or middlings; but these classes of commercial feeding stuffs must meet the requirements as to nutritive value which are fixed for them respectively under paragraphs *(b)*, *(c)* and *(k)* of section two of this Act.

Bran and shorts, etc., when deemed to be adulterated (1919, 2 sess., c. 4).

12. In the case of bran or shorts or middlings, it shall be considered to be adulterated if it contains anything that is not a product of wheat, or, in the case of corn bran, if it contains anything that is not a product of maize or indian corn.

Presence of over 25 vital weed seeds in a pound to be adulteration.

13. The presence of vital noxious weed seeds in any form of commercial feeding stuff shall be held to constitute adulteration when there are more than twenty-five such seeds per pound present in the commercial feeding stuff.

Certain officers to act as inspectors R.S., c. 133.

14. The inspectors of food and drugs acting under *The Food and Drugs Act, 1920*, shall act as inspectors of commercial feeding stuffs, and shall procure and submit for analysis samples of commercial feeding stuffs offered for sale in Canada.

Inspectors to procure samples for analysis.

15. (1) Every inspector shall obtain for analysis a sample of every commercial feeding stuff offered for sale in the district for which such inspector is appointed.

Analysis and publication of results.

(2) Every sample so obtained shall be transmitted to the Minister for submission to a Dominion analyst for analysis; and the result of all such analyses shall be published annually by the Minister in such manner as he sees fit, together with such other information pertaining to commercial feeding stuffs as he deems it desirable should be published.

Feeding stuff imported for personal use.

16. If any commercial feeding stuff is imported for the personal use of the importer, and not for sale, this Act shall not apply thereto, but such importer may secure an analysis of the feed as delivered to him, on application to the Minister and on payment of a fee of five dollars. The sample submitted must be taken in accordance with the requirements of section ten of this Act.

Analysis.

Feeding stuff made to order, and not for sale.

17. This Act shall not apply to commercial feeding stuffs which are manufactured to the order of the purchaser and are not intended for sale, unless such commercial feeding stuffs are actually sold by such purchaser; but such purchaser may secure an analysis of the commercial feeding

Analysis.

stuff as delivered to him, under the conditions stated in section ten of this Act and on payment of a fee of five dollars.

Penalties for non-compliance with Act.

18. (1) Every manufacturer or agent or vendor or purchaser, who sells or offers or exposes for sale any commercial feeding stuff in respect of which the provisions of this Act have not been complied with, or who sells or offers or exposes for sale any commercial feeding stuff which does not contain the percentage of constituents mentioned in the manufacturer's statement or certificate accompanying such commercial feeding stuff, or fails to meet the standards fixed for the class of feed in question, shall be held guilty of adulteration; provided that a deficiency of one per cent of protein, or fat, or an excess of two per cent of fibre claimed to be contained in the commercial feeding stuff shall not be considered as evidence of fraudulent intent, if the total value of the commercial feeding stuff in nutritive materials is substantially equivalent to the guaranteed statement made by the manufacturer or agent.

Proviso as to evidence of fraudulent intent.

Forgery of certificate, registration number, etc.

Penalty.

19. Every person who forges, or utters or uses knowing it to be forged, any manufacturer's certificate, registration number, or certificate of analysis required under this Act, is guilty of an indictable offence, and is liable to imprisonment for a term not exceeding two years, with or without hard labour.

Unlawful use of certificate tag or number.

20. Every person who wilfully applies to any commercial feeding stuff a certificate, or tag, or registration number given in relation to any other package or lot of commercial feeding stuff, and every person who lowers the nutritive value of a commerical feeding stuff by mixing any other substances therewith, after the said commercial feeding stuff has been placed on the market by the manufacturer or agent, shall be liable, on summary conviction, to a penalty not exceeding five hundred dollars, and in default of payment to imprisonment for a term not exceeding twelve months.

Penalty.

False certificate.

21. Every person who gives a false certificate in writing with respect to a commercial feeding stuff sold by him as a principal or agent shall be liable on summary conviction to a penalty not exceeding five hundred dollars, and in default of payment to imprisonment for a term not exceeding twelve months.

Penalty.

Penalties for non-compliance with Act.

22. Any person who by himself or his agent or employee manufactures for sale, sells, offers for sale or exposes for sale any commercial feeding stuff which is adulterated shall be guilty of an offence and liable upon summary conviction in each case to a penalty not exceeding fifty dollars for the first offence and for each subsequent offence

to a penalty not exceeding one hundred dollars, and in default of payment of such penalty to imprisonment for any term not exceeding thirty days.

Certificate.

23. In prosecutions under this Act, a certificate signed by the Dominion analyst shall be receivable as evidence; and in cases of appeal, the certificate of the Chief Dominion Analyst shall be accepted by the Court as final.

Penalty for violating any provision of Act for which no other penalty is prescribed.

24. Any person violating any of the provisions of this Act for which no other penalty is prescribed shall be guilty of an offence and shall be liable upon summary conviction to a penalty not exceeding fifty dollars or to imprisonment for any term not exceeding fourteen days.

Application of fees and penalties.

25. All fees paid and penalties recovered under this Act shall form part of the Consolidated Revenue Fund of Canada.

Repeal.

26. *The Commercial Feeding Stuffs Act, 1909*, chapter fifteen of the Statutes of 1909, is hereby repealed.

Commencement of Act.

27. This Act shall come into operation on such date as may be prescribed by proclamation issued by the Governor in Council.

SCHEDULE A.

STATEMENT TO BE ATTACHED TO EVERY PACKAGE OF REGISTERED COMMERCIAL FEEDING STUFF.

1. (Name of brand).
2. (Registration number).
3. (Name and address of manufacturer).
4. (Analysis as guaranteed by the manufacturer, which shall show the percentage content of protein, fat and fibre).
5. Notice: Any purchaser may have an analysis made by the Department of Health, on payment of one dollar. Samples must be taken in conformity with the regulations of the Department of Health, of which copies may be had by addressing the Deputy Minister of Health.

SCHEDULE B.

INSTRUCTIONS FOR TAKING SAMPLES OF COMMERCIAL FEEDING STUFFS TO BE SUBMITTED FOR ANALYSIS IN ACCORDANCE WITH SECTION TEN.

Samples of commercial feeding stuffs submitted by a purchaser for analysis must be enclosed in glass jars or bottles,

and properly sealed. The samples must be taken in the presence of the vendor or of his representative.

PROCESS OF SAMPLING.

In lots of five tons, or less, portions shall be drawn from each separate package, and from at least ten packages; or if less than ten packages are present, all shall be sampled. In lots of over five tons, at least ten per cent of the packages shall be sampled. The portions so taken shall be thoroughly mixed in the presence of the parties interested, and from this mixture the sample sent to the Minister is to be taken, and must bear the signature of vendor and purchaser; and at the same time a duplicate sample is to be left with the party whose goods are inspected, subject to the call of the manufacturer or agent.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 33.

An Act to incorporate International Loan Company.

First reading, March 25, 1920.

(PRIVATE BILL)

Mr. BLAKE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78959 1920.

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 33.

An Act to incorporate International Loan Company.

Preamble.

Man. R.S., 1902, c. 30.

WHEREAS International Loan Company, Limited, has by its petition represented that it was incorporated in the year nineteen hundred and thirteen under *The Manitoba Joint Stock Companies Act*, being chapter thirty of the Revised Statutes of Manitoba, 1902, and now has a subscribed capital exceeding one million, nine hundred thousand dollars, and is desirous of extending its business outside of the province of Manitoba, and 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:—

Incorporation.

Corporate name.

1. The shareholders of the said International Loan Company, Limited, hereinafter called "the Manitoba Company," together with such persons as become shareholders in the company, hereby incorporated, are incorporated under the name of "International Loan Company," hereinafter called "the Company."

Capital stock.

2. The capital stock of the Company shall be twenty million dollars, divided into shares of one hundred dollars each.

Shareholders.

3. The shareholders of the Manitoba Company are declared to be holders respectively of shares in the Company, to the same extent and with the same amounts paid up thereon as they are holders respectively of shares in the Manitoba Company.

Officers and directors.

4. The president, vice-president and directors of the Manitoba Company shall respectively be the president, vice-president and directors of the Company, until their successors are elected.

By-laws, etc.

5. The by-laws, rules and regulations of the Manitoba Company lawfully enacted shall be the by-laws, rules and regulations of the Company, subject to repeal, amendment or other change lawfully made.

Head office.

6. The head office of the Company shall be in the city of Winnipeg, in the province of Manitoba.

Debts, liabilities, contracts, etc.

Rights and powers.

7. The Company shall be liable for and subject to, and shall pay, discharge, carry out and perform, all the debts, liabilities, obligations, contracts and duties of the Manitoba Company, and any person having any claim, demand, right, cause of action or complaint against the Manitoba Company or to whom the Manitoba Company is under any liability, obligation, contract or duty, shall have the same rights and powers with respect thereto, and to the collection and enforcement thereof, from and against the Company, its directors and shareholders, as such person has against the Manitoba Company, its directors and shareholders.

Rights saved.

8. Nothing in this Act contained, or done in pursuance hereof, shall take away or prejudice any claim, demand, right, security, cause of action or complaint which any person has against the Manitoba Company, its directors or shareholders, or shall relieve the Manitoba Company, its directors or shareholders, from the performance of any debt, liability, obligation, contract or duty.

Acquisition of assets, rights, etc., of Manitoba Company.

9. The Company may acquire all the assets, rights, credits, effects and property, real, personal and mixed of whatever kind and wherever situate, belonging to the Manitoba Company, or to which it is, or may be or become entitled, and a conveyance of assignment thereof in a form of the Schedule to this Act, or to the like effect, shall be sufficient.

Form. 1914, c. 40.

10. The Company shall have all the privileges, powers and immunities conferred by and be subject to all the limitations, liabilities and provisions of *The Loan Companies Act, 1914*, except sections five to fourteen, inclusive, subsection two of section twenty-one, paragraph *(a)* of section sixty-three and section sixty-five of the said Act, and except in so far as inconsistent with this Act.

Lending powers.

11. The Company may lend money on the security of or purchase or invest in agreements for sale of unencumbered property on which there is not more than sixty per cent of the purchase price owing.

Statement to Minister.

12. The annual statement of the Company shall be submitted to the Minister in accordance with the terms of subsection four of section sixty-nine of *The Loan Companies Act, 1914.*

Payment of subscriptions of stock.

13. Subscriptions of the stock of the Company may be payable in annual or other instalments and all subscriptons heretofore made to the stock of the Manitoba Company payable by instalments are hereby declared to be valid and binding for all purposes upon the Company and upon such subscribers, and the provisions of *The Loan Companies Act, 1914,* with respect to calls on stock, shall apply to payments falling due upon any agreement to pay for stock in instalments: Provided, however, that the Company and any subscriber may agree to accept and make any such payment prior to the due date.

1914, c. 40.

Extension of business.

14. The shareholders may at any annual general meeting, or at any special meeting duly called for the purpose, pass a by-law authorizing its directors to extend the business of the Company or to establish agencies outside of Canada.

Limitation as to loans on paid up stock.

15. (1) The Company may, subject to any limitations or prohibitions imposed by its by-laws, lend upon its own paid up stock to an amount not exceeding, in the aggregate of all such loans, ten per cent of the Company's paid up stock, but no such loan shall exceed fifty per cent of the par value or the then current market value of such stock, whichever value is smaller. The amount of such advances shall be deducted from the amount of the paid up capital upon which the Company is authorized to borrow.

Limitation as to loans on security.

(2) The Company shall not, except as in this section provided, make any loan or advance upon security of any share or stock of the Company whether with or without collateral security.

Commencement of Act.

16. This Act shall not take effect unless and until at an annual or a special general meeting of the shareholders of the Manitoba Company duly called for the purpose of considering the same or any adjournment of such meeting, a resolution accepting and approving thereof, and fixing the date or event upon which this Act is to take effect, has been passed by the shareholders present or represented by proxy at such meeting, and holding not less than seventy-five per cent of the subscribed capital stock of the Manitoba Company represented at such meeting; and due notice of such annual or special general meeting, although given prior to the passing of this Act, shall be sufficient; and a certified copy of such resolution shall, within fifteen days from the passing thereof, be transmitted

Notice.

Copy of resolution to Secretary of State.

Publication in *Canada Gazette.*

to the Secretary of State, and shall be by him published in the *Canada Gazette;* and upon such resolution being passed this Act shall take effect and speak from the time or event fixed by such resolution: Provided always that, prior to the time or event so fixed, the board of directors of the Manitoba Company may pass the necessary by-laws for the organization and working of the Company and may procure the corporate seal therefor, and may authorize the execution of the conveyance and assignment referred to in section nine of this Act, and may do whatever is required for compliance with any laws relating to the licensing, registration or otherwise of the Company in any province of Canada. It is further provided that, immediately after the annual or the special general meeting of the shareholders of the Manitoba Company at which this Act is accepted and approved, the shareholders of the Manitoba Company may meet in the same place to pass by-laws for the organization and working of the Manitoba Company, also to authorize the creation and issue of debentures under the provisions of this Act, and for the transaction of any other special business of which sufficient notice has been given, notwithstanding the fact that such notice may have been given to such shareholders as shareholders of the Manitoba Company and prior to the passing of this Act.

Proviso as to organization and working of Company.

Proviso as to subsequent meeting, etc., of Manitoba Company.

SCHEDULE.

THIS INDENTURE made the day of A.D. 1920, between International Loan Company Limited, OF THE FIRST PART, hereinafter called " the Manitoba Company," and International Loan Company, OF THE SECOND PART, hereinafter called " the Company."

Whereas the shareholders of the Manitoba Company have accepted and approved of the Company's Act of incorporation, being chapter of the statutes of Canada of 1920, intituled "An Act to incorporate International Loan Company," and by resolution of the shareholders duly passed in that behalf the day of *(or the execution hereof as the case may be)* was fixed as the date *(or event)* from which the said Act should take effect;

And whereas by the said Act the Company is authorized to acquire all the assets, rights, credits, effects and property, real, personal and mixed of the Manitoba Company;

And whereas the Manitoba Company has agreed to convey and assign the same to the Company;

Now this indenture witnesseth that in consideration of the said Act and of the shares in the capital stock of the Company which are thereby vested in the shareholders of the Manitoba Company, and in consideration of the

covenants by the Company hereinafter contained, the Manitoba Company hereby grants, assigns, transfers and sets over unto the Company, its successors and assigns, forever, all the assets, rights, credits, effects and property, real, personal and mixed, of whatever kind and wheresoever situated, belonging to the Manitoba Company, or to which it is, or may be, or become entitled: To have and to hold unto the Company, its successors and assigns, to and for its sole and only use forever; and the Manitoba Company covenants with the Company to execute and deliver, at the expense of the Company, all such further and other separate and formal assurances, assignments, transfers and conveyances, for registration purposes or otherwise, as may be required to vest in the Company, its successors and assigns, the full legal and equitable and beneficial title and interest to and in the said assets, rights, credits, effects, and property and each and every part thereof.

And in consideration of the foregoing, the Company covenants with the Manitoba Company, its successors and assigns, that it shall and will pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties for or in respect of which the Manitoba Company is now liable, or which it should pay, discharge, carry out or perform; and the Company shall and will indemnify and save harmless the Manitoba Company in respect thereof.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 33.

An Act to incorporate International Loan Company.

[*Reprinted as proposed to be amended by the Select Standing Committee on Banking and Commerce.*]

First reading, March 25, 1920.

(PRIVATE BILL)

Mr. BLAKE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
390 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 33.

An Act to incorporate International Loan Company.

[*Reprinted as proposed to be amended by the Select Standing Committee on Banking and Commerce.*]

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. George William Argue, loan company manager, George Hay, secretary-treasurer, Benjamin McKenzie Gunn, barrister at law, and Robert Rettie, contractor, all of the city of Winnipeg, Charles Setter, of Poplar Point, farmer, John Burns of Starbuck, farmer, and Robert Hunter, of Warren, farmer, all in the province of Manitoba, together with such persons as become shareholders in the company, are incorporated under the name of "International Loan 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 twenty million dollars.

Head office.

4. The head office of the Company shall be in the city of Winnipeg, in the province of Manitoba.

Acquisition of assets, etc., of Manitoba Company.

5. (1) The Company may acquire the whole or any part of the rights and property of International Loan Company, Limited, incorporated by Letters Patent under *The Manitoba Joint Stock Companies Act*, being chapter thirty of the Revised Statutes of Manitoba, 1902, and in event of such acquisition the Company shall perform and discharge all such duties, obligations and liabilities of that company with respect to the rights and property acquired as are not performed and discharged by that company.

Provisions of agreement

(2) The agreement under which the said rights and property are acquired by the Company may provide that shareholders of the International Loan Company, Limited, who have or who may become shareholders in the Company shall receive, in lieu of dividend in the liquidation of the International Loan Company, Limited, a credit on their subscriptions to the shares of the Company to an amount equal to the amount paid by them as capital or premium on their shares in the said International Loan Company, Limited.

Subscriptions how payable.

6. Subscriptions to the stock of the Company may be payable in annual or other instalments and the provisions of *The Loan Companies Act, 1914*, with respect to calls on stock, shall apply to payments falling due upon any agreement to pay for stock in instalments: Provided, however, that the Company and any subscriber may agree to accept and make any such payment prior to the due date.

Loans.

7. The Company may lend money on the security of or purchase or invest in agreements for sale of unencumbered property on which there is not more than sixty per cent of the purchase price owing.

Issue of certificate on conditions.

8. A certificate permitting it to exercise the powers of a loan company shall not be issued, unless and until the Minister has been satisfied by such evidence as he may require that the International Loan Company, Limited, incorporated by Letters Patent under *The Manitoba Joint Stock Companies Act*, chapter thirty of the Revised Statutes of Manitoba, 1902, is ceasing to do business nor unless and until such undertaking as he may require has been given that the said Company will entirely cease to do business within such reasonable time as he may fix.

Subject to Loan Company Act.

9. Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities conferred by, and be subject to all the limitations, liabilities and provisions of *The Loan Companies Act, 1914*.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 34.

An Act respecting The Montreal and Southern Counties Railway Company.

First reading, March 25, 1920.

(PRIVATE BILL)

Mr. ARCHAMBAULT.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77427 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 34.

An Act respecting The Montreal and Southern Counties Railway Company.

1897, c. 56, 1898, c. 78; 1902, c. 78; 1905, c. 129; 1910, c. 131; 1911, c. 81; 1915, c. 49.

WHEREAS The Montreal and Southern Counties 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 Montreal and Southern Counties Railway Company may, within five years after the passing of this Act, complete and put in operation the railway which it was authorized to construct by chapter fifty-six of the statutes of 1897, as amended by chapter seventy-eight of the statutes of 1898, chapter seventy-eight of the statutes of 1902, and chapter one hundred and twenty-nine of the statutes of 1905; and if the said railway is not so completed and put in operation within the said period, 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 railway as then remains uncompleted.

Repeal.

2. Section one of chapter forty-nine of the statutes of 1915 is hereby repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 35.

An Act to amend The Dominion Lands Act.

First reading, March 25, 1920.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
79168 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 35.

An Act to amend The Dominion Lands Act.

1908, c. 20; 1909, c. 11; 1914, cc. 27, 28; 1918, c. 19; 1919, cc. 19, 50; 1919, (2 Sess.) c. 13.

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

Letters patent may issue where settler has no adequate knowledge of English or French language, but has complied with other conditions.

1. Section sixteen of *The Dominion Lands Act*, chapter twenty of the statutes of 1908, as amended by chapter nineteen of the statutes of 1918, and chapter thirteen of the statutes of the second session of 1919, is further amended by inserting the following subsection immediately after subsection eight thereof:—

"(8a). Provided that if an applicant for a certificate of naturalization be refused on the ground that such applicant has not an adequate knowledge of either the English or French language, the minister may, on receipt of a certificate to this effect from the Secretary of State of Canada, issue letters patent in the name of such applicant."

Issue of letters patent to alien entrants.

2. Subsection three of section twenty-five of the said Act, as enacted by chapter nineteen of the statutes of 1918, is amended by adding thereto the following paragraph:—

"*(g)* an alien entrant who has been refused a certificate of naturalization on the ground that he has not an adequate knowledge of either the English or French language."

Disposal of unsold portion of school lands to be after valuation by official of Department.

3. Section forty of the said Act, as amended by chapter twenty-seven of the statutes of 1914, is amended by adding thereto the following subsection:—

"(3) Notwithstanding anything in this section or elsewhere in this Act, when for any reason a part or a fraction only of a quarter section of school lands has been disposed of to any person; upon any portion of the balance of said quarter section becoming available for disposition, the Minister may sell such portion to the registered owner of the part of such quarter section already disposed of upon terms satisfactory to the Minister, and at a price per acre to be fixed by the Minister after valuation by an official of the Department."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 37.

An Act respecting Copyright.

First reading, March 26, 1920.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78854 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 37.

An Act respecting Copyright.

R.S., c. 70; 1908, c. 17; 1915, c. 12.

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

SHORT TITLE.

Short title.

1. This Act may be cited as *The Copyright Act, 1920.*

INTERPRETATION.

Definitions.

2. In this Act, unless the context otherwise requires,—

"Architectural work of art."

(a) "architectural work of art" means any building or structure having an artistic character or design, in respect of such character or design, or any model for such building or structure, provided that the protection afforded by this Act shall be confined to the artistic character and design, and shall not extend to processes or methods of construction;

"Artistic work."

(b) "artistic work" includes works of painting, drawing, sculpture and artistic craftsmanship, and architectural works of art and engravings and photographs;

"Cinematograph."

(c) "cinematograph" includes any work produced by any process analogous to cinematography;

"Collective work."

(d) "collective work" means,—

(i) an encyclopædia, dictionary, year book, or similar work;

(ii) a newspaper, review, magazine, or similar periodical; and,

(iii) any work written in distinct parts by different authors, or in which works or parts of works of different authors are incorporated;

"Delivery."

(e) "delivery," in relation to a lecture, includes delivery by means of any mechanical instrument;

"Department."

(f) "Department" means the Copyright Office;

"Dramatic work."

(*g*) "dramatic work" includes any piece for recitation, choreographic work or entertainment in dumb show, the scenic arrangement or acting form of which is fixed in writing or otherwise, and any cinematograph production where the arrangement or acting form or the combination of incidents represented give the work an original character;

"Engravings."

(*h*) "engravings" include etchings, lithographs, woodcuts, prints, and other similar works, not being photographs;

His Majesty's dominions.

(*i*) "His Majesty's dominions" includes any territories under His Majesty's protection to which an order in council made under the provisions of section twenty-eight of the *Copyright Act, 1911*, passed by the Parliament of the United Kingdom relates;

"Infringing."

(*j*) "infringing," when applied to a copy of a work in which copyright subsists, means any copy, including any colourable imitation, made, or imported in contravention of the provisions of this Act;

"Lecture."

(*k*) "lecture" includes address, speech, and sermon;

"Legal representatives."

(*l*) "legal representatives" includes heirs, executors, administrators and assigns or other legal representatives;

"Literary work."

(*m*) "literary work" includes maps, charts, plans, tables, and compilations;

"Minister."

(*n*) "Minister" means the Minister of the Crown named by the Governor in Council to administer this Act;

"Performance."

(*o*) "performance" means any acoustic representation of a work and any visual representation of any dramatic action in a work, including such a representation made by means of any mechanical instrument;

"Photograph."

(*p*) "photograph" includes photo-lithograph and any work produced by any process analogous to photography;

"Plate."

(*q*) "plate" includes any stereotype or other plate, stone, block, mould, matrix, transfer, or negative used or intended to be used for printing or reproducing copies of any work, and any matrix or other appliance by which records, perforated rolls, or other contrivances for the acoustic representation of the work, are or are intended to be made;

"Work of sculpture."

(*r*) "work of sculpture" includes casts and models.

COPYRIGHT.

Conditions for obtaining copyright.

3. (1) Subject to the provisions of this Act, copyright shall subsist in Canada for the term hereinafter mentioned, in every original literary, dramatic, musical and artistic work, if the author was at the date of the making of the

work a British subject, a citizen or subject of a foreign country which has adhered to the Convention and the Additional Protocol thereto set out in the Second Schedule to this Act, or resident within His Majesty's dominions; and if, in the case of a published work, the work was first published within His Majesty's dominions or in such foreign country; but in no other works, except so far as the protection conferred by this Act is extended by orders in council thereunder relating to foreign countries to which this Act does not extend.

"Copyright" defined.

(2) For the purposes of this Act, "copyright" means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever, to perform, or in the case of a lecture to deliver, the work or any substantial part thereof in public; if the work is unpublished, to publish the work or any substantial part thereof; and shall include the sole right,—

(a) to produce, reproduce, perform or publish any translation of the work;

(b) in the case of a dramatic work, to convert it into a novel or other non-dramatic work;

(c) in the case of a novel or other non-dramatic work, or of an artistic work, to convert it into a dramatic work, by way of performance in public or otherwise;

(d) in the case of a literary, dramatic, or musical work, to make any record, perforated roll, cinematograph film, or other contrivance by means of which the work may be mechanically performed or delivered;

and to authorize any such acts as aforesaid.

Meaning of "publication."

(3) For the purposes of this Act, "publication", in relation to any work, means the issue of copies of the work to the public, and does not include the performance in public of a dramatic or musical work, the delivery in public of a lecture, the exhibition in public of an artistic work, or the construction of an architectural work of art, but, for the purpose of this provision, the issue of photographs and engravings of works of sculpture and architectural works of art shall not be deemed to be publication of such works.

When work deemed to be published, performed or delivered in public.

(4) For the purposes of this Act, (other than those relating to infringement of copyright) a work shall not be deemed to be published or performed in public, and a lecture shall not be deemed to be delivered in public, if published, performed in public, or delivered in public without the consent or acquiescence of the author, his executors, administrators or assigns.

When work deemed to be first published, if issued simultaneously in some other place.

(5) For the purposes of this Act, a work shall be deemed to be first published within His Majesty's dominions or within a foreign country to which this Act extends, notwithstanding that it has been published simultaneously in

When work deemed to be published simultaneously in two places.

some other place; and a work shall be deemed to be published simultaneously in two places, if the time between the publication in one such place and the other place does not exceed fourteen days or such longer period as may for the time being be fixed by order in council.

Conditions under which copyright complied with in case of unpublished works.

(6) Where, in the case of an unpublished work, the making of the work is extended over a considerable period, the conditions of this Act conferring copyright shall be deemed to have been complied with if the author was, during any substantial part of that period a British subject, or a subject or citizen of a foreign country to which this Act extends, or a resident within His Majesty's dominions.

When author deemed to be resident.

(7) For the purposes of the provisions of this Act as to residence, an author of a work shall be deemed to be a resident within His Majesty's dominions if he is domiciled within His Majesty's dominions.

INFRINGEMENT OF COPYRIGHT.

Infringement of copyright.

4. (1) Copyright in a work shall be deemed to be infringed by any person who, without the consent of the owner of the copyright, does anything the sole right to do which is by this Act conferred on the owner of the copyright:

Exceptions.

Provided that the following acts shall not constitute an infringement of copyright:—

For purposes of study.

(i) Any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary;

When author not owner.

(ii) Where the author of an artistic work is not the owner of the copyright therein, the use by the author of any mould, cast, sketch, plan, model, or study made by him for the purpose of the work, provided that he does not thereby repeat or imitate the main design of that work;

When permanently situate in public place.

(iii) The making or publishing of paintings, drawings, engravings, or photographs of a work of sculpture or artistic craftsmanship, if permanently situate in a public place or building, or the making or publishing of paintings, drawings, engravings, or photographs (which are not in the nature of architectural drawings or plans) of any architectural work of art;

Short passage for schools.

(iv) The publication in a collection, mainly composed of non-copyright matter, *bona fide* intended for the use of schools, and so described in the title and in any advertisements issued by the publisher, of short passages from published literary works not themselves published for the use of schools in which copyright subsists: Provided that not more than two of such passages from works by the same author

Not more than two passages.

are published by the same publisher within five years, and that the source from which such passages are taken is acknowledged;

Newspaper report of public lecture unless notice to contrary.

(v) The publication in a newspaper of a report of a lecture delivered in public, unless the report is prohibited by conspicuous written or printed notice affixed before and maintained during the lecture at or about the main entrance of the building in which the lecture is given, and, except whilst the building is being used for public worship, in a position near the lecturer; but nothing in this paragraph shall affect the provisions in paragraph (i) as to newspaper summaries;

Reading of extract.

(vi) The reading or recitation in public by one person of any reasonable extract from any published work.

Infringement by personal action.

(2) Copyright in a work shall also be deemed to be infringed by any person who,—

(a) sells or lets for hire, or by way of trade exposes or offers for sale or hire; or,

(b) distributes either for the purposes of trade, or to such an extent as to affect prejudicially the owner of the copyright; or,

(c) by way of trade exhibits in public; or,

(d) imports for sale or hire into Canada any work which to his knowledge infringes copyright or would infringe copyright if it had been made within Canada.

Infringement when reproduced for private profit without owner's consent.

(3) Copyright in a work shall also be deemed to be infringed by any person who for his private profit permits a theatre or other place of entertainment to be used for the performance in public of the work without the consent of the owner of the copyright, unless he was not aware, and had no reasonable ground for suspecting, that the performance would be an infringement of copyright: Provided that if at the date of the performance the copyright in the work was duly registered under this Act, the person who permitted the performance shall be deemed to have had reasonable ground for suspecting that the performance would be an infringement of copyright.

TERM OF COPYRIGHT.

Term of copyright.

5. The term for which copyright shall subsist shall, except as otherwise expressly provided by this Act, be the life of the author and a period of fifty years after his death.

Proviso.

Provided that any time after the expiration of twenty-five years, or in the case of a work in which copyright subsists at the passing of this Act thirty years, from the death of the author of a published work, copyright in the work shall not be deemed to be infringed by the repro-

duction of the work for sale if the person reproducing the work proves that he has given the prescribed notice in writing of his intention to reproduce the work, and that he has paid in the prescribed manner to, or for the benefit of, the owner of the copyright, royalties in respect of all copies of the work sold by him, calculated at the rate of ten per cent on the price at which he publishes the work; and, for the purposes of this proviso, the Governor in Council may make regulations prescribing the mode in which notices are to be given, and the particulars to be given in such notices, and the mode, time, and frequency of the payment of royalties, including (if he thinks fit) regulations requiring payment in advance or otherwise securing the payment of royalties.

COMPULSORY LICENSES.

When owner of copyright compelled to grant license to reproduce.

6. If, at any time after the death of the author of a literary, dramatic, or musical work which has been published or performed in public, a complaint is made to the Governor in Council that the owner of the copyright in the work has refused to republish or to allow the republication of the work or has refused to allow the performance in public of the work, and that by reason of such refusal the work is withheld from the public, the owner of the copyright may be ordered to grant a license to reproduce the work or perform the work in public, as the case may be, on such terms and subject to such conditions as the Governor in Council may think fit.

OWNERSHIP OF COPYRIGHT.

Ownership of copyright.

7. (1) Subject to the provisions of this Act, the author of a work shall be the first owner of the copyright therein:

Provided that,—

(a) where, in the case of an engraving, photograph, or portrait, the plate or other original was ordered by some other person and was made for valuable consideration in pursuance of that order, then, in the absence of any agreement to the contrary, the person by whom such plate or other original was ordered shall be the first owner of the copyright; and,

(b) where the author was in the employment of some other person under a contract of service or apprenticeship and the work was made in the course of his employment by that person, the person by whom the author was employed shall, in the absence of any agreement to the contrary, be the first owner of the copyright; but where the work is an article or other contribution

to a newspaper, magazine, or similar periodical, there shall, in the absence of any agreement to the contrary, be deemed to be reserved to the author a right to restrain the publication of the work, otherwise than as part of a newspaper, magazine, or similar periodical.

Assignment of right by owner.

(2) The owner of the copyright in any work may assign the right, either wholly or partially, and either generally or subject to territorial limitations, and either for the whole term of the copyright or for any other part thereof, and may grant any interest in the right by license, but no such assignment or grant shall be valid unless it is in writing signed by the owner of the right in respect of which the assignment or grant is made, or by his duly authorized agent.

Limitation in case the author is first owner of copyright.

Provided that, where the author of a work is the first owner of the copyright therein, no assignment of the copyright, and no grant of any interest therein, made by him (otherwise than by will) after the passing of this Act, shall be operative to vest in the assignee or grantee any rights with respect to the copyright in the work beyond the expiration of twenty-five years from the death of the author, and the reversionary interest in the copyright expectant on the termination of that period shall, on the death of the author, notwithstanding any agreement to the contrary, devolve on his legal personal representatives as part of his estate, and any agreement entered into by him as to the disposition of such reversionary interest shall be null and void; but nothing in this proviso shall be construed as applying to the assignment of the copyright in a collective work or a license to publish a work or part of a work as part of a collective work.

Ownership in case of partial assignment.

(3) Where, under any partial assignment of copyright, the assignee becomes entitled to any right comprised in copyright, the assignee, as respects the rights so assigned, and the assignor, as respects the rights not assigned, shall be treated for the purposes of this Act as the owner of the copyright, and the provisions of this Act shall have effect accordingly.

Assignee to fulfil conditions of this Act.

(4) If the person to whom a grant of an interest in a copyright, either by assignment or license, is made, does not satisfy the conditions conferring copyright laid down by this Act, such assignee or licensee shall be required to fulfil the conditions required of an author who is a subject or citizen of the country to which the said assignee or licensee belongs, as prescribed by order in council.

Registration of grant of interest in copyright.

8. (1) Any grant of an interest in a copyright, either by assignment or license, may be registered, if made in duplicate, upon production of both duplicates to the Department and payment of the prescribed fee. One duplicate shall be retained at the Department and the

other shall be returned to the person depositing it, with a certificate of registration.

When grant is void.

(2) Any grant of an interest in a copyright, either by assignment or license, shall be adjudged void against any subsequent assignee or licensee for valuable consideration without actual notice, unless such assignment or license is registered in the manner directed by this Act before the registering of the instrument under which a subsequent assignee or licensee claims.

CIVIL REMEDIES.

Civil remedies.

9. (1) Where copyright in any work has been infringed, the owner of the copyright shall, except as otherwise provided by this Act, be entitled to all such remedies by way of injunction, damages, accounts, and otherwise, as are or may be conferred by law for the infringement of a right.

Costs.

(2) The costs of all parties in any proceedings in respect of the infringement of copyright shall be in the absolute discretion of the Court.

Presumptions as to copyright and ownership.

(3) In any action for infringement of copyright in any work, the work shall be presumed to be a work in which copyright subsists and the plaintiff shall be presumed to be the owner of the copyright, unless the defendant puts in issue the existence of the copyright, or, as the case may be, the title of the plaintiff, and where any such question is at issue, then,—

(a) if a name purporting to be that of the author of the work is printed or otherwise indicated thereon in the usual manner, the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the author of the work;

(b) if no name is so printed or indicated, or if the name so printed or indicated is not the author's true name or the name by which he is commonly known, and a name purporting to be that of the publisher or proprietor of the work is printed or otherwise indicated thereon in the usual manner, the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the owner of the copyright in the work for the purposes of proceedings in respect of the infringement of copyright therein.

Ownership of copies, plates, etc.

10. All infringing copies of any work in which copyright subsists, or of any substantial part thereof, and all plates used or intended to be used for the production of such infringing copies, shall be deemed to be the property of the owner of the copyright, who accordingly may take proceedings for the recovery of the possession thereof or in respect of the conversion thereof.

Injunction only remedy when defendant not aware of copyright.

11. Where proceedings are taken in respect of the infringement of the copyright in any work and the defendant in his defence alleges that he was not aware of the existence of the copyright in the work, the plaintiff shall not be entitled to any remedy other than an injunction in respect of the infringement if the defendant proves that at the date of the infringement he was not aware, and had no reasonable ground for suspecting that copyright subsisted in the work: Provided that if at the date of the infringement the copyright in the work was duly registered under this Act, the defendant shall be deemed to have had reasonable ground for suspecting that copyright subsisted in the work.

No injunction in case of a building.

12. (1) Where the construction of a building or other structure which infringes or which, if completed, would infringe the copyright in some other work has been commenced, the owner of the copyright shall not be entitled to obtain an injunction in respect of the construction of such building or structure or to order its demolition.

Penalties not to apply.

(2) Such of the other provisions of this Act as provide that an infringing copy of a work shall be deemed to be the property of the owner of the copyright, or as impose summary penalties, shall not apply in any case to which this section applies.

Prescription of action.

13. An action in respect of infringement of copyright shall not be commenced after the expiration of three years next after the infringement.

SUMMARY REMEDIES.

Summary remedies.

14. (1) If any person knowingly,—

(a) makes for sale or hire any infringing copy of a work in which copyright subsists; or,

(b) sells or lets for hire, or by way of trade exposes or offers for sale or hire any infringing copy of any such work; or,

(c) distributes infringing copies of any such work either for the purpose of trade or to such an extent as to affect prejudicially the owner of the copyright; or,

(d) by way of trade exhibits in public any infringing copy of any such work; or,

(e) imports for sale or hire into Canada any infringing copy of any such work;

Penalties.

he shall be guilty of an offence under this Act and be liable on summary conviction to a fine not exceeding ten dollars for every copy dealt with in contravention of this section, but not exceeding two hundred dollars in respect of the same transaction; or, in the case of a second or subsequent offence, either to such fine or to imprisonment with or without hard labour for a term not exceeding two months.

Possession of plates for infringement.

(2) If any person knowingly makes or has in his possession any plate for the purpose of making infringing copies of any work in which copyright subsists, or knowingly and for his private profit causes any such work to be performed in public without the consent of the owner of the copyright, he shall be guilty of an offence under this Act, and be liable on summary conviction to a fine not exceeding two hundred dollars, or in the case of a second or subsequent offence, either to such fine or to imprisonment with or without hard labour for a term not exceeding two months.

Penalties.

Power of court to deal with copies or plates.

(3) The court before which any such proceedings are taken may, whether the alleged offender is convicted or not, order that all copies of the work or all plates in the possession of the alleged offender, which appear to it to be infringing copies or plates for the purpose of making infringing copies, be destroyed or delivered up to the owner of the copyright or otherwise dealt with as the court may think fit.

Infringement in case of dramatic, operatic, or musical work.

15. (1) Any person who, without the written consent of the owner of the copyright or of his legal representative, knowingly performs or causes to be performed in public and for private profit the whole or any part, constituting an infringement, of any dramatic or operatic work or musical composition in which copyright subsists in Canada, shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding two hundred and fifty dollars, or, in the case of a second or subsequent offence, either to such fine or to imprisonment for a term not exceeding two months, or to both.

Change or suppression of title or author's name.

(2) Any person who makes or causes to be made any change in or suppression of the title, or the name of the author, of any dramatic or operatic work or musical composition in which copyright subsists in Canada, or who makes or causes to be made any change in such work or composition itself without the written consent of the author or of his legal representative, in order that the same may be performed in whole or in part in public for private profit, shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding five hundred dollars, or in the case of a second or subsequent offence, either to such fine or to imprisonment for a term not exceeding four months, or to both.

IMPORTATION OF COPIES.

Importation of copies.

16. Copies made out of Canada of any work in which copyright subsists which if made in Canada would infringe copyright and as to which the owner of the copyright gives notice in writing to the Department of Customs that he is desirous that such copies should not be so imported into Canada, shall not be so imported, and shall be deemed

1907, c. 11.

to be included in Schedule C to *The Customs Tariff, 1907*, and that Schedule shall apply accordingly.

Prohibition of importation by Minister.

17. If a book in which there is subsisting copyright has been published in any part of His Majesty's dominions other than Canada or in one of the foreign countries mentioned in section three of this Act, and if it is proved to the satisfaction of the Minister that the owner of the copyright has granted a license to reproduce in Canada, from movable or other types, or from stereotype plates, or from electroplates, or from lithograph stones, or by any process for facsimile reproduction, an edition or editions of such book designed for sale only in Canada, the Minister may, by order under his hand, prohibit the importation into Canada, except with the written consent of the licensee, of any copies of such book printed elsewhere: Provided that two such copies may be specially imported for the *bona fide* use of any public free library or any university or college library, or for the library of any duly incorporated institution or society for the use of the members of such institution or society.

Certain exceptions.

Suspension or revocation of prohibition by Minister.

18. The Minister may, at any time in like manner, by order under his hand, suspend or revoke such prohibition upon importation if it is proved to his satisfaction that,—

(a) the license to reproduce in Canada has terminated or expired; or,

(b) the reasonable demand for the book in Canada is not sufficiently met without importation; or,

(c) the book is not, having regard to the demand therefor in Canada, being suitably printed or published; or,

(d) any other state of things exists on account of which it is not in the public interest to further prohibit importation.

Resident of Canada may apply to licensee for copy of book prohibited, and latter must comply.

19. (1) At any time after the importation of a book has been so prohibited, any person resident or being in Canada may apply, either directly or through a bookseller or other agent, to the person so licensed to reproduce the book, for a copy of any edition of such book then on sale and reasonably obtainable in the United Kingdom or any other part of His Majesty's dominions or in such foreign country; and it shall thereupon be the duty of the person so licensed, as soon as reasonably may be, to import and sell such copy to the person so applying therefor, at the ordinary selling price of such copy in the United Kingdom, or such other part of His Majesty's dominions or such foreign country, with the duty and reasonable forwarding charges added.

Revocation of prohibition.

(2) The failure or neglect, without lawful excuse, of the person so licensed to supply such copy within a reasonable

time shall be a reason for which the Minister may, if he sees fit, suspend or revoke the prohibition upon importation.

Minister to inform Department.

20. The Minister shall forthwith inform the Department of Customs of any order made by him under section seventeen of this Act.

Seizure and forfeiture of books.

21. All books imported in contravention of any order prohibiting such importation, made under the hand of the Minister, by the authority of this Act, may be seized by an officer of Customs, and shall be forfeited to the Crown and destroyed; and any person importing, or causing or permitting the importation of any book in contravention of an order of the Minister shall, for each offence, be liable, upon summary conviction, to a penalty not exceeding one hundred dollars.

REGISTRATION.

Registers of copyrights.

22. (1) The Minister shall cause to be kept at the Department, books to be called the Registers of Copyrights, in which may be entered the names or titles of works and the names of authors, and such other particulars as may be prescribed.

Entries by author, etc.

(2) The author or publisher of, or the owner of, or other person interested in the copyright in any work may cause the particulars respecting the work to be entered in the register.

Single entry sufficient.

(3) In the case of an encyclopædia, newspaper, review, magazine or other periodical work, or work published in a series of books or parts, it shall not be necessary to make a separate entry for each number or part, but a single entry for the whole work shall suffice.

Indexes.

(4) There shall also be kept at the Department such indexes of the registers established under this section as may be prescribed.

Form and inspection of registers; extracts may be made.

(5) The registers and indexes established under this section shall be in the prescribed form, and shall at all reasonable times be open to inspection, and any person shall be entitled to take copies of or make extracts from any such register, and the Minister shall, if so required, give a copy of an entry in any such register certified by him to be a true copy, and any such certificate shall be *prima facie* evidence of the matters thereby certified.

R.S. 1906, c. 70.

(6) Any registration made under the *Copyright Act* shall have the same force and effect as if made under this Act.

By whom application for registration may be made.

23. (1) The application for the registration of a copyright may be made in the name of the author or of his legal representatives, by any person purporting to be agent of such author or legal representatives.

Recovery of damages.

(2) Any damage caused by a fraudulent or an erroneous assumption of such authority shall be recoverable in any court of competent jurisdiction.

Form of application.

24. Application for registration of a copyright shall be made in accordance with the prescribed form, and shall be deposited at the Department together with the prescribed fee.

SPECIAL PROVISIONS AS TO CERTAIN WORKS.

Cases of joint authorship.

25. (1) In the case of a work of joint authorship, copyright shall subsist during the life of the author who first dies and for a term of fifty years after his death, or during the life of the author who dies last, whichever period is the longer, and references in this Act to the period after the expiration of any specified number of years from the death of the author shall be construed as references to the period after the expiration of the like number of years from the death of the author who dies first or after the death of the author who dies last, whichever period may be the shorter, and in the provisions of this Act with respect to the grant of compulsory licenses a reference to the date of the death of the author who dies last shall be substituted for the reference to the date of the death of the author.

When joint author deemed sole author.

(2) Where, in the case of a work of joint authorship, some one or more of the joint authors do not satisfy the conditions conferring copyright laid down by this Act, the work shall be treated for the purposes of this Act as if the other author or authors had been the sole author or authors thereof: Provided that the term of the copyright shall be the same as it would have been if all the authors had satisfied such conditions as aforesaid.

"A work of joint authorship" defined.

(3) For the purposes of this Act, "a work of joint authorship" means a work produced by the collaboration of two or more authors in which the contribution of one author is not distinct from the contribution of the other author or authors.

Married woman and husband as joint authors.

(4) Where a married woman and her husband are joint authors of a work the interest of such married woman therein shall be her separate property.

How long copyright to subsist in certain cases.

26. (1) In the case of a literary, dramatic or musical work, or an engraving, in which copyright subsists at the date of the death of the author or, in the case of a work of joint authorship, at or immediately before the date of the death of the author who dies last, but which has not been published, nor, in the case of a dramatic or musical work, been performed in public, nor, in the case of a lecture, been delivered in public, before that date, copyright shall

subsist till publication, or performance or delivery in public, whichever may first happen, and for a term of fifty years thereafter, and the proviso to section five of this Act shall, in the case of such a work, apply as if the author had died at the date of such publication or performance or delivery in public as aforesaid.

Ownership of manuscript by testamentary disposition

(2) The ownership of an author's manuscript after his death, where such ownership has been acquired under a testamentary disposition made by the author and the manuscript is of a work which has not been published nor performed in public nor delivered in public, shall be *prima facie* proof of the copyright being with the owner of the manuscript.

When copyright belongs to His Majesty.

27. Without prejudice to any rights or privileges of the Crown, where any work has, whether before or after the commencement of this Act, been prepared or published by or under the direction or control of His Majesty or any Government department, the copyright in the work shall, subject to any agreement with the author, belong to His Majesty, and in such case shall continue for a period of fifty years from the date of the first publication of the work.

Copyright in records and other mechanical contrivances.

28. (1) Copyright shall subsist in records, perforated rolls, and other contrivances by means of which sounds may be mechanically reproduced, in like manner as if such contrivances were musical, literary or dramatic works, but the term of copyright shall be fifty years from the making of the original plate from which the contrivance was directly or indirectly derived, and the person who was the owner of such original plate at the time when such plate was made shall be deemed to be the author of the work, and where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within His Majesty's dominions if it has established a place of business therein.

When making in Canada, of records, etc., not infringement.

(2) It shall not be deemed to be an infringement of copyright in any musical, literary or dramatic work for any person to make within Canada records, perforated rolls, or other contrivances by means of which the work may be mechanically performed, if such person proves,—

(a) that such contrivances have previously been made by, or with the consent or acquiescence of, the owner of the copyright in the work; and,

(b) that he has given the prescribed notice of his intention to make the contrivances, and has paid in the prescribed manner to, or for the benefit of, the owner of the copyright in the work royalties in respect of all such contrivances sold by him, as hereinafter mentioned:

Proviso.

Provided that,—

When alterations necessary for adaptation to contrivance.

(i) nothing in this provision shall authorize any alterations in, or omissions from, the work reproduced, unless contrivances reproducing the work subject to similar alterations and omissions have been previously made by, or with the consent or acquiescence of, the owner of the copyright, or unless such alterations or omissions are reasonably necessary for the adaptation of the work to the contrivances in question; and,

Musical work defined.

(ii) for the purposes of this provision, a musical work shall be deemed to include any words so closely associated therewith as to form part of the same work, but shall not be deemed to include a contrivance by means of which sounds may be mechanically reproduced; and,

(iii) the making of the necessary manuscript copies of the copyrighted work, with reasonable alterations and omissions necessary for the adaptation of the work to the contrivances in question, shall not be deemed an infringement of copyright.

Rates of royalties.

(3) The royalty as aforesaid shall be two cents for each work reproduced by each such contrivance.

Change of rates by Governor in Council after 7 years.

Provided that, if, at any time after the expiration of seven years from the commencement of this Act, it appears to the Governor in Council that such royalty as aforesaid is no longer equitable, the Governor in Council may, after holding a public inquiry, make an order either decreasing or increasing said royalty to such extent as under the circumstances may seem just, but any order so made shall be provisional only and shall not have any effect unless and until confirmed by Parliament; but, where an order revising the royalty has been so made and confirmed, no further revision shall be made before the expiration of fourteen years from the date of the last revision.

Apportionment of royalties when several owners.

(4) If any such contrivance is made reproducing two or more different works in which copyright subsists, and the owners of the copyright therein are different persons, the sums payable by way of royalties under this section shall be apportioned amongst the several owners of the copyright equally.

When owner deemed to consent to making of contrivances.

(5) When any such contrivances by means of which a literary, dramatic or musical work may be mechanically performed have been made, then, for the purposes of this section, the owner of the copyright in the work shall, in relation to any person who makes the prescribed enquiries, be deemed to have given his consent to the making of such contrivances if he fails to reply to such enquiries within the prescribed time.

Regulations and notices by Governor in Council.

(6) For the purposes of this section, the Governor in Council may make regulations prescribing anything which under this section is to be prescribed, and prescribing the

mode in which notices are to be given and the particulars to be given in such notices, and the mode, time, and frequency of the payment of royalties; and any such regulations may, if the Governor in Council thinks fit, include regulations requiring payment in advance or otherwise securing the payment of royalties.

Provisions as to musical works heretofore published.

(7) In the case of musical, literary or dramatic works published before the commencement of this Act, the foregoing provisions shall have effect, subject to the following modifications and additions:—

Conditions as to making, and restrictions as to alterations.

(a) The conditions as to the previous making by, or with the consent or acquiescence of, the owner of the copyright in the work, and the restrictions as to alterations in or omissions from the work, shall not apply;

Royalties altered.

(b) No royalties shall be payable in respect of contrivances lawfully made, before the commencement of this Act;

Property of author and not of assignee.

(c) Notwithstanding any assignment made before the passing of this Act of the copyright in a literary or dramatic or musical work, any rights conferred by this Act in respect of the making, or authorising the making, of contrivances by means of which the work may be mechanically performed, shall belong to the author or his legal personal representatives and not to the assignee, and the royalties aforesaid shall be payable to, and for the benefit of, the author of the work or his legal personal representatives.

Copyright deemed to exist at date of making of original plate.

(8) Notwithstanding anything in this Act, where a record, perforated roll, or other contrivance by means of which sounds may be mechanically reproduced has been made before the commencement of this Act, copyright shall, as from the commencement of this Act, subsist therein in like manner and for the like term as if this Act had been in force at the date of the making of the original plate from which the contrivance was directly or indirectly derived.

Proviso.

Provided that,—

(i) the person who, at the commencement of this Act, is the owner of such original plate shall be the first owner of such copyright; and,

(ii) nothing in this provision shall be construed as conferring copyright in any such contrivance if the making thereof would have infringed copyright in some other such contrivance, if this provision had been in force at the time of the making of the first mentioned contrivance.

Report in newspaper of political speech no infringement.

29. Notwithstanding anything in this Act, it shall not be an infringement of copyright in an address of a political nature delivered at a public meeting to publish a report thereof in a newspaper.

Term of copyright in photographs. Author, etc.

30. The term for which copyright shall subsist in photographs shall be fifty years from the making of the original negative from which the photograph was directly or indirectly derived, and the person who was owner of such negative at the time when such negative was made shall be deemed to be the author of the work, and, where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within His Majesty's dominions or a foreign country mentioned in section three of this Act, if it has established a place of business within either.

As to application to designs registrable under R.S., c. 71.

31. (1) This Act shall not apply to designs capable of being registered under the *Trade Mark and Design Act*, except designs which, though capable of being so registered, are not used or intended to be used as models or patterns to be multiplied by any industrial process.

(2) General rules under section thirty-nine of the *Trade Mark and Design Act*, may be made for determining the conditions under which a design shall be deemed to be used for such purposes as aforesaid.

Subsistence of substituted right.

32. (1) Where any person is immediately before the commencement of this Act entitled to any such right in any work as is specified in the first column of the First Schedule to this Act, or to any interest in such a right, he shall, as from that date, be entitled to the substituted right set forth in the second column of that Schedule, or to the same interest in such a substituted right, and to no other right or interest, and such substituted right shall subsist for the term for which it would have subsisted if this Act had been in force at the date when the work was made, and the work had been one entitled to copyright thereunder.

Proviso.

Provided that,—

(a) if the author of any work in which any such right as is specified in the first column of the First Schedule to this Act subsists at the commencement of this Act has, before that date, assigned the right or granted any interest therein for the whole term of the right, then at the date when, but for the passing of this Act, the right would have expired, the substituted right conferred by this section shall, in the absence of express agreement, pass to the author of the work, and any interest therein created before the commencement of this Act and then subsisting shall determine; but the person who immediately before the date at which the right would so have expired was the owner of the right or interest shall be entitled at his option either,—

(i) on giving such notice as hereinafter mentioned, to an assignment of the right or the grant of a similar interest therein for the remainder of the term of

the right for such consideration as, failing agreement, may be determined by arbitration; or,

(ii) without any such assignment or grant, to continue to reproduce or perform the work in like manner as theretofore subject to the payment, if demanded by the author within three years after the date at which the right would have so expired, of such royalties to the author as, failing agreement, may be determined by arbitration, or, where the work is incorporated in a collective work and the owner of the right or interest is the proprietor of that collective work, without any such payment.

Notice.

The notice above referred to must be given not more than one year nor less than six months before the date at which the right would have so expired, and must be sent by registered post to the author, or, if he cannot with reasonable diligence be found, advertised in the *Canada Gazette*;

(b) where any person has, before the commencement of this Act, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the passing of this Act, have been lawful, nothing in this section shall diminish or prejudice any rights or interests arising from or in connection with such action which are substituting and valuable at the said date, unless the person who by virtue of this section becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

"Author" defined.

(2) For the purposes of this section, the expression "author" includes the legal personal representatives of a deceased author.

Works made before this Act in force.

(3) Subject to the provisions of subsections seven and eight of section twenty-eight of this Act, copyright shall not subsist in any work made before the commencement of this Act, otherwise than under, and in accordance with, the provisions of this section.

INTERNATIONAL.

Power to apply Act to works by certain foreign authors.

33. The Governor in Council may by order in council direct that this Act shall apply to literary, dramatic, musical, and artistic works the authors whereof were at the time of the making thereof subjects or citizens of a foreign country to which this Act does not extend, upon the accomplishment of all such conditions and formalities as may

be required by the laws of such country with respect to literary, dramatic, musical and artistic works of a person resident in Canada.

FEES.

Registration fees.

34. (1) The following fees shall be paid to the Minister in advance before an application for any of the following purposes is received, that is to say:—

Registering a copyright	$ 1 00
Registering an assignment of copyright, in respect of each copyright assigned, including certificate of registration	1 00
Certificate of registration of copyright	0 50
Certified copies of documents or extracts:—	
For every folio of one hundred words	0 10

For all services.

(2) The said fees shall be in full of all services by the Minister or any person employed by him.

Disposal of fees.

(3) All fees received under this Act shall be paid over to the Minister of Finance, and shall form part of the Consolidated Revenue Fund of Canada.

No exemptions.

(4) No person shall be exempt from the payment of any fee or charge payable in respect of any services performed under this Act for such person.

CLERICAL ERRORS NOT TO INVALIDATE.

Clerical errors do not invalidate.

35. Clerical errors which occur in the framing or copying of an instrument drawn by any officer or employee in or of the Department shall not be construed as invalidating such instrument, but when discovered they may be corrected under the authority of the Minister.

RULES AND REGULATIONS.

Governor in Council to make rules and forms.

36. The Governor in Council may make such rules and regulations, and prescribe such forms as appear to him necessary and expedient for the purposes of this Act; and such regulations and forms, circulated in print for the use of the public, shall be deemed to be correct for the purposes of this Act.

No copyright unless under this Act.

37. No person shall be entitled to copyright or any similar right in any literary, dramatic, musical or artistic work otherwise than under and in accordance with the provisions of this Act, or of any other statutory enactment for the time being in force, but nothing in this section shall be construed as abrogating any right or jurisdiction to restrain a breach of trust or confidence.

Rights saved.

38. (1) The Governor in Council may make orders for altering, revoking, or varying any order in council

made under this Act, but any order made under this section shall not affect prejudicially any rights or interests acquired or accrued at the date when the order comes into operation, and shall provide for the protection of such rights and interests.

Laid before Parliament.

(2) Every order in council made under this Act shall be published in the *Canada Gazette*, 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.

REPEAL.

Acts of United Kingdom.

39. Subject to the provisions of this Act, all the enactments relating to copyright passed by the Parliament of the United Kingdom are, so far as they are operative in Canada, hereby repealed.

Acts of Canada

40. The *Copyright Act*, chapter seventy of the *Revised Statutes of Canada, 1906*, and chapter seventeen of the statutes of 1908, are hereby repealed.

CONVENTION OF BERNE.

Adherence to Convention of Berne.

41. The Governor in Council may take such action as may be necessary to secure the adherence of Canada to the revised Convention of Berne, signed the thirteenth day of November, 1908, and the Additional Protocol thereto signed at Berne the twentieth day of March, 1914, set out in the Second Schedule to this Act.

COMMENCEMENT.

Commencement of Act.

42. This Act shall come into force on the first day of July, 1920.

FIRST SCHEDULE.

(See sec. 32.)

EXISTING RIGHTS.

Existing Right.	Substituted Right.
(a) In the case of Works other than Dramatic and Musical Works.	
Copyright.	Copyright as defined by this Act
(b) In the case of Musical and Dramatic Works.	
Both copyright and performing right.....	Copyright as defined by this Act.
Copyright, but not performing right.....	Copyright as defined by this Act, except the sole right to perform the work or any substantial part thereof in public.
Performing right, but not copyright.....	The sole right to perform the work in public, but none of the other rights comprised in copyright as defined by this Act.

For the purposes of this Schedule the following expressions, where used in the first column thereof, have the following meanings:—

"Copyright" in the case of a work which according to the law in force immediately before the commencement of this Act has not been published before that date and statutory copyright wherein depends on publication, includes the right at common law (if any) to restrain publication or other dealing with the work;

"Performing right" in the case of a work which has not been performed in public before the commencement of this Act, includes the right at common law (if any) to restrain the performance thereof in public.

SECOND SCHEDULE.

REVISED BERNE CONVENTION.

Convention for the purpose of revising the Convention of Berne of the 9th September, 1886, the Additional Article and the Final Protocol attached to the same Convention, and the Additional Act and the Interpretative Declaration of Paris of the 4th May, 1896; made on the 13th day of November, 1908, between His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India; His Majesty the German Emperor, King of Prussia; His Majesty the King of the Belgians; His Majesty the King of Denmark; His Majesty the King of Spain; the President of the French Republic; His Majesty the King of Italy; His Majesty the Emperor of Japan; the President

of the Republic of Liberia; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; His Serene Highness the Prince of Monaco; His Majesty the King of Norway; His Majesty the King of Sweden; the Federal Council of the Swiss Confederation; His Highness the Bey of Tunis.

[The following is an English translation of the Convention, with the omission of the formal beginning and end.]

ARTICLE 1.

The Contracting States are constituted into a Union for the protection of the rights of authors over their literary and artistic works.

ARTICLE 2.

The expression " literary and artistic works " shall include any production in the literary, scientific or artistic domain, whatever may be the mode or form of its reproduction, such as books, pamphlets, and other writings; dramatic or dramatico-musical works, choreographic works and entertainments in dumb show, the acting form of which is fixed in writing or otherwise; musical compositions with or without words; works of drawing, painting, architecture, sculpture, engraving and lithography; illustrations, geographical charts; plans, sketches, and plastic works relative to geography, topography, architecture or science.

Translations, adaptations, arrangements of music and other reproductions in an altered form of a literary or artistic work as well as collections of different works, shall be protected as original works without prejudice to the rights of the author of the original work.

The contracting countries shall be bound to make provision for the protection of the above-mentioned works.

Works of art applied to industrial purposes shall be protected so far as the domestic legislation of each country allows.

ARTICLE 3.

The present Convention shall apply to photographic works and to works produced by a process analogous to photography. The contracting countries shall be bound to make provision for their protection.

ARTICLE 4.

Authors who are subjects or citizens of any of the countries of the Union shall enjoy in countries other than the country of origin of the work, for their works, whether unpublished or first published in a country of the Union, the rights which the respective laws do now or may hereafter grant to natives

as well as the rights specially granted by the present Convention.

The enjoyment and the exercise of these rights shall not be subject to the performance of any formality; such enjoyment and such exercise are independent of the existence of protection in the country of origin of the work. Consequently, apart from the express stipulations of the present Convention, the extent of protection, as well as the means of redress secured to the author to safeguard his rights, shall be governed exclusively by the laws of the country where protection is claimed.

The country of origin of the work shall be considered to be: in the case of unpublished works, the country to which the author belongs; in the case of published works, the country of first publication; and in the case of works published simultaneously in several countries of the Union, the country the laws of which grant the shortest term of protection. In the case of works published simultaneously in a country outside the Union and in a country of the Union, the latter country shall be considered exclusively as the country of origin.

By published works must be understood, for the purposes of the present Convention, works copies of which have been issued to the public. The representation of a dramatic or dramatico-musical work, the performance of a musical work, the exhibition of a work of art, and the construction of a work of architecture shall not constitute a publication.

ARTICLE 5.

Authors being subjects or citizens of one of the countries of the Union who first publish their works in another country of the Union shall have in the latter country the same rights as native authors.

ARTICLE 6.

Authors not being subjects or citizens of one of the countries of the Union, who first publish their works in one of those countries, shall enjoy in that country the same rights as native authors, and in the other countries of the Union the rights granted by the present Convention.

ARTICLE 7.

The term of protection granted by the present Convention shall include the life of the author and fifty years after his death.

Nevertheless, in case such term of protection should not be uniformly adopted by all the countries of the Union, the term shall be regulated by the law of the country where

protection is claimed, and must not exceed the term fixed in the country of origin of the work. Consequently the contracting countries shall only be bound to apply the provisions of the preceding paragraph in so far as such provisions are consistent with their domestic laws.

For photographic works and works produced by a process analogous to photography, for posthumous works, for anonymous or pseudonymous works, the term of protection shall be regulated by the law of the country where protection is claimed, provided that the said term shall not exceed the term fixed in the country of origin of the work.

ARTICLE 8.

The authors of unpublished works, being subjects or citizens of one of the countries of the Union, and the authors of works first published in one of those countries shall enjoy, in the other countries of the Union, during the whole term of the right in the original work, the exclusive right of making or authorizing a translation of their works.

ARTICLE 9.

Serial stories, tales, and all other works, whether literary, scientific, or artistic, whatever their object, published in the newspapers or periodicals of one of the countries of the Union may not be reproduced in the other countries without the consent of the authors.

With the exception of serial stories and tales, any newspaper article may be reproduced by another newspaper unless the reproduction thereof is expressly forbidden. Nevertheless, the source must be indicated; the legal consequences of the breach of this obligation shall be determined by the laws of the country where protection is claimed.

The protection of the present Convention shall not apply to news of the day or to miscellaneous information which is simply of the nature of items of news.

ARTICLE 10.

As regards the liberty of extracting portions from literary or artistic works for use in publications destined for educational purposes, or having a scientific character, or for chrestomathies, the effect of the legislation of the countries of the Union and of special Arrangements existing or to be concluded between them is not affected by the present Convention.

ARTICLE 11.

The stipulations of the present Convention shall apply to the public representation of dramatic or dramatico-musical works, and to the public performance of musical works, whether such works be published or not.

Authors of dramatic or dramatico-musical works shall be protected during the existence of their right over the original work against the unauthorized public representation of translations of their works.

In order to enjoy the protection of the present Article, authors shall not be bound in publishing their works to forbid the public representation or performance thereof.

ARTICLE 12.

The following shall be specially included among the unlawful reproductions to which the present Convention applies: Unauthorized indirect appropriations of a literary or artistic work, such as adaptations, musical arrangements, transformations of a novel, tale, or piece of poetry into a dramatic piece and *vice versa*, etc., when they are only the reproduction of that work, in the same form or in another form without essential alterations, additions, or abridgments, and do not present the character of a new original work.

ARTICLE 13.

The authors of musical works shall have the exclusive right of authorizing (1) the adaptation of those works to instruments which can reproduce them mechanically; (2) the public performance of the said works by means of these instruments.

Reservations and conditions relating to the application of this Article may be determined by the domestic legislation of each country in so far as it is concerned; but the effect of any such reservations and conditions will be strictly limited to the country which has put them in force.

The provisions of paragraph 1 shall not be retroactive, and consequently shall not be applicable in any country of the Union to works which have been lawfully adapted in that country to mechanical instruments before the coming into force of the present Convention.

Adaptations made in virtue of paragraphs 2 and 3 of the present Article, and imported without the authority of the interested parties into a country where they would not be lawful, shall be liable to seizure in that country.

ARTICLE 14.

Authors of literary, scientific or artistic works shall have the exclusive right of authorizing the reproduction and public representation of their works by cinematography.

Cinematograph productions shall be protected as literary or artistic works, if, by the arrangement of the acting form or the combinations of the incidents represented, the author has given the work a personal and original character.

Without prejudice to the rights of the author of the original work the reproduction by cinematography of a literary, scientific or artistic work shall be protected as an original work.

The above provisions apply to reproduction or production effected by any other process analogous to cinematography.

ARTICLE 15.

In order that the authors of works protected by the present Convention shall, in the absence of proof to the contrary, be considered as such, and be consequently admitted to institute proceedings against pirates before the Courts of the various countries of the Union, it will be sufficient that their name be indicated on the work in the accustomed manner.

For anonymous or pseudonymous works the publisher, whose name is indicated on the work, shall be entitled to protect the rights belonging to the author. He shall be, without other proof, deemed to be the legal representative of the anonymous or pseudonymous author.

ARTICLE 16.

Pirated works may be seized by the competent authorities of any country of the Union where the original work enjoys legal protection.

In such a country the seizure may also apply to reproductions imported from a country where the work is not protected, or has ceased to be protected.

The seizure shall take place in accordance with the domestic legislation of each country.

ARTICLE 17.

The provisions of the present Convention cannot in any way derogate from the right belonging to the Government of each country of the Union to permit, to control, or to prohibit, by measures of domestic legislation or police, the circulation, representation, or exhibition of any works or productions in regard to which the competent authority may find it necessary to exercise that right.

ARTICLE 18.

The present Convention shall apply to all works which at the moment of its coming into force have not yet fallen into the public domain in the country of origin through the expiration of the term of protection.

If, however, through the expiration of the term of protection which was previously granted, a work has fallen into the public domain of the country where protection is claimed, that work shall not be protected anew in that country.

The application of this principle shall take effect according to the stipulations contained in special Conventions existing, or to be concluded, to that effect between countries of the Union. In the absence of such stipulations, the respective countries shall regulate, each in so far as it is concerned, the manner in which the said principle is to be applied.

The above provisions shall apply equally in case of new accessions to the Union, and also in the event of the term of protection being extended by the application of Article 7.

ARTICLE 19.

The provisions of the present Convention shall not prevent a claim being made for the application of any wider provisions which may be made by the legislation of a country of the Union in favour of foreigners in general.

ARTICLE 20.

The Governments of the countries of the Union reserve to themselves the right to enter into special arrangements between each other, provided always that such arrangements confer upon authors more extended rights than those granted by the Union, or embody other stipulations not contrary to the present Convention. The provisions of existing arrangements which answer to the above-mentioned conditions shall remain applicable.

ARTICLE 21.

The International Office established under the name of the " Office of the International Union for the Protection of Literary and Artistic Works " shall be maintained.

That Office is placed under the high authority of the Government of the Swiss Confederation, which regulates its organization and supervises its working.

The official language of the Office shall be French.

Article 22.

The International Office collects every kind of information relative to the protection of the rights of authors over their literary and artistic works. It arranges and publishes such information. It undertakes the study of questions of general interest concerning the Union, and by the aid of documents placed at its disposal by the different administrations, edits a periodical publication in the French language on the questions which concern the objects of the Union. The Governments of the countries of the Union reserve to themselves the power to authorize by common accord the publication by the Office of an edition in one or more other languages, if experience should show this to be requisite.

The International Office will always hold itself at the disposal of members of the Union with the view to furnish them with any special information which they may require relative to the protection of literary and artistic works.

The Director of the International Office shall make an annual Report on his Administration, which shall be communicated to all the members of the Union.

Article 23.

The expenses of the Office of the International Union shall be shared by the contracting States. Until a fresh arrangement be made they cannot exceed the sum of 60,000 frances a year. This sum may be increased, if necessary, by the simple decision of one of the Conferences provided for in Article 24.

The share of the total expense to be paid by each country shall be determined by the division of the contracting and acceding countries into six classes, each of which shall contribute in the proportion of a certain number of units, viz.:—

1st	class	25	units.
2nd	"	20	"
3rd	"	15	"
4th	"	10	"
5th	"	5	"
6th	"	3	"

These coefficients are multiplied by the number of countries of each class, and the total products thus obtained gives the number of units by which the total expenses is to be divided. The quotient gives the amount of the unit of expense.

Each country shall declare, at the time of its accession, in which of the said classes it desires to be placed.

The Swiss Administration prepares the Budget of the Office, superintends its expenditure, makes the necessary advances, and draws up the annual account which shall be communicated to all the other Administrations.

ARTICLE 24.

The present Convention may be submitted to revisions in order to introduce therein amendments calculated to perfect the system of the Union.

Questions of this kind, as well as those which are of interest to the Union in other respects, shall be considered in Conferences to be held successively in the countries of the Union by delegates of the said countries. The Administration of the country where a Conference is to meet prepares, with the assistance of the International Office, the programme of the Conference. The Director of the Office shall attend at the sittings of the Conferences, and shall take part in the discussions without the right to vote.

No alteration in the present Convention shall be binding on the Union except by the unanimous consent of the countries composing it.

ARTICLE 25.

States outside the Union which make provision for the legal protection of the rights forming the object of the present Convention may accede thereto on request to that effect.

Such accession shall be notified in writing to the Government of the Swiss Confederation, who will communicate it to all the other countries of the Union.

Such accession shall imply full adhesion to all the clauses and admission to all the advantages provided by the present Convention. It may, nevertheless, contain an indication of the provisions of the Convention of the 9th September, 1886, or of the Additional Act of the 4th May, 1896, which they may judge necessary to substitute, provisionally at least, for the corresponding provisions of the present Convention.

ARTICLE 26.

Contracting countries shall have the right to accede to the present Convention at any time for their Colonies or foreign possessions.

They may do this either by a general Declaration comprising in the accession all their Colonies or possessions, or by specially naming those comprised therein, or by simply indicating those which are excluded.

Such Declaration shall be notified in writing to the Government of the Swiss Confederation, who will communicate it to all the other countries of the Union.

ARTICLE 27.

The present Convention shall replace, in regard to the relations between the Contracting States, the Convention of Berne of the 9th September, 1886, including the Additional Article and the Final Protocol of the same date, as well as the Additional Act and the Interpretative Declaration of the 4th May, 1896. These instruments shall remain in force in regard to relations with States which do not ratify the present Convention.

The Signatory States of the present Convention may declare at the exchange of ratifications that they desire to remain bound, as regards any specific point, by the provisions of the Conventions which they have previously signed.

ARTICLE 28.

The present Convention shall be ratified, and the ratifications exchanged at Berlin not later than the 1st July, 1910.

Each Contracting Party shall, as regards the exchange of ratifications, deliver a single instrument, which shall be deposited with those of the other countries in the archives of the Government of the Swiss Confederation. Each Party shall receive in return a copy of the *procès-verbal* of the exchange of ratifications signed by the Plenipotentiaries who took part.

ARTICLE 29.

The present Convention shall be put in force three months after the exchange of ratifications, and shall remain in force for an indefinite period until the termination of a year from the day on which it may have been denounced.

Such denunciation shall be made to the Government of the Swiss Confederation. It shall only take effect in regard to the country making it, the Convention remaining in full force and effect for the other countries of the Union.

ARTICLE 30.

The States which shall introduce in their legislation the duration of protection for fifty years contemplated by Article 7, first paragraph, of the present Convention, shall give notice thereof in writing to the Government of the Swiss Confederation, who will communicate it at once to all the other States of the Union.

The same procedure shall be followed in the case of the States renouncing the reservations made by them in virtue of Articles 25, 26, and 27.

Additional Protocol to the International Copyright Convention of November 13, 1908.

The countries belonging to the International Union for the protection of literary and artistic works, being desirous of permitting the limitation at discretion of the application of the Convention of the 13th November, 1908, have adopted by common consent the following Protocol:—

1. Where any country outside the Union fails to protect in an adequate manner the works of authors who are subject to the jurisdiction of one of the contracting countries, nothing in the Convention of the 13th November, 1908, shall affect the right of such contracting country to restrict the protection given to the works of authors who are, at the date of the first publication thereof subjects or citizens of the said non-Union country, and are not effectively domiciled in one of the countries of the Union.

2. The right accorded by the present Protocol to contracting States belongs equally to any of their oversea possessions.

3. No restrictions introduced by virtue of Article 1 of the present Protocol shall in any way affect the rights which an author may have acquired in respect of a work published in a country of the Union before such restrictions were put in force.

4. The States which restrict the grant of copyright in accordance with the present Protocol shall give notice thereof to the Government of the Swiss Confederation by a written declaration specifying the countries in regard to which protection is restricted, and the restrictions to which rights of authors who are subject to the jurisdiction of these countries are subjected. The Government of the Swiss Confederation will immediately communicate this declaration to all the other States of the Union.

5. The present Protocol shall be ratified, and the ratifications deposited at Berne within a period not exceeding twelve months from the date thereof. It shall come into operation one month after the expiration of this period, and shall have the same force and duration as the Convention to which it relates.

In witness whereof the Plenipotentiaries of the countries belonging to the Union have signed the present Protocol, a certified copy of which shall be transmitted to each of the respective Governments.

Done at Berne, the 20th day of March, 1914, in a single copy, deposited in the archives of the Swiss Confederation.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 38.

An Act to amend The Trust Companies Act, 1914.

First reading, March 30, 1920.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
73796—1 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 38.

An Act to amend The Trust Companies Act, 1914.

1914, c. 55.

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

Definition.

1. Section two of *The Trust Companies Act, 1914*, is amended by inserting after paragraph (*a*) thereof the following:—

"Superintendent."

"(*a1*) "Superintendent" means the Superintendent of Insurance;"

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

Examination and report on condition of company.

"**70.** (1) The Superintendent shall visit personally or cause a duly qualified member of his staff to visit, at least once in each year, the head office of each company required by this Act to make returns to the Minister, and to examine carefully the statements of the condition and affairs of each company, and report thereon to the Minister as to all matters requiring his attention and decision.

Inspection of books.

"(2) For the purpose of such examination the company shall prepare and submit to the Superintendent such statement or statements, with respect to the business, finances or other affairs of the company, in addition to that mentioned in the last preceding section, as the Superintendent may require, and the officers, agents and servants of the company shall cause their books to be open for inspection, and shall otherwise facilitate such examination so far as it is in their power.

Oaths.

"(3) The Superintendent may examine under oath the officers, agents or servants of the company for the purpose of obtaining any information which he deems necessary for the purpose of such examination.

Annual report.

"(4) The Superintendent shall also prepare for the Minister from the said statements, an annual report, showing the full particulars of each company's business.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 39.

An Act to amend The Loan Companies Act, 1914.

First reading, March 30, 1920.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
73797—1 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 39.

An Act to amend The Loan Companies Act, 1914.

1914, c. 40.

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

Definition.

1. Section two of *The Loan Companies Act, 1914*, is amended by inserting after paragraph *(a)* thereof the following:—

"Superintendent."

"*(a1)* "Superintendent" means the Superintendent of Insurance;"

Examination and report on condition of company.

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

"**70.** (1) The Superintendent shall visit personally or cause a duly qualified member of his staff to visit, at least once in each year, the head office of each company required by this Act to make returns to the Minister, and to examine carefully the statements of the condition and affairs of each company, and report thereon to the Minister as to all matters requiring his attention and decision.

Inspection of books.

"(2) For the purpose of such examination the company shall prepare and submit to the Superintendent such statement or statements with respect to the business, finances or other affairs of the company, in addition to that mentioned in the last preceding section, as the Superintendent may require, and the officers, agents and servants of the company shall cause their books to be open for inspection, and shall otherwise facilitate such examination so far as it is in their power.

Oaths.

"(3) The Superintendent may examine under oath the officers, agents or servants of the company for the purpose of obtaining any information which he deems necessary for the purpose of such examination.

Annual report.

"(4) The Superintendent shall also prepare for the Minister from the said statements, an annual report, showing the full particulars of each company's business.

Special report where assets are deficient.

"**70A.** (1) If as the result of the examination as aforesaid of any company the Superintendent believes that the assets of the company are insufficient to justify its continuance in business, he shall make a special report to the Minister on the condition of such company.

Power to suspend or cancel certificate.

"(2) If the Minister, after a reasonable time has been given to the company to be heard by him, and upon such further enquiry and investigation as he sees fit to make, agrees with the opinion of the Superintendent, he may suspend or cancel the certificate of the company, and the company shall thereupon be held to be unauthorized to transact further business: Provided, however, that the Minister may, during such suspension or cancellation, issue such conditional certificate as he may deem to be necessary for the protection of the public.

Conditional certificate.

Sale and transfer under conditional certificate.

"(3) If the Minister deems it advisable, the said conditional certificate may provide that the company shall, during the continuance of such conditional certificate, arrange for the sale of its assets and for the transfer of its liabilities to some other company under the provisions of sections eighty-one to eighty-four inclusive of this Act.

When company deemed insolvent.

"(4) If upon the expiration of the conditional certificate no arrangement satisfactory to the Minister has been made for such sale and transfer, and if the company's condition is not then such as to warrant the restoration of the company's certificate, the company shall be deemed to be insolvent."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 40.

An Act respecting The Canadian Pacific Railway Company.

First reading, March 31, 1920.

(PRIVATE BILL)

Mr. DAVIS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77429 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 40.

An Act respecting The Canadian Pacific Railway Company.

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:—

Lines of railway authorized.

1. The Canadian Pacific Railway Company, hereinafter called "the Company," may lay out, construct, maintain and operate the following lines of railway, namely:—

(a) From a point on the Pheasant Hills branch at or near Cory in township thirty-six, ranges five or six, west of the third meridian, thence in a general northwesterly direction to a point at or near Birch Lake in townships fifty-one and fifty-two, ranges fifteen and sixteen, west of the third meridian, all in the province of Saskatchewan;

(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 generally 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, or to a point at or near Asquith in township thirty-six, ranges nine or ten, west of the third meridian, all in the province of Saskatchewan;

(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 generally 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 northwesterly 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.

Time for construction and completion.

2. The Company may, within two years after the passing of this Act, commence to construct any of the lines of railway authorized by section one of this Act, and may within five years after the passing of this Act, complete any of the said lines of railway; and if, within the said periods respectively, any such 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 that line as then remains uncompleted.

Extension of time for completion of authorized line.

3. The Company may, within five years after the passing of this Act, complete and put in operation the line of railway which it was authorized to construct by paragraph (*i*) of section three of chapter seventy-four of the statutes of 1907, as amended by paragraph (*c*) of section four of chapter fifty-nine of the statutes of 1911, by section five of chapter ninety-six of the statutes of 1913, and by section three of chapter thirty-nine of the statutes of 1916, namely: from a point in townships six, seven, eight or nine, range thirty, west of the second meridian, in a westerly direction to a point on the Alberta Railway and Irrigation Company's railway in or near the town of Stirling; and if the said line of railway is not so completed and put in operation within the said period, 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 of railway as then remains uncompleted.

Issue of securities.

4. (1) 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 lines of railway authorized by section one of this Act.

Additional securities to be issued.

(2) The Company may issue bonds, debentures or other securities to the amount of fifteen thousand dollars per mile, constructed or under contract to be constructed, of that part of the line of railway referred to in section three of this Act between Altawan and Manyberries, in addition to the amount of twenty-five thousand dollars per mile authorized by section six of chapter seventy-four of the statutes of 1907.

Application of Railway Act, 1919.

(3) Any issue provided for in subsections (1) and (2) of this section 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 sub-section 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.

5. 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.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 41.

An Act respecting The Canadian Pacific Railway Company.

First reading, March 31, 1920.

(PRIVATE BILL)

Mr. NESBIT.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77428 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 41.

An Act respecting The Canadian Pacific Railway Company.

1881, c. 1; 1902, c. 52.

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:—

Number of directors increased.

1. Section six of Schedule A of chapter one of the statutes of 1881, as enacted by section twelve of chapter fifty-two of the statutes of 1902, is amended by striking out the word "fifteen" in the sixth line thereof and substituting therefor the word "eighteen".

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 42.

An Act respecting The Esquimalt and Nanaimo Railway Company.

First reading, March 31, 1920.

(PRIVATE BILL)

Mr. CLEMENTS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77500 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 42.

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.

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:—

Short title.

1. This Act may be cited as *The Esquimalt and Nanaimo Railway Act, 1920.*

Line of railway authorized.

2. The Esquimalt and Nanaimo Railway Company, hereinafter called "the Company," may lay out, construct, maintain and operate a line of railway from a point at or near its present terminus at Courtenay, thence in a general northerly and northeasterly direction to a point at or near Duncan's Bay on the east coast of Vancouver Island.

Time for construction and completion.

3. The Company may, within two years after the passing of this Act, commence to construct the line of railway authorized by section two of this Act, and may, within five years after the passing of this Act, complete the said line of railway; and if, within the said periods respectively, such 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 then remains uncompleted.

Issue of securities.

4. The securities issued by the Company shall not exceed fifty thousand dollars per mile of the railway authorized by this Act, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 43.

An Act respecting The Kettle Valley Railway Company.

First reading, March 31, 1920.

(PRIVATE BILL)

Mr. GREEN.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77430 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 43.

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.

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:—

Short title.

1. This Act may be cited as *The Kettle Valley Railway Act, 1920.*

Extension of time for construction.

2. The Kettle Valley Railway Company, hereinafter called "the Company," may commence the construction within two years after the passing of this Act, and may complete and put in operation within five years after the passing of this Act, the following lines of railway:—

(a) The line of railway which it was authorized to construct by section eight of chapter sixty-eight of the statutes of 1901, from a point at or near Grand Forks to a point fifty miles up the North Fork of the Kettle River, in the province of British Columbia; and,

(b) The line of railway which it was authorized to construct by section one of chapter ninety-two of the statutes of 1914, from a point at or near Otter Summit by the most feasible route to the Aspen Grove Mineral District, in the said province, a distance of about thirty miles.

Line of railway authorized.

3. The Company may lay out, construct, maintain and operate a line of railway 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.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 44.

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

First reading, March 31, 1920.

(PRIVATE BILL)

Mr. DENIS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77319 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 44.

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

1918, c. 55.

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 at 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 north-westerly 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;"

and may expend fifteen per cent of its capital stock thereon; and if, within the said periods respectively, the said railway is not so commenced and such expenditure is not so made, or if the said railway 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 railway as then remains uncompleted.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 45.

An Act to amend The Bankruptcy Act.

First reading, March 31, 1920.

Mr. JACOBS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
79616 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 45.

An Act to amend The Bankruptcy Act.

1919, c. 36.

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

1. The first two lines of section twenty of *The Bankruptcy Act*, chapter thirty-six of the statutes of 1919, are repealed, and the following are substituted therefor:—

Powers of trustee.

"**20.** (1) The trustee shall, if so required in writing by the inspectors, do all or any of the following things:—"

Separate banking account.

2. Subsection three of section twenty-six of the said Act is amended by adding the following words at the end thereof: " and the money received on account of each estate shall be kept in a separate banking account."

Remuneration of trustee.

3. Subsection three of section forty of the said Act is amended by adding the following proviso at the end thereof:—

" Provided that such remuneration may be increased with the consent of a majority of the creditors holding more than one-half in value of the claims against the estate."

Fees of inspectors.

4. Subsection four of section forty-three of the said Act is amended by striking out the words "such sums only" at the end thereof and substituting the following therefor:— "and may also be paid the following fees:—

Estates with	liabilities	below	5,000			a fee of	$2.00	per	meeting.
"	"	"	from	5,000	to 15,000	"	3.00	"	"
"	"	"	"	15,000	" 30,000	"	4.00	"	"
"	"	"	"	30,000	" 50,000	"	5.00	"	"
"	"	"	"	50,000	" 100,000	"	7.50	"	"
"	"	"	"	100,000	and over	"	10.00	"	"

Malicious proceedings.

5. Section ninety-seven of the said Act is repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 46.

An Act for carrying into effect the Treaty of Peace between His Majesty and Bulgaria.

First reading, April 6, 1920.

The SECRETARY OF STATE FOR EXTERNAL AFFAIRS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1920

79767

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 46.

An Act for carrying into effect the Treaty of Peace between His Majesty and Bulgaria.

Preamble.

WHEREAS, at Neuilly-sur-Seine, on the twenty-seventh day of November, nineteen hundred and nineteen, a Treaty of Peace between the Allied and Associated Powers and Bulgaria, 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 Treaty: 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 Treaty.

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 Treaty, and for giving effect to any of the provisions of the said Treaty.

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 Treaty shall be defrayed out of moneys provided by Parliament.

Short title.

2. This Act may be cited as *The Bulgarian Treaty of Peace Act, 1920.*

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 47.

An Act to amend The Bank Act (Interest).

First reading, April 7, 1920.

Mr. DEMERS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
216 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act to amend The Bank Act. (Interest).

1913, c. 9;
1915, c. 1;
1916, c. 10.

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 ninety-two of *The Bank Act*, chapter nine of the statutes of 1913, is repealed and the following are substituted therefor:—

"**92.** (1) The bank shall pay a rate of interest of not less than four per cent per annum on the moneys therein deposited.

"(1*a*) The bank shall pay the interest on the moneys therein deposited for the whole time during which the said moneys are on deposit."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 49.

An Act to amend the Canada Shipping Act (Steamboat Inspection).

First reading, April 8, 1920.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
79147 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 49.

R.S. c. 113; 1907, cc. 46,47; 1908, cc. 64,65; 1912, c. 51; 1913, c. 49; 1914, cc. 48,49; 1916, cc. 12,13; 1919, cc. 41,42; 1919, (2 Sess.) c. 7.

An Act to amend the Canada Shipping Act (Steamboat Inspection).

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

1. Section five hundred and seventy-eight of the *Canada Shipping Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirteen, is hereby repealed, and the following is substituted therefor:—

Rules and regulations.

"**578.** The Governor in Council may make rules and regulations,—

"*(a)* for the testing of boilers and all matters connected with the construction and working thereof;

"*(b)* for the inspection of safety valves and boiler cocks and all matters connected with the construction and working thereof;

"*(c)* for the inspection of hulls and equipment of steamboats;

"*(d)* respecting boats and life-preservers, fire-buckets, axes and lanterns and other life-saving appliances to be carried by steamboats or by other vessels mentioned in this Part;

"*(e)* respecting the qualifications necessary to entitle a person to an engineer's certificate;

"*(f)* requiring steamboats to carry chemical or other fire extinguishers, and prescribing the number of such fire extinguishers to be carried by steamboats of different sizes and classes, respectively;

"*(g)* for the inspection of the machinery and equipment of steamboats propelled by gas, fluid, naphtha, electricity, or any other chemical, or any mechanical power, and, in the case of such vessels, for making such changes in forms S and T as he deems advisable;

New.

"*(h)* for the establishment of a scale of fees and the collection thereof, for examining plans of the hulls,

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 50.

An Act to amend The Fish Inspection Act.

First reading, April 8, 1920.

The MINISTER OF THE NAVAL SERVICE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
7979 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 50.

An Act to amend The Fish Inspection Act.

1914, c. 45.

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

1. Sections two, three, six, seven, eight, nine, ten, eleven, twelve, thirteen, fifteen, sixteen, eighteen, nineteen, twenty, twenty-four and twenty-six of *The Fish Inspection Act*, chapter forty-five of the statutes of 1914, are repealed and the following sections are substituted therefor:—

Definitions.

"**2.** In this Act and in any regulation made hereunder, unless the context otherwise requires:—

"Container."

"*(a)* "container" includes a barrel, half-barrel and any other package used for packing or marketing any fish to which this Act applies, but shall not include hermetically sealed cans, bottles or jars;

"Department."

"*(b)* "Department" means the Department of the Naval Service;

"Fish."

"*(c)* "fish" means the fish to which this Act applies and extends;

"Inspecting officer."

"*(d)* "inspecting officer" means an officer appointed under this Act;

"Minister."

"*(e)* "Minister" means the Minister of the Naval Service;

"Regulations."

"*(f)* "regulations" means regulations made under the provisions of this Act.

Application of Act.

"**3.** This Act shall apply to pickled herring, alewives, mackerel and salmon other than mild cured salmon, and the containers in which such fish are packed and marketed; and the Governor in Council may at any time order that this Act or any one or more of the provisions of this Act specified in such order shall extend and apply to any other kinds of fish, whether pickled or not, and the containers in which such fish are packed and marketed. Provided, however, that this Act or any of the provisions thereof shall not extend or apply to, and shall not be extended or made to apply to, fish packed in cans or other hermetically sealed containers;

and provided also that this Act shall not apply or extend to any fish packed by fishermen or other persons for their own use and not for sale or intended to be used for any other commercial purpose.

Regulations.

"**6.** (1) The Governor in Council may make regulations,—

"*(a)* prescribing the material to be used for containers of fish, the sizes of such containers and how they shall be made and marked;

"*(b)* prescribing how containers not in accordance with the requirements shall be dealt with;

"*(c)* prescribing the requirements as to the quality and weight of fish in the containers, and how and by whom containers in which fish are packed shall be marked;

"*(d)* prescribing the time and place, and the manner in which containers and fish may be inspected;

"*(e)* prescribing how incorrectly marked fish shall be marked or re-marked;

"*(f)* deemed by him to be necessary or convenient for carrying out the provisions of this Act.

Publications.

"(2) All regulations made hereunder shall take effect from the date mentioned therein for the purpose, and shall be published in the *Canada Gazette* and in the prefix in the volume of the statutes of Canada published next after the making thereof.

Container to conform to regulations.

"**7.** (1) All containers used for packing fish shall be made and marked in accordance with the regulations.

Fish to conform to regulations.

"(2) All fish shall be graded, packed and marked in accordance with the regulations.

Trade mark or device.

"(3) Nothing herein contained shall prevent any person from using a distinctive trade mark or device on any container, provided that such trade mark or device does not obliterate or obscure the marks prescribed by the regulations.

Imported fish.

"**8.** All fish imported into Canada from other countries shall be packed in containers of a similar character and equal quality to those required under this Act, and shall be clearly marked with the kind, grade and weight of fish they contain, and with the name of the country of origin. Provided, that when such fish are imported into Canada for exportation, it shall only be necessary that the container in which such fish are packed be marked with the name of the country of origin.

Disputes.

"**9.** In case any dispute should arise between an inspecting officer and the packer, owner or other person who controls any container or fish with respect to the quality, size, condition, or marks of either container or fish, such packer,

Appeal.

owner or other person may appeal to the Minister, who may order a re-inspection, and such re-inspection, if authorized, shall be final and conclusive. Provided, however, that there shall be no appeal in any case where the appellant is unable to satisfy the Minister that the identity of the

container or fish with respect to which an appeal is desired has been carefully preserved.

Power to enter and search.

"**10.** Every inspecting officer appointed under the provisions of this Act shall have power to enter any premises, vessel or boat where he has reason to believe there are containers or fish subject to grading or inspection under the provisions of this Act or of any regulations hereunder, or where fish is or has been cured or packed or containers made or stored, and to open any package or container which he has reason to believe contains fish, for the purpose of seeing that the provisions of this Act and of the regulations have been complied with.

Forfeiture and seizure.

"**11.** (1) If any container packed with fish which is required by this Act or by any regulation to be marked is unmarked, such container and the fish therein shall be forfeited to His Majesty and may be seized by any inspecting officer.

False marking, or packing in violation.

"(2) Any person falsely marking any container packed with fish, or packing fish in violation of this Act or of the regulations, shall be liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for any term not exceeding thirty days, and for a second or any subsequent offence to a fine not exceeding one hundred dollars or to imprisonment for any term not exceeding sixty days.

Penalty.

Commencement of Act.

"**12.** This Act shall come into force, with respect to fish caught on the Pacific coast, on the first day of November, one thousand nine hundred and twenty, and, with respect to fish caught on the Atlantic coast, on the first day of April, one thousand nine hundred and twenty-one."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 51.

An Act respecting The Dominion Fire Insurance Company.

First reading, April 9, 1920.

(PRIVATE BILL)

Mr. MOWAT.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78350 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 51.

An Act respecting The Dominion Fire Insurance Company.

1904, c. 73; 1907, c. 82.

WHEREAS The Dominion 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:—

New section 7.

1. Section seven of chapter seventy-three of the statutes of 1904 is repealed and the following is substituted therefor:—

Business of Company.

"**7.** The Company may make contracts of insurance in respect of fire insurance, hail insurance, automobile insurance, and marine insurance, and in addition thereto in respect of such other kinds of insurance as may be authorized from time to time under the provisions of section seventy-seven of *The Insurance Act, 1917*."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 52.

An Act to incorporate The Western Canadian Union Corporation of Seventh-day Adventists.

First reading, April 9, 1920.

(PRIVATE BILL)

Mr. MACKIE
(Edmonton).

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78958 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 52.

An Act to incorporate The Western Canadian Union Corporation of Seventh-day Adventists.

Preamble.

WHEREAS the Western Canadian Union Conference of Seventh-day Adventists desires to form a corporation under the name of "The Western Canadian Union Corporation of Seventh-day Adventists," for the purpose of administering in Canada such of the property, business and other temporal affairs of the said Union Conference as may be entrusted by the said Union Conference to the said Corporation, and for the other purposes and objects hereinafter set out, 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 Andrew Celian Gilbert and Verah MacPherson, both of the city of Calgary, in the province of Alberta, president and treasurer respectively of the Western Canadian Union Conference of Seventh-day Adventists, by virtue of their respective offices above mentioned and their successors in the said offices, Albert James Haysmer, of the city of Calgary, in the province of Alberta, John G. Walker, of the town of Battleford, in the province of Saskatchewan, George Howe Skinner, of the city of Winnipeg, in the province of Manitoba, Walter Alfred Clemensen, of the city of Vancouver, in the province of British Columbia, Frank Lewis Hommel, of the city of Calgary, in the province of Alberta, Ernest Delbert Dick, of the town of Lacombe, in the province of Alberta, and Ulrich Wissner, of the city of Saskatoon, in the province of Saskatchewan, and all members of the Western Canadian Union Conference Executive Committee, together with all the qualified voters from time to time of the said Union Conference, are hereby incorporated under the name of "The Western Canadian Union Corporation of Seventh-day Adventists," hereinafter called "the Corporation,"

Name.

for the purpose of administering in Canada such of the property, business and other temporal affairs of the said Union Conference as may be entrusted by the said Union Conference to the Corporation, and for the other purposes hereinafter set forth.

Head office.

2. The head office of the Corporation shall be in the city of Calgary, in the province of Alberta, or in such other place in Canada as may from time to time be designated by by-law of the Corporation.

Objects.

3. The objects of the Corporation are to promote religious and charitable work and unify and extend the interests of the gospel in Canada and the mission fields of the world, and to promote and support Christian missions and missionary schools and colleges throughout Canada, and to erect, maintain and conduct churches, schools, colleges, publishing houses, hospitals, and sanitariums in any of the provinces of Canada or its territories, and to administer in Canada such of the property, business and other temporal affairs of the said Union Conference, as may be entrusted by the said Union Conference to the Corporation.

Directors.

4. The directors of the Corporation shall consist of the president and of the treasurer of the Western Canadian Union Conference of Seventh-day Adventists, by virtue of their respective offices, together with not less than three and not more than eighteen to be elected from amongst the members of the Corporation.

Provisional directors.

5. The said Andrew Celian Gilbert and Verah MacPherson, by virtue of their said offices of president and treasurer respectively, of the Western Canadian Union Conference of Seventh-day Adventists, and their successors in office, and the said Albert James Haysmer, John G. Walker, George Howe Skinner, Walter Alfred Clemensen, Ernest Delbert Dick, Frank Lewis Hommel, and Ulrich Wissner, shall be the provisional directors of the Corporation, and, until the Corporation in general meeting otherwise provides, shall exercise all the powers and functions of the Corporation.

By-laws.

6. The Corporation may, from time to time, make by-laws not contrary to law nor inconsistent with the provisions of the constitution of the Western Canadian Union Conference of Seventh-day Adventists, for,—

(a) the appointment, subject as herein provided, of a board of directors for the administration, management and control of the property, business and other temporal affairs of the Corporation;

(b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;

(c) the appointment of committees and their duties;

(d) the calling of meetings, regular or special, of the Corporation or of committees;

(e) the fixing of the necessary quorum and procedure in all things at such meetings;

(f) generally, the carrying out of the objects and purposes of the Corporation.

Acquisition and holding of real estate.

7. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporal or incorporal, 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 Corporation, or to, for, or in favour of any religious, educational, eleemosynary or other institution established, or intended to be established, by, under the management of, or in connection with the uses or purposes of the Corporation.

Limit of value.

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

Holding real property as security.

(3) The Corporation 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.

Disposal of real estate and investment of funds.

8. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation 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 in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

Borrowing powers.

9. (1) The Corporation may, from time to time, for the purposes of the Corporation,—

(*a*) borrow money upon the credit of the Corporation;

(*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 Corporation affixed to any such note or bill;

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

Limitation.

(2) Nothing in this section shall be construed to authorize the Corporation 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.

Limit of time for holding land.

10. (1) No parcel of land or interest therein at any time acquired by the Corporation and not required for its actual use and occupation and not held by way of security, shall be held by the Corporation 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 Corporation, or any extension of such period, as in this section provided, but shall at or before the expiration of such period or extended period, as the case may be, be absolutely debarred, sold or disposed of, so that the Corporation shall no longer retain any interest or estate therein, except by way of security.

Extension of time.

(2) The Treasury Board may direct that the time for the sale or disposal of any such parcel of land, or any estate or interest therein, shall be extended for a further period or periods not to exceed five years.

Fifteen years limit.

(3) The whole period during which the Corporation may hold any such parcel of land, or any estate or interest therein, under the foregoing provision of this section, shall not exceed fifteen years from the date of the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Corporation.

Forfeiture.

(4) Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Corporation for a longer period than authorized by the foregoing provisions of this section without being disposed of shall be forfeited to His Majesty for the use of Canada.

Statement as to land.

(5) The Corporation shall give the Minister of Finance when required a full and correct statement of all lands at the date of such statement held by the Corporation, or in trust for it, and subject to the provisions of this section.

Mortmain laws.

11. In regard to 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 mort-

main 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 such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.

Power to transfer property held in trust.

12. 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 Corporation.

Execution of deeds, etc.

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

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 53.

An Act to amend The Civil Service Act, 1918, and The Civil Service Amendment Act, 1919.

First reading, April 12, 1920.

The PRESIDENT OF THE PRIVY COUNCIL.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
117 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 53.

An Act to amend The Civil Service Act, 1918, and The Civil Service Amendment Act, 1919.

1918, c. 12; 1919 (2 Sess.) c. 10.

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 Civil Service Amendment Act, 1920.*

2. Subsection four of section twenty-three of *The Civil Service Act, 1918*, as enacted by section four of *The Civil Service Amendment Act, 1919*, is amended by adding thereto the following words:

Temporary employment outside of Canada.

" Provided that where the place of employment is outside the Dominion of Canada, the term of such employment may extend to ninety days. Such employees may be paid the prevailing rate of pay at which persons qualified to perform such emergency work may be secured in the place or locality where the work is required to be done."

3. Section forty-three of *The Civil Service Act, 1918*, as enacted by section ten of *The Civil Service Amendment Act, 1919*, is amended by adding thereto the following subsection:—

Appointments of civil servants who resigned and went on active war service overseas.

"(4) Any person who formerly held a permanent position in the Civil Service of Canada but resigned and proceeded on active service overseas in the military or naval forces of His Majesty or of any of His Majesty's Allies during the present war, may have his name placed on the eligible list for the class of position from which he resigned, or for any other position for which he may have qualified, in the order, as respects other persons, provided by the regulations of the Commission, and his salary on appointment shall be the salary he was receiving at the time of his resignation, or the minimum salary of the class in which the position is classified, whichever be the higher."

4. Section forty-five B of *The Civil Service Act, 1918*, as enacted by section ten of *The Civil Service Amendment Act, 1919*, is amended in the following respects:—

Annual increases unless classification provides otherwise.

By adding after the word " year " in the last line of subsection three of the said section the following words:—

" Unless and except such employee be classified in a position in respect of which the classification provides for semi-annual instead of annual increases or compensation."

Pay of temporary employees outside of Ottawa.

By adding immediately after subsection five of the said section the following proviso:—

" Provided, however, that in the case of temporary employees required outside the city of Ottawa, if such minimum rate be less than the prevailing rate of pay for the work incident to the position in the place or locality where the work is required to be performed, the Commission may engage a temporary employee at such prevailing rate instead of the minimum rate, if the said prevailing rate do not exceed the maximum rate of the class in which the position is classified."

No increase to temporary employee.

By adding the following new subsection:—

"(6) No temporary employee shall be deemed to be eligible to receive any increase of compensation under the provisions of this Act."

5. Section thirteen of *The Civil Service Amendment Act, 1919*, is repealed and the following is substituted therefor:

Classification deemed to have come into force on, and salaries payable from, 1st April, 1919.

"**13.** (1) The provisions of the classification of the Civil Service of Canada ratified and confirmed by this Act, and any amendment of the said classification made in pursuance of the provisions of this Act, shall be deemed and construed to have come into force, and the salaries or rates of compensation by this Act and the said classification and amendments thereof authorized or prescribed shall be payable, on and from the first day of April, one thousand nine hundred and nineteen, subject to the provisions of *The Civil Service Act, 1918*, as amended. Provided, however, that any person appointed or promoted by the Commission to fill a position in the Civil Service since April first, one thousand nine hundred and nineteen, and before April first, one thousand nine hundred and twenty, at a salary or rate of pay other than the minimum salary or rate prescribed for the class in which his position is classified shall be entitled, notwithstanding anything contained in *The Civil Service Act, 1918*, as amended, to be paid at the rate of pay at which he was appointed or promoted.

Proviso.

Appropriation.

"(2) Any moneys required to be paid for the purpose of carrying out the provisions of the next preceding subsection shall be payable out of any moneys appropriated by Parliament for that purpose."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 54.

An Act to confirm the Agreement dated the eighth day of March, 1920, between His Majesty The King and the Grand Trunk Railway Company of Canada for the acquisition by His Majesty of the capital stock of the said Grand Trunk Railway Company, except the four per cent guaranteed stock.

First reading, April 12, 1920.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
230 1920.

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 54.

An Act to confirm the Agreement dated the eighth day of March, 1920, between His Majesty The King and the Grand Trunk Railway Company of Canada for the acquisition by His Majesty of the capital stock of the said Grand Trunk Railway Company, except the four per cent guaranteed stock.

1919, (2 Sess.) c. 17.

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

Alterations in Schedule to agreement.

1. The first Schedule of the Agreement dated the eighth day of March, one thousand nine hundred and twenty, between His Majesty the King, therein called the "Government," of the first part, and the Grand Trunk Railway Company of Canada, therein called the "Grand Trunk," of the second part, executed under the powers conferred by *The Grand Trunk Railway Acquisition Act, 1919*, which said Agreement is set forth and printed in full in the Schedule to this Act, is hereby corrected by adding thereto, under the caption "Companies directly controlled by the Grand Trunk Railway Company of Canada," the following:—

"Vermont and Province Line Railroad Company.....Controlled by stock ownership.....100 per cent.

"Pembroke Southern Railway Company...Controlled by stock ownership.....Majority."

and by striking out of the said first Schedule under the caption "Companies controlled by the Grand Trunk Railway Company of Canada by lease" the words "Pembroke Southern Railway Company."

Agreement as corrected ratified.

2. The said Agreement, as corrected as aforesaid, is hereby declared to have been sufficiently ratified by the holders of the stocks of the Grand Trunk as required by

section seven of the said Act, and to be binding and effective and is hereby in all respects ratified and confirmed as the Agreement authorized by the said Act and for all the purposes thereof.

SCHEDULE.

AN AGREEMENT made this eighth day of March, one thousand nine hundred and twenty, between His Majesty the King, represented by the Minister of Railways and Canals of Canada, acting under the authority of an Order in Council, dated the thirty-first day of December, 1919, hereinafter called the "Government" of the First Part, and The Grand Trunk Railway Company of Canada, herein represented by Sir Alfred Waldron Smithers, M.P., Chairman of the Board of Directors, and Henry Hilton Norman, Secretary of the Company, acting by virtue of a Resolution duly passed at a meeting of the shareholders and debenture stockholders duly called and held at London, England, on the nineteenth day of February, 1920, hereinafter called the "Grand Trunk," of the Second Part.

WHEREAS, by an Act of the Parliament of Canada, entitled "The Grand Trunk Railway Acquisition Act, 1919," (hereinafter called the said Act), the parties hereto were authorized to enter into an agreement for the acquisition by the Government, on the terms therein stated, of the entire capital stock of the Grand Trunk except the four per cent guaranteed stock of the Grand Trunk amounting to £12,500,000, the latter being in the said Act and hereinafter called the "present guaranteed stock";

AND WHEREAS the issued capital stock of the Grand Trunk (not including the present guaranteed stock) consists of the following:—

First preference stock, five per cent....	£ 3,420,000
Second preference stock, five per cent	2,530,000
Third preference stock, four per cent..	7,168,055
Ordinary or common stock.....	23,955,437
	£ 37,073,492

which are hereinafter together referred to as the "preference and common stock";

AND WHEREAS the present outstanding debenture stocks of the Grand Trunk, consisting of—

Five per cent Grand Trunk debenture stocks.....	£ 4,270,375
Five per cent Great Western debenture stocks.....	2,723,080
Four per cent Grand Trunk debenture stocks.....	24,624,455
Four per cent Northern debenture stocks.....	308,215
	£31,926,125

hereinafter called the "present debenture stocks," are entitled to certain voting powers at meetings of shareholders of the Grand Trunk;

WITNESSETH: that the parties hereto have agreed as follows:—

1. *Statement of Control.*—The Grand Trunk represents that the Companies, properties and interests comprised in the Grand Trunk Railway System are correctly and fully set forth in the First Schedule to this Agreement, and that it has in such Schedule correctly and fully shown how the various Companies and their undertakings are controlled by the Grand Trunk, whether by stock ownership and to what extent, and whether by leases, agreements or otherwise, distinguishing in these respects the direct ownership and control by the Grand Trunk from the indirect ownership and control through companies included in the System.

2. *Sale and Purchase of Certain Stocks.*—The Grand Trunk hereby undertakes and agrees to use its best endeavours to cause the sale and delivery to the Government, and the Government agrees to acquire, in the manner and on the terms hereinafter set forth, the preference and common stock of the Grand Trunk now issued and outstanding to the face value mentioned in the recitals to this Agreement.

3. *Part Consideration—Cessation of Voting Powers*—As part of the consideration for such acquisition, the Government agrees to guarantee the payment of—

(a) Dividends payable half-yearly, at four per cent per annum, upon the present guaranteed stock;

(b) The interest upon the present debenture stocks as and when payable, in accordance with the terms thereof;

these guarantees to take effect upon the date of the appointment of the Committee of Management hereinafter mentioned. The guarantees shall be in the form, or substantially in the form, set forth in the Second and Third Schedules, respectively, to this Agreement, shall be signed by the Minister of Finance and Receiver General of Canada on behalf of His Majesty the King in the right of the Dominion of Canada, and, forthwith after the appointment of the Committee of Management hereinafter referred to, shall be deposited with the High Commissioner for Canada in London, England, for the benefit and information of all parties concerned.

Provided that concurrently with the deposit of such guarantees, the voting powers at meetings of shareholders of the Grand Trunk now vested in or exercisable by the holders of the present guaranteed stock and the present debenture stocks, respectively, shall cease and determine absolutely.

4. *Committee of Management.*—Forthwith after the ratification of this Agreement, as provided in the said Act, a Committee of Management of the Grand Trunk System shall be formed, consisting of five persons, two to be appointed by the Grand Trunk, two by the Government, and the fifth by the four so appointed. The functions of the Managing Committee shall be to insure the operation of the Grand Trunk System (in so far as it is possible to do so) in harmony with the Canadian National Railways, the two systems being treated, in the public interest, as nearly as possible as one system. No contract or agreement shall be made by the Grand Trunk, or by any Company comprised in the Grand Trunk System and controlled by the Grand Trunk, other than such as are necessary for the usual and ordinary business of the System, except with the concurrence of the Managing Committee and the approval of the Governor in Council. The Managing Committee may, with the consent of the Governor in Council, borrow from the Government on Grand Trunk notes, or other obligations or securities approved of by the Governor in Council, for the carrying on of the operation or improvement of the Grand Trunk System. The Committee shall continue to act until the preference and common stocks are transferred to or vested in the Government, when it shall be discharged.

5. *Examination of Books and Properties.*—The books, minutes, reports, documents, and other records, and all the railways and properties of the companies comprised in the Grand Trunk System, shall at all times be accessible and open to inspection and examination by any person or persons named by the Minister of Railways and Canals of Canada, or by the Board of Arbitrators hereinafter mentioned; and all proper aid and assistance shall, on request, be rendered to such person or persons by the Committee of Management and by the officers and employees of the Grand Trunk and its allied companies, including the making and giving of extracts, copies and statements.

6. *Submission to Arbitration.*—The value, if any, to the holders thereof, of the preference and common stock shall be determined by a Board of three Arbitrators, one to be appointed by the Government, one by the Grand Trunk, and the third shall be Sir Walter Cassels, Judge of the Exchequer Court of Canada, who shall be Chairman of the Board. Should Sir Walter Cassels die or be unable to act, the said parties shall agree upon another third arbitrator who shall be either the then Judge of the Exchequer Court of Canada, or one of the Judges of the Supreme Court of Canada, and who shall likewise be Chairman. Should any vacancy occur in the Board of Arbitrators, other than the third arbitrator, the arbitrator to fill the vacancy shall be appointed in the same way

as the arbitrator whose seat has become vacant was appointed.

7. *Arbitration Proceedings.*—The Board of Arbitrators shall have full power and authority in respect of the control of the arbitration and the proceedings thereof including the administration of oaths and in respect of the admission of evidence. The Board shall have power to employ or procure such legal, engineering, actuarial or other assistance and such evidence as it may require. Should the arbitrators require that the evidence of any person be taken de bene esse, or out of Canada, the arbitrators may delegate to any person power to administer oaths, to take such evidence under oath or otherwise, and to transmit it to the arbitrators for use upon the arbitration. The evidence upon the arbitration shall be taken in shorthand and transcribed by competent stenographers appointed by the arbitrators and duly sworn.

8. *Making of Award and Appeals.*—The award shall be made by the arbitrators, or a majority of them, within nine months from the appointment of the arbitrators, or within such further time as the Governor in Council may approve. The unanimous award of the arbitrators shall be final, but should the award not be unanimous, and should notice of appeal be given by either party to the other within thirty days after the making of the award, an appeal therefrom, upon any question of law, shall lie to the Supreme Court of Canada and or to the Judicial Committee of the Privy Council, if leave be granted by the said Committee.

9. *Clerical Errors.*—The arbitrators shall have the power to correct in their award any clerical errors or mistakes, at any time within two weeks after delivery thereof.

10. *Undisclosed liabilities.*—Should the Government, within three months after the making of the award, claim that there existed any liabilities of the Grand Trunk, or of any company comprised in the Grand Trunk System, which were not disclosed to the Board of Arbitrators prior to the making of their award, the Government may, within such period of three months, apply to the Board of Arbitrators to amend their award, and the Board may thereupon decide whether such liabilities existed and were disclosed to them, whether the amount of their award would or would not have been affected thereby, and the amount of the deduction, if any, to be made in respect thereof; and may amend their award accordingly.

11. *Limit to the Amount of the Award.*—The value, if any, so determined shall not be greater than an amount on which the annual dividend at four per cent per annum on the aggregate face value of the present guaranteed stock and the new guaranteed stock taken together would be $5,000,000; that is, the value, if any, so determined shall

not exceed sixty-four million one hundred and sixty-six thousand six hundred and sixty-six dollars and sixty-six cents ($64,166,666.66). The fixing of this limit shall not be taken by the arbitrators as any admission or indication that the value to be determined is the amount so fixed, or any other amount.

12. *Issue of new Guaranteed Stock.*—Upon the value of the preference and common stock being finally determined under the provisions of this Agreement, the Grand Trunk shall create an issue of non-voting four per cent capital stock—herein called the "new guaranteed stock." The amount thereof shall be the amount of the value, if any, of the preference and common stock, determined as above provided, less such deductions therefrom as are to be made under the terms of this Agreement. The Government shall guarantee to the holders of the new guaranteed stock that there shall be paid a dividend thereon at the rate of four per cent per annum, payable half-yearly, from the date of the appointment of the Committee of Management hereinbefore mentioned. The new guaranteed stock shall be distributed among the holders of the preference and common stock, upon the transfer to or vesting in the Government of such stock, in proportions which shall be determined by the arbitrators. The new guaranteed stock shall be deemed and issued as fully paid stock and free from calls and other liabilities. The new guaranteed stock shall be in the form, or substantially in the form, set forth in the Fourth Schedule to this Agreement, and the guarantee of the Government in respect thereof shall be signed and deposited in the same manner as is provided in this Agreement with respect to the guarantee of the present guaranteed stock. A copy of the guarantee in this clause provided for shall be endorsed or printed upon the certificates of new guaranteed stock as from time to time issued.

13. *Transfer of Preference and Common Stocks.*—The new guaranteed stock shall be issued in exchange for the preference and common stock upon the transfer to or vesting in the Government, or its nominees, of such preference and common stock as aforementioned. Should any shares or any part of the preference and common stock not be transferred to the Government, the Governor in Council may declare such shares or any such part of the preference and common stock to be the property of the Minister of Finance in trust for His Majesty, and upon the making of such declaration the shares or part thereof not so transferred shall immediately become the property of His Majesty, and proper entries thereof in the stock registers and other books in that behalf shall be made. The amount of the new guaranteed stock to which the holders of any such shares or part thereof so vested in His Majesty would be entitled to under the terms of this agreement shall be issued

and delivered to such holders, or their representatives, upon proper application being made therefor to the Government and the surrender or delivery of such shares to the Government or its nominees, or proper evidence of the applicants' rights thereto should such share certificates be lost or destroyed.

14. *Redemption of Stocks.*—The present guaranteed stock and the new guaranteed stock, or any part thereof, may be called in or redeemed by the Government or the Grand Trunk, at par, at any time after five years from the date of the appointment of the said Committee of Management, on six months' notice, by advertisement, to the holders thereof.

15. *Vacating of Offices.*—Upon the preference and common stock being vested in the Government, or its nominees, the Grand Trunk shall cause its Board of Directors, and the Board of Directors of each Company comprised in the Grand Trunk System, to resign or vacate their offices, as directors, at such time or times and in such manner as may be requested by the Government, and nominees of the Government shall be duly appointed to the vacancies caused thereby. Should any Director of the Grand Trunk, or of any Company comprised in the Grand Trunk System, which is within the legislative authority of the Parliament of Canada, neglect to resign or vacate his office in accordance with such request, the Governor in Council may declare the office of any such director to be vacant, on and after a date to be named in such order, and may appoint a director in his stead.

16. *Varying Obligations.*—After the execution of this Agreement and until the preference and common stock is vested in the Government, the Grand Trunk shall refrain, without the approval of the Governor in Council, from varying by by-law, agreement, or in any other manner whatsoever, the rights or liabilities appertaining to the capital stocks or securities of the Grand Trunk, or of any company comprised in the Grand Trunk System, and from increasing, without such approval, except in so far as is necessary in the usual and ordinary conduct of the business of the System, or as may be concurred in by the Committee of Management and by the Governor in Council, the obligations or liabilities of the Grand Trunk or of any company comprised in the Grand Trunk System. The Grand Trunk shall also refrain, without such approval, from declaring any dividends on any of the capital stocks.

17. *Superannuation and Pension Funds.*—The Grand Trunk Superannuation Fund shall continue in existence and shall continue to be administered as at present, and in accordance with the rules and regulations governing the same. The rules and regulations of the Grand Trunk pension system shall continue to be applicable to employees

of the Grand Trunk System until a general pension scheme applicable to all employees of Canadian Government-owned or controlled railways shall be adopted and become effective. The rules and regulations of the Grand Trunk Insurance and Provident Society shall continue to be applicable unless and until the Government shall adopt and make effective a general insurance scheme applicable to all employees of Canadian Government-owned or controlled railways. In no case shall any acquired rights or vested interests in either the pension system or the Insurance and Provident Society be affected.

18. *Grand Trunk Pacific.*—The Minister of Railways and Canals, as Receiver of the Grand Trunk Pacific Railway System, may entrust to the Committee of Management, hereinbefore provided for, on terms to be approved by the Governor in Council, the exercise of such of his powers as Receiver as the Governor in Council may deem requisite, in order that the operation and management of the said Grand Trunk Pacific Railway System may be conducted in harmony with the operation of other railways and properties under the control of the said Committee; and upon the transfer to or vesting in the Government of the preference and common stock as herein provided for, the Governor in Council may, on such terms and conditions as may be deemed necessary in the public interest, order the discharge of the Receivership of the Grand Trunk Pacific Railway System, and the termination and withdrawal of the proceedings in the Exchequer Court of Canada relating thereto.

19. *G.T.P. Guarantee and Claims.*—For the purpose of the valuation provided in this Agreement, the obligations of the Grand Trunk as guarantors of any indebtedness of the Grand Trunk Pacific Railway Company, or of the Grand Trunk Pacific Branch Lines Company, or otherwise, and the claims of the Government of the Dominion of Canada against either of the above mentioned companies, or against any company forming part of the Grand Trunk Railway System, shall not be treated as extinguished or affected by anything contained in the said Act.

20. If the arbitrators consider that the market prices or quotations of the stocks are to be taken into consideration in establishing their value, they shall not take into account the fluctuation, if any, in the market prices or quotations of the said preference and common stock caused by the negotiations between the parties hereto, the passing of the said Act, or the execution of this agreement. This shall not be taken to mean that the market prices or quotations are relevant matter to be inquired into by the arbitrators.

21. *Costs.*—Each of the parties to this agreement shall pay its own costs of and in connection with the arbitration subsequent to the date of this agreement, including the remuneration of the arbitrator appointed by it. The

remuneration of the third arbitrator, of the secretary of the arbitration board, secretarial, clerical, reporting, travelling and other necessary expenses which may be considered as in the common interests of both parties, shall be equally borne by each party. In order to provide the necessary funds to pay its expenses and its share of the common expenses, the directors of the Grand Trunk shall be entitled to create a fund by means of assessments on the present debenture stocks and present guaranteed stock in such proportions as the directors in their discretion may determine, which shall be deducted from any payments on said debenture and present guaranteed stocks as may be necessary:

Should any difference arise as to what is included in the expression "common interests of both parties," as used in this clause, such difference shall be settled by the Board of Arbitrators on the application of either party.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

Signed, sealed and delivered, in the presence of

E. E. FAIRWEATHER,

W. R. COPE.

J. D. REID,
Minister of Railways and Canals.

A. H. McKEE,
Acting Secretary.

The Corporate Seal of The Grand Trunk Railway Company of Canada was affixed hereto in the presence of

ALFRED W. SMITHERS,
Chairman.

H. W. NORMAN,
Secretary.

Seal,
The Grand Trunk Railway Company of Canada.

THE FIRST SCHEDULE.

GRAND TRUNK RAILWAY SYSTEM.

COMPANIES DIRECTLY CONTROLLED BY THE GRAND TRUNK RAILWAY COMPANY OF CANADA.

Bay City Terminal Railway Company.	Controlled by Stock Ownership		100	per cent
Canada Atlantic Transit Company	"		100	"
Canada Atlantic Transit Co. of U.S.	"		100	"
Central Vermont Railway Company	"		Majority	
Champlain & St. Lawrence Railroad Co.	"	and lease	100	per cent
Chicago, New York & Boston Refrig'r. Co.	Controlled by Stock Ownership		100	"
Detroit, Grand Haven & Milwaukee Rly. Co.	"		100	"
Detroit Terminal Railroad Company	"		50	"
Grand Rapids Terminal Railroad Co.	"		100	"
Grand Trunk Junction Railway Co.	"		100	"
Grand Trunk Pacific Railway Co.	"		100	"
Grand Trunk Western Railway Co.	"		100	"
International Bridge Company	"		100	"
Michigan Air Line Railway	"	and lease	100	"
Montreal & Southern Counties Railway Co.	Controlled by	Stock Ownership	Majority	
Montreal Warehousing Company	"		Majority	
New England Elevator Company	"		100	per cent
Ontario Car Ferry Company	"		50	"
Ottawa Terminals Railway Company	"		100	"
Portland Elevator Company	"		100	"
St. Clair Tunnel Company	"		100	"
Terminal Warehouse Registered	"		100	"
The Canadian Express Company	"		100	"
The Erie, London & Tilsonburg Rly. Co.	"		100	"
The Lachine, Jacques Cartier & Maisonneuve Ry. Co.	"		100	"
The Maganetawan River Railway Co.	"		100	"
The Oshawa Railway Company	"		100	"
The Rail & River Coal Company	"		100	"
The Realty Assets Company, Ltd.	"		100	"
The Toronto Belt Line Railway Company	"		100	"
Thousand Islands Railway Company	"		100	"
Toledo, Saginaw & Muskegon Rly. Co.	"		100	"
Toronto Terminals Railway Company	"		50	"
Transcontinental Townsite Co., Ltd.	"		100	"
United States & Canada Railroad Co.	"	and lease	100	"

COMPANIES CONTROLLED BY THE GRAND TRUNK RAILWAY COMPANY OF CANADA BY LEASE.

Atlantic & St. Lawrence Railway.
Buffalo and Lake Huron Railway Co.
Central Counties Railway Company.
Chicago, Detroit & Canada Grand Trunk Junction Railroad Company.
Cincinnati, Saginaw & Mackinaw Railroad Company.
Lewiston & Auburn Railroad Company.
Norway Branch Railroad Company.
Pembroke Southern Railway Company.

COMPANIES CONTROLLED BY SUBSIDIARY COMPANIES OF THE GRAND TRUNK RAILWAY COMPANY OF CANADA.

Chicago & Kalamazoo Terminal Railroad Co.	Controlled by the Grand Trunk Western Railway Co. through ownership of 100 p.c. of stock.
Detroit and Huron Railway Company	
Pontiac, Oxford & Northern Railroad Company	
Chicago, Kalamazoo & Saginaw Railway	Controlled by the Grand Trunk W. Ry. Co. by lease.

Detroit & Toledo Shore Line Railroad Company	G.T.W. owns 50 p.c. of stock.
Toledo Terminal Railway Company	G.T.W. owns 9·68 p.c. of stock.
Belt Railway Company of Chicago	G.T. Junction Ry. owns one-twelfth of stock.
Chicago & Western Indiana Railroad Company	G.T. Junction Ry. owns one-fifth of stock.
Grand Trunk Milwaukee Car Ferry Company	Controlled by the Detroit, Grand Haven & Milwaukee Ry. through ownership of 100 p.c. of stock.
Grand Trunk Pacific Branch Lines Company Grand Trunk Pacific Coast Steamship Co., Ltd Grand Trunk Pacific Development Co., Ltd Grand Trunk Pacific Dock Company of Seattle Grand Trunk Pacific Saskatchewan Ry. Co Grand Trunk Pacific Telegraph Company Grand Trunk Pacific Terminal Elevator Co., Ltd The Bulkley & Telkwa Valley Coal Company. The National Construction Company, Limited The Pacific Northern & Omineca Ry. Company	Controlled by the Grand Trunk Pacific Railway Company by ownership of 100 p.c. of stock.
The Grand Trunk Pacific Alaska Steamship Company, Limited	Controlled by the Grand Trunk Pacific Dock Co. of Seattle, by ownership of 100 p.c. of stock.
Barre Granite Railway Bethel Granite Railway Central Vermont Transportation Company Montreal & Province Line Railway Company. Montreal & Vermont Junction Railway Southern New England Railway Company Southern New England Railroad Corporation. Southern Vermont Railway Stanstead, Shefford & Chambly R.R. Co.	Controlled by C. V. Railway by ownership of 100 p.c. of stock.
New London Northern Railroad Company West River Railroad Company	Controlled by C.V. Railway by lease.

THE SECOND SCHEDULE.

Form of Guarantee of Payment of Dividends upon the Four Per Cent Guaranteed Stock of The Grand Trunk Railway Company of Canada.

DOMINION OF CANADA.

GUARANTEE.

Pursuant and subject to the provisions of The Grand Trunk Railway Acquisition Act, 1919, passed by the Parliament of Canada, and of the agreement entered into thereunder, His Majesty the King in the right of the Dominion of Canada, herein represented by the Minister of Finance and Receiver General of Canada, acting by virtue of an Order in Council dated the day of 1919, hereby guarantees to the respective registered proprietors for the time being of the Four Per Cent guaranteed stock of The Grand Trunk Railway Company of Canada, now issued or outstanding to the amount of £12,500,000 Sterling, the payment of dividends payable half yearly on the first days of July and January in each year, at the rate of Four Per Cent per annum.

This guarantee shall take effect upon the day of 1919, being the date provided for in the said Act.

Dated at Ottawa, Ontario, this day of

Minister of Finance and
Receiver General of Canada.

THE THIRD SCHEDULE.

Form of Guarantee of Payment of Interest upon the Debenture Stocks specified in The Grand Trunk Railway Acquisition Act, 1919.

DOMINION OF CANADA.

GUARANTEE.

Pursuant to the provisions of The Grand Trunk Railway Acquisition Act, 1919, passed by the Parliament of Canada, and of the Agreement entered into thereunder, His Majesty the King in the right of the Dominion of Canada, herein represented by the Minister of Finance and Receiver General of Canada, acting by virtue of an Order in Council dated the day of 1919, hereby guarantees to the respective holders, for the time being, of the undermentioned debenture stocks, the payment according to the tenor thereof, of the interest upon the outstanding debenture stocks referred to in the said Act, namely:—

Five per cent	Grand Trunk	Debenture	Stocks	..	£ 4,270,375
" "	Great Western	"	"	..	2,723,080
Four "	Grand Trunk	"	"	..	24,624,455
" "	Northern	"	"	..	308,225
					£31,926,125

This guarantee shall take effect upon the day of , 1919, being the date provided for in the said Act.

Dated at Ottawa, Ontario, this day of 19

The Minister of Finance and
Receiver General of Canada.

THE FOURTH SCHEDULE.

Form of New Guaranteed Stock of The Grand Trunk Railway Company of Canada issued and guaranteed under the provisions of The Grand Trunk Railway Acquisition Act, 1919.

THE GRAND TRUNK RAILWAY COMPANY OF CANADA.

GRAND TRUNK NON-VOTING SHARE CAPITAL.

Issue of Four Per Cent fully paid New Guaranteed Stock to the amount of £ guaranteed as to dividends by His Majesty the King in the right of the Dominion of Canada.

Issued pursuant and subject to The Grand Trunk Railway Acquisition Act, 1919, passed by the Parliament of Canada.

Certificate No. Register of Registration No.

THIS IS TO CERTIFY that of is the Registered Proprietor of £ Sterling of the above-mentioned Non-voting Guaranteed Stock, fully paid and free from calls or other liabilities.

Dated at this day of 19

Secretary.

NOTE.—This certificate of stock must be deposited with the Deed of Transfer whether for the whole or any portion thereof before any new certificate can be issued in exchange.

COPY OF GUARANTEE

by His Majesty the King in the right of the Dominion of Canada, deposited with the High Commissioner for Canada in London, England.

DOMINION OF CANADA.

GUARANTEE.

Pursuant and subject to the provisions of The Grand Trunk Railway Acquisition Act, 1919, and of the agreement entered into thereunder, His Majesty the King in

the right the Dominion of Canada, herein represented by the Minister of Finance and Receiver General of Canada, acting by virtue of an Order in Council dated the day of 1919, hereby guarantees to the respective registered proprietors for the time being of the Four Per Cent Non-Voting New Guaranteed Stock of The Grand Trunk Railway Company of Canada, amounting in all to £ Sterling, the payment of dividends payable half yearly on the first days of July and January in each year, at the rate of four per cent per annum.

This Guarantee shall take effect from and after the day of one thousand nine hundred and

Dated at Ottawa, Ontario, this day of 19

Minister of Finance and
Receiver General of Canada.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 55.

An Act to amend The Dominion Lands Act.

First reading, April 12, 1920.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 55.

An Act to amend The Dominion Lands Act.

1909, c. 11; 1914, cc. 27, 28; 1918, c. 19; 1919, cc. 19, 50; 1919 (2 Sess.), c. 13.

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 Dominion Lands Act*, chapter twenty of the statutes of 1908, is amended by adding thereto the following paragraph:—

Additional definition.

"*(l)* "Allies" means and includes the Allied and Associated Powers."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 58.

An Act to amend the Civil Service Insurance Act.

First reading, April 15, 1920.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
79818 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 58.

An Act to amend the Civil Service Insurance Act.

R.S. c. 18; 1914, c. 6.

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

Authority to insure extended to persons in navy.

1. Section five of the *Civil Service Insurance Act*, chapter eighteen of the Revised Statutes of Canada, 1906, as enacted by chapter six of the statutes of 1914, is repealed, and the following is substituted therefor:—

"**5.** The Minister may contract with any person to whom Part I of the *Civil Service Superannuation and Retirement Act* applies on the first day of April, one thousand nine hundred and fourteen, or who was appointed to a permanent position in any branch of the public service of Canada, whether civil, military or naval, after the first day of April, one thousand eight hundred and ninety-three, for the payment of a certain sum of money to be made upon the death of such person."

2. Section thirteen of the said Act, as enacted by chapter six of the statutes of 1914, is repealed, and the following is substituted therefor:—

Maximum amount of insurance increased from $5,000 to $10,000.

"**13.** The minimum and maximum amounts payable at death which may be contracted for under this Act shall be one thousand dollars and ten thousand dollars, respectively."

3. Section fifteen of the said Act is amended by inserting the following paragraph immediately after paragraph *(c)* thereof:—

Additional power to make regulations.

"*(c*[1]*)* providing for the payment of the insurance money as an annuity for a term of years certain or for the lifetime of the beneficiary or beneficiaries or otherwise."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 67.

An Act for granting to His Majesty a certain sum of money for the public service of the financial year ending the 31st March, 1921.

AS PASSED BY THE HOUSE OF COMMONS, 15th APRIL, 1920.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
619 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 67.

An Act for granting to His Majesty a certain sum of money for the public service of the financial year ending the 31st March, 1921.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Sir Louis Henry Davies, K.C.M.G., Chief Justice of Canada, and the Administrator of the Government of Canada, and the estimate accompanying the said message, that the sum hereinafter mentioned is required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-one, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 2, 1920.*

$2,083,333.33 granted for 1920-21.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole two million, eighty-three thousand, three hundred and thirty-three dollars and thirty-three cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty, to the thirty-first day of March, one thousand nine hundred and twenty-one, not otherwise provided for, and being one-sixth of the amount of the item set forth in the Schedule to this Act.

Account to be rendered in detail.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 68.

An Act to amend The Soldier Settlement Act, 1919.

First Reading, April 16, 1920.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
232 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 68.

An Act to amend The Soldier Settlement Act, 1919.

1919, c. 71.

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

"Settler" to mean male member only of certain military forces.

1. Section two of *The Soldier Settlement Act, 1919*, chapter seventy-one of the statutes of 1919, is amended by adding at the end of paragraph (*s*) thereof the words following:—" Further provided that the word ' settler ' as applicable to the classes of persons numbered (2) and (3) in this definition shall be deemed to include male settlers only."

Chairman of Board to have free or reduced transportation.

2. Section three of the said Act is amended by adding at the end of subsection one thereof the words following:—" He shall have and be accorded the same rights or privileges as to transportation, free or at reduced rates, upon railways, as are from time to time enjoyed by a deputy head of a Department."

Calculation of cost of land and improvements.

3. Section seventeen of the said Act is amended by striking out the words " acquired by purchase " from the second line of subsection two thereof. Said section is further amended by inserting between the word " effected " and the word " by " in the last line of the section the words " or to be effected."

Prescribed forms.

4. Section thirty-two of the said Act is amended by striking out from the fifth line thereof the words " by way of regulation made."

Powers of Board.

5. Section fifty-nine of the said Act is amended by adding at the end of subsection one thereof the following paragraphs:—

To vary terms of payments on sales of unimproved lands.

"*(d)* in all cases of sales of unimproved lands, to vary the terms of payment provided by section sixteen of this Act so that the first annual instalment shall be repayable not later than two years from the date of the sale and shall consist of the accrued interest only;

To vary terms of payments on sales of stock and equipment for unimproved ands.

"*(e)* in all cases of sales of stock and equipment for the operation of unimproved lands, to vary the provisions of section eighteen of this Act so that the terms of payment shall be all cash down, or, at the option of the Board, payment in not more than six equal, consecutive, annual instalments, commencing not later than three years from the date of the sale, with interest at five per centum per annum, on the amortization plan, said interest to begin to accrue two years from the date of the sale;

To vary terms of payments on sales of stock and equipment for improved farms.

"*(f)* in all cases of sales of stock and equipment for the operation of improved farms, to vary the provisions of section eighteen of this Act so that the terms of payment shall be all cash down, or, at the option of the Board, such per centum cash down as the Board may determine, and the balance be repayable in six, or less, equal consecutive, annual instalments commencing upon a date determined upon by the Board, but not later than two years from the date of the sale, with interest at five per centum per annum, on the amortization plan;

To determine character of land.

"*(g)* for any purpose of the Act, to determine what constitutes unimproved or improved land or a farm;

To require repayment on sales of seed grain and feed or advances for taxes and insurance.

"*(h)* in all cases of sales of seed grain and feed or in cases of advances for the payment of taxes and insurance, to require that the settler's indebtedness to the Board in connection with such sale or advance be repaid within one year from the date of the advance, with interest at the rate of five per centum per annum."

6. Section sixty-one of the said Act is amended by adding at the end thereof the following subsection:—

No officer, agent or employee to purchase, acquire or sell land which Board is authorized to deal with, or act as agent, or take commission.

"(5) No officer, agent or employee of or under the Board shall directly or indirectly, in his own name or in that of any other person, except by or under the authority of the Board, purchase, acquire or sell any land or other property of such character as the Board is authorized to purchase, acquire or sell under this Act from or to any settler who is indebted to the Board or whose application for an advance or to purchase any property from the Board is pending, nor shall such officer, agent or employee act as an agent or otherwise of any person in purchasing, acquiring, or selling or otherwise as aforesaid, nor receive any commission or compensation in connection therewith, and any officer, agent or employee violating the provisions of this subsection shall in addition to any criminal liability

incurred pursuant to the provisions of this Act, be liable to summary dismissal on the order of the Board and the liability to or imposition of such penalty shall not affect the right which any person may have to bring against him any civil action."

Penalty.

Regulations as to loans and advances.

7. Section sixty-three of the said Act is amended by adding at the end of paragraph *(c)* the words following:— "including dates at which amortized or other payments shall be consolidated or commence."

8. The following sections are added to the said Act as sections sixty-five and sixty-six:—

Marks or brands to denote the Board's ownership of property.

"**65.** (1) The marks or brands specified in this section in that behalf may be applied in or on any property of the Board to denote the Board's ownership or interest in such property. But the omission to apply any such mark or brand shall not affect such ownership or interest.

Marks appropriated for the use of the Soldier Settlement Board in marking its property.

Property.	*Marks or Brands.*
Live stock.....	Upstanding broad arrow with its base abutting on lazy S. with or without any numerals in any order.
Equipment.....	Broad arrow with its base abutting on lazy S.

Applying of marks or brands by officers, agents, etc.

"(2) It shall be lawful for the Board or its officers, agents, and workmen to apply such marks or brands, or any of them, in or on any such property.

Unauthorized applying or destroying of marks or brands.

"(3) No person shall, without the authority of the Board, the proof of which shall lie on him, apply any of the said marks or brands in or on any property of the Board, nor take out, destroy or obliterate, wholly or in part, from any property, any of the said marks or brands.

Unauthorized receiving, selling etc. of property bearing marks or brands.

"(4) No person shall, without the authority of the Board, the proof of which shall lie on him, receive, possess, keep, sell or deliver any property bearing any marks or brands as aforesaid.

Exemption from operation of provincial laws where ownership invested in Board.

"(5) Notwithstanding any law, whether statute or otherwise, in force in any province, authorizing or requiring the registration or recording of marks or brands, or prohibiting the use of any mark or brand which has not been registered, or prescribing any procedure to be followed in connection therewith, the use and application by the Board or any of its authorized officers or employees of the said marks or brands, shall not so long as any ownership or interest of or in the property affected is vested in the Board, be subject to or within the operations of such provincial laws.

Insurance of property in favour of Board by settler when indebted to Board.

"**66.** (1) While a settler is indebted to the Board in connection with sale of land or other property to him by the Board, or while any sum remains unpaid upon the aggregate advances or payments made from time to time pursuant to the provisions of this Act or otherwise to or on behalf of the settler, and secured by or charged whether under this Act or otherwise, upon property, real, personal or other, of the settler, or upon the settler's interest in any property, the Board may require that the settler shall insure in favour of the Board any property to the extent of its insurable value and shall assign and deliver over unto the Board the policy or policies of insurance or receipt or receipts thereto appertaining, and deliver to the Board all receipts for taxes paid upon any such property, insured or otherwise.

Assignment or delivery of policy to Board.

Payment of rates, taxes, insurance, etc. by Board in case of default on part of settler.

"(2) Notwithstanding anything to the contrary in this Act, if the settler fails or neglects to pay any lawful rates, taxes or assessments, or to keep such property insured as aforesaid, then it shall be lawful for the Board to pay such rates, taxes or assessments, or to insure such property as aforesaid, and all moneys expended by the Board with interest at the rate of seven per centum per annum computed from the time of advancing the same shall be repaid by the settler on demand, and in the meantime the amount of such payment shall be added to the purchase price of such property, or shall become a part of the principal secured by any charge, lien or mortgage in favour of the Board, as the case may be, and may in the discretion of the Board be made repayable at the time appointed for the payment of the next instalment in connection with the account to which such indebtedness is charged."

Amount added to purchase price and repayable at discretion of Board.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 71.

An Act respecting The Bell Telephone Company of Canada.

First reading, April 22, 1920.

(PRIVATE BILL)

Hon. S. C. MEWBURN.

OTTAWA
DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
787 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act respecting The Bell Telephone Company of Canada.

1880, c. 67; 1882, c. 95; 1884, c. 88; 1892, c. 67; 1894, c. 108; 1902, c. 41; 1906, c. 61.

WHEREAS The Bell Telephone Company of Canada 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:—

Bond issue authorized.

1. (1) Notwithstanding the provisions of chapter sixty-seven of the statutes of 1880, incorporating The Bell Telephone Company of Canada, hereinafter called "the Company", and of the Acts in amendment thereof, the directors of the Company, when authorized by by-law for that purpose passed and approved by the votes of not less than two-thirds in value of the subscribed stock of the Company represented at a special general meeting duly called for the purpose of considering same, may issue bonds, debentures or debenture stock from time to time for such amounts as may be approved by the shareholders, and secure the same by one or more deeds of trust creating such mortgages, charges or encumbrances upon the whole or any part of the property of the Company, present and future, as may be described therein.

Limitation.

(2) Nothing herein contained shall authorize the issue of any such bonds, debentures or debenture stock, ranking in priority to, or *pari passu* with, any of the bonds of the Company heretofore issued.

Deposit with Secretary of State, and notice.

2. Every such mortgage deed and every assignment thereof or other instrument in any way affecting such mortgage or security shall be deposited in the office of the Secretary of State of Canada and notice of such deposit shall forthwith be given in the *Canada Gazette*.

When deposit, registration, etc., unnecessary.

3. Where the provisions of the last preceding section have been complied with, it is hereby declared and enacted that

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 72.

An Act to incorporate The North-West Route, Limited.

AS PASSED BY THE HOUSE OF COMMONS,
21st MAY, 1920.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2077 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 72.

An Act to incorporate The North-West Route, Limited.

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. Major George Loyd Courthope, M.P., of Whiligh, Sussex, England, Ernest Somers Holmwood, of Newcastle, Brighton, Sussex, England, Bernard Spring-Rice, of The Glebe House, Burwash, Sussex, England, and Harry Craufuird Thomson, of 14 Clifton Hill, Saint John's Wood, in the County of London, England, together with such persons as become shareholders in the company, are incorporated under the name of "The North-West Route, Limited," hereinafter called "the Company".

Corporate name.

Provisional directors.

2. The persons named in section one of this Act are constituted provisional directors of the Company.

Capital stock.

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

Preference stock.

4. (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 preference and priority, as respects dividends or otherwise, over ordinary stock as is 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*, and shall, in all respects other than

the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

5. The head office of the Company shall be at the city of London, in that part of Great Britain and Ireland called England.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the second Tuesday in September.

Directors.

7. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Railway authorized.

8. The Company may lay out, construct, equip and operate a line of railway commencing at a point at or near the westerly end of Baker Lake, thence in a northwesterly direction by the most feasible route to a point at or near the easterly end of Schultz Lake; and from a point at or near the junction of the Hanbury and Thelon rivers in a westerly and southwesterly direction by the most feasible route to a point at or near Old Fort Reliance at the eastern end of Great Slave Lake; or, in the alternative, from a point at or near the said junction of the Hanbury and Thelon rivers in a westerly direction by the most feasible route to a point at or near the northeasterly end of Artillery Lake; and from a point at or near the southwesterly end of Artillery Lake in a southwesterly direction by the most feasible route to a point at or near Old Fort Reliance at the eastern end of Great Slave Lake; and between such other intermediate points on the route between the westerly end of Chesterfield Inlet and the easterly end of Great Slave Lake as may be necessary for the purpose of overcoming shoals, rapids, or other obstructions or impediments to navigation on the waterways between said Chesterfield Inlet and Great Slave Lake.

Dredging.

9. Subject to the approval of the Governor in Council, who may impose such conditions as he may deem necessary, the Company may, for the purpose of its undertaking, dredge or otherwise improve the channel at such points in the Thelon river as may be necessary for the purpose of navigating the said river.

Electric and other power.

10. Subject to the provisions of section three hundred and sixty-eight of *The Railway Act. 1919*, the Company shall have power to acquire, transmit and distribute electric and other power or energy.

Telegraphs and telephones.

11. Subject to the provisions of section three hundred and sixty-nine of *The Railway Act, 1919*, the Company shall

have power to transmit telegraph and telephone messages for the public and collect tolls therefor.

Vessels.

12. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels and ferries, for the conveyance of passengers, goods and merchandise; and may construct, acquire, lease, and dispose of terminal stations, wharfs, docks, elevators, warehouses, offices, and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and may charge wharfage and other dues for the use of any such property.

Wharfs, docks.

Warehousemen and wharfingers.

Securities.

13. The securities issued by the Company shall not exceed fifty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Borrowing.

14. In addition to the securities authorized by section thirteen 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 monies 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 or operate; and to provide for the repayment of monies so borrowed, may issue bonds, debentures, debenture stock perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works in respect whereof the issue is made.

Agreement for sale, lease or amalgamation of railway.

15. Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of *The Railway Act, 1919*, the Company may, for any of the purposes specified in the said section one hundred and fifty-one, enter into agreements with any other company.

Works subject to orders of Commissioner.

16. The construction, operation and maintenance of all the undertakings of the Company authorized or permitted by this Act, or by *The Railway Act, 1919*, and the necessary operations connected therewith, shall be subject to any regulation or ordinance now in force or hereafter to be made by the Commissioner of the North-West Territories.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 78.

An Act to amend the Animal Contagious Diseases Act.

First reading, April 26, 1920.

The MINISTER OF AGRICULTURE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
786 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 78.

An Act to amend the Animal Contagious Diseases Act.

R.S., c. 75; 1909, c. 3; 1913, c. 6; 1918, c. 8.

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

Provision re sale by Crown of carcass of condemned animal.

1. (1) Paragraph *(b)* of section seven of the *Animal Contagious Diseases Act*, Revised Statutes of Canada, 1906, chapter seventy-five, is hereby repealed.

(2) Section forty-six of the said Act is repealed and the following is substituted therefor:—

Penalty increased from $200.

"**46.** Every person who violates any provision of this Act, or of any regulation made by the Governor in Council or by the Minister under the authority of this Act, in respect to which no penalty is hereinbefore provided, shall for every such offence be liable to a penalty not exceeding five hundred dollars and not less than fifty dollars."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 92.

An Act to amend the Petroleum and Naptha Inspection Act.

First reading, April 28, 1920.

The MINISTER OF CUSTOMS AND INLAND REVENUE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
924 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 92.

An Act to amend the Petroleum and Naptha Inspection Act.

R.S. c. 86; 1913, c. 37.

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 section ten of the *Petroleum and Naptha Inspection Act*, Revised Statutes of Canada, 1906, chapter eighty-six, is repealed, and the following is substituted therefor:—

Test increased from 8 pounds and 5-100 of a pound.

"*(b)* if it weighs more than eight pounds and seventeen-hundredths of a pound per gallon; or"

93.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 93.

An Act to amend the Marriage Act.

First reading, April 29, 1920.

Mr. MACKIE
(Edmonton).

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1472 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 93.

An Act to amend the Marriage Act.

R.S. c. 105.

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 *Marriage Act*, Revised Statutes of Canada, 1906, chapter one hundred and five, is amended by adding the following words at the end thereof:—

"or because the man is a brother of the deceased husband of the woman."

Marriage of woman with her deceased husband's brother not to be invalid.

94.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 94.

An Act to amend the Canada Shipping Act (Pilotage).

First reading, April 30, 1920.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
672 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 94.

1907, cc. 46, 47; 1908, cc. 64, 65; 1912, c. 51; 1913, c. 49; 1914, cc. 48, 49; 1916, cc. 12, 13; 1919, cc. 41, 42; 1919, (2 Sess.), c. 7.

An Act to amend the Canada Shipping Act (Pilotage).

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

Section 434 with respect to the mode of altering pilot rates for and below Quebec, repealed as from 12th June, 1914.

1. Section four hundred and thirty-four of the *Canada Shipping Act* is repealed, and shall be deemed to have been repealed on and from the twelfth day of June, nineteen hundred and fourteen.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 103.

An Act to amend The Oleomargarine Act, 1919.

First reading, April 30, 1920.

The MINISTER OF AGRICULTURE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
463 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 103.

An Act to amend The Oleomargarine Act, 1919.

Date for manufacture, importation and sale extended for one year.

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,* statutes of 1919, second session, chapter twenty-four, is amended by substituting the words "twenty-one" for the word "twenty" in the sixth line thereof, and by substituting the words "twenty-two" for the words "twenty-one" in the last line thereof.

Regulations.

2. Paragraphs *(a)* and *(c)* of section eight of the said Act are repealed and the following are substituted therefor:—

"*(a)* the importation, manufacture, inspection, marking, advertising and sale of oleomargarine;"

"*(c)* the seizure and confiscation of apparatus and materials used, or intended to be used, in the manufacture, treatment or manipulation of oleomargarine in contravention of any of the provisions of this Act, or of any regulation made thereunder; and,"

Power to prescribe penalty for violation of regulations.

3. Section eight of the said Act is amended by adding thereto the following subsection:—

"(2) The Governor in Council may by regulation prescribe a penalty not less than fifty dollars, which shall be recoverable upon summary conviction, for the violation of any regulation made under the provisions of this section."

Minimum penalty increased from $10 to $50.

4. Section nine of the said Act is repealed and the following is substituted therefor:—

"**9.** Any person who manufactures oleomargarine contrary to the provisions of section five hereof, or who violates any of the provisions of section seven of this Act, shall be liable, upon summary conviction, to a penalty of not less than

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 104.

An Act to amend the Inspection and Sale Act.

First reading, May 3, 1920.

The MINISTER OF AGRICULTURE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
923 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 104.

An Act to amend the Inspection and Sale Act.

Part IX. R.S. c. 85; 1907, c. 21; 1908, c. 35; 1913, c. 25; 1918, c. 29.

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

Sections prescribing sizes of apple barrels, fruit boxes, etc., penalty section, and section authorizing Minister to appoint inspectors, etc., repealed.

1. Sections three hundred and twenty-five and three hundred and twenty-six of the *Inspection and Sale Act*, as enacted by chapter twenty-nine of the statutes of 1918, and sections three hundred and thirty and three hundred and thirty-three A of the said Act, as enacted by chapter thirty-five of the statutes of 1908, are repealed.

Power to make regulations extended.

2. Section three hundred and thirty-three B of the said Act, as enacted by chapter thirty-five of the statutes of 1908, is repealed, and the following is substituted therefor:—

"**333B.** (1) The Governor in Council may make regulations,—

"*(a)* to prescribe the quality, form, dimensions and capacity of all containers in which fruit shall be packed and the materials of which such containers shall be made;

"*(b)* to prescribe the kind of fruits which shall be subject to the regulations;

"*(c)* deemed by him to be necessary to secure the efficient operation and enforcement of this Part;

"*(d)* to 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 the said regulations, which penalties shall be recoverable upon summary conviction under Part XV of the Criminal Code.

"(2) The regulations so made shall be published in the *Canada Gazette*, and shall have the force of law from the date of such publication."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 108.

An Act to amend the Exchequer Court Act.

First reading, May 5, 1920.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1292 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 108.

1907, c. 15;
1908, c. 27;
1909, c. 12;
1910, c. 19;
1912, c. 21;
1913, c. 17;
1916, c. 16;
1917, c. 23;
1919, (2 Sess.), c. 14.

An Act to amend the Exchequer Court Act.

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

1. Section four of the *Exchequer Court Act*, Revised Statutes of Canada, 1906, chapter one hundred and forty, as enacted by chapter twenty-one of the statutes of 1912, is repealed, and the following is substituted therefor:—

Constitution of Court.

"**4.** (1) The Exchequer Court shall consist of the President and one Puisne Judge, who shall be appointed by the Governor in Council by letters patent under the Great Seal.

"(2) The provisions of this Act applying to the Judge of the Court shall be deemed to apply indifferently to the President and the Puisne Judge of the Court: Provided that the powers conferred for making general rules and orders shall be confined to the President."

2. Section eight of the said Act, as enacted by chapter twenty-seven of the statutes of 1908, is repealed, and the following is substituted therefor:—

Power to appoint a deputy judge.

"**8.** The Governor in Council may, in case of the sickness or absence from Canada or engagement upon other duty of the President or of the Puisne Judge, or for any other reason which he deems sufficient, specially appoint a deputy judge having the qualifications for appointment hereinbefore mentioned, who shall be sworn to the faithful performance of the duties of the office, and shall temporarily have all the powers incident thereto to be terminated at the pleasure of the Governor in Council."

3. Chapter twelve of the statutes of 1909, intituled *An Act to amend the Exchequer Court Act*, is repealed, and the following section is inserted in the *Exchequer Court*

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 109.

An Act to amend the Supreme Court Act.

First reading, May 5, 1920.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1864 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 109.

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:—

1908, c. 70; 1913, c. 51; 1914, c. 15; 1917, c. 23; 1918, cc. 7, 44.

1. Section two of the *Supreme Court Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirty-nine, is amended,—

(a) by striking out paragraph *(e)* thereof, as enacted by chapter fifty-one of the statutes of 1913, and amended by chapter fifteen of the statutes of 1914, and substituting therefor the following:—

Final judgment.

"*(e)* 'final judgment' means any judgment, rule, order or decision which determines in whole or in part any substantive right of any of the parties in controversy in any judicial proceeding;"

(b) by adding thereto the following paragraph:—

Judicial proceeding.

"(i) 'judicial proceeding' means and includes any action, suit, cause, matter or other proceeding in disposing of which the court appealed from has not exercised merely a regulative, administrative, or executive jurisdiction."

2. Sections thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine and forty-nine *(A)* of the said *Supreme Court Act*, as amended by chapter fifty-one of the statutes of 1913, and chapter seven of the statutes of 1918, are repealed, and the following are substituted therefor:—

"APPELLATE JURISDICTION.

Jurisdiction throughout Canada.

"**35.** The Supreme Court shall have, hold and exercise an appellate, civil and criminal jurisdiction within and throughout Canada. R.S. c. 139, s. 35.

Appeals from court of last resort.

"**36.** Subject to sections thirty-eight and thirty-nine an appeal shall lie to the Supreme Court from any judgment of the highest court of final resort now or hereafter established in any province of Canada pronounced in a judicial proceeding, whether such court is a court of appeal or of original jurisdiction (except in criminal causes and in proceedings for or upon a writ of *habeas corpus*, *certiorari* or prohibition arising out of a criminal charge, or in any case of proceedings for or upon a writ of *habeas corpus* arising out of any claim for extradition made under any treaty) where such judgment is,—

Exceptions.

Requisites.

"*(a)* a final judgment; or,

"*(b)* a judgment upon a motion for a non-suit or directing a new trial. R.S. c. 139, ss. 36 and 38 amended.

Appeals from other than court of last resort.

"**37.** Subject to sections thirty-eight and thirty-nine, an appeal shall lie directly to the Supreme Court from any final judgment of a provincial court, whether of appellate or original jurisdiction, other than the highest court of final resort in the province, pronounced in a judicial proceeding which is not one of those specifically excepted in section thirty-six,—

In all cases.

"*(a)* in any case by leave of the highest court of final resort having jurisdiction in the province in which the proceeding was originally instituted; and,

Where over $2,000 involved.

"*(b)* where the amount or value of the matter in controversy in the appeal exceeds the sum of two thousand dollars without leave but by consent in writing of the parties or their solicitors verified by affidavit and filed with the Registrar of the Supreme Court and with the Registrar, Clerk or Prothonotary of the court to be appealed from:

Ordinarily appeal only from court of last resort.

"but otherwise, subject to section forty-three, no appeal shall lie to the Supreme Court other than from the highest court of last resort having jurisdiction in the province in which the proceeding was originally instituted, whether the judgment or decision in such proceeding was or was not a proper subject of appeal to such highest court of last resort. R.S. c. 139, s. 42 amended.

No appeal from discretionary orders.

"**38.** No appeal shall lie to the Supreme Court from any judgment or order made in the exercise of judicial discretion except in proceedings in the nature of a suit or proceeding in equity originating elsewhere than in the province of Quebec. R.S. c. 139, s. 45 amended.

Restrictions.

"**39.** Except as otherwise provided by sections thirty-seven and forty-three, notwithstanding anything in this Act contained, no appeal shall lie to the Supreme Court from a judgment rendered in any provincial court in any proceeding unless,—

Value over $2,000.

"*(a)* the amount or value of the matter in controversy in the appeal exceeds the sum of two thousand dollars; or,

Special leave.

"*(b)* special leave to appeal is obtained as hereinafter provided. R.S. c. 139, ss. 46, 48 and 49 in part.

Value proved by affidavit.

"**40.** Where the right to appeal or to apply for special leave to appeal is dependent on the amount or value of the matter in controversy such amount or value may be proved by affidavit, and it shall not include interest subsequent to the date on which the judgment to be appealed from was pronounced or any costs. 3 & 4 Geo. V., c. 51, s. 3 amended.

Leave of provincial court of last resort.

"**41.** (1) Special leave to appeal may be granted in any case within section thirty-six by the highest court of final resort having jurisdiction in the province in which the judicial proceeding was originally instituted:

Proviso.

"Provided that in any case whatever where the matter in controversy on the appeal will involve,—

Validity of statute.

"*(a)* the validity of an Act of the Parliament of Canada or of the Legislature of any province of Canada or of an Ordinance or Act of the Council or legislative body of any territory of Canada; or,

Revenue.

"*(b)* any fee of office, duty, rent or revenue, or any sum of money payable to His Majesty; or,

Future rights.

"*(c)* the taking of any annual rent, customary or other fee, or, other matters by which rights in future of the parties may be affected; or,

Title to land.

"*(d)* the title to real estate or some interest therein; or,

Patents.

"*(e)* the validity of a patent; and,

Where over $1,000 involved.

"*(f)* in cases which originated in a court of which the judges are appointed by the Governor General and in which the amount or value of the matter in controversy in the appeal will exceed the sum of one thousand dollars:

Leave of Supreme Court. Additional time.

"if special leave to appeal has been refused by the highest court of final resort in the province, the Supreme Court may nevertheless grant such leave during the period fixed by section sixty-nine or within thirty days thereafter. New: but see ss. 46, 48 and 49.

Mandamus and Habeas Corpus.

"**42.** Nothing in the three sections last preceding shall affect appeals in cases of *mandamus* and *habeas corpus*. R. S. c. 139, s. 47 amended.

Appeals under other Acts.

"**43.** Notwithstanding anything in this Act contained the court shall also have jurisdiction as provided in any other Act conferring jurisdiction," R.S. c. 139, s. 43.

When appeal shall be brought.

3. Section sixty-nine of the said *Supreme Court Act* is amended by adding thereto the following:—

"Provided that the months of July and August shall be excluded in the computation of the said sixty days."

Date of commencement of Act.

4. This Act shall come into effect on the first day of July, 1920; but, in regard to appeals in proceedings which shall have been begun in the court or before the body

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 120.

An Act to provide for the Retirement of certain Members of the Public Service.

First reading, May 10, 1920.

The MINISTER OF IMMIGRATION AND COLONIZATION.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2046 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 120.

An Act to provide for the Retirement of certain Members of the Public Service.

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

Definitions. "Deputy head."

1. In this Act, unless the context otherwise requires,—

(a) "deputy head" means the Deputy Minister of the Crown presiding over a Department, the Clerk of the Privy Council, the Clerks of the Senate and House of Commons, the Auditor General, the Librarians of Parliament, the Commissioner of the Royal Canadian Mounted Police, the Superintendent of Insurance, the Dominion Archivist, and the Assistant to the Chairman and Secretary to the Commission of Conservation;

"Officer."

(b) "officer" means any officer, clerk or employee who is employed in the public service, and who receives a stated annual salary, but shall not include any person appointed for a temporary purpose or on part time.

Report by Civil Service Commission upon character of service of all officers of 65 and over.

Retirements.

2. (1) The Civil Service Commission shall, immediately after the passing of this Act and after consultation with the deputy heads, prepare and submit to the Governor in Council a report upon all officers of the age of sixty-five years and over, and all such officers who are not reported to be rendering good and efficient service for the remuneration that is being paid them shall be retired from the public service.

Report by Civil Service Commission upon officers under 65 not rendering efficient service.

(2) The Civil Service Commission shall, when requested by the Governor in Council and after consultation with the deputy heads, prepare and submit to the Governor in Council for approval the names of all officers who, being under sixty-five years of age and, by reason of advancing age, failing health, physical disability, lack of experience or ability or other cause, are not capable of rendering, or do not render, efficient service, and who should therefore

Date recommended for retirement.

be retired from the public service, stating in each case the date recommended for retirement. The Governor in Council may order that any such officer shall be retired accordingly, or on such other date as He may prescribe.

Notice of retirement.

Gratuity.

3. (1) Every officer who is retired from the public service under the provisions of this Act shall receive thirty days' notice to that effect (during which time he shall be paid his regular salary), and shall receive at the time of his retirement one month's salary; provided, however, that the Governor in Council may, in his discretion, allow two months' salary in lieu of the said one month's notice and one month's salary.

Rate of retiring allowance to officers 60 years or over, who have served not less than 10 years.

(2) Every officer who is retired under the provisions of this Act who is sixty years of age or over, and who has served continuously in the public service for not less than ten years, in addition to the payments authorized by subsection one of this section, shall receive an annual retiring allowance, payable to him during his life, equal to ten-sixtieths of the average annual salary received by him during the last three years of his service, and in addition one-sixtieth of such average annual salary for each additional year of his service, but not exceeding in all thirty-sixtieths of such average annual salary.

Allowances to officers who have served not less than 5 years.

(3) Every officer who is so retired who has served continuously in the public service for not less than five years, but who is not entitled to the retiring allowance mentioned in subsection two of this section, shall receive in addition to the payments authorized by subsection one of this section,—

If 55 or over.

(a) if he is fifty-five years of age or over, an amount equal to one month of his salary at the time of his retirement for each year of continuous service in the public service, but not exceeding in all an amount equal to eight months of his salary;

If 50 and not more than 55.

(b) if he is not less than fifty years of age and under fifty-five years of age, an amount equal to one month of his salary at the time of his retirement for every two years of continuous service in the public service, but not exceeding in all an amount equal to six months of his salary; and,

If 45 and not more than 50.

(c) if he is not less than forty-five years of age and under fifty years of age, an amount equal to one month of his salary at the time of his retirement for every four years of continuous service in the public service, but not exceeding in all an amount equal to four months of his salary.

Additional allowance in case of physical disability or protracted illness.

Provided that, in the case of an officer who is retired under the provisions of this Act on account of physical disability or protracted illness, the payments authorized by this subsection may be increased by the Governor in Council

to any amount not exceeding twice the amounts of such payments if the deputy head under whom such officer has been employed and the Civil Service Commission jointly recommend such increase. The Civil Service Commission shall not join in such recommendation unless it is satisfied from the medical evidence submitted to it that such physical disability or protracted illness actually exists and justifies the granting of the increase recommended.

Recommendation of deputy and Civil Service Commission required.

Payment.

Where an additional amount is granted hereunder the Governor in Council may prescribe at what time or times and in what instalments or otherwise such amount shall be payable.

Computation of fraction of periods.

(4) In computing the number of years of service for the purposes of this section, if the actual period of service includes a fraction of a year, the fraction, if equal to or greater than one-half, shall be counted as a full year of service.

Expenditure to be voted.

4. Any expense incurred in carrying out the provisions of this Act shall be defrayed out of moneys provided by Parliament for such purpose.

Allowances cease upon death.

5. Every retiring allowance payable to any officer under this Act shall cease and determine upon the death of such officer.

Equalization of payments under different statutes.

6. When an officer who is retired under the provisions of this Act is also entitled to receive any allowance, gratuity or pension upon retirement under the provisions of Part I of the *Civil Service Superannuation and Retirement Act* or under any other statute, he shall only be paid such amount, if any, under this Act as will be sufficient to make the total of the allowance, gratuities and pension paid to him equal to the maximum amount that he might otherwise be paid under the provisions of this Act.

Annual report to Parliament.

7. An annual report shall be made to Parliament by the Civil Service Commission, giving the name, age, and salary, and length, nature and place of service, and reasons for retirement of every person who is retired under the provisions of this Act, and the amounts paid or to be paid to such person hereunder.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 121.

An Act respecting the Harbour of Pictou in Nova Scotia.

First reading, May 10, 1920.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1382 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 121.

An Act respecting the Harbour of Pictou in Nova Scotia.

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 Pictou Harbour Act, 1920.*

Property and rights vested in His Majesty.

2. All property whether real or personal acquired, held by, vested in or owned by the Harbour Commissioners of Pictou in the province of Nova Scotia, and all rights and assets now held, enjoyed or possessed by the said Commissioners, are hereby transferred to and vested in His Majesty in the right of Canada.

Obligations assumed by His Majesty.

Proceedings.

3. All obligations and liabilities of the said Harbour Commissioners of Pictou shall hereafter be assumed by and shall be discharged by His Majesty, and all proceedings in any court either instituted by or against the said Commissioners may be proceeded with as if this Act had not passed, and His Majesty shall satisfy and discharge any judgment that may be obtained in any such proceeding against the said Harbour Commissioners, and may enforce and realize upon any judgment that may be obtained in favour of such Commissioners.

Acts repealed.

4. The acts mentioned in the Schedule hereto are hereby repealed.

Commencement of Act.

5. This Act shall come into force on the first day of January, one thousand nine hundred and twenty-one.

SCHEDULE.

1873, c. 63.

1873, chapter sixty-three, "An Act respecting the Harbour of Pictou in Nova Scotia."

1879, c. 29 1879, chapter twenty-nine, "An Act to amend the Act respecting the Harbour of Pictou in Nova Scotia."

1880, c. 33. 1880, chapter thirty-three, "An Act to amend an Act respecting the Harbour of Pictou in Nova Scotia."

1883, c. 42. 1883, chapter forty-two, "An Act further to amend the Act respecting the Harbour of Pictou."

1890, c. 18. 1890, chapter eighteen, "An Act to amend the Acts respecting the Harbour of Pictou."

1891, c. 54. 1891, chapter fifty-four, "An Act to amend the Acts respecting the Harbour of Pictou in Nova Scotia."

1894, c. 49. 1894, chapter forty-nine, "An Act further to amend the Acts respecting the Harbour of Pictou in Nova Scotia."

126.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 126.

An Act to amend The Bankruptcy Act.

First reading, May 11, 1920.

The SOLICITOR GENERAL.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2264 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 126.

An Act to amend The Bankruptcy Act.

1919, c. 36.

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, 1920.*

2. Section two, paragraph *(o)*, of *The Bankruptcy Act*, chapter thirty-six of the statutes of 1919, is hereby repealed, and the following is substituted therefor:—

"Debtor."

"*(o)* "debtor" includes any person, whether a British subject or not, who, at the time when any act of bankruptcy was done or suffered by him, or any authorized assignment was made by him, (*a*) was personally present in Canada, or (*b*) ordinarily resided or had a place of residence in Canada, or (*c*) was carrying on business in Canada personally or by means of an agent or manager, or (*d*) was a corporation or a member of a firm or partnership which carried on business in Canada; and where the debtor is a corporation, as defined by this section, the *Winding-up Act*, chapter one hundred and forty-four of the Revised Statutes of Canada, 1906, shall not, except by leave of the Court, extend or apply to it notwithstanding anything in that Act contained, but all proceedings instituted under that Act before this Act comes into force or afterwards, by leave of the Court, may and shall be as lawfully and effectually continued under that Act as if the provisions of this paragraph had not been made."

3. Section two, paragraph (*x*), of the said Act is hereby repealed, and the following is substituted therefor:—

"Locality."

"*(x)* "locality" of a debtor (whether a bankrupt, assignor or person who has proposed a composition, extension or arrangement to or with his creditors) means either

the place within a bankruptcy division or district whereat the debtor has carried on business at any time during the six months immediately preceding the date of the presentation against him of a bankruptcy petition or the making by him of an authorized assignment, or where the greater portion of the property of such debtor is situate, or where the debtor resides."

Affidavit.

4. Section four, subsection two, of the said Act is hereby repealed, and the following is substituted therefor:—

"(2) The petition shall be verified by affidavit and served on the debtor in the prescribed manner."

5. Section four of the said Act is hereby amended, by adding thereto the following subsection:—

Proceedings taken in wrong court.

"(11) Provided, however, that nothing herein contained shall invalidate any proceedings by reason of the same having been commenced, taken or carried on in the wrong court, but the court may at any time transfer to the proper court the petition, application or proceedings, as the case may be."

6. Section eleven, sub-section one, of the said Act is hereby repealed, and the following is substituted therefor:—

"**11.** (1) Every receiving order and every authorized assignment made in pursuance of this Act shall take precedence over,—

Receiving orders and assignments to take precedence of attachments, executions, etc.

"(*a*) all attachments of debts by way of garnishment, unless the debt involved has been actually paid over to the garnishing creditor or his agent; and

"(*b*) all other attachments, executions or other process against property, except such thereof as have been completely executed by payment to the execution or other creditor;

but shall be subject to a lien for one only bill of costs, including sheriff's fees, which shall be payable to the garnishing, attaching or execution creditor who has first attached by way of garnishment or lodged with the sheriff an attachment, execution or other process against property."

7. Section eleven of the said Act is hereby amended by adding thereto the following subsection:—

Existing Judgments in Nova Scotia and New Brunswick.

"(16) The provisions of paragraphs one and ten of this section shall not apply to any judgment or certificate of judgment registered against real or immovable property in either of the provinces of Nova Scotia and New Brunswick prior to the coming into force of this Act, which became, under the laws of the province wherein it was registered, a charge, lien or hypothec upon such real or immovable property."

8. Section thirty-one of the said Act is hereby repealed and the following is substituted therefor:—

Avoidance of preference in certain cases.

"**31.** (1) Every conveyance or transfer of property or charge thereon made, every payment made, every obligation incurred, and every judicial proceeding taken or suffered by any insolvent person in favour of any creditor or of any person in trust for any creditor with a view of giving such creditor a preference over the other creditors shall, if the person making, incurring, taking, praying or suffering the same is adjudged bankrupt on a bankruptcy petition presented within three months after the date of making, incurring, taking, paying or suffering the same, or if he makes an authorized assignment, within three months after the date of the making, incurring, taking, paying or suffering the same, be deemed fraudulent and void as against the trustee in the bankruptcy or under the authorized assignment.

When view to prefer presumed *prima facie*.

"(2) If any such conveyance, transfer, payment, obligation or judicial proceeding has the effect of giving any creditor a preference over other creditors, or over any one or more of them, it shall be presumed *prima facie* to have been made, incurred, taken, paid or suffered with such view as aforesaid whether or not it was made voluntarily or under pressure and evidence of pressure shall not be receivable or avail to support such transaction.

Creditor defined.

"(3) For the purpose of this section, the expression "creditor" shall include a surety or guarantor for the debt due to such creditor."

9. Section thirty-six, subsection eight, of the said Act is hereby repealed, and the following is substituted therefor:—

Recovery.

"(8) If at the expiration of thirty days from the date of the service of such demand the contributory has not paid to the trustee the required amount, the trustee may take proceedings against the contributory for the recovery thereof in the manner provided by General Rules."

10. Section thirty-seven, subsection eight, of the said Act is hereby repealed, and the following is substituted therefor:—

Distribution of estate of bankrupt after notice.

"(8) Where a trustee has published the notice in the form and in the manner provided by section eleven, subsection four, of this Act and has mailed prepaid and registered a circular to each creditor of the bankrupt or assignor of whom he has notice or knowledge as provided by section forty-two, subsection two, of this Act, such trustee shall at the expiration of thirty days from the date of the mailing of the last of the said circulars or from the date of last publication (whichever date should last occur) be at liberty to distribute the proceeds of the estate of the bankrupt or assignor among the parties entitled thereto, having

regard only to the claims of which the trustee has then notice, and shall not be liable for the proceeds of the estate or assets or any part thereof so distributed to any person of whose claim the trustee has not notice at the time of the distribution thereof. The trustee shall, not later than six months after he is at liberty pursuant to the provisions of this section to distribute the proceeds of the estate of the bankrupt or assignor, pay to the Receiver General of Canada all declared but unpaid dividends remaining in his hands, and shall at the same time provide a list of the names and post office addresses, so far as known, of the creditors entitled, showing the respective amounts payable to the respective creditors. The Receiver General shall, thereafter, upon application made, pay to any unpaid creditor his proper dividends as shown on this list, and such payment shall have effect as if made by the trustee."

11. Section forty, subsection three, of the said Act is hereby repealed, and the following is substituted therefor:—

Not to exceed 5 per cent.

"(3) The remuneration of the trustee for all services shall not under any circumstances exceed five per cent of the cash receipts unless otherwise directed by the creditors or inspectors in any case in which the dividends paid by the trustee under section thirty-seven hereof amount to less than one hundred cents on the dollar, or unless otherwise ordered by the Court in any other case."

12. Section forty-three, subsection four, of the said Act is hereby repealed, and the following is substituted therefor:—

Inspectors' fees.

"(4) Each inspector may be repaid his actual and necessary travelling expenses incurred in and about the performance of his duties, and may also be paid the following fees:—

Estates with assets below				$5,000			a fee of $2.00	per meeting.
"	"	"	from	$5,000	to	$15,000	" 3.00	"
"	"	"	"	$15,000	"	$30,000	" 4.00	"
"	"	"	"	$30,000	"	$50,000	" 5.00	"
"	"	"	"	$50,000	"	$100,000	" 7.50	"
"	"	"	"	$100,000	and	over	" 10.00	"

13. Section forty-five, subsection one, of the said Act is hereby repealed, and the following is substituted therefor:—

Proof of debts.

"(1) Every creditor shall prove his debt as soon as may be after the making of a receiving order or after the date of an authorized assignment or as soon as possible after such creditor has received notice of meeting for the consideration of a composition, extension or scheme of arrangement."

14. Section fifty-one, subsection three, of the said Act is hereby repealed, and the following is substituted therefor:—

Partners and separate estates.

"(3) In the case of partners the joint estate shall be applicable in the first instance in payment of their joint debts, and the separate estate of each partner shall be applicable in the first instance in payment of his separate debts. If there is a surplus of the separate estates it shall be dealt with as part of the joint estate. If there is a surplus of the joint estate, it shall be dealt with as part of the respective separate estates in proportion to the right and interest of each partner in the joint estate."

15. Section fifty-six, subsection two, of the said Act is hereby repealed, and the following is substituted therefor:—

Penalty for failure to attend for examination.

"(2) If the debtor, or any person liable to be examined as provided by the preceding subsection, is served with an appointment or summons to attend for examination and is paid or tendered the proper conduct money and witness fees, but refuses or neglects to attend as required by such appointment or summons, or, if attending, refuses to make satisfactory answers to any questions asked him or refuses to produce any book, document or other paper, having no lawful impediment made known to the examiner at the time of his sitting for such examination and allowed by him, the court may, by warrant, cause him to be apprehended and brought up for examination, and may order him to be committed to the common gaol of the judicial district in which he resides for any term not exceeding twelve months."

16. Section sixty-seven of the said Act is hereby repealed, and the following is substituted therefor:—

Solicitors' and witness fees.

"**67.** The costs and fees of all attorneys, solicitors and counsel acting for the trustee or for the estate of a debtor, the conduct money and expenses of witnesses, and the fees to be charged for or in respect of proceedings under this Act shall be paid by the trustee out of the assets of the estate, and shall be on such scale or tariff, or fixed, charged for, determined, collected or paid over in such manner as General Rules shall provide."

17. Section ninety of the said Act is hereby repealed, and the following is substituted therefor:—

Undischarged bankrupt obtaining credit.

"**90.** Where an undischarged bankrupt or an undischarged authorized assignor,—

(a) either alone or jointly with any other person obtains credit to the extent of five hundred dollars or upwards from any person without informing that person that he is an undischarged bankrupt or an undischarged authorized assignor; or,

Use of deceptive name.

"*(b)* engages in any trade or business under a name other than that under which he was adjudicated bankrupt or made such authorized assignment without disclosing to all persons with whom he enters into any business transaction the name under which he was adjudicated bankrupt or made such authorized assignment;

he shall be guilty of an indictable offence and liable to a fine not exceeding five hundred dollars, or to a term not exceeding one year's imprisonment, or to both such fine and such imprisonment."

18. Section ninety-six of the said Act is hereby repealed, and the following is substituted therefor:—

"**96.** Any person, who,—

Pretending to be trustee.

"*(a)* not being an authorized trustee, advertises or represents himself to be such; or

Trustee acting without bond.

"*(b)* being an authorized trustee, either before providing the bond required by section fourteen, subsection four, of this Act, or after providing the same but at any time while the said bond is not in force, acts as or exercises any of the powers of an authorized trustee; or

Non-compliance.

"*(c)* having been appointed an authorized trustee, with intent to defraud fails to observe or to perform 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;

shall be guilty of an indictable offence and liable to a fine not exceeding one thousand dollars or to a term not exceeding two years' imprisonment or to both such fine and such imprisonment."

Repeal of section 97.

19. Section ninety-seven of the said Act is repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 127.

An Act to amend the Canada Shipping Act (Sick and Distressed Mariners).

First reading, May 11, 1920.

The MINISTER OF HEALTH.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
79047 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 127.

An Act to amend the Canada Shipping Act (Sick and Distressed Mariners).

R.S. c. 113; 1908, c. 65.

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

1. Part V of the *Canada Shipping Act*, chapter one hundred and thirteen of the Revised Statutes of Canada, 1906, relating to "Sick and Distressed Mariners," is repealed, and the following is substituted therefor:—

"PART V.

"SICK AND DISTRESSED MARINERS.

"*Interpretation.*

Definitions.

"**381.** In this Part, unless the context otherwise requires,—

"Minister."

"(*a*) "Minister" means the Minister named by the Governor in Council to administer this Part;

"Sick mariner."

"(*b*) "sick mariner" includes any person employed on board of any ship on which duty has been paid, as provided by this Act, who from sickness or accident is in need of medical or surgical assistance and treatment.

"*Hospitals.*

Minister may rent and equip premises for hospitals.

"**382.** (1) The Minister may, with the approval of the Governor in Council, rent, and equip and maintain, premises for hospitals for the care and treatment of sick mariners, and may, with the consent of the persons having the control and management of any hospital, designate such hospital to be, during his pleasure, a hospital for the care and treatment of sick mariners, and contract with such persons for the care and treatment of sick

mariners, and may discontinue the use of any such hospital for the purposes aforesaid.

Regulations.

"(2) The Minister may make regulations for the government of any hospital for sick mariners, and may prescribe the duties and powers of the medical and other officers and employees of and in such hospitals, and of the port physicians and of all other officers required to perform any services in carrying out the provisions of this Part, or of any regulation made hereunder.

Control of hospitals.

"(3) All hospitals devoted exclusively to the reception, care and treatment of sick mariners shall be under the exclusive control and management of the Minister.

Temporary care of distressed seamen.

"(4) Any shipwrecked, destitute or otherwise distressed seamen may, by authority from the Minister, be temporarily boarded and lodged and taken care of at any marine or seamen's hospital devoted exclusively to the reception, care and treatment of sick mariners.

"Duty on Ships.

Duty on all vessels arriving at certain ports.

"**383.** (1) On and after the first day of January, one thousand nine hundred and twenty-one, there shall be levied and collected on every ship arriving in any port in the provinces of Quebec, Nova Scotia, New Brunswick, Prince Edward Island or British Columbia (hereinafter called "the provinces"), a duty of two cents for every ton which such ship measures, registered tonnage, but in no case shall the duty payable by any ship be less than two dollars in any year.

Exemption if voyage or ship does not require entry.

"(2) No ship otherwise liable to pay the duty shall be exempt from the payment of the said duty by reason of her voyage being one not requiring entry or clearance at the Custom House. If the ship does not require entry, the duty shall be paid immediately on her arrival.

Exemption of ships in coasting trade.

"(3) No ship engaged in the coasting trade of Canada and arriving at any port in any of the said provinces from any other port in the same province, or arriving at any port in the province of Quebec from any port in the province of Ontario, shall be subject to the payment of the said duty: Provided that no ship arriving at any port in Canada from any place out of Canada, and afterwards continuing her voyage to another port in Canada, shall be exempt from the payment of the said duty at the last mentioned port, unless she has paid it at the first mentioned or some other port on the same voyage.

Proviso.

Duty payable three times each year, by master to collector.

"(4) Such duty shall be payable on each ship three times during each calendar year, and shall be paid by the master or person in command of such ship, or by some person on his behalf, to the collector or other chief officer of the Customs at the port at which such ship is entered, and at the time of making such entry. Such entry shall contain on its face the tonnage of such ship.

No entry until duty paid.

"(5) Except as in this Part mentioned, no entry shall be validly made, or have any legal effect whatsoever, unless the duty is so paid.

No clearance unless duty paid.

"(6) No collector or other chief officer of the Customs shall grant a clearance to any ship on which such duty or any part thereof is due and unpaid.

Fishing vessels exempted.

"**384.** The duty shall not be payable on ships employed exclusively in fishing, or arriving at a port in the provinces when on a fishing voyage, but the master or person in command of a ship registered in Canada used exclusively in fishing or to be employed on a fishing voyage may, if he so desires, pay the said duty of two cents for each registered ton before the said ship makes its first fishing voyage in any year, at the first port at which the ship receives any part of her outfit for the said voyage, and thereafter before each subsequent voyage during the year, but not exceeding three payments in all in any calendar year.

Payment by fishing vessels.

Collector to account to Minister.

"**385.** Every collector or other chief officer of the Customs shall account for the sums received by him under this Act in such manner as the Minister may from time to time direct.

"Rights of Sick Mariners on Ships paying Duty.

Masters may send sick mariners to any marine hospital.

"**386.** (1) The master or person in command of any ship paying such duty may send to any hospital for sick mariners, at any hour of the day, and, in the case of accident or emergency, at any hour of the night, any sick mariner belonging to the ship. Such sick mariner so sent with a written recommendation from such master or person in command of such ship, endorsed as approved by the collector of the Customs of the port, or other officer appointed for the purpose by the Minister, shall be gratuitously received into such hospital, and receive therein such medical and surgical attendance and such other treatment as the case requires.

Receipt gratuitous.

Collector to make provision for care of sick sailor, if no marine hospital.

"(2) At any port at which such duty is received, and at or for which there is no marine or seamen's hospital, or other hospital so designated and appointed as aforesaid, the collector or other chief officer of the Customs, upon being required so to do at any hour of the day, and, in case of accident or emergency, at any hour of the night, by the master or person in command of any ship which has paid such duty, shall make without delay the best provisions in his power for the medical and surgical assistance and treatment of every sick mariner belonging to such ship at the nearest public hospital if there is one at a convenient distance, and, if not, then at some public or private house.

Sick mariner must arrive on his ship.

"(3) No sick mariner taken ill or injured outside of Canada, and arriving in any of the said provinces otherwise

than in a ship to which he belongs, shall be entitled to the benefits conferred by this section.

Treatment for one year, but not for insanity.

"(4) No sick mariner shall be entitled to the benefits conferred by this section for a period longer than one year without written authority from the Minister, and no sick mariner shall be entitled to treatment or care hereunder when suffering from permanent insanity.

Mariners of exempted vessels.

"(5) No sick mariners belonging to ships exempted from or not paying the duty levied under this Part shall be entitled to the rights or benefits of sick mariners under this Part.

Expenditures to be accounted for.

"**387.** Every person entrusted with the expenditure of any moneys for the purposes of this Part shall account for the same in such manner, certified by such vouchers and attestation, as the Minister may direct.

Payment out of appropriations.

"**388.** All expenditure made under the provisions of this Part shall be paid out of such moneys as Parliament may appropriate for the purpose.

Annual report for Parliament.

"**389.** The Minister shall make an annual report and statement to the Governor General of the receipts and expenditures under this Part, which shall be laid before both Houses of Parliament within the first fifteen days after the commencement of the session held next after the close of the fiscal year."

2. Section two hundred and seven of the said Act is repealed, and the following is substituted therefor:—

Assistance to shipwrecked, etc., seamen.

"**207.** (1) The Minister may, whenever he deems it necessary, pay, out of any moneys applicable to the relief of distressed seamen and appropriated by the Parliament of Canada for that purpose, such sums as he deems requisite for the temporary relief, in such manner as he deems advisable, of shipwrecked, destitute or otherwise distressed seamen not entitled to relief under any of the provisions of the *Merchant Shipping Act, 1894*, and may also, on the production of the bills of the disbursements with the proper vouchers and such other evidence as the Minister requires, pay out of such moneys any reasonable expenses incurred by the Board of Trade of the United Kingdom or by any officers of His Majesty in any British possession other than Canada or in any foreign country, on account of subsistence or transport back to Canada of any seamen or apprentices who have been domiciled in Canada for twelve months and who have been found in distress either on account of shipwreck or otherwise in any place out of Canada.

"(2) Persons serving in ships registered in Canada shall for the purpose of this section be deemed to be domiciled in Canada while so serving."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 135.

An Act to amend The Railway Act, 1919.

First reading, May 17, 1920.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1376 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 135.

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 six of *The Railway Act, 1919*, chapter sixty-eight of the statutes of 1919, is amended by adding thereto the following subsection:—

Railways excepted from those deemed to be works for the general advantage of Canada.

"(2) The provisions of paragraph *(c)* of this section shall be deemed not to include or apply to any street railway, electric suburban railway or tramway constructed under the authority of a provincial Legislature, and which has not been declared to be a work for the general advantage of Canada otherwise than by the provisions of the said paragraph."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 137.

An Act to amend the Criminal Code.

First reading, May 28, 1920.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2032 1920

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.

THE HOUSE OF COMMONS OF CANADA.

BILL 137.

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:—

Definitions of Appeal Court amended to meet changes in title of courts.

1. Paragraphs *(a)*, *(c)* and *(f)* of paragraph seven of section two of the *Criminal Code*, Revised Statutes of Canada, 1906, chapter one hundred and forty-six, are repealed, and the following are substituted therefor:—

"*(a)* in the province of Ontario, the Court of Appeal for Ontario;

"*(c)* in the province of Nova Scotia, the Supreme Court in banc;

"*(c1)* in the province of New Brunswick, the Court of Appeal, otherwise known as the Appeal Division of the Supreme Court of New Brunswick;

"*(f)* in the province of Saskatchewan, the Court of Appeal of the said province;

"*(f1)* in the province of Alberta, the Supreme Court of Alberta, and, on the coming into force of *The Judicature Act* passed by the said Province in the year one thousand nine hundred and nineteen, the Appellate Division of the Supreme Court of Alberta."

2. (1) Paragraph *(a)* of section one hundred and eighteen of the said Act, and paragraph *(d1)* of the said section, as enacted by chapter forty-six of the statutes of 1919, are repealed, and the following paragraphs are substituted therefor:—

Permit required for firearms and certain weapons.

"*(a)* not having a permit in Form seventy-six, has upon his person, elsewhere than in his own dwelling house, shop, warehouse, counting-house, or premises, or is carrying concealed, a sheath knife, bowie knife, dagger, stiletto, metal knuckles, skull cracker or other offensive weapon that may be concealed upon the person; or,

"*(aa)* has in his possession any cannon, machine gun, rifle, gun, revolver, pistol, bomb or other firearm, or any air gun or any device or contrivance for muffling or stopping the sound of the report of any firearm, without having a permit therefor, which permit may be issued in the same manner, by the same persons, and as near as may be in the same form, as in the case of the other permits referred to in this section; provided that no British subject shall be required to obtain a permit with respect to any shot gun now owned by him; or,"

(2) Paragraphs *(b)* and *(c)* and subsection six of the said section are amended by inserting, after the word "weapon" wherever it occurs in either of the said paragraphs and subsection, the words "firearm, air gun."

3. The said Act is amended by inserting the following section immediately after section one hundred and seventy-nine:—

"**179A.** Any person who,—

Signing pretended affidavit or declaration.

"*(a)* signs any document purporting to be an affidavit or statutory declaration as having been sworn or declared before him when such document was not so sworn or declared, or when he knows that he had no authority to administer such oath or declaration; or,

Signing, using or offering for use pretended affidavit or declaration.

"*(b)* signs, uses or offers for use any document purporting to be an affidavit or statutory declaration which he knows is not or was not sworn or declared to; or was not sworn or declared to before a proper officer in that behalf;

Penalty.

shall be guilty of an offence and liable, upon summary conviction, to a penalty not exceeding five hundred dollars, or to imprisonment for any term not exceeding six months, or to both fine and imprisonment."

4. Section two hundred and eleven of the said Act is repealed and the following is substituted therefor:—

Seduction of girls between 16 and 18 instead of 14 and 16.

"**211.** Every one over the age of eighteen years is guilty of an indictable offence and liable to two years' imprisonment who seduces or has illicit connection with any girl of previously chaste character of or above the age of sixteen years and under the age of eighteen years. Proof that a girl has on previous occasions had illicit connection with the accused shall not be deemed to be evidence that she was not of previously chaste character."

5. Paragraph *(b)* of section two hundred and thirteen of the said Act is repealed and the following is substituted therefor:—

Seducing female employees.

"*(b)* who seduces or has illicit connection with any woman or girl previously chaste and under the age of

(Previously restricted to employment in factory, mill, workshop or store)

twenty-one years who is in his employment, or who, being in a common, but not necessarily similar, employment with him is, in respect of her employment or work, under or in any way subject to his control or direction, or receives her wages or salary directly or indirectly from him. Proof that a woman or girl has on previous occasions had illicit connection with the accused shall not be deemed to be evidence that she was not previously chaste."

6. The said Act is amended by inserting the following section immediately after section two hundred and nineteen:—

Falsely pretending to be married.

"**219A.** Every one is guilty of an offence and liable, upon summary conviction, to a penalty not exceeding five hundred dollars or six months' imprisonment, who, at any hotel, boarding or lodging house, whether by registering in any book kept in such hotel, boarding or lodging house or otherwise, represents or pretends that a woman or man to whom he or she is not married is his wife or her husband, as the case may be, knowing the same to be untrue. The onus of proof of the absence of knowledge shall be upon the person accused."

7. Subsection two of section two hundred and thirty-five of the said Act, as enacted by chapter nineteen of the statutes of 1912, is repealed, and the following is substituted therefor:—

Betting, pool selling and book making.

"(2) The provisions of this section and of sections two hundred and twenty-seven and two hundred and twenty-eight shall not extend to any person or association by reason of his or their becoming the custodian or depository of any money, property or valuable thing staked or to be paid to the winner of any lawful race, sport, game or exercise, or to be paid to the owner of any horse engaged in any lawful race, or to be paid to the winner of any bets, or to a private bet between individuals not engaged in any way in a business of betting, or to bets made or records of bets made through the agency of a pari-mutuel system only as hereinafter provided, upon the race-course of any association incorporated in any manner before the twentieth day of March, one thousand nine hundred and twelve, or incorporated after that date by special Act of the Parliament of Canada or of the Legislature of any province of Canada, during the actual progress of a race-meeting conducted by such association upon races being run thereon. Provided that as to race meetings at which there are running races no such race-meeting continues for more than seven days of continuous racing on days on which such racing may be lawfully carried on, and that there be not more than seven races on any such day; and provided

that no such association holds, and that on any one race-track there be not held, in any one calendar year more than two race-meetings at which there are running races and that there is an interval of at least twenty days between meetings; and provided that as regards race-meetings held upon the race-course of any association incorporated after the fourth day of May, one thousand nine hundred and ten, the said race-course be located in or within three miles of a Canadian town or city having a population of not less than fifteen thousand people. Provided also, that where any person or association becomes a custodian or depository of any money, bet or stakes during the actual progress of a race-meeting conducted by and on the race-course of such an association, upon races being run thereon, that the percentage deducted and retained by the association in respect of each race from the total amount of money so deposited, or of which the said person or association becomes the custodian, *under the pari-mutuel system*, shall not exceed the following:—

Where the total amount staked or deposited on each race is under $20,000	7%
$20,000 but not exceeding $30,000	6%
Over $30,000, but not exceeding $40,000	5%
Over $40,000, but not exceeding $50,000	4%
Over $50,000	3%

In addition to the percentages above set forth, the person or association shall also be entitled to retain the odd cents over any multiple of five cents, and the odd cents may be eliminated from the amount to be paid to any better. Provided also, that for the purpose of recording the amounts deposited by the betters a type of pari-mutuel machine be used which has been approved by an officer appointed by the Minister of Agriculture and that the operations of the said machines and the carrying out of the provisions of this section be under the supervision of an officer appointed by the Minister of Agriculture whose duty it shall be to ascertain that the said machines are stopped before each race and no further amounts are deposited when the horses have passed the judges' stand on their way to the post, and that the machines are than locked. The expense incident to such supervision for each meeting to be borne by the association. Provided further, that the Minister of Agriculture if he is not satisfied that a proper proportion of gate receipts and percentages taken from the pari-mutuel pools is being given in purses to horses taking part in the race meeting, or that the provisions of this section are not being carried out in good faith by the person or association conducting the race meeting, may at any time order the pari-mutuel machines to be locked and their operation stopped for such time as he may think fit.

"(3) Nor shall the provisions of said sections apply to race-meetings at which there are trotting or pacing races exclusively, where pool selling, betting or wagering is permitted by an association incorporated as provided by subsection two of this section on such race-course during the actual progress of the race-meeting conducted by the association. Provided also that as to the race-meetings at which there are trotting or pacing races exclusively, no such race-meeting continues for more than three days on which racing may be carried on, in any one calendar week, and that no race-meetings at which there are trotting or pacing races are held on the same grounds for more than fourteen days in all in any one calendar year."

Penalty of whipping added.

8. Section three hundred of the said Act is repealed and the following is substituted therefor:—

"**300.** Every one is guilty of an indictable offence, and liable to seven years' imprisonment and to be whipped, who attempts to commit rape."

Carnally knowing girl between 14 and 16.

(S. 301 provides punishment for cases under age of 14.)

9. Section three hundred and one of the said Act is amended by adding thereto the following subsection:—

"(2) Every one is guilty of an indictable offence and liable to imprisonment for five years who carnally knows any girl under the age of sixteen and above the age of fourteen, not being his wife, and whether he believes her to be above the age of sixteen years or not."

10. The said Act is amended by inserting the following section immediately after section four hundred and thirty-seven thereof:—

Unlawfully wearing decorations or uniform, or unlawfully possessing certificate of discharge, or unlawfully making alterations in such certificates.

"**437A.** (1) Any person who, without lawful authority,—

"*(a)* wears any uniform of any of His Majesty's naval, land or air forces, or any uniform which is so similar to the uniform of any of the said forces as to be likely to be mistaken therefor;

"*(b)* wears any distinctive mark relating to wounds received or service performed in war, or any military medal, ribbon, badge, chevron, or any decoration or order that is awarded for war services, or any imitation thereof, or any mark or device or thing likely to be mistaken for any such mark, medal, ribbon, badge, chevron, decoration or order;

"*(c)* has in his possession any certificate of discharge or statement of service from any of His Majesty's naval, land or air forces not issued to and belonging to such person; or,

"*(d)* has in his possession any commission or warrant or any certificate of discharge or statement of service issued to any officer or person in, or who has been in, any of His Majesty's naval, land or air forces, which

contains any alteration that is not verified by the initials of the officer issuing the same, or by the initials of some other officer thereto lawfully authorized;

shall be liable on summary conviction to a penalty not exceeding three hundred dollars or to imprisonment for any term not exceeding twelve months, or to both fine and imprisonment.

Onus of proof.

"(2) In any prosecution under this section in which it is proved that the accused has worn a uniform, mark, medal, ribbon, badge, chevron, decoration or order aforesaid, or without lawful excuse has in his possession any certificate or statement aforesaid, he shall be deemed to have worn or had the same in his possession without lawful authority, unless he proves that he had such authority."

Process not to issue for the arrest or summoning of a person outside a province without approval of Attorney General or a judge.

11. The said Act is amended by inserting the following section immediately after section six hundred and sixty-four thereof:—

"**664**A. No warrant or other process shall be issued in any province for the arrest or summoning of any person residing in another province without the approval of the Attorney General or a Judge of the Superior Court of the province where it is sought to issue the process."

Appeals in summary convictions in Saskatchewan and Alberta.

12. Paragraph *(f)* of section seven hundred and forty-nine, as enacted by chapter forty-five of the statutes of 1907, is repealed, and the following is substituted therefor:—

"*(f)* in the province of Saskatchewan or the province of Alberta, to the District Court at the judicial centre of the district or sub-judicial district or at the sittings thereof which shall be held nearest to the place where cause of the information or complaint arose; provided that the District Court Judge of such judicial district shall have power to appoint the place for the hearing of such appeal on the application of any party to it."

Proof of service of notice.

13. Section seven hundred and fifty of the said Act, as enacted by chapter nine of the statutes of 1909, and as amended by chapter forty-six of the statutes of 1919, is amended by adding thereto the following paragraph:—

"*(e)* the service of any notice under this section may be probed by the affidavit of the officer or person serving the same."

14. Section seven hundred and eighty-one of the said Act, as amended by chapter thirteen of the statutes of 1913, is amended by adding the following subsection thereto, immediately after subsection one thereof:—

Penalty for second conviction keeping bawdy house.

"*(1a)* The provisions of section one thousand and thirty-five shall not apply or extend to any person convicted more than twice under said paragraph *(f)* of section

seven hundred and seventy-three for keeping a common bawdy house, or of keeping a common bawdy house if such offence was committed in any premises with respect to which premises more than two convictions have been made, whether the same person has been convicted as keeper thereof or not, and any such person so convicted shall not in either case be sentenced to less than three months' imprisonment, nor shall any sentence imposed in either of the cases be suspended under the provisions of section one thousand and eighty-one without the concurrence of the counsel acting for the Crown in the prosecution of the offender."

Provision that no prisoner may re-elect later than 30 days before jury trials commence not to apply to county of York, Ont.

15. The proviso added to section eight hundred and twenty-eight of the said Act by section fourteen of chapter forty-six of the statutes of 1919 shall not apply in the county of York in the province of Ontario.

Attorney General of Quebec given power to apply for change of venue as well as accused when no criminal terms in district where accused is.

16. Section eight hundred and eighty-seven of the said Act is repealed and the following is substituted therefor:—

"**887.** Whenever, in the province of Quebec, it has been decided by competent authority that no term of the Court of King's Bench holding criminal pleas is to be held at the appointed time in any district in the said province within which a term of the said court should be then held, the Attorney General or his agent, or any person charged with an indictable offence whose trial should by law be held in the said district, may, in the manner hereinbefore provided, obtain an order that the trial be proceeded with in some other district within the said province named by the court or judge."

Appeal to Supneme Court of Canada where judgment conflicts with the judgment of any other court of appeal

17. The following section is inserted immediately after section one thousand and twenty-four of the said Act:—

"**1024A.** Either the Attorney General or any person convicted of an indictable offence may appeal to the Supreme Court of Canada from the judgment of any court of appeal setting aside or affirming a conviction of an indictable offence, if the judgment appealed from conflicts with the judgment of any other court of appeal in a like case. If leave to appeal be granted by a judge of the Supreme Court of Canada within twenty-one days after the judgment appealed from is pronounced, or within such extended time thereafter as the judge to whom the application is made may for special reasons allow, notice in writing shall be served upon the person convicted or his solicitor, or upon the Attorney General, as the case may be, within fifteen days thereafter, and subsequent proceedings shall be had in the same manner and with the same effect as provided in the last preceding section."

138.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 138.

An Act to amend the Penitentiary Act.

First reading, May 28, 1920.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
3308 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 138.

An Act to amend the Penitentiary Act.

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

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

Minister to have power to make regulations for administration, etc., of penitentiaries.

1. Section three of the *Penitentiary Act*, chapter one hundred and forty-seven of the Revised Statutes of Canada, 1906, is amended by adding the following words at the end thereof:—" and he shall have power to make rules and regulations for their due administration, management, discipline and police, and for such other purposes as may be necessary or expedient for the carrying into effect of the provisions of this Act."

Wardens and deputy wardens to be appointed not for particular penitentiary.

2. Subsection one of section twenty-five of the said Act is repealed, and the following is substituted therefor:—

"**25.** (1) Wardens and deputy wardens shall be appointed for the penitentiaries generally, and any warden or deputy warden shall exercise his powers and perform his duties as such in and for the particular penitentiary to which he is from time to time assigned by direction of the Minister."

Schedule of salaries repealed.

3. Chapter thirty-six of the statutes of 1913, entitled *An Act to amend the Penitentiary Act*, is repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 139.

An Act to amend the Admiralty Act.

First reading, May 28, 1920.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2782 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 139.

An Act to amend the Admiralty Act.

R.S., c. 141.

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

1. The *Admiralty Act*, chapter one hundred and forty-one of the Revised Statutes of Canada, 1906, is hereby amended by repealing section eleven of the said Act and substituting therefor the following:—

Appointment of deputy judges.

"**11.** (1) The Governor in Council or a Local Judge in Admiralty with the approval of the Governor in Council, may from time to time appoint a deputy judge, and such deputy judge shall have and exercise all such jurisdiction, powers and authority as are possessed by the Local Judge.

Appointment not determined by vacancy in office of judge.

"(2) The appointment of a deputy judge shall not be determined by the occurrence of a vacancy in the office of the judge.

Appointment, how revoked.

"(3) The Governor in Council, or a Local Judge in Admiralty with the approval of the Governor in Council, may at any time revoke the appointment of a deputy judge."

Approval of His Majesty.

2. 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.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 140.

An Act to amend the Juvenile Delinquents Act.

First reading, May 28, 1920.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2981 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 140.

An Act to amend The Juvenile Delinquents Act.

1908, c. 40; 1912, c. 30; 1914, c. 39.

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

1. The following section is inserted immediately after section thirteen of *The Juvenile Delinquents Act, 1908*, chapter forty of the statutes of 1908:—

Court may adjourn or postpone hearing.

"**13A.** The court may postpone or adjourn the hearing of a charge of delinquency for such period or periods as the court may deem advisable, or may postpone or adjourn the hearing *sine die*."

2. Section nineteen of the said Act as amended by chapter thirty of the statutes of 1912 is amended by adding thereto the following subsection:—

In whose care Ruthenian Greek Catholic, etc., children may be committed.

"(4) No child who belongs to the Ruthenian Greek Catholic Church acknowledging and subject to the spiritual jurisdiction of the Holy Roman See, or who belongs to any other oriental church or rite which acknowledges and is subject to the spiritual jurisdiction of the Holy Roman See, shall be committed to any children's aid society or placed in any family as its foster home other than a society or a family of its own church or rite, unless it appears to the judge that there is not in the municipality any such society or any such family home which is suitable; and in the event of the judge finding that there is not in the municipality any such society or any such suitable family home the child shall be dealt with as in the case of any other Roman Catholic child."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 141.

An Act respecting Canadian National Railways.

First reading, May 28, 1920.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
3155 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 141.

An Act respecting Canadian National Railways.

1919, c. 13.

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 referred to as *Canadian National Railways Act, 1920,* and chapter thirteen of the statutes of Canada, 1919, may be referred to as *Canadian National Railways Act, 1919.*

Lines of railway authorized.

2. The Canadian Northern Railway Company may construct and operate the following lines of railway, namely:—

(a) A line from a point at or near Prince Albert, thence northerly to a point at or near township fifty-seven, range twenty-five, west of the second meridian, with a branch line commencing at a point on above line at or near township fifty-two, range twenty-five, west of the second meridian, and running in a generally easterly direction to range fifteen west of the second meridian;

(b) From a point on the main line of the Canadian National Railways between the crossing of the North Saskatchewan River and Radisson, thence in a generally northerly and northwesterly direction to a point on the Company's authorized line at or near Meeting Lake;

(c) From a point on the Maryfield Branch of the Canadian National Railways at or near Bengough thence southerly and westerly to a point at or near Fife Lake, in township three, range twenty-nine, west of the second meridian.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 151.

An Act to amend The Northwest Game Act.

First reading, May 31, 1920.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST ECXELLENT MAJESTY
3307 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 151.

An Act to amend The Northwest Game Act.

1917, c. 36.

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

1. Section four of *The Northwest Game Act,* chapter thirty-six of the statutes of 1917, is hereby amended by adding the following words at the end of paragraph *(e)* of subsection one thereof:—

Making close season for muskrats begin later to north of latitude 64.

"in the district to the south of latitude sixty-four, and between the fifteenth day of June and the first day of October in the district to the north of latitude sixty-four;"

and by inserting the following subsection immediately after subsection one thereof:—

Governor in Council to have power to change close season.

"(2A) The Governor in Council may from time to time alter any of the times fixed by subsection one of this section."

2. Subsection ten of section four is amended by adding thereto the following paragraph immediately after paragraph *(g)*:—

Governor in Council to have power to create game sanctuaries.

"*(h)* creating game sanctuaries in which the possession, hunting, trapping, taking, killing, shooting, wounding, injuring, or molesting in any way of any mammal or bird protected by this Act, and in which the possession, injuring, destroying, taking or molesting of the nests or eggs of any such bird may be prohibited during the whole or any part of any year; and providing for the control and management of such game sanctuaries."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 152.

An Act to amend the Yukon Placer Mining Act.

First reading, May 31, 1920.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
3312 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 152.

An Act to amend the Yukon Placer Mining Act.

R.S. c. 64; 1907, c. 54; 1908, c. 77; 1912, c. 57; 1914, c. 58; 1915, c. 22; 1919, c. 10.

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

1. Section ninety of the *Yukon Placer Mining Act*, chapter sixty-four of the Revised Statutes of Canada, 1906, as amended by section three of chapter fifty-four of the statutes of 1907, is amended by adding thereto the following paragraph:—

Prior rights protected.

"*(d)* or may have been acquired under the authority of a lease to prospect."

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

Lease to prospect for gold, application and evidence required.

"**91.** (1) The Gold Commissioner may grant a lease to prospect for gold as defined in this Act on lands which are the property of the Crown, or the mining rights of which are available for disposal under the provisions of this Act, situated on any creek or river in the Yukon Territory, upon receipt of an application, accompanied by evidence to his satisfaction of the applicant's financial ability and intention to incur the expenditure necessary to thoroughly prospect the area described in the application.

Location to be marked.

Form of application.

"(2) The location shall be marked in the ground in the manner prescribed in section twenty-five, and application for a lease shall be submitted in the form prescribed in Schedule "G" of this Act.

No other application.

"(3) While the lease remains in force the lessee shall not be eligible to make application for another lease.

Term of lease.

"(4) The term of the lease shall be one year, renewable for two additional periods of one year each, provided the lessee on or before the termination of the year furnishes the Gold Commissioner with evidence to show that he has incurred the prescribed expenditure in prospecting oper-

tions, and has otherwise complied with the provisions of this Act and with the terms and conditions of the lease.

Application for lease of abandoned ground.

"(5) If the tract included in an application for a lease comprises abandoned ground, that is, if the whole or any portion of the creek or river upon which the tract applied for is situated has previously been staked out and recorded under the provisions of this Act, or the regulations which preceded it, or under the provisions of the hydraulic mining regulations approved by Order in Council dated the third day of December, 1898, but the grants of which have been permitted to lapse, or have been cancelled or forfeited, it shall not exceed five miles in length, and in the case of a creek shall be measured along the base line in the manner prescribed in section twenty of this Act, the side and end boundaries of the location being those defined in that section. In the case of a river the location shall be on one side thereof only, and shall extend back from the foot of the natural banks a distance of one thousand feet measured from the base line, the end boundaries being lines drawn at each end of the location at right angles to such base line.

Size and measurement of tract.

Rental.

"(6) The rental of the tract leased shall be at the rate of twenty-five dollars a mile or fraction of a mile, payable to the Gold Commissioner in advance for each year.

Evidence of expenditure during year.

"(7) Prior to the termination of the year the lessee shall furnish evidence, supported by affidavit, to the satisfaction of the Gold Commissioner, that he has incurred during the year an expenditure at the rate of at least one thousand dollars for each mile or fraction of a mile leased to him in prospecting operations by recognized methods on the location itself, or for any purpose which to the Gold Commissioner may seem essential or necessary for the economical development of the tract leased. In case this evidence is not furnished before the termination of the year, or in case it is not satisfactory, the lessee shall not be entitled to a renewal of his lease.

Lessee may stake out placer mining claims.

"(8) Before the termination of the lease the lessee may, if he so desires, personally stake out in the manner prescribed in section twenty-five of this Act, placer mining claims comprising the whole or any portion of the tract leased, and upon furnishing the Gold Commissioner with satisfactory evidence to show that he has incurred during the year for which the lease was issued the expenditure already provided for in the development of the leasehold he may submit application in the Schedule "A" of this Act, and obtain a grant in his own name for each of the claims so staked and applied for, in which case the unrecorded portion of the location shall immediately revert to the Crown and shall become available for disposal under the provisions of this Act.

Application and grant.

Lease upon creek or river not already prospected.

"(9) If a creek or a river upon which an applicant desires to acquire a lease to prospect has not already been prospected, that is, if mining claims have not previously been staked, recorded, and abandoned along any part of such creek or river, the term of the lease which may be granted shall be for one year only, not subject to renewal,

Term and size of tract.

and the tract leased shall not exceed one mile in length, marked out and measured in the manner above prescribed, and subject to all the conditions above set out in so far as the same can be made to apply. Before the termination of the year the lessee of such a location may, if he so desires, stake out within the limits of the tract leased a claim not exceeding in size a discovery claim as defined in section

Evidence of expenditure.

twenty-six of this Act, and upon furnishing the Gold Commissioner with satisfactory evidence to show that he has incurred during the year for which the lease was issued the expenditure already provided for in the development

Application and grant.

of the leasehold, he may submit application and obtain a grant for the claim so staked and applied for, in which case the unrecorded portion of the location shall immediately revert to the Crown and shall become available for disposal under the provisions of this Act, and only one discovery claim shall be allowed on any such creek or river.

Fees.

"(10) The fee for the issue of a lease, or for the renewal thereof, shall be twenty-five dollars for each mile or fraction of a mile described in the said lease, payable in advance to the mining recorder for the district, or to the Gold Commissioner.

Transfers.

"(11) The lessee shall not assign, transfer or sublet the rights described in the lease, or any portion thereof, without the consent in writing of the Minister of the Interior being first had and obtained."

156.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 156.

An Act to amend The Customs Tariff, 1907.

First reading, June 4, 1920.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2796 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 156.

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.

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:—

Short title.

1. This Act may be cited as *The Customs Tariff Act, 1920.*

Schedule A amended.

2. Schedule A of *The Customs Tariff, 1907*, chapter eleven of the statutes of 1907, is amended by striking out the tariff items one hundred and seventy-two and four hundred and eighty-three, and inserting the following tariff items one hundred and seventy-two and four hundred and eighty-three in lieu thereof, and also by inserting the following tariff item, six hundred and ninety-eight a, immediately after tariff item six hundred and ninety-eight in the said Schedule:—

Tariff Items.	—	British Preferential Tariff.	Intermediate Tariff.	General Tariff.
172	Books, viz.:—Books on the application of science to industries of all kinds, including books on agriculture, horticulture, forestry, fish and fishing, mining, metallurgy, architecture, electric and other engineering, carpentry, shipbuilding, mechanism, dyeing, bleaching, tanning, weaving and other mechanic arts, and similar industrial books; bibles, prayerbooks, psalm and hymn-books, religious tracts, and Sunday school lesson pictures.....	Free.	Free.	Free.
483	Stereotypes, electrotypes, and celluloids of books, and bases and matrices and copper shells for the same, whether composed wholly or in part of metal or celluloid.....	Free.	Free.	Free.
698a	Typewriters and writing appliances specially adapted for use only by the blind, under regulations prescribed by the Minister of Customs and Inland Revenue.....	Free.	Free.	Free.

Duties reduced.

3. Section three of *The Customs Tariff War Revenue Act, 1915*, chapter three of the statutes of 1915, and sections three and four of *The Customs Tariff Amendment Act, 1919*, chapter forty-seven of the statutes of 1919, are hereby repealed.

Commencement of Act.

4. This Act shall be deemed to have come into force on the nineteenth day of May, one thousand nine hundred and twenty, and to apply and to have applied to all goods mentioned in or affected by the provisions of the preceding sections imported or taken out of the warehouse for consumption on or after that day, and also to apply and to have applied to such goods previously imported for which no entry for consumption was made before that day.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 157.

An Act to amend The Business Profits War Tax Act, 1916.

First reading, June 4, 1920.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2795 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 157.

An Act to amend The Business Profits War Tax Act, 1916.

1916, c. 11; 1917, c. 6; 1918, c. 10; 1919, c. 39.

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 Business Profits War Tax Act, 1916*, chapter eleven of the statutes of 1916, is amended by adding thereto the following subsections:—

Amount of tax changed.

"(2) The profits earned in any business during any accounting period ending in the year nineteen hundred and twenty which do not exceed ten per centum per annum upon the capital employed in such business shall be exempt from the tax prescribed by this Act;

"Upon any such profits exceeding ten per centum per annum and not exceeding fifteen per centum per annum upon the capital employed, there shall be paid a tax equal to twenty per centum of such profits;

"Upon any such profits exceeding fifteen per centum per annum and not exceeding twenty per centum per annum upon the capital employed, there shall be paid a tax equal to thirty per centum of such profits;

"Upon any such profits exceeding twenty per centum per annum and not exceeding thirty per centum per annum upon the capital employed, there shall be paid a tax equal to fifty per centum of such profits;

"Upon any such profits exceeding thirty per centum per annum upon the capital employed, there shall be paid a tax equal to sixty per centum of such profits.

Tax on business where capital from $25,000 to under $50,000.

"(3) In any business with a capital of not less than twenty-five thousand dollars and under fifty thousand dollars, a tax shall be paid of twenty per centum of the amount by which the profits earned during any accounting period ending in the year nineteen hundred and twenty in such business exceeds ten per centum per annum.

Tax for 1917 and 1918 on business including manufacture, etc., of war munitions, etc.

"(4) The rates of taxation set forth in section three of this Act, as amended by chapter six of the statutes of 1917, shall apply in respect of the profits earned in any accounting period ending in the years nineteen hundred and seventeen, nineteen hundred and eighteen and nineteen hundred and nineteen by any business liable to taxation under this Act having a capital of less than fifty thousand dollars, if twenty per centum or more of such profits have been derived from the manufacture or dealing in munitions of war or materials or supplies of any kind for war purposes."

Operation of Act extended for another year.

2. Section twenty-six of the said Act, as enacted by chapter thirty-nine of the statutes of 1919, is amended by substituting the word "twenty" for the word "nineteen" in the third line thereof, and by substituting the word "seventy-two" for the word "sixty" in the fourth line of the first proviso in the said section.

Capital in case of merger of companies.

3. Section seven of the said Act is amended by adding the following subsection thereto:—

"(6) In the case of two or more incorporated companies merged or consolidated at any time after the first day of January, nineteen hundred and sixteen, for the purposes of this Act the capital employed in the business of the company into which such other company or companies are merged or consolidated, or of the company created on such merger or consolidation, shall not exceed the capital of the companies so merged or consolidated as the same existed before such merger or consolidation together with any additional capital that may have been invested in such business in cash at the time of such merger or consolidation or thereafter."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 158.

An Act to amend The Income War Tax Act, 1917.

First reading, June 4, 1920.

The MINISTER OF FINANCE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2793 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 158.

An Act to amend The Income War Tax Act, 1917.

1917, c. 28; 1918, c. 25; 1919, c. 55.

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

Definitions.

1. Section two of *The Income War Tax Act, 1917*, chapter twenty-eight of the statutes of 1917, as amended by chapter fifty-five of the statutes of 1919, is amended by adding the following paragraph thereto:—

"Dividends."

"*(l)* 'Dividends' shall include stock dividends."

Determination of deficits and losses.

2. Paragraph *(f)* of subsection one of section three of the said Act, as enacted by chapter fifty-five of the statutes of 1919, is hereby amended by adding thereto the following words:—

"and the Minister shall have power to determine what deficits or losses sustained in transactions entered into for profit are connected with the chief business, trade, profession or occupation of the taxpayer, and his decision shall be final and conclusive."

Dividends or shareholders' bonuses.

3. Subsection five of section three of the said Act, as enacted by chapter fifty-five of the statutes of 1919, is hereby repealed and the following is substituted therefor:—

"(5) Dividends declared or shareholders' bonuses voted after the thirty-first day of December, one thousand nine hundred and nineteen, shall be taxable income of the taxpayer in the year in which they are declared or voted."

4. Subsection six of section three of the said Act, as enacted by chapter fifty-five of the statutes of 1919, is hereby repealed and the following is substituted therefor:—

Income from an estate or accumulating in trust.

"(6) The income, for any taxation period, of a beneficiary of any estate or trust of whatsoever nature shall be deemed to include all income accruing to the credit

of the taxpayer whether received by him or not during such taxation period. Income accumulating in trust for the benefit of unascertained persons, or of persons with contingent interests shall be taxable in the hands of the trustees or other like persons acting in a fiduciary capacity, as if such income were the income of an unmarried person."

Patriotic and Red Cross funds.

5. Paragraph (*c*) of subsection one of section three of the said Act is hereby repealed.

6. Subsection one of section four of the said Act, as enacted by section three of chapter fifty-five of the statutes of 1919, is hereby amended by striking out all that part of the said subsection down to and including the word "Canada" at the end of the sixth line thereof and substituting the following:—

Income tax and persons liable thereto.

"**4.** (1) There shall be assessed, levied and paid upon the income during the preceding year of every person.—

(i) residing or ordinarily resident in Canada, or

(ii) who remains in Canada during any calendar year for a period or periods equal to one hundred and eighty-three days, or

(iii) who is employed in Canada, or

(iv) who, not being a resident of Canada, is carrying on business in Canada, or

(v) who, not being a resident of Canada, derives income for services rendered in Canada, to any person resident or carrying on business in Canada but only upon that portion of the income so earned by such non-resident."

7. Section four of the said Act, as amended by chapter fifty-five of the statutes of 1919, is amended by inserting the following subsection immediately after subsection two thereof:—

Five per cent added to tax and surtax on incomes of $5,000 or more.

"(2a) The several taxes and surtaxes prescribed by subsections one and two of this section are hereby increased by the addition of five per centum to the amount of each of the said taxes and surtaxes payable with respect to any taxable income of five thousand dollars or more for the calendar year one thousand nine hundred and nineteen, or any taxable income of five thousand dollars or more for accounting periods ending in the year nineteen hundred and nineteen, as the case may be, and for each calendar year or accounting period thereafter."

Partnerships.

8. Subsection three of section four of the said Act, as amended by subsection two of section three of chapter fifty-five of the statutes of 1919, is hereby amended by

striking out the words "of his" in the seventh line thereof and inserting in lieu thereof the following:—

Returns, and tax computed.

"and have the tax computed upon the"

Military and naval pay.

9. (1) Paragraph *(j)* of section five of the said Act is hereby repealed.

Income from pensions.

(2) Paragraph *(l)* as added to section five by chapter fifty-five of the statutes of 1919 is hereby amended by striking out the words "income derived from" in the first line and the words "the income derived from" in the sixth line of the said paragraph.

10. (1) Section seven as amended by chapter fifty-five of the statutes of 1919, is further amended by adding thereto the following subsections:—

One-quarter tax to be forwarded with return; balance may be paid by instalments with interest.

"(7) Every person liable to pay any tax or surtax under this Act shall send with the return of the income upon which such tax and surtax is payable not less than one-quarter of the amount of such tax and surtax, and may pay the balance, if any, of such tax and surtax in not more than three equal bimonthly instalments thereafter, together with interest at the rate of six per centum per annum upon each instalment from the last day prescribed for making such return to the time payment is made.

Penalties for understating true amount of income.

"(8) Any person liable to pay any tax or surtax under this Act who, in the return of the income liable to taxation, makes a return in which he states the income to be less than the true amount shall pay to His Majesty the additional amount of tax and surtax due on the income omitted from his return and, in addition, interest at the rate of ten per centum per annum upon such amount from the last day prescribed for making such return until the same is paid."

From 10 to under 20 per cent.

If the amount of the income omitted from his return exceeds ten per centum of the correct income but is under twenty per centum of the same, such person shall pay to His Majesty an additional amount equal to one-half of the

From and over 20 per cent.

amount of such deficiency, and, if the deficiency amounts to twenty per centum or more of the correct income, such person shall pay to His Majesty an additional amount equal to the amount of such deficiency.

Penalties are additional.

Penalties herein are additional penalties and not in lieu of any penalty that may be imposed under subsection two of section nine of the said Act.

Trustees, assignees, executors, etc., to make returns, pay taxes, etc., before distribution.

"(9) In cases wherein trustees in bankruptcy, assignees, liquidators, curators, receivers, administrators, heirs, executors and such other like persons or legal representatives are administering, managing, winding-up, controlling, or otherwise dealing with the property, business or estate of any person who has not made a return for any taxable period or for any portion of a taxable period for which such person was required to make a return in accordance with

the provisions of the Act, they shall make such return and shall pay any tax and surtax and interest and penalties assessed and levied with respect thereto before making any distribution of the said property, business or estate."

Trustees, assignees, executors, etc., to obtain certificate that all charges are paid before distribution.

"(10) Trustees in bankruptcy, assignees, administrators, executors and other like persons, before distributing any assets under their control shall obtain a certificate from the Minister certifying that no unpaid assessment of income tax, surtax, interest and penalties properly chargeable against the person, property, business or estate, as the case may be, remains outstanding. Distribution without such certificate shall render the trustees in bankruptcy, assignees, administrators, executors and other like persons personally liable for the tax, surtax, interest and penalties.

Agent, trustee or collector for non-resident.

"(11) Every agent, trustee or person who collects or receives, or is in any way in possession or control of income for or on behalf of a person who is resident outside of Canada, shall be assessed in respect of such income, if such person, were he a resident of Canada, would be liable to taxation in respect of such income."

11. Subsection one of section eight of the said Act is hereby repealed and the following is substituted therefor:—

Demand for additional information.

"**8.** (1) If the Minister, in order to enable him to make an assessment or for any other purpose, desires any information or additional information or a return from any person who has not made a return, or a complete return, he may by registered letter demand from such person such information, additional information or return and such person shall deliver to the Minister such information, additional information or return within thirty days from the date of mailing of such registered letter. For the purpose of any proceedings taken under this Act the facts necessary to establish compliance on the part of the Minister with the provisions of this section as well as default hereunder shall be sufficiently proved in any court of law by the affidavit of the Commissioner of Taxation or any other responsible officer of the Department of Finance. Such affidavit shall have attached thereto as an exhibit a copy or duplicate of the said letter."

Compliance of Minister with Act to be proved by affidavit.

12. Subsection two of section eight of the said Act is hereby amended by inserting after the figure (2) the letter (*a*) and adding the following paragraphs:—

Production of letters, books, etc., by person, or agent or officer to prove tax payable by another.

"*(b)* The Minister may require and demand the production, or the production on oath, by any person, or by his agent, or officer, of any letters, accounts, invoices, statements financial or otherwise, books or other documents, held by such person, agent or officer, for the purpose of arriving at the tax believed to be payable by

any other person and the same shall be produced within thirty days from the date of mailing of such demand."

Persons in receipt of money, etc., of another, to produce information required.

"*(c)* Every person who, in whatever capacity acting is in receipt of any money, thing of value, or of profits, or gains arising from any source, of or belonging to any other person shall, when required to do so by notice from the Minister prepare and deliver to the Minister any information required, within thirty days, from the date of the mailing of such notice."

Default in making returns.

13. Subsection one of section nine of the Act is hereby amended by striking out the words, "the taxpayer and also the person or persons required to make a return" and substituting therefor the following, "the persons in default."

14. Subsection one of section ten of the said Act as enacted by subsection one of section eight of chapter fifty-five of the statutes of 1919, is hereby repealed and the following is substituted therefor:—

Penalties for short payments or not making payments.

"**10.** (1) If the taxpayer pays as any instalment less than one quarter of the tax as estimated by him or should he fail to make any payment at the time of filing his return or at the time when any instalment should be paid, he shall pay in addition to all other penalties a penalty of five dollars or one-quarter of the amount of the tax unpaid whichever is the greater."

Notice of assessment.

After examination of the taxpayer's return the Minister shall send a notice of assessment to the taxpayer, verifying or altering the amount of the tax as estimated by him in his return. Any additional tax found due over the estimated amount shall be paid within thirty days from the date of the mailing of the notice of assessment. If the additional amount is not paid within the said thirty days then the taxpayer shall pay a penalty of five dollars or one-quarter of the amount unpaid whichever is the greater.

Payment of additional amounts found to be due.

Demand for payment if taxpayer is leaving Canada.

"(2) The Minister if he suspects that the taxpayer is about to leave Canada, may, for that or any other reason, by registered letter addressed to the taxpayer, demand payment of all taxes, penalties and accrued interest for which the taxpayer is liable, and the same shall be paid within ten days from the date of mailing of such registered letter, notwithstanding any other provisions in this Act contained. Non-payment of the said tax within the specified time shall render the goods of the taxpayer liable to seizure by the sheriff of the city, county or district in which the goods of the taxpayer are situate. A certificate of non-compliance with any such demand signed by the Commissioner of Taxation setting forth the particulars of the demand and placed in the hands of the sheriff shall be

Seizure of goods upon non-payment.

Certificate to authorize seizure.

sufficient authority for him to seize sufficient of the goods of the taxpayer to meet the said demand.

Sale.

The sale of such goods and the disposition of the monies realized shall be conducted in the manner prescribed by the law of the province in which the goods are situate as if the seizure were made under a writ of execution issued out of the Superior Court of the said province."

Taxes based on income for calendar year.

15. Section twenty-four of the said Act is hereby amended by striking out the words, "as provided by the Act" and substituting therefor, "except as otherwise provided in the Act."

Retroactive effect of sections of this Act.

16. (1) Sections one, two, four, eight, eleven, twelve, thirteen and fifteen of this Act shall be deemed to have come into force at the commencement of the nineteen hundred and seventeen taxation periods.

(2) Subsections nine, ten and eleven of section ten of this Act shall be deemed to have come fnto iorce at the commencement of the nineteen hundred and eighteen taxation periods.

(3) Sections six, seven, subsection two of section nine and subsection two of section fourteen shall be deemed to have come into force at the commencement of the nineteen hundred and nineteen taxation periods.

(4) All other provisions of this Act shall be deemed to have come into force at the commencement of the nineteen hundred and twenty taxation periods.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 165.

An Act to regulate the Sale and Inspection of Commercial Feeding Stuffs, Bran, Shorts, Middlings and Chop Feeds.

First reading, June 7, 1920.

The MINISTER OF AGRICULTURE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1767 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 165.

An Act to regulate the Sale and Inspection of Commercial Feeding Stuffs, Bran, Shorts, Middlings and Chop Feeds.

1909, c. 15; 1919, (2 Sess.) c. 4.

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 Feeding Stuffs Act.*

Definitions.

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

"Commercial feeding stuffs."

(1) "commercial feeding stuffs" means any article offered for sale for the feeding of live stock and poultry, including feeds stated to possess medicinal as well as nutritive properties, but not including,—

(a) hay and straw;

(b) whole grains of wheat, rye, barley, oats, corn, buckwheat or flax seed;

(c) chop feeds;

(d) bran, shorts or middlings when unmixed with other materials;

(e) wet brewers' grains, roots or other materials containing sixty per centum or more of water.

"Chop feed."

(2) "chop feed" means the mixed or unmixed meals made directly from or consisting of the entire clean grain of wheat, rye, barley, oats, Indian corn, buckwheat and flax seed used separately or in any combination desired.

"Feeding stuff."

(3) "feeding stuff" means any commercial feeding stuff, bran, shorts or middlings and chop feed.

"Minister."

(4) "Minister" means the Minister of Agriculture.

"Regulation."

(5) "regulation" means a regulation made hereunder.

Labels on commercial feeding stuffs.

3. (1) Every sack, bag, bin or other container containing commercial feeding stuffs sold or offered, exposed or held for sale, shall have affixed thereto a tag or label in a conspicuous place on the outside thereof, containing a legible and plainly printed statement of,—

(a) the name, brand or trade mark of the contents;
(b) the full name and address of the manufacturer;
(c) the specific name of every ingredient contained in the feed;
(d) the registered number;
(e) the analysis as guaranteed by the manufacturer, which shall show the percentage content of protein, fat and fibre, respectively.

(2) In the case of car lots in bulk, the provisions of this section shall be held to be complied with if the statement required by this section is attached to the invoice or bill of lading delivered to the purchaser.

Registration.

4. (1) No commercial feeding stuff shall be imported into, manufactured, distributed, sold or offered, exposed or held for sale in Canada unless it has been registered with the Minister and a registration number assigned to it. Application for registration must be made by the manufacturer and must be accompanied by a registration fee of two dollars, a sealed representative sample of at least one pound of such feeding stuff, and a statement of the contents of such feeding stuff in such form and containing such details as the Minister by regulation may prescribe. The registration shall be for a period continuing until the first day of October following the date upon which it is granted, but such registration may be renewed from year to year. The conditions for renewal shall be the same as those for the original registration.

Registration may be refused.

(2) The Minister may refuse to register any commercial feeding stuff under a name or brand which, in the opinion of the Minister, would tend to mislead or deceive with respect to the materials of which it is composed, or when the statement of the contents is, in the opinion of the Minister, incomplete or misleading. The Minister may also refuse to register more than one commercial feeding stuff under the same name or brand.

Registration may be cancelled.

(3) 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 of any regulation.

Change in composition.

(4) No change in the composition of a registered brand of commercial feeding stuff shall be made without re-registering it.

Label for mixed chop feeds.

5. Every sack, bag, bin or other container containing chop feed made from and consisting of more than one kind of entire clean grain, when sold or offered, exposed or held for sale, shall have affixed thereto a tag or label in a conspicuous place on the outside thereof, containing a legible and plainly printed statement of the ingredients contained in the mixture.

Bran, shorts, etc., must meet requirements or be sold as commercial feeding stuffs.

6. All bran, shorts or middlings sold or offered, exposed or held for sale must meet the requirements as to quality and chemical contents established for them respectively by regulations under this Act, or be registered and sold as commercial feeding stuffs as required by sections three and four of this Act.

Use of injurious ingredients prohibited.

7. No grain, screenings or other ingredient which contains in excess of the quantity allowed by regulation, any seeds, damaged grain or other material designated by regulation of the Minister as injurious to the health of live stock or poultry, shall be used as a constituent of any feeding stuffs.

To be free from weed seeds.

8. No feeding stuff shall be sold or offered, exposed or held for sale which contains any vital weed seeds in excess of the quantity allowed by regulation.

Importation of adulterated, etc., feeding stuffs may be forbidden.

9. If any feeding stuff imported into Canada be found to be adulterated or incorrectly or misleadingly tagged, labelled or named, or if in any way its sale constitutes an infraction of this Act, its further importation may be prohibited by the Minister.

Purchaser may have analysis made.

10. Any purchaser of feeding stuff, with respect to which he has reason to suspect or believe that any provision of this Act has been violated, or any person charged with the enforcement of this Act, may take a sample from the said feeding stuff and forward it to an official analyst appointed by the Governor in Council to examine and report upon any feeding stuffs submitted for analysis and examination under the provisions of this Act.

Certificate of analysis as evidence.

11. The certificate of analysis and examination of any official analyst on any sample of feeding stuff forwarded to him under the provisions of this Act and of the regulations thereunder, shall be accepted as evidence in any prosecution of any person charged with having sold or offered, exposed or held in his possession for sale, in violation of the provisions of this Act, feeding stuffs from which the sample purports to have been taken, or of any person from whom such person purchased the feeding stuffs.

Analysis, etc., may be published.

12. The Minister may publish the results of the analysis and examination of feeding stuffs made in connection with the enforcement of this Act, together with any additional information which in the opinion of the Minister is advisable.

Officers to have access to premises, etc.

13. Any officer or person charged with the enforcement of this Act shall have access to any elevator, warehouse or

other premises where he has reason to believe that grains or other constituent parts of feeding stuffs are blended for the manufacture of feeding stuffs, and to any premises or receptacles which he has reason to believe contains feeding stuff, and may take any samples therefrom on payment of the value of such samples.

Regulations.

14. The Minister shall have power,—

(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;

(b) to make regulations prescribing the maximum amount of whole or ground weed or other seeds and other materials which may be allowed in any grain or other ingredients used for the manufacture of feeding stuffs, without affecting the right to describe it as clean within the meaning of this Act;

(c) to make regulations establishing a standard of quality and contents for, and fixing the limits of variability permissible in, any feeding stuff or ingredient or constituent thereof;

(d) to designate the kind of damaged grain, seeds or other material which shall be considered as injurious to the health of live stock or poultry within the meaning of this Act;

(e) to make regulations prescribing the size, colour and character of the tags or labels to be used for the purposes of this Act, and the size and kind of printing to be used for any particulars required to be printed on such tags or labels;

(f) to make regulations prescribing how samples of feeding stuffs are to be taken and analysed;

(g) to make regulations for any other purpose deemed by him to be necessary for the carrying out of the provisions of this Act.

Penalty.

15. Except as otherwise provided in section seventeen of this Act, every person who by himself or through the agency of another person sells, offers, exposes or holds in his possession for sale, feeding stuff in violation of any of the provisions of this Act, or any regulation, shall be guilty of an offence and upon summary conviction therefor shall be liable for a first offence to a fine not exceeding one hundred dollars and for the second offence to a fine of not less than one hundred dollars and not exceeding two hundred dollars, and for each subsequent offence to a fine of not less than two hundred dollars and not exceeding five hundred dollars, together with the costs of prosecution; and in default of immediate payment of such fine and costs shall be liable to imprisonment for a term not exceeding twelve months

unless such fine and costs of enforcing the same are sooner paid, and the feeding stuff shall be liable to forfeiture to His Majesty.

Penalty where none provided.

16. Any person who is guilty of a violation of this Act, or of any regulation for which no penalty is provided, shall be liable upon summary conviction to a fine of one hundred dollars or to imprisonment for a term not exceeding two months.

Innocent purchaser protected.

17. (1) Any person accused of selling, offering, exposing or holding in his possession for sale any feeding stuff which does not comply with the requirements of this Act or of any regulation thereunder, who proves that the feeding stuff respecting which action is taken was bought by him directly from a manufacturer or merchant domiciled in Canada, that it was neither opened nor the state of the feed altered while it was in his possession, and that he had no reason to believe that the said feeding stuff did not comply with the provisions of this Act, shall, upon disclosing the name and address of the person from whom the feeding stuff was purchased, the place purchased and the date of the sale, be liable upon conviction for the costs of the prosecution only.

Report by magistrate 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 feeding stuff to the accused and the date and place of the sale.

Prosecution after report.

(3) Any prosecution against any person pursuant to a report made to the Minister respecting that person under the last foregoing subsection, may be commenced within six months from the date of such report and not later.

Penalty for obstructing officers.

18. Any person who obstructs any officer or person charged with the enforcement of this Act when entering or attempting to enter any premises to make an examination of any feeding stuff, or refuses to permit the making of such examination or the taking of samples, shall be liable on summary conviction to a fine of not less than twenty-five dollars and not more than five hundred dollars, or to imprisonment for any term not exceeding twelve months.

Improperly using registration number.

19. Any person forging or unlawfully using any manufacturer's registration number or any certificate of analysis and examination required hereunder, shall be liable upon summary conviction to a fine not exceeding two hundred dollars for the first offence and not less than two hundred dollars and not exceeding five hundred dollars for each subsequent offence, or to imprisonment for a term

not exceeding twelve months, or to both fine and imprisonment.

Act, when not to apply.

20. This Act shall not apply to feeding stuffs sold to a manufacturer for the purpose of cleaning or mixing, or to feeding stuffs manufactured for any person from his own materials and for his own use.

Place of offence.

21. In any complaint, information or conviction under this Act, the matter complained of may be declared, and shall be held to have arisen, within the meaning of Part XV of the *Criminal Code*, at the place where the feeding stuff was sold, or offered, exposed or held for sale.

Repeal.

22. *The Commercial Feeding Stuffs Act, 1909*, chapter fifteen of the statutes of 1909, is hereby repealed.

Commencement of Act.

23. This Act shall come into operation on such date as may be prescribed by proclamation issued by the Governor in Council.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 166.

An Act for granting to His Majesty certains sums of money for the public service of the financial years ending respectively the 31st March, 1920, and the 31st March, 1921.

AS PASSED BY THE HOUSE OF COMMONS, 7th JUNE, 1920.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
79382 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 166.

An Act for granting to His Majesty certain suns of money for the public service of the financial yeays ending respectively the 31st March, 1920, and the 31st March, 1921.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency the Most Noble Victor Christian William, Duke of Devonshire, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty, and the thirty-first day of March, one thousand nine hundred and twenty-one, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 3, 1920.*

$62,900,986.09 granted for 1920-21.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole sixty-two million, nine hundred thousand, nine hundred and eighty-six dollars and nine cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty, to the thirty-first day of March, one thousand nine hundred and twenty-one, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted, set forth in the Estimates

for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty-one, as laid before the House of Commons at the present session of Parliament.

$2,083,333.33 granted for 1920–21.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole two million, eighty-three thousand, three hundred and thirty-three dollars and thirty-three cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty, to the thirty-first day of March, one thousand nine hundred and twenty-one, not otherwise provided for, and being one-sixth of the amount of the item to be voted set forth in the Supplementary Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty-one, as laid before the House of Commons at the present session of Parliament.

$3,175,199.81 granted for 1919–20.

4. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whiole three million, one hundred and seventy-five thousand, one hundred and ninety-nine dollars and eighty-one cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and nineteen, to the thirty-first day of March, one thousand nine hundred and twenty, not otherwise provided for, and being one-sixth of the amount of the several items to be voted set forth in the Further Supplementary Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty, as laid before the House of Commons at the present session of Parliament.

Account to be rendered in detail.

5. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 167.

An Act to amend the Post Office Act.

First reading, June 9, 1920.

The MINISTER OF CUSTOMS AND INLAND REVENUE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1540 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 167.

1907, c. 34; 1908, c. 53; 1909, cc. 29, 30; 1910, c. 47; 1911, cc. 19, 20; 1912, cc. 14, 41; 1913, c. 38.

An Act to amend the Post Office Act.

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

Maximum registration fee increased from five to ten cents.

1. Paragraph *(k)* of subsection one of section nine of the *Post Office Act*, Revised Statutes of Canada, 1906, chapter sixty-six, as amended by chapter twenty-nine of the statutes of 1909, is amended by substituting the word "ten" for the word "five" in the seventh line thereof.

Rate on newspapers issued less frequently than monthly increased from 1 to 2 cents per pound.

2. Section fifty-two of the said Act is amended by substituting the word "two" for the word "one" in the sixth line thereof.

3. Subsections two and three of section fifty-three of the said Act, as amended by section five of chapter fifty-three of the statutes of 1908, are repealed, and the following are substituted therefor:—

Provision respecting circular area of 80 miles - omitted.

"(2) Newspapers and periodicals required to be transmitted by mail within a distance of forty miles from the place of publication, the publication of which is of no greater frequency than once a week, which have a circulation by mail of not more than one thousand copies per issue, and which are published in any city, town or village, which has a population of not more than five thousand persons, shall be transmitted free of postage within such area.

Postage rate on newspapers published oftener than once a week increased from ½ to 1 cent on and after 1st Jan., 1921, and after 1st Jan., 1922, to 1½ cents.

"(3) Newspapers and periodicals which are required to be transmitted for a greater distance than is mentioned in the last preceding subsection, or the publication of which is of greater frequency than once a week, shall be subject to postage at the rate of one cent on and after the first day of January, one thousand nine hundred and twenty-one, and until the first day of January, one thousand nine hundred and twenty-two, and one and one-half cents thereafter, for each pound weight or any fraction of a pound

weight, and such postage shall be prepaid by postage stamps or otherwise as the Postmaster General from time to time directs."

4. Sections seventy-five, seventy-six, seventy-nine and eighty-one of the said Act are repealed, and the following are substituted therefor:—

Certain letters and other mailable matter to be free of postage.

"**75.** All letters and other mailable matter sent by the Governor General or by any Minister or Department of the Government at the seat of Government, shall be free of Canada postage under such regulations as are from time to time made in that respect by the Governor in Council; and the provisions of any other statute inconsistent with the provisions of this Act, or conferring any greater powers of sending or having sent mailable matter free of postage than are conferred by this Act, are hereby repealed.

Franking restricted to official or public business or affairs of Senator or Member.

"**76.** (1) Letters and other mailable matter sent by the Speaker or Clerk of the Senate or of the House of Commons at the seat of Government shall be free of Canada postage; and letters and other mailable matter sent by any member of either House at the seat of Government during any session of Parliament shall be free of Canada postage; Provided that such letters relate wholly to the affairs of such member of the Senate or of the House of Commons of Canada, or to official or public business of the Government of Canada, and that all such mailable matter other than letters in their usual and ordinary form relates wholly to the official or public business of the Government of Canada.

How letters, etc., must be franked.

"(2) All letters posted for transmission under this section must be franked by the personally written signature of the member of the Senate or of the House of Commons sending the same. All mailable matter other than letters sent under this section may, however, be franked by the facsimile of the signature of such member as well as by his personally written signature.

Penalty.

"(3) If the signature or facsimile thereof of a member of the Senate or House of Commons be employed for the purpose of franking any letters or other mailable matter except those mentioned in the foregoing section, the person so improperly using it shall be liable to a penalty of three hundred dollars for each offence, to be recovered upon summary conviction.

Parliamentary papers.

"**79.** Members of either the Senate or the House of Commons may, during the recess of Parliament, send by mail, free of Canada postage, all papers printed by order of either House."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 168.

An Act to amend the Irrigation Act.

First reading, June 10, 1920.

The MINISTER OF THE INTERIOR.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1293 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

BILL 168.

THE HOUSE OF COMMONS OF CANADA.

An Act to amend the Irrigation Act.

1894, c. 30; 1895, c. 33; 1898, c. 35; R.S., c. 61; 1908, c. 38; 1910, c. 34; 1914, c. 37; 1919, c. 3.

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

"Spring" included in waters vested in Crown since 23rd July, 1894.

1. Section six of the *Irrigation Act*, chapter sixty-one of the Revised Statutes, 1906, as amended by section two of chapter thirty-eight of the statutes of 1908, shall be deemed to have come into force and operation on the twenty-third day of July, one thousand eight hundred and ninety-four.

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

Grants of land not to convey water rights.

"**7.** (1) Except in pursuance of some agreement or undertaking existing on the twenty-third day of July, one thousand eight hundred and ninety-four, no grant shall be made by the Crown of lands or of any estate therein, in such terms as to vest in the grantee any exclusive or other property or interest in or any exclusive right or privilege with respect to any river, stream, watercourse, lake, creek, spring, ravine, canyon, lagoon, swamp, marsh, or other body of water, or in or with respect to the water contained or flowing therein, or any exclusive or perpetual property, interest or privilege in the land forming the bed or shore thereof.

Sources of water supply specifically mentioned.

Operative since 23rd July, 1894.

"(2) This section shall be deemed to have come into force and operation on the twenty-third day of July, one thousand eight hundred and ninety-four."

Error corrected.

3. (1) Section eight of the said Act is amended by striking out the words "thirteenth day of June, one thousand eight hundred and ninety-eight," in the second and third lines thereof, and substituting therefor the words "twenty-third day of July, one thousand eight hundred and ninety-four."

Operative since 23rd July, 1894.

(2) Section eight of the said Act, as amended by section three of chapter thirty-eight of the statutes of 1908, shall be deemed to have come into force and operation on the twenty-third day of July, one thousand eight hundred and ninety-four.

4. Section ten of the said Act, as enacted by section four of chapter thirty-seven of the statutes of 1914, is amended by inserting the following subsection immediately after subsection four thereof:—

Applications for water for purposes having precedence affecting prior grants.

"(4A). Any person requiring water for a purpose which under the provisions of subsection four of this section has precedence over the purpose for which any water is used, the right to the use of which was acquired under the provisions of this Act, may apply to the Minister to have such right cancelled, in whole or in part, and if the Minister approves of such application such right shall be cancelled, or diminished, accordingly, and the applicant for the cancellation may apply, under the provisions of this Act, for a grant of the water for such preferred purpose, and such grant may, with the approval of the Minister, be given the same priority as the right had which it replaces. The owner, or owners, of such cancelled right, and the owner, or owners, of any other right which may be affected, shall be entitled to be compensated by the applicant for any loss or damage sustained by him or them in consequence of such cancellation.

Compensation.

Arbitration.

" If the applicant and the owner, or owners, of the right cancelled, or the rights affected, do not agree upon the amount to be paid as compensation, and the terms of payment thereof, the said amount shall be determined by three arbitrators, whose award shall be binding upon all parties, and who shall be appointed, one by the applicant, one by the owner, or owners, of the right cancelled, or the rights affected, and the third by the two arbitrators appointed as aforesaid. In the event of any party, or parties, neglecting or refusing to appoint such arbitrator, or arbitrators, within what is deemed by the Minister to be a reasonable time, the Minister shall make the required appointment, or appointments."

5. Section ten of the said Act is further amended by adding the following subsection thereto:—

Power to reserve any unappropriated water, and allocate the whole or any part in the public interest.

"(6). *(a)* Notwithstanding any other provision of this Act, the Governor in Council may reserve any unappropriated water, the property in which is vested in the Crown, in order that he may, after survey made as provided by paragraph *(o)* of section fifty-four of this Act, determine how such water may be used to the best advantage, and may thereafter authorize the allocation of the whole or any part of the water so reserved among the applicants

therefor, or otherwise, as he may deem best in the public interest, and may fix a period of time within which advantage may be taken of such allocation and may prescribe the relative order of precedence of the allotments made in such allocation: Provided that no applicant shall acquire the right to use any water so allocated until he has complied with the provisions of this Act.

Operative since 1st Sept., 1919.

"*(b)* This subsection shall be deemed to have come into force and operation on the first day of September, one thousand nine hundred and nineteen."

6. Subsections two, three, and four of section thirty-seven of the said Act, as enacted by section nine of chapter thirty-seven of the statutes of 1914, are repealed, and the following are substituted therefor:—

Storage of water.

Use of irrigation works constructed or authorized to be constructed.

"(2) The Minister may grant to any applicant for the carriage of water to his lands, the right to use any portion of the works constructed, under construction, or to be constructed, by any company whenever, in his opinion, it is necessary or desirable so to do in order to secure a more equitable or economical use of the available water supply and when it will not interfere with the use made, or to be made, of such works by the owner thereof, and may authorize such enlargement of the works constructed, under construction, or to be constructed, as in his opinion is requisite for such purpose.

Agreement as to cost of enlargng or joint construction.

"(3) The method of compensating the owners for the use of any such works and for dividing the cost of enlarging, or of jointly constructing any such works, shall be set forth in an agreement to be executed by the respective parties and filed with the Minister. Should they fail to agree, or if, in the opinion of the Minister, there is unreasonable delay in effecting an agreement, the Minister may prescribe the manner in which the work shall be done and the cost apportioned, and his decision shall be binding upon all the parties concerned: Provided that any applicant who is authorized to enlarge any works previously constructed shall be responsible for any loss or damage which may be sustained by the owner of the said works as a result of such enlargement; the Minister shall determine the amount to be paid for such loss or damage, and such determination shall be final.

Cost of maintenance.

"(4) The cost of maintaining the works after enlargement, or of works constructed jointly, or of works used in common, shall be borne by the respective parties in such manner as may be mutually agreed upon, but such cost shall be limited to those portions of the works which are jointly used for the storage, diversion, or carriage of such water. The method of conducting the work and sharing the cost thereof shall be set forth in an agreement to be executed by the respective parties and filed with the Minister, and

Agreement.

if they fail to agree, or, in the opinion of the Minister, there is unreasonable delay in effecting agreement, the Minister may determine the manner in which the work shall be done and the cost be apportioned, and his decision shall be binding upon all the parties concerned."

7. The said Act is amended by inserting the following section immediately after section fifty-eight thereof:—

Penalty for refusal or neglect to carry out orders.

"**58A.** Every person who refuses or neglects to obey or carry out any order given to him by, or by authority of, the Minister, under the authority of this Act, is guilty of an offence and liable upon summary conviction to a fine not exceeding five hundred dollars for each and every such offence, or to imprisonment for a period not exceeding two months, or to both."

Other legislation, powers and rights not affected.
1919, c. 19.
1911, c. 10.
1908, c. 20.

8. Nothing in this Act shall have the effect of repealing or modifying any provision of *The Dominion Water Power Act*, or of *The Dominion Forest Reserves and Parks Act*, or of affecting any of the powers granted to the Governor in Council, or to the Minister, or any rights granted or action taken under either of those Acts, or under section thirty-five of *The Dominion Lands Act*, chapter twenty of the statutes of 1908, or amendments thereto.

178.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 178.

An Act to amend the Inland Revenue Act.

First reading, June 14, 1920.

The MINISTER OF CUSTOMS AND INLAND REVENUE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1016 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 178.

An Act to amend the Inland Revenue Act.

R.S., c. 51; 1908, c. 34; 1910, c. 30; 1911, c. 13; 1914, (2 Sess.) c. 6; 1915, c. 17; 1918, c. 28.

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 three of the *Inland Revenue Act*, chapter fifty-one of the Revised Statutes of Canada, 1906, is repealed, and the following is substituted therefor:—

"Chemical still."

"*(g)* 'chemical still' means any distilling apparatus the measured content of which is less than fifty gallons and which is kept and used by a manufacturing chemist or druggist for the sole purpose of distilling water or reclaiming alcohol previously used in or for the preparation or manufacture of chemical, medicinal or pharmaceutical preparations, or which is used for scientific purposes (of every one of which cases the Department shall be the sole judge) and which is not used for the manufacture or distillation of spirits: Provided that the Governor in Council may make such regulations, as to him seem necessary, for permitting the increase of the capacity of chemical stills;"

2. Paragraph *(c)* of section eight of the said Act is repealed and the following is substituted therefor:—

"Standard leaf tobacco."

"*(c)* 'standard leaf tobacco,' as applied to any kind of tobacco, means that which contains ten per centum or more of moisture; and the weight of all raw leaf tobacco, scraps, cuttings, stems and other unmanufactured tobacco, shall be computed and charged in all inventories, statements, accounts and returns, with reference to such standard, in such manner as is provided by departmental regulation;"

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

License for having and using a chemical still.

"**150.** The person in whose favour a license is granted to have and use any chemical still or stills mentioned in his application for a license shall, upon receiving such license, pay to the collector the sum of twenty-five dollars: Provided that a chemist or druggist using a chemical still, the measured content of which does not exceed three gallons, may, upon registering the said still at the office of the collector of the division in which it is situated, be permitted to use the same without payment of license fee or the giving of bonds; but the possession of any such still without registration shall be deemed a having in possession of a still contrary to the provisions of this Act."

4. (1) Sub-paragraph (ii) of paragraph *(d)* of section one hundred and fifty-five of the said Act is repealed and the following is substituted therefor:—

Abatements in computation of duty on spirits for shrinkage by evaporation while maturing.

"(ii) in the case of spirits which are not removed from the distiller's premises within two years of the date when warehoused, an abatement for shrinkage by evaporation while maturing, as follows:—

When stored in warehouse in wooden or in ventilated metal tanks approved by the Department, an abatement which shall not exceed four per cent for the first year after the date of original warehousing, three per cent for the second year, two per cent for the third year, two per cent for the fourth year, and one per cent for each succeeding year, up to ten years in all;

When stored in warehouse in wooden barrels, eight per cent for the first year after the date of original warehousing, six per cent for the second year, four per cent for the third year, three per cent for the fourth year, and two per cent for each succeeding year, up to ten years in all;

but no abatement shall be allowed after the period of ten years, nor unless the distiller has complied with all regulations made by the Governor in Council in relation to such abatement, nor unless the spirits have been kept in wood or in ventilated tanks approved by the Governor in Council during the whole period for which the abatement is claimed; and every such abatement shall be made in respect of each specific package or tank, and shall in no case exceed the actual deficiency found to exist in the package or tank;"

Section made retroactive.

(2) This section shall be deemed to have come into operation on the first day of April, one thousand nine hundred and twenty.

Spirits warehoused for two years before entry for consumption.

5. Section one hundred and seventy-one of the said Act is amended by adding thereto the following proviso:—

"Provided, however, that the Governor in Council may suspend the operation of subsection four of this section during such period or periods as he may deem necessary."

Penalty for illicit distillation increased from $100 to $200.

Certificate of analysis to be evidence.

6. Section one hundred and eighty of the said Act is amended by striking out the word "one" in line thirty-five thereof, and substituting therefor the word "two"; and by adding the following subsection thereto:—

"(3) In every prosecution under this section, the certificate of analysis from a departmental analyst shall be accepted as evidence of the alcoholic content of the beer or wash suitable for the manufacture of spirits."

7. Section one hundred and eighty-five of the said Act is repealed and the following is substituted therefor:—

Penalties increased for sale of spirits unlawfully manufactured.

"**185.** Every person who sells or offers for sale, or who purchases any spirits, or has any spirits in his possession, knowing them to have been unlawfully manufactured, or imported, shall for a first offence incur a penalty not exceeding five hundred dollars, and not less then two hundred dollars, and for each subsequent offence a penalty of five hundred dollars; and all spirits so unlawfully manufactured or imported wheresoever they are found, and all horses and vehicles and other appliances which have been or are being used for the purpose of removing the same, shall be forfeited to the Crown, and shall be dealt with accordingly."

8. Subsection one of section one hundred and ninety-eight of the said Act is repealed and the following is substituted therefor:—

Amount of bond from brewers increased from $1,000 to $2,000.

"**198.** (1) A license to carry on the trade or business of a brewer may be granted to any person who has complied with the provisions of this Act, if the granting of such license has been approved by the district inspector, and the person has, jointly with a guarantee company, approved by the Department, entered into a bond to His Majesty, in the sum of two thousand dollars."

Excise duty payable on spirits used in the production of vinegar.

9. Section two hundred and fifty-two of the said Act is amended by striking out all the words thereof from "Vinegar" at the beginning of the twenty-fourth line to "gallon" at the end of the twenty-seventh line, and substituting therefor the following:—

"Spirits used in any bonded factory in the production of vinegar, for every gallon of the strength of proof, by Sykes' hydrometer, twenty-seven cents, and so in proportion for any greater or less strength, and for any less quantity than a gallon."

10. Section two hundred and fifty-five of the said Act is repealed and the following is substituted therefor:—

Remission of duty on malt used to make vinegar.

"**255.** The Minister may remit the duty on malt used in the manufacture of vinegar, under the supervision of the Department, in a manufactory where no other articles than malt, or malt used in combination with cereals, in such proportion as is established by the Governor in Council is used in the manufacture thereof, and where no other article than vinegar is produced."

11. Subsection two of section two hundred and sixty-six of the said Act, as enacted by section seven of chapter thirty-four of the statutes of 1908, is repealed, and the following is substituted therefor:—

Label on containers of methyl alcohol in medicinal preparations.

"(2) Every person who uses methyl alcohol, or spirits containing methyl alcohol in any form, in any pharmaceutical, medicinal or other preparation, intended for external use, shall affix to the vessel containing the said preparation a label bearing the words 'Methyl Hydrate—Poison' in black letters not less than one-fourth of an inch in height, indicating the presence of methyl alcohol therein; and every person violating the provisions of this subsection shall incur a penalty not less than fifty dollars and not exceeding two hundred dollars."

12. Section two hundred and sixty-seven of the said Act is repealed and the following is substituted therefor:—

Regulations respecting sale of spirits.

"**267.** The Governor in Council may from time to time make regulations respecting the sale of spirits to be used for any chemical or manufacturing purposes not herein otherwise provided for."

13. Section two hundred and eighty-two of the said Act is amended by adding the following subsection thereto:

Packages and stamps on tobacco and cigars.

"(3) The Department may authorize the preparation of tobacco and cigars in packages of such size, and the issue of stamps in such denominations to cover same, as may appear advisable, but as to the necessity or advisability of issuing such stamps, the Department shall be the sole judge.'

14. Section three hundred and sixteen of the said Act, as enacted by section nineteen of chapter thirty-four of the statutes of 1908, is repealed, and the following is substituted therefor:—

Warehousing of tobacco.

"**316.** (1) No less quantity than one hundred pounds of raw leaf tobacco or the contents of one package, five hundred pounds of cavendish or other tobacco, five thousand cigars, or eight thousand cigarettes, shall be entered for warehouse by one entry.

Ex-warehousing.

"(2) Except for export, no less quantity than fifty pounds of raw leaf tobacco, five hundred pounds of cavendish or

manufactured tobacco, two thousand cigars, or five thousand cigarettes, shall be ex-warehoused by one entry.

Exemption of samples.

"(3) The restrictions in this section contained as to the quantity of raw leaf tobacco that may be warehoused or ex-warehoused at one time shall not apply to samples of foreign leaf tobacco made up in accordance with the departmental regulations made in that behalf."

15. The said Act is amended by inserting the following section immediately after section three hundred and twenty-eight A:—

License to pack or cure Canadian Leaf Tobacco.

"**328B.** (1) Every person who desires to pack or cure Canadian leaf tobacco shall make application to the collector of Inland Revenue for the division in which his premises are situated for a license therefor.

Fee and bond.

"(2) A packer in whose favour a license is granted shall, upon receiving such license, pay to the collector the sum of fifty dollars and supply said collector with a bond of a guarantee company, approved by the Department, for the sum of one thousand dollars.

Books and returns.

"(3) A packer shall keep such books and make such returns as shall be required by the Department.

Regulations by Minister.

"(4) The Minister may make such regulations as he deems advisable respecting the sale of Canadian leaf tobacco by cultivators, packers and retail dealers and for the carrying out of the provisions of this section.

"Packer" defined.

"(5) A packer, for the purpose of this Act, is a person or firm, other than a cultivator and other than a retail merchant selling direct to a consumer, who prepares, packs or keeps Canadian raw leaf tobacco for sale to a licensed packer, licensed manufacturer, licensed cultivator, retail merchant, or for export.

Penalty.

"(6) Every person who violates any of the provisions of this section or refuses or neglects to comply with the requirements of this Act or any regulations made thereunder, shall be liable upon summary conviction to a fine of not less than fifty dollars and not exceeding two hundred dollars, or to imprisonment for a term not exceeding two months, or to both fine and imprisonment, and all Canadian leaf tobacco found in his possession shall be forfeited to His Majesty."

16. Sections three hundred and sixty-six and three hundred and sixty-seven of the said Act are repealed and the following are substituted therefor:—

Acetic acid must be sold as acetic acid and not as vinegar.

"**366.** Acetic acid may only be sold under the name of acetic acid, and no manufacturer, vendor, or other dealer in the same shall be permitted to sell or offer for sale acetic acid under the name of or as a substitute for vinegar.

Penalty for violation.

"**367.** Every person who violates the provisions of the last preceding section shall incur a penalty of not less than

two hundred dollars, and all acetic acid found on the premises wherein any such offence is committed shall be forfeited to the Crown and shall be seized by any officer of Inland Revenue and dealt with accordingly."

Wood alcohol.

17. Section two hundred and fifty-one of the said Act, and Part X of the said Act as enacted by chapter thirty-four of the statutes of 1908, are repealed, and the following is substituted for the said Part X:—

PART X.

ALCOHOL.

Definition.

"**368.** In this Part, and in any regulation made hereunder, unless the context otherwise requires:—

"Denatured alcohol."

"*(a)* 'denatured alcohol' means alcohol in suitable admixture with such denaturants as to render it in the judgment of the Minister non-potable and to prevent recovery of the ethyl alcohol;

"Specially denatured alcohol."

"*(b)* 'specially denatured alcohol' means alcohol in suitable admixture with such special denaturants as have been approved by the Minister;

"Minister."

"*(c)* 'Minister' means the Minister of Customs and Inland Revenue;

"Regulation."

"*(d)* 'regulation' means a regulation made under the provisions of this Part.

Denatured and specially denatured alcohol free from excise duty.

"**369.** Denatured alcohol and specially denatured alcohol as defined in the next preceding section which is intended for use in the arts and industries, or for fuel, light, or power, or for any mechanical purpose, may be manufactured in Canada free from excise duty.

Made in licensed distilleries.

"**370.** Excepting as provided by this Act, no alcohol shall be manufactured, denatured or recovered in Canada except in distilleries thereto licensed.

Denatured alcohol without restriction.

"**371.** (1) Denatured alcohol shall be sold, delivered and transported without restriction to dealers, manufacturers and other persons.

Specially denatured alcohol, only to licensed dealers, under regulations.

"(2) Specially denatured alcohol shall only be sold or delivered under a departmental permit to dealers and manufacturers to be used in the arts and industries in cases where denatured alcohol would be unsuitable, and shall only be moved or transported under such conditions as the Minister may by regulations prescribe.

None for beverage purposes.

"(3) No alcohol shall be manufactured or sold under the provisions of this Part for beverage purposes.

Restriction on use of recovered alcohol.

"**372.** The recovery of alcohol after it has been used for industrial purposes and its redistillation and purification shall only be done on the premises in which the alcohol was used or at a duly licensed distillery, and all alcohol recovered on the premises aforesaid must be used in the

same manufacturing establishment in which it was originally used.

Labels on containers of wood alcohol or denatured alcohol.

"**373.** (1) All vessels, the capacity of which is one gallon or less, when containing wood alcohol or denatured alcohol, whether in the possession of the manufacturer or other person, shall have affixed thereto a label bearing the words 'Methyl-Hydrate—Poison' in black letters on white ground not less than one-fourth of an inch in height. If the capacity of the package exceeds one gallon, a label shall be affixed thereto bearing the inscription heretofore defined, in black letters on a white ground not less than one-half of an inch in height.

Penalty for violating.

"(2) Except as herein otherwise provided, any person who holds in possession, sells, exchanges or delivers any alcohol or specially denatured alcohol contrary to the provisions of this Part shall be liable upon summary conviction to a penalty of not less than two hundred dollars and not exceeding five hundred dollars.

License necessary.

"**374.** No person who has not been licensed as herein provided shall carry on the business of the manufacture of wood alcohol.

Conditions of license.

"**375.** (1) A license to carry on the business of the manufacture of wood alcohol may be granted to any person who has complied with the provisions of this Act, if the granting of such license has been approved by the district inspector and the person has, jointly with a guarantee company, approved by the Department, entered into a bond to His Majesty, in the sum of four thousand dollars.

Conditions of bond.

"(2) Such bond shall be conditioned for the rendering of all accounts, inventories, statements and returns prescribed by law, and for the payment of all penalties which the person to whom the license is to be granted becomes liable to render or pay under the provisions of this Act, and that such person will faithfully comply with the requirements thereof according to their true intent and meaning.

License fee.

"**376.** The persons in whose favour a license is granted for the manufacture of wood alcohol shall, upon receiving such license, pay to the collector the sum of one dollar.

Application of Part II.

"**377.** All the provisions of Part II of this Act respecting bonded manufacturers, licenses and the obligations of persons holding them, the keeping of books or accounts, and the making of returns, so far as applied by departmental regulations, and all provisions respecting penalties, so far as applicable, shall have full force and effect with respect to the manufacture of wood alcohol, the manufacture, denaturing, special denaturing and recovery of alcohol, and the persons licensed as herein provided, as if such provisions had been enacted with special reference to the manufacture, denaturing, special denaturing and recovery of alcohol and the issue of licenses for such manufacturers."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 182.

An Act to amend the Customs Act.

First reading, June 16, 1920.

The MINISTER OF CUSTOMS AND INLAND REVENUE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
4367 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 182.

An Act to amend the Customs Act.

R.S., c. 48; 1907, c. 10; 1908, c. 19; 1911, c. 7; 1914, c. 25; 1917, c. 15.

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

1. The *Customs Act*, Revised Statutes of Canada, 1906, chapter forty-eight, is amended by inserting the following section immediately after section two hundred and ninety-one thereof:—

Regulations may be made relating to exportation of articles, etc., produced or manufactured in Canada required for use, etc., in Canada.

"**291A.** (1) The Governor in Council may from time to time make regulations for or relating to the exportation of any article, commodity or material which is produced or manufactured in Canada, and which is, in the opinion of the Governor in Council, necessary or desirable for the use or consumption of the Canadian people, or for the encouragement, maintenance or preservation of any trade, industry, business or occupation, and may by such regulations order and direct that any such article, commodity or material shall be exported only under license issued by the Minister of Customs and Inland Revenue, or by an officer appointed upon the Minister's recommendation for that purpose; and the issue of any such license, and the exercise of any right or privilege thereby conferred, shall be subject to such conditions as the Governor in Council upon the recommendation of the Minister of Customs and Inland Revenue shall prescribe.

Publication and duration of regulations unless approved by Parliament.

"(2) Every regulation made by the Governor in Council under the provisions of this section shall have force and effect after it has been published in the *Canada Gazette;* and every such regulation shall be laid before both Houses of Parliament within fifteen days after the date thereof if Parliament is then in session, and, if not, then within the first fifteen days of the session held next after the date thereof, and shall remain in force until the day immediately succeeding the day of prorogation of that session of Parlia-

ment, and no longer, unless during that session it be approved by resolution of both Houses of Parliament.

Penalty.

"(3) Any person violating any provision of any regulation made under the provisions of this section shall be liable upon summary conviction to a fine not exceeding five thousand dollars for each violation."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 183.

An Act to amend The Special War Revenue Act, 1915.

First reading, June 16, 1920.

The MINISTER OF FINANCE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
3050 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 183.

An Act to amend The Special War Revenue Act, 1915.

1915, c. 8; 1918, c. 46.

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

1. Section twelve of *The Special War Revenue Act, 1915*, is amended as follows:—

(1) Subsection three is repealed and the following is substituted therefor:—

Stamp tax bills and notes.

"(3) *(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 the money for which the bill or note is drawn or made

(i) does not exceed $100.00.....two cents,

(ii) exceeds $100.00, for every $100.00 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 one hundred 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 shall quarterly, on the last day of March, the last

Quarterly statement by bank of maximum amount of advances.

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 or stamps of the value of two cents for every one hundred dollars or fraction thereof by which the maximum amount of the advances as aforesaid exceeds one hundred 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 thereon.

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 one hundred 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.

Stamp tax when accounts closed or payable during quarterly period.

"*(e)* If the person to whom an advance is made as mentioned in either of the next preceding paragraphs *(c)* and *(d)* closes the account in respect of such advances at any time during a quarterly period, or if such account becomes payable at any time during a quarterly period, such statement shall be rendered forthwith, and the maximum amount of the ad-

vances made to the person outstanding at the close of business on any day in either case during the portion of such period, shall determine the value as aforesaid of the stamps to be affixed to the statement.

Stamp tax on overdrafts.

"*(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 one hundred 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.

Statement of maximum amount of overdraft.

Statement forthwith when account closed.

"*(g)* If the person to whom an advance is made, as mentioned in the next preceding paragraph, closes the account at any time during a month, or if the account becomes payable at any time during a month, the statement mentioned in such paragraph shall be rendered forthwith, the maximum amount of the advances made to the person outstanding at the close of business on any day during the portion of such month shall determine the value of the stamps to be affixed as aforesaid to the statement.

Cancellation of stamps by bank.

"*(h)* Every adhesive stamp affixed to a bill of exchange or promissory note, transferred or delivered or issued in the manner hereinbefore set forth, or affixed to a statement to be rendered as hereinbefore set forth, shall be cancelled by the bank at the time of transfer, delivery, issue or rendering."

(2) Subsection five is repealed and the following is substituted therefor:—

Stamp tax on bank cheques, etc.

"(5) No cheque or other bill of exchange shall be issued or paid by a bank unless there is affixed thereto an adhesive stamp or impressed thereon by means of a die a stamp or stamps of the requisite value according to the requirements of this section."

(3) Subsection six is repealed and the following is substituted therefor:—

Stamp tax on notes, cheques and bills made 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 acceptance or 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 acceptanace or payment, if the stamp is affixed by the bank, cancel the stamp."

(4) Subsection eight is repealed and the following is substituted therefor:—

Transfer delivery of bill or note without stamp.

"(8) Every person who—

(a) transfers a bill of exchange or promissory note to a bank in such manner as to constitute the bank the holder thereof; or,

(b) delivers a bill of exchange or promissory note to a bank for collection;

Penalty.

to which there is not affixed an adhesive stamp or on which there is not impressed by means of a die a stamp of the requisite value according to the requirements of this section shall be liable to a penalty not exceeding fifty dollars."

(5) Subsection ten 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 impressed shall be liable to a penalty of one hundred dollars.

Penalty for failure to prepare statement, etc.

"(10) *(a)* Every bank which omits or neglects to prepare a statement as and within the time called for by the provisions of this section, and to affix thereto a stamp or stamps of the requisite value according to the requirements of this section, shall be liable to a penalty equal to the amount of the stamps required to be affixed and a further penalty of five hundred dollars."

(6) Subsection eleven is repealed and the following is substituted therefor:—

Bank omitting to cancel stamp on cheques, etc.

"(11) Every bank which omits or neglects to cancel, in accordance with the requirements of this section, the adhesive stamp or stamps affixed to

(a) a cheque,

(b) a bill of exchange or promissory note,

(c) a receipt for money,

(d) a statement,

Penalty.

shall be liable to a penalty equal to the amount of the uncancelled stamps and a further penalty of one hundred dollars."

(7) The following subsection is added immediately after subsection twelve:—

Stamp tax on sale or transfers of stock.

"(13) No person shall sell or transfer the stock or shares of any association, company or corporation, by agreement for sale, entry on the books of the association, company or corporation, by delivery of share certificates or share warrants endorsed in blank, or in any other manner whatsoever, or accept the transfer or delivery of any stock

or share unless in respect of such sale on transfer there is affixed to or impressed upon the document evidencing the ownership of such stock or shares, or a document showing the transfer or agreement to transfer thereof, an adhesive stamp, or a stamp impressed thereon by means of a die of the value of two cents for every one hundred dollars or fraction thereof of the par value of the stock or shares 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 the stamp shall be placed or impressed upon the certificate; and in case of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank 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, shall not be subject to the tax imposed by this subsection.

Penalty for violation.

(2) Any person who violates any of the provisions of this subsection shall be liable to a penalty not exceeding five hundred dollars."

2. (1) Part IV of the said Act, as enacted by chapter forty-six of the statutes of 1918, is amended by inserting the following sections immediately after section nineteen B thereof:—

New excise taxes.

"**19**BB. (1) The following excise taxes shall be imposed, levied and collected on the total purchase price of the articles hereinafter specified:—

Ten per cent tax.

(a) A tax of ten per cent on,—

Hats, men's and boys', in excess of seven dollars each;

Caps, except fur caps or caps wholly or partly lined with fur, men's and boys', in excess of two dollars each;

Hose or stockings, silk or artificial silk, men's and boys', in excess of one dollar per pair;

Neckties and neckwear and scarfs, men's and boys', in excess of one dollar and fifty cents each;

Shirts, including night shirts, men's and boys', in excess of three dollars each;

Hats, bonnets and hoods, women's and misses', in excess of twelve dollars each;

Hose or stockings, silk or artificial silk, women's and misses', in excess of two dollars per pair;

Kimonos, petticoats and waists in excess of twelve dollars each;

Nightgowns in excess of three dollars each;
House or smoking jackets or bath or lounging robes;
Pyjamas in excess of five dollars per pair;
Underwear consisting of shirts and drawers in excess of four dollars per separate garment;
Underwear combinations in excess of eight dollars each;
Fans;
Purses and pocket-books in excess of two dollars each;
Shopping and hand-bags in excess of six dollars each;
Umbrellas, parasols and sunshades in excess of four dollars each;
Trunks in excess of forty dollars each;
Valises, travelling bags, suitcases, hat boxes and fitted travelling cases in excess of twenty-five dollars each;
Gloves, except fur, in excess of three dollars per pair;
Opera cloaks;
Coats, the component material of chief value being fur, including repairs thereto, in excess of two hundred dollars each;
Gloves, the component material of chief value being fur, in excess of fifteen dollars per pair;
Caps, the component material of chief value being fur, in excess of fifteen dollars each;
Muffs and neckpieces, the component material of chief value being fur, in excess of thirty-five dollars each;
Robes and rugs, the component material of chief value being fur, in excess of fifty dollars each;
Wearing apparel, not elsewhere specified, the component material of chief value being fur;
Ivory handled cutlery;
Ebony and imitation ivory toiletware;
Cut glassware and etched glassware;
Sporting goods, such as tennis rackets, nets, racket covers and presses, canoe paddles and cushions, polo mallets, baseball protectors, football helmets, harness and goals, basketball goals and uniforms, golf bags and clubs, baseball, lacrosse, hockey and football uniforms, balls of all kinds not hereinafter specified (not including children's balls), fishing rods, reels, lines, spoons and artificial bait, billiard and pool tables, chess and checker boards and pieces, dice, games and parts of games (except playing cards and children's toys, games and express wagons), and all similar articles not elsewhere specified commonly or commercially known as sporting goods in excess of fifty cents;

Baseball bats and baseballs in excess of two dollars each;

Baseball masks and gloves in excess of one dollar and fifty cents;

Skates in excess of two dollars per pair;

Toboggans and hand sleds in excess of three dollars each;

Skis in excess of three dollars per pair;

Footballs in excess of three dollars each;

Lacrosse sticks in excess of two dollars each;

Hockey sticks in excess of seventy-five cents each;

Articles plated with gold or silver not otherwise provided for in this section, adapted for household or office use;

Velvets, velveteens, plush, silk and artificial silk fabrics in excess of two dollars per yard;

Curtains, including tapestry curtains, in excess of seven dollars and a half each;

Embroideries of silk or artificial silk;

Lace and braid in excess of fifty cents per yard;

Collars and collarettes of lace and all manufactures of lace in excess of two dollars;

Ribbons of all kinds and materials (except typewriter ribbons) in excess of fifty cents per yard;

Corsets in excess of five dollars;

Walking sticks;

Silk clothing, including artificial silk clothing, not elsewhere specified;

Clocks and watches in excess of ten dollars each;

Articles commonly or commercially known as jewellery, whether real or imitation, for personal use or for adornment of the person, except wedding rings, when said articles do not exceed five dollars in value;

Fifteen per cent tax.

(b) A tax of fifteen per cent on,—

Oriental rugs;

All antique furniture of walnut, mahogany, rosewood, ebony, prima vera or oak;

Carved ebony or teakwood and lacquered furniture;

All furniture finished in gold leaf, verni martin, or with ornamental or expensive inlays such as mother-of-pearl, or with hand-painted decorations;

All tables made especially for cards, checkers, chess or other games;

All liquor cabinets, smoker cabinets, tea wagons, sewing cabinets, work tables, piano lamps or stands, table lamps or stands, ferneries, jardinieres, pedestals and bric-a-brac, made of rosewood, prima vera, solid mahogany or ebony or lacquered or decorated;

Chinaware and crockery known as 'Royal Crown Derby,' 'Wedgewood,' 'Minton,' 'Ainsley,' 'Limoges,'

'Coalport,' 'Pekard,' 'Copeland,' and similar quality china ware and crockery by whatever name known;

Twenty per cent tax.

(c) A tax of twenty per cent on,—

Cigar and cigarette holders and pipes in excess of two dollars and a half each;

Cigar and cigarette cases, ash trays and match boxes of gold or silver;

Humidors and smoking stands;

Hunting and shooting garments and riding habits;

Hunting and Bowie knives;

Gold and silver handled pocket knives and pencils;

Fountain pens in excess of five dollars each;

Gold, silver and ivory toiletware;

Articles of silver not otherwise provided for in this section adapted for household oe office use;

Silver or gold deposit ware;

Liveries, livery boots and hats;

Articles commonly or commercially known as jewellery, whether real or imitation, for personal use or for adornment of the person, except wedding rings, when said articles exceed five dollars in value;

Any person, firm or corporation, including the jewellery branch of a departmental store, whose chief business is the selling of jewellery by retail, shall obtain a special license to sell jewellery and other articles specified in this section, in which case the tax payable shall be ten per centum on the value of the total sales of such establishment or branch, except plain stationery, books, magazines, spectacles, eyeglasses and goods specified in subsection four of this section, under regulations to be made by the Minister of Customs and Inland Revenue;

Fifty per cent tax.

(d) A tax of fifty per cent on,—

Articles of gold not otherwise provided for in this section adapted for household or office use, not including gold pen nibs.

Excise taxes on excess of price.

(2) The following excise taxes shall be imposed, levied and collected on so much of the amount paid for any of the following articles as is in excess of the price hereinafter specified as to each such article:—

Ten per cent tax.

(a) A tax of ten per centon—

Carpets and rugs in excess of six dollars per linear yard of twenty-seven inches in width:

Fifteen per cent tax.

(b) A tax if fifteen per cen ton—

Boots, shoes, pumps and slippers of any material not including shoes or appliances made to order for persons having a crippled or deformed foot or ankle, or to top boots not less than ten inches in height such as are used in lumbering, mining and fishing industries, or to river driving boots) in excess of nine dollars per pair;

Clothing consisting of coat, vest and pants, or coat and pants, men's and boys', in excess of forty-five dollars;

Trousers, sold separately from suits, in excess of twelve dollars per pair;

Coats, men's and boys', sold separately from suits, (not including leather coats lined with sheepskin), in excess of twenty-five dollars each;

Cloth overcoats, men's, boy's, women's and misses', in excess of fifty dollars each;

Waistcoats, men's, sold separately from suits, in excess of five dollars each;

Dresses, women's and misses', except silk, in excess of forty-five dollars each;

Skirts, separate from dresses, except silk, in excess of fifteen dollars each;

Suits, women's and misses', except silk, in excess of sixty dollars each;

Coats, women's and misses', sold separately from suits, except silk, in excess of thirty-five dollars each;

Knitted sweaters and knitter sweater coats, in excess of fifteen dollars each;

On articles of clothing, the selling price of materials and cost of manufacture when sold separately are to be combined when determining the selling price.

Payment of tax by purchaser to vendor.

(3) The excise taxes imposed by the preceding subsections shall be paid by the purchaser to the vendor at the time of sale and delivery for consumption or use, or on importation for consumption or use other than for re-sale on the duty paid value in addition to the duties of customs already imposed, and such taxes shall be paid in stamps or otherwise by the vendor to His Majesty in accordance with such regulations as may be prescribed.

New excise taxes.

(4) The following excise taxes shall be imposed, levied and collected on the articles hereinafter specified, namely:—

Three per cent tax.

(*a*) A tax of three per cent on,—

Chewing gum or substitutes therefor;

Five per cent tax.

(*b*) A tax of five per cent on,—

Pianos not exceeding four hundred and fifty dollars each and organs not exceeding one hundred and fifty dollars each (other than pianos and organs for religious or educational purposes).

Ten per cent tax.

(*c*) A tax of ten per cent on;—

Boats, yachts, canoes and motors boats. Provided that on satisfactory proof being furnished that these articles will be used for trading or commercial purposes the said tax shall not be collected;

Cameras.

Cameras weighing not more than one hundred pounds;

Confectionery, etc.

Confectionery which may be classed as candy or a substitute for candy (this item not to include goods

packed ready for sale in cartons or other packages bearing thereon the name of the manufacturer, selling by retail at ten cents or less per carton, or to candy known as "gross goods" selling by retail at one cent each);

Fire-arms, etc.

Fire-arms, shells, or cartridges for use other than for militia purposes;

Pianos, organs, etc.

Pianos exceeding four hundred and fifty dollars each and organs exceeding one hundred and fifty dollars each (other than pianos and organs for religious or educational purposes). Mechanical player pianos, graphophones, phonographs, talking machines, music boxes and records used in connection therewith or with any musical instrument; musical instruments (other than band instruments) not elsewhere specified;

Chandeliers, etc.

Chandeliers, except for churches, in excess of twelve dollars each;

Gas, etc., brackets.

Gas and electric light wall brackets, in excess of three dollars each;

Fixtures unspecified.

Gas and electric light fixtures not elsewhere specified, in excess of three dollars each;

Fifteen per cent tax.

(b) A tax of fifteen per cent on,—

Automobiles, etc.

Automobiles adapted or adaptable for passenger use, retailing for not more than three thousand dollars each and a tax of twenty per cent on such automobiles when retailing for more than three thousand dollars each.

Playing cards.

(e) A tax on playing cards for every fifty-four cards or fraction of fifty-four in each package,—

when selling at twenty-four dollars or less per gross packages, fifteen cents per pack;

when selling in excess of twenty-four dollars per gross packages but not in excess of thirty-six dollars per gross packages, twenty-five cents per pack;

when selling in excess of thirty-six dollars per gross packages, fifty cents per pack;

Two dollars per gallon taxes.

(f) A tax of two dollars per gallon,—

On rum, whiskey, brandy, gin, wines containing more than forty per cent proof spirits, cordials, liqueurs and spirituous and alcoholic liquors not otherwise provided for in this subsection suitable for beverage purposes (not including alcohol used in the process of manufacturing articles of commerce in which the alcohol is destroyed and from the resultant products of which it cannot be recovered);

Thirty cents per gallon taxes.

(g) A tax of thirty cents per gallon,—

On ale, beer, porter and stout;

On wines of all kinds, except sparkling wines, containing not more than forty per cent of proof spirits.

Three dollars per gallon taxes.

(h) A tax of three dollars per gallon,—

On champagne and all other sparkling wines.

Payment at time of sale or importation.

(5) The excise taxes as imposed by the preceding subsections four and five shall be payable on the duty paid value in addition to the present duties of excise and customs at the time of sale by the Canadian manufacturer or when imported or when taken out of customs or excise bond, but shall not apply to such articles when exported, and shall be accounted for to His Majesty in accordance with such regulations as may be prescribed.

Tax on duty paid value.

(6) The following excise taxes shall be imposed, levied and collected, at the time of importation or when taken out of customs warehouse for consumption, on the duty paid value of the articles hereinafter specified, namely:—

(a) A tax of twenty per cent,—

Twenty per cent taxes.

On medicinal or medicated wines, vermouth and ginger wines, and patent and proprietary, medicines containing alcohol but not more than forty per cent of proof spirit;

(b) A tax of two dollars per gallon,—

Two dollar per gallon taxes.

On lime juice or fruit juices, fortified with or containing more than twenty-five per cent of proof spirits;

On spirits and strong waters of any kind, mixed with any ingredient or ingredients, as being or known or designated as anodynes, elixirs, essences, extracts, lotions, tinctures or medicines, or ethereal and spirituous fruit essences, not otherwise provided for in this subsection;

On alcoholic perfumes and perfumed spirits, bay rum, cologne and lavender waters, hair, tooth and skin washes, and other toilet preparations containing spirits of any kind;

(c) A tax of fifty cents per gallon,—

Fifty cents per gallon taxes.

On lime juice and fruit juices, fortified with or containing not more than twenty-five per cent of proof spirits not otherwise provided for in this subsection.

Licenses.

(7) Every person selling or dealing in the articles upon which taxes are imposed as prescribed by this section may be required by the Minister to take out an annual license therefor, for which license a fee not exceeding two dollars shall be paid.

Tax on sales.

"**19**BBB. (1) In addition to the present duty of excise and customs a tax of one per cent shall be imposed, levied and collected on sales and deliveries by manufacturers and wholesalers, or jobbers and on the duty paid value of importations, but in respect of sales by manufacturers to retailers or consumers, or on importations by retailers or consumers, the tax payable shall be two per cent; that the purchaser shall be furnished with a written invoice of any sale, which invoice shall state separately the amount of such tax to at least the extent of one per cent but such tax must not be in-

cluded in the manufacturer's or wholesaler's costs on which profit is calculated; and the tax shall be paid by the purchaser to the wholesaler or manufacturer at the time of such sale, and by the wholesaler or manufacturer to His Majesty in accordance with such regulations as may be prescribed, and such wholesaler or manufacturer shall be liable to a penalty not exceeding five hundred dollars, if such payments are not made, and in addition shall be liable to a penalty equal to double the amount of the excise duties unpaid.

Drawback.

Provided that a drawback may be granted of the tax paid on goods exported or on materials used, wrought into or attached to articles exported.

Excepted articles not liable to tax.

Provided also that this tax on sales shall not apply to sales or importations of,—

Animals living; poultry; fresh, salted, pickled, smoked or canned meats; canned poultry; soups of all kinds; milk, cream, butter, cheese, buttermilk, condensed milk, condensed coffee with milk, milk foods, milk powder and similar products of milk; oleomargarine, margarine, butterine or any other substitutes for butter; lard, lard compound and similar substances; cottolene; eggs; chicory, raw or green, kiln dried, roasted or ground; coffee, green, roasted or ground; tea; hops; rice, cleaned or uncleaned; rice flour; sago flour; tapioca flour; rice meal; corn starch; potato starch; potato flour; vegetables, fruits, grains and seeds in their natural state; buckwheat, meal or flour; pot, pearl, rolled, roasted or ground barley; corn meal; corn flour; oatmeal or rolled oats; rye flour; wheat flour; sago and tapioca; macaroni and vermicelli; cattle foods; hay and straw; nursery stock; vegetables, canned, dried or desiccated; fruits, canned, dried, desiccated or evaporated; honey; fish and products thereof; sugar, molasses; maple, corn and sugar cane syrups and all imitations thereof; ice; newspapers and quarterly, monthly and semi-monthly magazines and weekly literary papers unbound; gold and silver ingots, blocks, bars, drops, sheets or plates unmanufactured; gold and silver sweepings; British and Canadian coin and foreign gold coin; materials for use only in the construction of ships; anthracite and bituminous coal and coal dust, lignite, briquettes made from anthracite or bituminous coal or lignite, coke, charcoal, peat, wood for fuel purposes; electricity; calcium carbide; gas manufactured from coal; calcium carbide or oil for illuminating or heating purposes; fibre for use only in manufacture of binder twine; ships licensed to engage in the Canadian coasting trade; artificial limbs and parts thereof; donations of clothing and books for

charitable purposes; settlers' effects; articles enumerated in Schedule C of the West India Agreement or to articles purchased for use of the Dominion Government or any of the departments thereof or by or for the Senate or House of Commons; and the Governor in Council shall have power to add to the foregoing list of articles exempted from the tax on sales, such other articles as he may deem it expedient or necessary to exempt from the said tax.

Licenses.

(2) The Minister may require every manufacturer and wholesaler to take out an annual license for the purposes aforesaid, and may prescribe a fee therefor, not exceeding five dollars and the penalty for neglect or refusal shall be a sum not exceeding one thousand dollars.

How tax costs and penalties recoverable.

(3) Any such tax, costs or penalties may, at the option of the Minister, be recovered and imposed in the Exchequer Court of Canada or in any other Court of competent jurisdiction, in the name of His Majesty. by or for the Senate or House of Commons."

Commencement of Act.

3 (1) The provisions of this Act shall be held to have come into force on the nineteenth day of May, in the present year, one thousand nine hundred and twenty, and to apply and to have applied to all goods imported or taken out of warehouse for consumption on or after the said day: Provided, that in the case of goods which were imported or taken out of warehouse for consumption, and on which duty was paid, on or after the nineteenth day of May, one thousand nine hundred and twenty, in accordance with the rate of duty set forth as payable on such goods in the resolutions respecting the duties of excise introduced in the House of Commons on the eighteenth day of the said month, or in any amended resolution subsequently introduced in the said House, the duty so paid shall not be affected nor shall the person paying it be entitled to any refund or be liable to any further payment of duty, by reason of such rate of duty being altered before the sixteenth day of June, one thousand nine hundred and twenty.

Jewelery defined.

(2) Section nineteen A of the said Act, as enacted by chapter forty-six of the statutes of 1918, is amended by adding thereto the following words:—"and the word 'jewellry' shall be held to include precious stones and imitations thereof."

Repeals.

(3) Section fourteen of the said Act, as amended by chapter forty-six of the statutes of 1918; section fifteen; section sixteen; section sixteen A, as enacted by chapter forty-six of the statutes of 1918, except the provisions thereof relating to matches; section seventeen, as enacted by chapter forty-six of the statutes of 1918, except the provisions thereof relating to matches; section eighteen; subsections one, two and four of section nineteen B, as enacted

by chapter forty-six of the statutes of 1918; the Schedule to Part III of the said Act; the Schedule to Part IV, as enacted by chapter forty-six of the statutes of 1918; and all other provisions of the said Act inconsistent with this Act, are hereby repealed.

184.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 184.

An Act to revive and amend The Naturalization Act, 1914.

First reading, June 17, 1920.

The MINISTER OF JUSTICE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2974 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 184.

An Act to revive and amend The Naturalization Act, 1914.

1919, c. 38.

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

1. *The Naturalization Act, 1919*, chapter thirty-eight of the statutes of 1919, is hereby repealed, and *The Naturalization Act, 1914*, chapter 44, of the statutes of 1914, as amended by chapter seven of the statutes of 1914 (second session), is hereby revived, and shall be deemed to have always been in force from the date of its sanction notwithstanding the repeal thereof by the said *Naturalization Act of 1919*.

2. Section seven of *The Naturalization Act, 1914*, as revived, is hereby repealed, and the following sections are substituted therefor:—

Revocation of certificate of naturalization by Governor in Council on report of Secretary of State. ("Shall" substituted for "may".)

"**7.** (1) Where the Governor in Council, upon the report of the Secretary of State of Canada, is satisfied that a certificate of naturalization granted by the Secretary of State of Canada under this Act or granted under any Naturalization Act heretofore in force in Canada has been obtained by false representation or fraud, or by concealment of material circumstances, or that the person to whom the certificate was granted has shown himself by act or speech to be disaffected or disloyal to His Majesty, the Governor in Council shall by order revoke the certificate.

Cases in which certificate shall be revoked. ("Shall" substituted for "may".)

"(2) Without prejudice to the foregoing provisions the Governor in Council shall by order revoke a certificate of naturalization granted by the Secretary of State of Canada under this Act, or granted under any Naturalization Act heretofore in force in Canada in any case in which he is, upon the report of the Secretary of State of Canada, satisfied that the person to whom the certificate was granted either —

Trading with enemy.

"*(a)* has, during any war in which His Majesty is engaged unlawfully traded or communicated with the enemy

or with the subject of an enemy state, or been engaged in or associated with any business which is to his knowledge carried on in such manner as to assist the enemy in such war; or,

Serving term of imprisonment (New.)

"*(b)* has, within five years of the date of the grant of the certificate, been sentenced by any court in His Majesty's dominions to imprisonment for a term of not less than twelve months, or to a term of penal servitude, or to a fine of not less than five hundred dollars; or,

Bad character.

"*(c)* was not of good character at the date of the grant of the certificate; or,

Non-resident for 7 years.

"*(d)* has since the date of the grant of the certificate been for a period of not less than seven years ordinarily resident out of His Majesty's dominions otherwise than as a representative of a British subject, firm, or company carrying on business, or an institution established in His Majesty's dominions, or in the service of the Crown, and has not maintained substantial connection with His Majesty's dominions; or,

Enemy subject.

"*(e)* remains, according to the law of a state at war with His Majesty, a subject of that state;

and that (in any case) the continuance of the certificate is not conducive to the public good.

Enquiry before report.

"(3) The Secretary of State of Canada may if he thinks fit before making a report under this section refer the case for such inquiry as is hereinafter specified, and in any case to which subsection one, or paragraphs *(a)*, *(c)* or *(e)* of subsection two of this section applies, the Secretary of State of Canada shall by notice given to or sent to the last known address of the holder of the certificate give him an opportunity of claiming that the case be referred for such inquiry, and if the holder so claims in accordance with the notice, the Secretary of State of Canada shall refer the case for inquiry accordingly."

(References corrected.)

Notice and enquiry.

Inquiry by Commission.

(4) An inquiry under this section shall be held by a Commission constituted for the purpose by the Governor in Council upon the recommendation of the Secretary of State of Canada, presided over by a person appointed by the Governor in Council who holds or has held high judicial office, and shall be conducted in such manner as the Governor in Council shall direct, provided that any such inquiry may, if the Governor in Council thinks fit, instead of being held as aforesaid, be held by the Superior Court of the province in which the case arises, and the practice and procedure on any inquiry so held shall be regulated by rules of Court. The members of any Commission appointed under this section shall have all such powers, rights and privileges as are vested in any Superior Court or in any Judge thereof on the occasion of any action, in respect of the following matters:

Presiding officer.

(a) the enforcing the attendance of witnesses and examining them on oath, affirmation, or otherwise, and the issue of a commission or a request to examine witnesses abroad; and

(b) the compelling the production of documents; and

(c) the punishing persons guilty of contempt;

and a summons signed by one or more members of the commission may be substituted for and shall be equivalent to any formal process capable of being issued in any action for enforcing the attendance of witnesses and compelling the production of documents.

Revocation of certificate granted in some other part of His Majesty's dominions. (New.)

"(5) Where a person to whom a certificate of naturalization has been granted in some other part of His Majesty's dominions is resident in Canada, the certificate may be revoked in accordance with this section by the Governor in Council, with the concurrence of the Government of that part of His Majesty's dominions in which the certificate was granted.

Date from which revocation to have effect.

Certificate cancelled.

"(6) Where the Governor in Council revokes a certificate of naturalization the revocation shall have effect from such date as the Governor in Council may direct, and thereupon the certificate shall be given up and cancelled, and any person refusing or neglecting to give up his certificate shall be liable on summary conviction to a fine not exceeding five hundred dollars." (Imp. Act, 1914-18, sec. 7,).

Effect of revocation upon status of wife and minor children.

"7A (1) Where a certificate of naturalization is revoked the Governor in Council may upon the recommendation of the Secretary of State of Canada by order direct that the wife and minor children (or any of them of the person whose certificate is revoked shall cease to be British subjects, and any such person shall thereupon become an alien; but except where the Governor in Council directs as aforesaid, the nationality of the wife and minor children of the person whose certificate is revoked shall not be affected by the revocation, and they shall remain British subjects:

Provided that,—

Declaration of alienage by wife.

(a) it shall be lawful for the wife of any such person within six months after the date of the order of revocation to make a declaration of alienage, and thereupon she and any minor children of her husband and herself shall cease to be British subjects and shall become aliens; and,

Conditions under which order may be made as to wife who is a British subject by birth.

(b) the Governor in Council shall not make any such order as aforesaid in the case of a wife who was at birth a British subject, unless he is satisfied upon the report of the Secretary of State of Canada that if she had held a certificate of naturalization in her own right the certificate could properly have been revoked under this Act, and the provisions of this Act as to referring

cases for inquiry shall apply to the making of any such order as they apply to the revocation of a certificate.

Provisions are in substitution for other provisions of Act.

(2) The provisions of this section shall, as respects persons affected thereby, have effect in substitution for any other provisions of this Act as to the effect upon the wife and children of any person where the person ceases to be a British subject, and such other provisions shall accordingly not apply in any such case.

Effect of revocation of certificate.

(3) Where a certificate of naturalization is revoked the former holder thereof shall be regarded as an alien and as a subject of the state to which he belonged at the time the certificate was granted, and shall thereafter for the purpose of this Act, and of *The Immigration Act*, be deemed never to have been naturalized. (Imp. Act, 1914-18, Sec. 7A).

3. *The Naturalization Act, 1914*, as revived, is hereby amended as follows:—

Natural-born British subject.

(1) In paragraph (*b*) of subsection one of section one (which defines natural born British subjects) after the words "had been granted" there shall be inserted the words "or had become a British subject by reason of any annexation of territory, or was at the time of that person's birth in the service of the Crown"; and at the end of that section the following subsection shall be inserted:—

Certificate as proof.

"(4) The certificate of a Secretary of State that a person was at any date in the service of the Crown shall for the purpose of this section be conclusive."

(2) At the end of section two (which relates to the grant of certificates of naturalization) the following subsection shall be inserted:—

Service to be equivalent to residence.

"(6) For the purposes of this section a period spent in the service of the Crown may, if the Secretary of State of Canada thinks fit, be treated as equivalent to a period of residence in Canada."

Certificates to minors.

Disability.

(3) In subsection two of section five "whether or not" shall be substituted for "although" and "not" shall be omitted, and in subsection three of section five "Act" shall be substituted for "section".

Imperial naturalization

(4) In section eight the words "or the Governor in Council" shall be inserted immediately after the words "Secretary of State of Canada" in the tenth line, and the words "and of the High Court or a High Court or Superior Court of the Possession for the words Superior Court or Superior Court of the Province in which the case arises".

Declaration by wife of alien of desire to resume British nationality.

(5) In section ten (which relates to the natural status of married women) at the end of the section there shall be added the words: "And provided that where an alien is a subject of a state at war with His Majesty it shall be lawful for his wife, if she was at birth a British subject, to make a declaration that she desires to resume British nationality and thereupon the Secretary of State of Canada, if he is

satisfied that it is desirable that she be permitted to do so, may grant her a certificate of naturalization.

Definition of British subject extended.

(6) In subsection one of section thirty-three (which contains definitions) at the end of the definition of "British subject" after the words "has been granted," there shall be inserted the words "or a person who has become a subject of His Majesty by reason of any annexation of territory"; and subsection three of section thirty-three is repealed and the following subsection is substituted therefor:—

Name of child in certificate of naturalization.

"(3) Where in pursuance of this Act the name of a child is included in a certificate of naturalization granted to his parent, or where in pursuance of any Act repealed by this Act any child has been deemed to be a naturalized British subject by reason of residence with his parent, such child shall for the purposes of this Act be deemed to be a person to whom a certificate of naturalization has been granted."

Citation of Imperial statutes.

(7) By the expression *British Nationality and Status of Aliens Act, 1914*, where it occurs in sections eight, nine and twenty-eight of the said *Naturalization Act, 1914*, shall be understood the said *British Nationality and Status of Aliens Act, 1914*, as amended by the *British Nationality, Status of Aliens Act, 1918*.

4. Sections nineteen and twenty of the said *Naturalization Act, 1914*, are repealed and the following substituted therefor:—

Application to Court.

"**19.** An alien desiring to be naturalized shall apply for a decision establishing that he is qualified and fit to be naturalized under the provisions of this Act to any Judge of any Superior Court or to any Judge of any Circuit, District or County Court, and in the North West Territories to such authorities or persons as the Governor in Council may prescribe.

Posting of application.

"**20.** The application shall be delivered at the office of the clerk or other proper office of the court during office hours, and such application shall be posted by such clerk or other proper officer in a conspicuous place in his office, Such notice shall be posted up at least three months before the application is heard by the court."

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

Issue of certificate of Naturalization.

"**24.** The Secretary of State of Canada may thereupon in his absolute discretion issue a certificate of naturalization and shall send the same to the clerk of the court to whom the application for naturalization was made. Upon the applicant taking and subscribing the oath of allegiance, which may be so taken and subscribed by any person duly authorized to administer judicial oaths by the laws of the province in which the applicant resides, the clerk shall deliver the certificate to the applicant."

6. Section twenty-six of the said Act is repealed.

Certificates granted to enemy subjects since 4th August, 1914.

7. (1) Where a certificate of naturalization has been granted in Canada since the fourth day of August, one thousand nine hundred and fourteen, to a person who, at, or at any time before the grant of the certificate, was the subject of a country which at the date of the grant was at war with His Majesty, the Governor in Council may, upon the recommendation of the Secretary of State of Canada, refer for such inquiry as is provided for in the case of revocation of certificates the question whether it is desirable that the certificate should be revoked, and if such question shall be answered in the affirmative, the Governor in Council may revoke the certificate, but this provision shall not apply to a person who at birth was a British subject.

Inquiry and power to revoke.

Exception.

No certificate to enemy subject for 10 years after the war.

(2) No certificate of naturalization shall, before the expiration of a period of ten years after the termination of the war, be granted in Canada to any subject of a country which at the time of the passing of this Act or at any time since the fourth day of August, one thousand nine hundred and fourteen, was at war with His Majesty; but this provision shall not apply to a person who,

Exceptions.

Persons serving in forces of His Majesty or Allies, and not discharged.

(a) having served in His Majesty's forces or in the forces of His Majesty's Allies or of any country acting in naval or military co-operation with His Majesty was not discharged from such service by reason of his enemy nationality, sympathy or associations; or,

Opposed to enemy.

(b) is a member of a race or community known to be opposed to the enemy governments; or,

British subject.

(c) was at birth a British subject; or,

Domiciled and residing in Canada for 10 years preceding 7 July, 1919. (New.)

(d) was domiciled and had continuously resided in Canada for a period of at least ten years immediately preceding the seventh day of July, one thousand nine hundred and nineteen, and who establishes to the satisfaction of the Secretary of State of Canada that he has always during his residence in Canada conducted himself as a good and loyal citizen and that his allegiance to His Majesty will not be affected by sympathy or association with the enemy state of which he was formerly a subject.

Proof of loyalty.

Short title.

8. This Act may be cited as *The Naturalization Act, 1920*, and *The Naturalization Act, 1914*, and this Act may be cited together as *The Naturalization Acts, 1914 and 1920.*

194.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 194.

An Act to amend The Canada Grain Act.

First reading, June 19, 1920.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
3816 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 194.

An Act to amend The Canada Grain Act.

1912, c. 27; 1913, c. 21; 1914, c. 33; 1915, c. 10; 1916, c. 6; 1919, c. 40.

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

1. Section one hundred and seven of *The Canada Grain Act*, chapter twenty-seven of the statutes of 1912, is amended by repealing the ninth and tenth paragraphs thereof, respecting "No. 1 wheat inspected as 'No grade'" and "No. 2 wheat inspected as 'No grade'", and substituting therefor the following:—

Grading of grain inspected as No grade for moisture and dried.

"Grain inspected as "No grade" for moisture and dried may be graded as dried of the grade to which it belongs or as straight grade, in the discretion of the Inspector."

2. Section one hundred and fifty-seven of the said Act is amended by adding thereto the following paragraph:—

Issue of cash purchase ticket or certified cheque on receipt of storage receipt.

"*(f)* in the event of the purchase by such operator of any grain previously received at or in such country elevator and for which a warehouse storage receipt or a storage receipt for special binned grain was issued and is outstanding, issue, on the surrender of any such receipt, either a cash purchase ticket in the form A in the Schedule to this Act, dated the day the grain is purchased, for each lot or parcel of grain so purchased, or a track purchase note in the form G in the Schedule to this Act, or a certified cheque drawn on a chartered bank of Canada for the amount payable for such purchase."

3. Subsection four of section one hundred and sixty of the said Act is repealed, and the following is substituted therefor:—

Failure to redeem cash purchase ticket.

"(4) In every case where grain has been delivered at any country elevator, or where grain which has been so

delivered and for which a warehouse storage receipt or a storage receipt for special binned grain was issued, is subsequently purchased by the operator of any such elevator and a cash purchase ticket issued therefor to the person by whom such grain was delivered as aforesaid or to the person lawfully entitled to hold and surrender such warehouse storage receipt or storage receipt for special binned grain, if the paying agent of such warehouseman within twenty-four hours after demand by the holder (provided such demand be made during twenty-four hours after the issue of the purchase ticket), neglects or refuses to redeem such cash purchase ticket, the said holder may at once, upon surrender of such cash ticket, demand in exchange therefor a warehouse storage receipt bearing the same date and place of issue, and for a similar grade and net weight of grain as was shown on the cash purchase ticket aforesaid. Upon return of the said cash purchase ticket to the warehouseman, he shall at once issue to the holder in exchange therefor a warehouse storage receipt of the same grade and quantity of grain as shown on the face of said surrendered cash purchase ticket."

Persons who can not be agents to apply for cars.

4. Subsection three of section one hundred and ninety-seven of the said Act, as enacted by chapter forty of the statutes of 1919, is hereby repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 195.

An Act to provide for the Insurance of Returned Soldiers by the Dominion of Canada.

First reading, June 22, 1920.

The MINISTER OF FINANCE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
4469 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 195.

An Act to provide for the Insurance of Returned Soldiers by the Dominion of Canada.

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 Returned Soldiers' Insurance Act.*

Definitions.

2. In this Act and in any regulation, unless the context otherwise requires,—

(a) " brother " includes a half-brother and " sister " includes a half-sister;

(b) " child " includes,

(i) a child adopted before the first day of July, nineteen hundred and twenty, or not less than five years before the death of the insured;

(ii) a stepchild, if a member of the returned soldier's household;

(iii) an illegitimate child acknowledged or maintained by the insured or for whom he has been judicially ordered to provide support;

(c) " grandchild " means a child as above defined of a child as above defined;

(d) " Minister " means the Minister of Finance; or such other Minister as the Governor in Council may from time to time determine;

(e) " parent " includes a father, mother grandfather, grandmother, stepfather, stepmother, of either the returned soldier or his wife;

(f) " regulation " means a regulation made under the provisions of this Act;

(g) " returned soldier " means any person, male or female, who has served in the naval, military or air forces of Canada in the Great War, or having been domiciled and resident in Canada on the fourth day of

August, one thousand nine hundred and fourteen, has served in any of His Majesty's naval, military or air forces in the said war; or, having been domiciled and resident as aforesaid, has served in the naval, military or air forces of one of His Majesty's Allies or Associated Powers in the Great War; and who has been retired or obtained honourable discharge therefrom;

(g1) " widow " means the widow of a returned soldier who has died after retirement or honourable discharge from service and before the expiration of twelve months from the coming into force of this Act;

(h) " the insured " means any person with whom the Minister enters into a contract under this Act.

Insurance and limits thereof.

3. (1) The Minister may enter into an insurance contract with any returned soldier domiciled and resident in Canada or with any widow so domiciled and resident, providing for the payment of five hundred dollars or any multiple thereof, not, however, exceeding five thousand dollars in the event of the death of the insured.

How payable.

(2) The said payment shall, as to an amount not exceeding one-fifth thereof, be made on the death of the insured and the remainder or the portion thereof to which any beneficiary is entitled, shall at the option of the insured be payable as a life annuity or as an annuity certain for five, ten, fifteen or twenty years, or as an annuity guaranteed for five, ten, fifteen or twenty years, and payable thereafter as long as the beneficiary may live.

Options how exercised.

(3) Any option as to the mode of payment, chosen by the insured in his application for insurance, may be subsequently varied by declaration of the insured endorsed upon or attached to the policy.

Options may be varied by beneficiary.

(4) The said option as to mode of payment chosen by the insured may after the death of the insured be varied by the beneficiary, with the consent of the Minister.

Payments in case of disability not due to war.

(5) The contract may also provide that if the insured becomes totally and permanently disabled and rendered incapable of pursuing continuously any substantially gainful occupation, and if such disability is not deemed to be attributable to his service so as to bring him under the provisions of The Pension Act, the premiums thereafter falling due under the contract shall be waived and the insured shall be entitled to receive as a disability benefit an annual payment not exceeding one-twentieth of the sum insured, the said benefit to continue during the life-time of the insured but not to exceed twenty such payments in all; and that if the insured dies before the twentieth such payment has been made the balance of the sum assured shall be payable as a death benefit, in accordance with the provisions of this section.

Payments, who to be made to.

4. The said payments shall be made to the wife, husband, child, grandchild, parent, brother or sister of the insured or such other person as may by regulation as hereinafter provided be declared to be entitled to become a beneficiary under the contract.

Beneficiaries when insured is married.

5. If the insured is a married man, or a widow with a child or children, the contract shall be for the benefit of his wife, or of his children, or of some one or more of his children, or of his wife and some one or more of his children; and when the contract is effected for the benefit of more than one, the insured may apportion the insurance money among them as he deems fit.

Beneficiaries when insured is unmarried.

6. If the insured is an unmarried man or a widower without children, the insurance contract shall be for the benefit of his future wife, or of his future wife and children, and the insured may apportion the insurance money among them.

When insured is a female.

7. (1) If the insured is a female and the contract is effected for the benefit of more than one beneficiary the insured may apportion the insurance money among them as she deems fit.

(2) If the insured is a widow the contract shall be for the benefit of such person or persons within the classes mentioned in section four hereof as may be shown to the satisfaction of the Minister to be to a substantial extent dependent upon the widow for support.

Appointment, how made.

8. Any apportionment under the next three preceding sections may be made in the insurance contract, or by a declaration endorsed thereon or annexed thereto and signed by the insured.

When a beneficiary dies in life-time of insured.

9. (1) Where an apportionment has been made as provided in sections five or six of this Act, and one or more of the persons in whose favour the apportionment has been made die in the life-time of the insured, the insured may, by an instrument in writing endorsed on or attached to the insurance contract, declare that the shares formerly apportioned to the persons so dying shall be for the benefit of the wife and children of the insured, or for one or more of them as he sees fit.

(2) In default of such declaration the shares of the persons so dying shall be for the benefit of the survivor, of the persons in whose favour the apportionment was so made, in equal shares if more than one.

(3) If all the persons so entitled die in the life-time of the insured, the insured may by an instrument in writing endorsed on or attached to the insurance contract, declare

that the insurance money shall be for the benefit of his wife, if living, or of his surviving children, if any, or some one or more of them, or of his wife and children, or of his wife or some one or more of his children, in such proportions as he sees fit, and in default of such declaration, the insurance shall be for the benefit of his wife, if living, and of his children, if any, in equal shares.

(4) If the insured survives his wife and all his children the insurance money shall, subject to section four of this Act, fall into and become part of the estate of the insured.

(5) A duplicate of every declaration made in pursuance of this and the next preceding section shall be filed with the Minister at the time such declaration is made.

Limit of benefits when death of insured attributable to war service.

10. If on the death of the insured a pension becomes payable under *The Pension Act* 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 contract 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.

When all beneficiaries predecease insured or before all payments are made.

11. (1) If the insured survives all the persons to whom the death benefit may be paid under the provisions of section four of this Act, or if all the said persons die before the payment of the instalments of the death benefit have been completed, the estate of the insured shall be entitled to receive only the amount by which the reserve under the contract at the time of the death of the insured exceeds the sum of the payments so made.

(2) In this section the word "reserve" means the net premium value of the contract on the basis of the British Offices Life Tables, 1893, Om (5), with interest at the rate of four per cent per annum.

When no apportionment made.

12. When no apportionment is made of the insurance money as hereinbefore provided, all persons interested as beneficiaries under this Act shall be held to and shall share equally therein.

Minister may refuse to insure.

13. The Minister may refuse to enter into an insurance contract in any case where there are in his opinion sufficient grounds for his refusing.

Premiums.

14. (1) The insurance contract may provide for the payment of a single premium, or of premiums uniform throughout the life-time of the insured, or during the life-time of the insured for a period of ten, fifteen or twenty years, or until he attains the age of sixty-five years;

(2) The premiums payable under the various plans of contract shall be those shown in the Schedule to this Act.

Medical examinations.

15. No medical examination or other evidence of insurability shall be required in respect of any contract issued under this Act: Provided, however, that the Minister may, for the purpose of determining whether he shall refuse to enter into a contract of insurance in any case under the provisions of section thirteen of this Act, require such medical examination or other evidence of insurability of the insured as he may deem necessary.

Insurance unassignable and not liable to creditors.

16. The insurance money payable under the contract shall be unassignable and shall not be subject to the claims of creditors of the insured or of the beneficiary.

Regulations.

17. The Governor in Council may, for the purposes of this Act, make regulations,—

(a) prescribing the mode and form of making contracts;

(b) prescribing the mode of proving the age, identity and existence or death of persons;

(c) prescribing the mode of paying money in connection with insurance contracts;

(d) dispensing with the production of probate of a will or letters of administration, either generally or in any particular case or class of cases;

(e) prescribing the accounts to be kept and their management;

(f) determining before hand the cases or classes of cases in which an insurance contract may be surrendered and a cash surrender value paid therefor, or a paid-up insurance contract issued instead thereof and for prescribing the manner in which such cash surrender value or amount of paid-up insurance shall be determined;

(g) determining the cases, not otherwise provided for in this Act, in which a person not originally named as, but who is eligible under this Act to be a beneficiary, may be made a beneficiary;

(g1) determining the cases, not otherwise provided for in this Act, in which an apportionment of the insurance money may be made or varied;

(h) determining the class or classes of persons other than those mentioned in section four of this Act to whom payments may be paid;

(*i*) determining the cases in which a dependent, other than the wife or child, of the insured may be named as a beneficiary under the contract;

(*j*) determining in cases not otherwise provided for by the contract or by declaration or by this Act, the person or persons entitled to the share and the apportionment thereof in the death benefit of any beneficiary dying before the payment of instalments of the said benefit has been completed; and,

(*k*) any other purpose for which it is deemed expedient to make regulations in order to carry this Act into effect.

Moneys received to go to Consolidated Revenue Fund.

18. The moneys received under the provisions of this Act shall form part of the Consolidated Revenue Fund, and the moneys payable under the said provisions shall be payable out of the said Consolidated Revenue Fund.

19. (1) The provisions of this Act may be administered in such department or departments of the Government as the Governor in Council may from time to time determine.

Statement to be made for Minister.

(2) The.....shall within three months after the close of each fiscal year, prepare for the Minister a statement showing the amount received for premiums during the last fiscal year for all insurance contracts entered into previous to the said date, the amount of all sums paid in connection therewith during the said period, also the number of new contracts entered into since the previous statement and the gross amount thereof, with such further details and particulars as the Minister deems advisable.

Statement to be laid before Parliament.

(3) The Minister shall lay the said statement before Parliament within fifteen days after the statement has been submitted to him if Parliament is then sitting, and, if not, then within fifteen days of the opening of the session of Parliament held next thereafter.

No insurance after 1st July, 1922.

20. No contract of insurance shall be issued under this Act after the first day of September, nineteen hundred and twenty-two.

Commencement of Act.

21. This Act shall come into force on the first day of September, one thousand nine hundred and twenty.

SCHEDULE.

Age.	Monthly Rates for $1,000 Insurance Payable at Death.				Payable till age 65.	Single Premium for $1,000 Insurance payable at death.
	Payable for					
	Life.	10 years.	15 years.	20 years.		
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.
18	1 04	2 48	1 82	1 54	1 08	237 72
19	1 06	2 52	1 86	1 56	1 10	242 22
20	1 08	2 56	1 90	1 58	1 12	246 92
21	1 10	2 62	1 94	1 60	1 14	251 80
22	1 14	2 68	1 98	1 64	1 18	256 86
23	1 18	2 74	2 02	1 68	1 22	262 06
24	1 22	2 80	2 06	1 72	1 26	267 52
25	1 24	2 86	2 10	1 76	1 30	273 12
26	1 28	2 92	2 14	1 80	1 34	278 98
27	1 32	2 98	2 20	1 84	1 38	284 98
28	1 36	3 06	2 26	1 88	1 42	291 20
29	1 40	3 12	2 32	1 92	1 48	297 64
30	1 44	3 18	2 38	1 96	1 54	304 30
31	1 48	3 26	2 44	2 02	1 60	311 22
32	1 52	3 34	2 50	2 08	1 66	318 28
33	1 58	3 42	2 56	2 14	1 72	325 60
34	1 64	3 50	2 62	2 20	1 78	333 18
35	1 70	3 58	2 68	2 26	1 86	340 98
36	1 76	3 66	2 74	2 32	1 94	348 98
37	1 82	3 76	2 82	2 38	2 02	357 26
38	1 88	3 86	2 90	2 44	2 12	365 76
39	1 96	3 96	2 98	2 50	2 22	374 48
40	2 04	4 06	3 06	2 58	2 32	383 46
41	2 12	4 16	3 14	2 66	2 44	392 64
42	2 20	4 28	3 22	2 74	2 56	402 08
43	2 28	4 40	3 32	2 82	2 70	411 74
44	2 38	4 52	3 42	2 90	2 84	421 66
45	2 48	4 64	3 52	3 00	3 00	431 78
46	2 58	4 76	3 62	3 10	3 16	442 10
47	2 70	4 90	3 72	3 20	3 36	452 68
48	2 82	5 04	3 84	3 30	3 58	463 42
49	2 96	5 18	3 96	3 42	3 82	474 40
50	3 10	5 32	4 08	3 54	4 08	485 58
51	3 24	5 48	4 22	3 66	4 38	496 92
52	3 38	5 64	4 36	3 80	4 74	508 46
53	3 54	5 80	4 50	3 94	5 14	520 14
54	3 72	5 98	4 66	4 10	5 60	531 94
55	3 90	6 16	4 82	4 26	6 16	543 94
56	4 10	6 34	5 00	4 44	6 82	556 02
57	4 30	6 54	5 18	4 62	7 66	568 22
58	4 52	6 76	5 38	4 82	8 70	580 54
59	4 76	6 98	5 58	5 04	10 08	592 90
60	5 02	7 20	5 80	5 28	12 00	605 32
61	5 30	7 44	6 04	5 52	.....	617 82
62	5 58	7 68	6 30	5 78	.....	630 30
63	5 90	7 96	6 56	6 06	.....	642 82
64	6 22	8 24	6 84	6 36	.....	655 28
65	6 56	8 54	7 14	6 70	.....	667 72

NOTE.—Rates for ages above 65 will be computed on the same basis as those shown above, and will be furnished on application.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 196.

An Act to amend the Royal Canadian Mounted Police Act.

First reading, June 22, 1920.

The PRESIDENT OF THE PRIVY COUNCIL.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
4646 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 196.

An Act to amend the Royal Canadian Mounted Police Act.

R.S. c. 91; 1913, c. 47; 1914 (2 Sess.), c. 2; 1919, c. 69.

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

Proviso forbidding duplication of pensions repealed.

1. The proviso to section eight of chapter sixty-nine of the statutes of 1919, *An Act to amend the Royal Northwest Mounted Police Act*, is repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 197.

An Act to amend the Militia Pension Act.

First reading, June 22, 1920.

The MINISTER OF MILITIA AND DEFENCE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
4647 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 197.

An Act to amend the Militia Pension Act.

R.S. c. 42; 1907, c. 28; 1910, c. 39; 1919, c. 61.

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

Subsection forbidding duplication of pensions repealed.

1. Subsection two of section twenty-five of the *Militia Pension Act*, Revised Statutes of Canada, 1906, chapter forty-two, as enacted by chapter sixty-one of the statutes of 1919, is repealed.

198.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 198.

An Act to amend The Pension Act.

First reading, June 22, 1920.

The PRIME MINISTER.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
4562 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 198.

An Act to amend The Pension Act.

1919, c. 43.

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

1. Paragraphs *(a)*, *(e)*, *(g)*, and *(i)* of section two of *The Pension Act*, chapter forty-three of the statutes of 1919, are repealed and the following paragraphs are substituted therefor:—

"Appearance of the injury or desease."

"*(a)* "appearance of the injury or disease" includes the recurrence of an injury or disease which has been so improved as to have removed the resultant disability;

"Dependent condition."

"*(e)* "dependent condition" means the condition of being without earnings or income sufficient to provide maintenance;

"Disability."

"*(g)* "disability" means the loss or lessening of the power to will and to do any normal mental or physical act;

"Member of the forces."

"*(i)* "member of the forces" means any person who has served in the naval, military or air forces of Canada since the commencement of the war;"

Salaries increased.

2. Subsection six of section three of the said Act is amended by striking out the word "five" in the third line thereof and substituting therefor the word "six".

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

Pensions to be awarded according to prescribed rates.

"**11.** The Commission shall award pensions to or in respect of members of the forces who have suffered disability in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died in accordance with the rates set out in Schedule B of this Act, when the disability or death in respect of which the

application for pension is made, was attributable to military service."

Cases of intemperance or improper conduct: pension may be awarded when death on service.

4. Section twelve of the said Act is amended by adding thereto the following:—

" and provided also that the provision of this section shall not apply when the death of the member of the forces concerned has occurred on service."

Time within which application must be made.

5. Paragraph *(c)* of section thirteen of the said Act is amended by inserting after the word "forces" in the second line thereof the following:—

" or after the date of the completion of his treatment by the Department of Soldiers' Civil Re-establishment when he was retired or discharged direct to such treatment or undertook such treatment within six months after his retirement or discharge."

Pensions as result of "injury or desease."

6. Subsection one of section fourteen of the said Act is amended by striking out the word "disability" in the fourth and fifth lines thereof and substituting therefor the words "injury or disease."

Injury or disease, replacing "disability."

7. Subsection two of section fourteen of the said Act is amended by striking out the word "disability" in the seventh line thereof and substituting therefor the words "injury or disease."

8. Section seventeen of the said Act is repealed and the following section is substituted therefor:—

Pension suspended on imprisonment or paid to dependent.

" **17.** When a pensioner has been sentenced to imprisonment for a period of six months or more the payment of his pension shall be discontinued and no pension shall be paid to him for or in respect of the period of his imprisonment: Provided, however, that the Commission shall have discretion to pay the pension or part of it to any person who was being or was entitled to be supported by the pensioner at the time of his arrest.

Payment reconsidered upon pensioner's release.

Upon the pensioner's release from imprisonment payment of his pension shall be reconsidered as from the date of his release and in accordance with the extent of his disability then shown to exist, or in the case of a pensioner pensioned on account of the death of a member of the forces in accordance with the rates set out in Schedule B of this Act."

Repeal.

9. Section twenty-two of the said Act is repealed.

10. Subsection one of section twenty-three of the said Act is repealed and the following subsection is substituted therefor:—

No pension to children over age limit.

"**23.** (1) No pension shall be paid to or in respect of a child who, if a boy, is over the age of sixteen years or, if a girl, is over the age of seventeen years, except when such child and those responsible for its maintenance are without resources and,—

Exceptions.

"*(a)* such child is unable owing to physical or mental infirmity to provide for its own maintenance, in which case the pension may be paid while such child is incapacitated by physical or mental infirmity from earning a livelihood provided that no pension shall be awarded unless such infirmity occurred before the child attained the age of twenty-one years; and provided also that if such child is an orphan the Commission shall have discretion to increase such child's pension up to an amount not exceeding orphans' rates;

Physical or mental infirmity.

Orphan.

Child taking course of instruction.

"*(b)* such child is following and is making satisfactory progress in a course of instruction approved by the Commission, in which case the pension may be paid until such child has attained the age of twenty-one years.

No pension after marriage.

No pension shall be paid to or in respect of a child after its marriage."

Injury or disease instead of disability.

11. Subsection two of section twenty-three of the said Act is amended by striking out the words " occurrence or appearance of" in the fourth line thereof and substituting therefor the words " appearance of the injury or disease which caused," and by striking out the word " disability " in the seventh line thereof and substituting therefor the words "injury or disease."

Discretion of Commission to pay pension to certain classes of children.

12. Subsection four of section twenty-three of the said Act is amended by striking out the word " to " in the twelfth line thereof and substituting therefor the words " up to an amount not exceeding."

No deduction in certain cases of disability. No payment in certain other cases.

13. Subsection three of section twenty-five of the said Act is amended by striking out the word " or " in the seventh line thereof and adding at the end of the subsection the words " or was a congenital defect."

14. Subsection two of section twenty-six of the said Act is repealed and the following subsection is substituted therefor:—

Expenses paid when attending for medical examination, refusal to attend pension suspended.

"(2) Whenever a pensioner is required by the Commission to be medically re-examined he shall be paid a reasonable amount for travelling expenses, subsistence and loss of wages. If any pensioner, after notice by registered mail, unreasonably refuses or neglects to present himself for medical re-examination, his pension shall be suspended and

no pension shall be paid him in respect of the period during which such refusal or neglect continues."

Minimum and maximum of increased pension in certain cases.

15. Subsection one of section twenty-seven of the said Act is amended by striking out the words "not exceeding four hundred and fifty dollars per annum" in the ninth and tenth lines thereof and substituting therefor the words "not less than two hundred and fifty dollars per annum and not exceeding seven hundred and fifty dollars per annum."

16. Subsection two of section twenty-seven of the said Act is repealed and the following subsection is substituted therefor:—

Additional allowance in accordance with rank where total disability.

"(2) If such member of the forces holds the rank of Commander and Captain under three years seniority (Naval) or Lieutenant Colonel (Militia) he shall be entitled to an addition to his pension not exceeding ninety dollars per annum; if he holds the rank of Lieutenant Commander (Naval) or Major (Militia) to an addition to his pension not exceeding three hundred and ninety dollars per annum, and if he holds the rank of Lieutenant (Naval) or Captain (Militia) to an addition to his pension not exceeding six hundred and fifty dollars per annum."

Time from which payment of pensions for disability shall commence.

17. Paragraph *(b)* of section twenty-eight of the said Act is amended by inserting after the word "whose" in the second line thereof the words "injury or disease which caused his."

18. Section thirty of the said Act is amended by adding thereto the following:—

Difference between pay and allowances and pension to be applied for hospital maintenance.

"When a pensioner commences treatment under the jurisdiction of the Department of Soldiers' Civil Re-establishment and his pension, including the pension, if any, for his dependents, is greater than the pay and allowances issued by that Department, there shall be deducted from such pension towards the cost of maintenance in hospital an amount equal to the difference between such pension and such pay and allowances."

19. Subsection three of section thirty-one of the said Act is repealed and the following subsection is substituted therefor:—

Annual allowance not exceeding one hundred and eighty dollars each for maintenance of parents.

"(3) When a member of the forces, previous to his enlistment or during his service, was maintaining or was substantially assisting in maintaining, one or both of his parents, an amount not exceeding one hundred and eighty dollars per annum may be paid to him for each of such parents as long as he continues such maintenance."

20. Section thirty-two of the said Act is repealed and the following section is substituted therefor:—

Sickness and burial expense not to exceed one hundred dollars.

"**32.** When a pensioner pensioned on account of a disability has died and his estate is not sufficient to pay the expenses of his last sickness and burial, the Commission may pay such expenses, or a portion thereof, but the payment in any such case shall not exceed one hundred dollars."

Injury or disease instead of disability.

21. Subsection one of section thirty-three of the said Act is amended by striking out the word "disability" in the third line thereof and substituting therefor the words "injury or disease."

22. Subsection two of section thirty-four of the said Act is repealed and the following subsection is substituted therefor:—

Discretion of Commission to award pensions to parents and foster parents not exceeding one hundred and eighty dollars each per annum.

"(2) in cases in which a member of the forces has died leaving a widow or a widow and children or orphan children entitled to pension in addition to a parent or person in the place of a parent who previous to his enlistment or during his service was wholly or to a substantial extent maintained by him, the Commission may, in its discretion, award a pension to each such parent or person not exceeding one hundred and eighty dollars per annum."

23. Subsection four of section thirty-four of the said Act is repealed and the following subsections are substituted therefor:—

Increase not exceeding one hundred and eighty dollars annually between dependent parents of deceased member.

"(4) In cases in which a member of the forces has died leaving more than one parent or person in the place of a parent who were wholly or to a substantial extent maintained by him, the pension for one such parent or person may be increased by an additional amount not exceeding one hundred and eighty dollars per annum and the total pension apportioned between such parents or between the parent and such other person.

Pension to parents always subject to review.

"(5) The pension to any parent or person in the place of a parent shall be subject to review from time to time and shall be continued, increased, decreased or discontinued in accordance with the amount deemed necessary by the Commission to provide a maintenance for such parent or person but in no case shall such pension exceed the amount of pension prescribed for parents in Schedule B of this Act.

Each unmarried son assumed to be supporting parents with whom residing not less than ten dollars per month.

"(6) When a parent or person in the place of a parent has unmarried sons residing with him or her who should, in the opinion of the Commission, be earning an amount sufficient to permit them to contribute to the support of such parent or person, each such unmarried son shall be deemed to be contributing not less than ten dollars a month towards such support.

Pension to widowed mother not reduced on account of earnings, free lodging or other small income.

"(7) The pension to a widowed mother shall not be reduced on account of her earnings from personal employment or on account of her having free lodgings or so long as she resides in Canada on account of her having an income from other sources which does not exceed two hundred and forty dollars per annum.

Pension to parent not reduced on account of payment from municipal insurance.

"(8) The pension to a parent or person in the place of a parent shall not be reduced on account of the payment to such parent or person of municipal insurance on the life of a deceased member of the forces."

24. Section thirty-eight of the said Act is repealed and the following section is substituted therefor:—

Death pensions payable from day after death.

"**38.** Pensions awarded with respect to the death of a member of the forces shall be paid from the day following the day of the death except,—

Exceptions. Where parents not wholly or substantially dependent, date to be fixed.

"*(a)* in the case in which a pension is awarded to a parent who was not wholly or to a substantial extent maintained by the member of the forces at the time of his death, in which case the pension shall be paid from a day to be fixed in each case by the Commission; and,

Posthumous child from date of birth.

"*(b)* in the case of a posthumous child of a member of the forces, in which case the pension for such child shall be paid from the date of its birth."

Supplementary pensions to members of allied forces.

25. Section forty-six of the said Act is amended by inserting after the word " person " in the first line thereof the words " of the rank of Warrant Officer or of a higher rank."

26. Section forty-seven of the said Act is repealed and the following section is substituted therefor:—

Additional pension to dependents while residing in Canada of members of Allied forces domiciled and resident in Canada at beginning of war to bring up total amount from other pensions to that of members of Canadian Forces.

" **47.** When a person of the rank of Warrant Officer or of a higher rank in any of His Majesty's naval, military or air forces other than the naval, military or air forces of Canada or when a person in the naval, military or air forces of one of His Majesty's Allies who was domiciled and resident in Canada at the beginning of the war has died during the war or thereafter as the result of a disability incurred during the war or demobilization and his widowed mother, widow or children have been awarded a smaller pension than they would have been entitled to under this Act in respect of his death, such widowed mother, widow or children shall be entitled, during the continuance of their residence in Canada, to such additional pension as will make the total of the two pensions received by them equal to the pension that would have been awarded if the person aforesaid had died in the military service of Canada."

27. The said Act is amended by adding thereto the following sections:—

South African War pensions, while recipients reside in Canada, to be brought up to amount payable under this Act.

"**47A.** The pensions which are now being paid by Great Britain for disabilities or deaths which occurred during the South African war to or in respect of members of the Canadian Contingents which served in that war shall hereafter be supplemented during the continuance of the residence in Canada of the recipients of such pensions by such additional pensions as will make the total of the two pensions received by them equal to the pension that would have been awarded if they had been disabled or had died in the military service of Canada during the war.

Fenian Raid and North-west Rebellion pensions to be increased.

"**47B.** The pensions which are now being paid to or in respect of members of those forces who served in the Fenian Raid or Northwest Rebellion, during the continuance of the residence in Canada of the recipients of such pensions, shall hereafter be increased to the rates set forth in Schedules A and B to this Act."

New Schedules.

28. Schedules A and B of the said Act are repealed and the Schedules A and B to this Act are substituted therefor.

All pension cases to be reviewed and brought under this Act, saving all rights acquired under the Pension Act.

29. 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. Provided that when death or disability has occurred previous to the coming into force of this Act, the provisions of this Act shall not operate to remove from any applicant for pension any rights which he had in virtue of *The Pension Act.*

Commencement of Act.

30. This Act shall come into force on the first day of September, 1920.

SCHEDULE

SCALE OF PENSIONS

PERCENTAGE OF DISABILITY—CLASS

Rank or Rating of Member of Forces.	Rate per Annum.	Class 1 Total 100%	Class 2 — 99%–95%	Class 3 — 94%–90%	Class 4 — 89%–85%	Class 5 — 84%–80%	Class 6 — 79%–75%	Class 7 — 74%–70%	Class 8 — 69%–65%
		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
All Ratings below Petty Officer (Naval); Rank and File (Military).....	Member of Forces....	600 00	570 00	540 00	510 00	480 00	450 00	420 00	390 00
Chief Petty Officer and Petty Officer (Naval); Squad.,Batteryor Company Sergt.-Major and Q. M. Sergeant (Military); Sergeant, including Staff Sergt. and Colour-Sergt Military).....	*Bonus outside Canada*.....	120 00	114 00	108 00	102 00	96 00	90 00	84 00	78 00
	Bonus in Canada....	300 00	285 00	270 00	255 00	240 00	225 00	210 00	195 00
Naval Cadet and Midshipman (Naval) Master Gunner not W.O. (Military) Regimental Sergt. Major not W.O. (Military); Regimental Q.M. Sergt. (Military).....	Member of Forces....	637 00	605 63	573 75	541 88	510 00	478 13	446 25	414 38
	Bonus outside Canada.....	82 50	78 37	74 25	70 12	66 00	61 87	57 75	53 62
	Bonus in Canada...	262 50	249 37	236 25	223 12	210 00	196 87	183 75	170 62
Warrant Officer and Chief WarrantOfficer(Naval); Warrant Officer (Military).....	Member of Forces....	775 00	736 25	697 50	658 75	620 00	581 25	542 50	503 75
	Bonus in Canada....	125 00	118 75	112 50	106 25	100 00	92 75	87 50	81 25
Sub-Lieutenant (Naval); Lieutenant (Military)..	Member of Forces....	850 00	807 50	765 00	722 50	680 00	637 50	595 00	552 50
	Bonus in Canada....	50 00	47 50	45 00	42 50	40 00	37 50	35 00	32 50
Lieutenant (Naval); Captain (Military).....	Member of Forces....	900 00	855 00	810 00	765 00	720 00	675 00	630 00	585 00
Lieutenant Commander (Naval); Major (Military).....	"	1,000 00	950 00	900 00	850 00	800 00	750 00	700 00	650 00
Commander and Captain under three years' seniority (Naval); Lieutenant-Colonel (Military).....	"	1,260 00	1,197 00	1,134 00	1,071 00	1,008 00	945 00	882 00	819 00
Captain (Naval); Colonel (Military).....	"	1,560 00	1,482 00	1,404 00	1,326 00	1,248 00	1,170 00	1,092 00	1,014 00
Commodore and higher ranks (Naval); Brigadier-General and higher ranks (Military).....	"	1,890 00	1,795 50	1,701 00	1,606 50	1,512 00	1,417 50	1,323 00	1,228 50
	"	2,700 00	2,565 00	2,430 00	2,295 00	2,160 00	2,025 00	1,890 00	1,755 00
Above Ranks.....	Additional pension for Married members of the Forces.....	300 00	285 00	270 00	255 00	240 00	225 00	210 00	195 00
Additional pension for children for above ranks	First child	180 00	171 00	162 00	153 00	144 00	135 00	126 00	117 00
	Second child	144 00	138 00	132 00	126 00	120 00	114 00	108 00	102 00
	Subsequent children	120 00	114 00	108 00	102 00	96 00	90 00	84 00	78 00

The bonus payments set forth in this Schedule shall be paid during the year commencing the first day of September, 1920.

Members of the forces disabled to an extent between five and fourteen per cent may elect to accept in cases of disability between five and nine per cent, shall not exceed three hundred dollars and in be determined in accordance with the extent of the disability and its probable duration. Members Members of the forces permanently disabled between five and nine per cent, shall receive three hundred ability of the member of the forces concerned becomes greater in extent in which case the pension paid as a final payment shall be deducted. If a married pensioner desires to elect to accept a final for a disability of less than fourteen per cent in extent who elect to accept a final payment shall not which have been made subsequent to that date shall be recovered out of the final payment.

A.

FOR DISABILITIES.

AND ANNUAL AMOUNT OF PENSIONS.

Class 9	Class 10	Class 11	Class 12	Class 13	Class 14	Class 15	Class 16	Class 17	Class 18	Class 19	Class 20
64%–60%	59%–55%	54%–50%	49%–45%	44%–40%	39%–35%	34%–30%	29%–25%	24%–20%	19%–15%	14%–10%	9%–5%
$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
360 00	330 00	300 00	270 00	240 00	210 00	180 00	150 00	120 00	90 00	60 00	30 00
72 00	66 00	60 00	54 00	48 00	42 00	36 00	30 00	24 00	18 00	12 00	6 00
180 00	165 00	150 00	135 00	120 00	105 00	90 00	75 00	60 00	45 00	30 00	15 00
382 50	350 63	318 75	286 88	255 00	223 13	191 25	159 38	127 50	95 63	63 75	21 88
49 50	45 37	41 25	37 12	33 00	28 87	24 75	20 62	16 50	12 37	8 25	4 12
157 50	144 37	131 25	118 12	105 00	91 87	78 75	65 62	52 50	39 37	26 25	13 12
465 00	426 25	387 50	348 75	310 00	271 25	232 50	193 75	155 00	116 25	77 50	38 75
75 00	68 75	62 50	56 25	50 00	43 75	37 50	31 25	25 00	18 75	12 50	6 25
510 00	467 50	425 00	382 50	340 00	297 50	255 00	212 50	170 00	127 50	85 00	42 50
30 00	27 50	25 00	22 50	20 00	17 50	15 00	12 50	10 00	7 50	5 00	2 50
540 00	495 00	450 00	405 00	360 00	315 00	270 00	225 00	180 00	135 00	90 00	45 00
600 00	550 00	500 00	450 00	400 00	350 00	300 00	250 00	200 00	150 00	100 00	50 00
756 00	693 00	630 00	567 00	504 00	441 00	378 00	315 00	252 00	189 00	126 00	63 00
936 00	858 00	780 00	702 00	624 00	546 00	468 00	390 00	312 00	234 00	156 00	78 00
1,134 00	1,039 50	945 00	850 50	756 00	661 50	567 00	472 50	378 00	283 50	189 00	94 50
1,620 00	1,485 00	1,350 00	1,215 00	1,080 00	945 00	810 00	675 00	540 00	405 00	270 00	135 00
180 00	165 00	150 00	135 00	120 00	105 00	90 00	75 00	60 00	45 00	30 00	15 00
108 00	99 00	90 00	81 00	72 00	63 00	54 00	45 00	36 00	27 00	18 00	9 00
96 00	90 00	84 00	78 00	72 00	63 00	54 00	45 00	36 00	27 00	18 00	9 00
72 00	66 00	60 00	54 00	48 00	42 00	36 00	30 00	24 00	18 00	12 00	6 00

Members of the forces permanently disabled to a less extent than five per cent shall be entitled to a final payment not exceeding $100.

a final payment in lieu of the pensions set forth in this Schedule. The amount of such final payment, cases of disability between ten and fourteen per cent, shall not exceed six hundred dollars and shall of the forces permanently disabled between ten and fourteen per cent, shall, receive six hundred dollars. dollars. If an election has been made to accept a final payment such election is final unless the dis- shall be adjusted for the past period in accordance with the extent of the disability and the amount payment the consent of his wife must be secured. Members of the forces who are in receipt of a pension be entitled to any payments of their pensions after the first day of September, 1920, and any payments

SCHEDULE B.

SCALE OF PENSIONS FOR DEATHS.

Rank or Rating of Member of Forces.	Rate per Annum.		
	Widow or Dependent Parents.	Child or Dependent Brother or Sister.	Orphan Child or Orphan Brother or Sister.
	$ cts.	$ cts.	$ cts.
All ratings below Petty Officer (Naval); Rank and file (Military)	* 480 00	.....	.....
Bonus.	* 96 00	Outside	Canada
"	240 00	In	"
Chief Petty Officer and Petty Officer (Naval); Squad., Battery or Company Sergt.-Major and Q.M. Sergeant (Military); Sergt., including Staff-Sergt. and Colour-Sergt. (Military)	* 510 00	.....	.....
Bonus	* 66 00	Outside	Canada
"	210 00	In	"
Naval Cadet and Midshipman (Naval); Master Gunner not W.O. (Military); Regimental Sergt.-Major not W.O. (Military); Regimental Q.M. Sergeant (Military)	* 620 00	.....	.....
Bonus.	100 00	In	Canada
Warrant Officer and Chief Warrant Officer (Naval); Warrant Officer (Military)	* 680 00	.....	.....
Bonus.	40 00	In	Canada
Sub-Lieutenant (Naval); Lieutenant (Military)	* 720 00	.....	.....
Lieutenant (Naval); Captain (Military)	* 800 00	.....	.....
Lieutenant Commander (Naval); Major (Military)	* 1,008 00	.....	.....
Commander and Captain under three years' seniority (Naval); Lieutenant-Colonel (Military)	* 1,248 00	.....	.....
Captain (Naval); Colonel (Military)	* 1,512 00	.....	.....
Commodore and higher ranks (Naval); Brigadier-General and higher ranks (Military)	* 2,160 00	.....	.....
Additional pension for children or dependent brothers or sisters for above ranks	First.....	* 180 00	* 360 00
	Second.....	* 144 00	* 288 00
	Subsequent	* 120 00	* 240 00

*Pensions awarded to parents or brothers and sisters may be less than these amounts in accordance with the provisions of this Act.

The bonus payments set forth in this Schedule shall be paid during the year commencing the first day of September, 1920.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 199.

An Act to assist Shipbuilding.

First reading, June 22, 1920.

The MINISTER OF FINANCE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
4087 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 199.

An Act to assist Shipbuilding.

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

Conditions under which assistance may be given.

1. In any case where a person (hereinafter called the "purchaser") has entered into a contract with a shipbuilder for the building in Canada of a vessel of not less than three thousand tons, and such contract is approved by the Ministers of Finance and Marine and Fisheries, and a sum not less than ten per centum of the price of such vessel is paid by the purchaser to the shipbuilder in cash at the time the contract is entered into, and, if such cash payment is less than twenty per centum of such price, the payment to the shipbuilder of a further sum which with the said cash payment will amount to not less than twenty per centum of such price not later than six months after such time, and the payment of a further sum not later than nine months after such time, if the previous payments are less than twenty-five per centum of such price which will be sufficient with the other said payments to amount to at least twenty-five per centum of the total of such price are contracted for and secured to the satisfaction of the Minister of Finance; and the payment of an additional twenty-five per centum of the price is arranged between the purchaser and the shipbuilder and secured to the satisfaction of the Minister of Finance, the Governor in Council may authorize the Minister of Finance to endorse on behalf of His Majesty promissory notes drawn by the purchaser in favour of the shipbuilder for the fifty per centum of the price of the said vessel. The Governor in Council shall prescribe the place where such notes shall be paid, the method of discounting them, and the time when such notes are to be paid.

Notes for 50 per cent of price may be endorsed by Crown.

Provided that the first of such notes shall be made payable at a date not less than twenty-one months after the

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 206.

An Act respecting The Canadian Wheat Board.

First reading, June 24, 1920.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
4650 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 206.

An Act respecting 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.*

Definitions.

"Board."

"Elevator."

"Wheat."

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

(a) "Board" means The Canadian Wheat Board;

(b) "elevator" means and includes any terminal, country, private, public and hospital elevator licensed by the Board of Grain Commissioners for Canada;

(c) "wheat" in clauses six, seven, nine and twelve means wheat harvested in nineteen hundred and twenty or other wheat delivered to the Board after the fifteenth day of August, nineteen hundred and twenty.

Wheat Board may be constituted.

3. The Governor in Council may appoint a Board to be designated "The Canadian Wheat Board," hereinafter called "the Board." Such Board shall consist of not more than twelve members, one of whom shall be named as Chairman, who shall be chief executive officer, and another Assistant Chairman, who shall have the powers and duties of the Chairman in the absence of the Chairman.

Salaries.

4. 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 travelling and living expenses and such per diem allowance while actually engaged in the business of the Board as the Governor in Council may direct, but otherwise shall receive no remuneration.

Board may make investigations respecting supplies of wheat, etc.

5. The Board shall make such inquiries and investigations as it deems necessary to ascertain what supplies of wheat are, or may be, available from time to time, the location and ownership of the same, the transportation and elevator facilities available in connection therewith, as well as all conditions connected with the marketing and market price that can be obtained for the same. For the purpose of any enquiry or investigation held by the Board, the Board and the several members thereof shall have all the powers of a Commissioner acting under Part I of the *Inquiries Act*.

Powers of Board.

6. The Board shall have power from time to time,—

(a) to take delivery of wheat in Canada at any point;

(b) to pay, by way of advance, to the producers or other persons delivering wheat to the Board, such price per bushel according to grade or quality and place of delivery for price purposes as shall be set out in a schedule to be prepared by the Board and approved by the Governor in Council, and to provide for the issue of participation certificates to persons entitled thereto;

(c) to sell wheat so delivered to millers in Canada for milling purposes at such prices and subject to such conditions as the Board sees fit, the price of sale to millers being governed as nearly as may be by the prices obtainable at the same time in the world's markets for wheat of equal value, regard being had to the cost of transport, handling and storage;

(d) to store and transport such wheat with a view to the marketing of the same;

(e) to sell wheat so delivered in excess of domestic requirements to purchasers overseas or in other countries for such prices as may be obtainable;

(f) in co-operation with the Seed Purchasing Commission of the Department of Agriculture, and by sale to such commission or otherwise, to provide for the retention or distribution in various parts of Canada of such wheat as may be necessary for seed in nineteen hundred and twenty-one;

(g) to fix maximum prices or margins of profit at which flour and other products made from wheat delivered to millers may be sold, and to fix standards of quality of such flour;

(h) to purchase flour from millers at prices to be fixed by the Board, and to sell the same in Canada or in other countries;

(i) to take possession of and to sell and deliver to millers, or to purchasers in other countries, wheat stored in any elevator, warehouse or on railway cars or Canadian boats, and to deal with the same as to payment of advance and otherwise in the same way as if it had been

otherwise delivered to the Board, and to move grain into and out of or through any elevator and to or from any car or boat;

(j) to control, by licenses or otherwise, the export and sale of flour out of Canada;

(k) for the purpose of performing its duties under this Act, to allocate Canadian lake tonnage and to distribute cars for rail shipments;

(l) to pay necessary expenses incident to the operations of the Board.

Deliveries of wheat, how may be taken.

7. 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 may deem proper.

Payments, how made.

8. The Board may make payment by authorization to a chartered bank, or to chartered banks, to pay under such conditions and on production of such vouchers as the Board may by regulation provide, and the Governor in Council may guarantee re-payment of any moneys so paid by a bank or banks, with interest at a rate not exceeding six per cent.

Expenses.

9. As soon as the Board has received payment in full for all wheat delivered to the Board, there shall be deducted from the same all moneys disbursed by or on behalf of the Board for expenses or otherwise connected with or incident to the operations of the Board, and the balance shall be distributed *pro rata* among all producers and others holding participation certificates.

Providing cars.

10. Notwithstanding anything in *The Canada Grain Act*, or in *The Railway Act, 1919*, the Board of Railway Commissioners for Canada shall have power to order any railway company to provide cars and other transportation facilities for handling grain, and to transport as directed wheat delivered to or by the Board, or in which the Board is interested, and at the request of the Board to withhold transport of other wheat or grains for a fixed time.

Persons to answer enquiries of Board.

11. Every person shall truthfully and promptly answer any inquiry made by the Board or by any person duly authorized on its behalf about any matter within its powers or duties, whether such inquiry is made verbally, in writing, by telegraphy or any other way.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 211.

An Act to confirm certain borrowings under The Demobilization Appropriation Act, 1919.

First reading, June 25, 1920.

The MINISTER OF FINANCE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
5002 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 211.

An Act to confirm certain borrowings under The Demobilization Appropriation Act, 1919.

1919, c. 33.

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

Excess borrowings confirmed.

1. The raising by way of loan of any sums which may have been raised in excess of the amount authorized by *The Demobilization Appropriation Act, 1919*, shall be deemed to have been duly authorized by the said Act.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 217.

An Act to amend The Railway Act, 1919.

AS PASSED BY THE HOUSE OF COMMONS,
28th JUNE, 1920.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
5425 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 217.

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. *The Railway Act, 1919*, chapter sixty-eight of the statutes of 1919, is amended by inserting the following section as section seventy-one A, immediately after section seventy-one thereof:—

Powers of Board of Railway Commissioners with respect to coal and other fuel supplies.

"**71A.** (1) The Board shall have power to do and authorize such acts and things and to make from time to time such orders and regulations as the Board, by reason of real or apprehended scarcity of coal or other fuel supplies in Canada, may deem necessary or advisable for the provision of such supplies and for the distribution, control and disposition thereof.

"(2) Without restricting the generality of the foregoing terms, it is declared that the powers hereinbefore conferred upon the Board shall extend to the trading in and to the exportation, importation, production and manufacture of coal and other fuel supplies.

Duration of section.

"(3) This section shall continue in force until the last day of the next succeeding session of Parliament and no longer."

Fourth Session, Thirteenth Parliament. 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 218.

An Act to amend the Judges Act.

First reading, June 28, 1920.

The MINISTER OF JUSTICE.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
5295 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA.

BILL 218.

An Act to amend the Judges Act.

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, c. 59.

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

1. Paragraph *(a)* of section two of the *Judges Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirty-eight, is repealed, and the following is substituted therefor:—

Definition of "judge" made to include a president of a court.

"*(a)* 'judge' as applied to a superior court includes the chief justice and the president, as applied to the circuit court of the district of Montreal includes the senior judge, and as applied to county courts includes a junior judge;"

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

"THE SUPREME COURT OF CANADA.

Supreme Court of Canada.

"**3.** The salaries of the judges of the Supreme Court of Canada shall be as follows:—

	Per annum.
"*(a)* The Chief Justice of Canada.....	$15,000 00
"*(b)* Five puisne judges, each.....	12,000 00"

3. Section four of the said Act, as enacted by chapter fifty-nine of the statutes of 1919, is repealed, and the following is substituted therefor:—

"THE EXCHEQUER COURT OF CANADA.

Exchequer Court of Canada.

"**4.** The salaries of the judges of the Exchequer Court of Canada shall be as follows:—

Per annum.

"*(a)* The President of the Exchequer Court of Canada.....$10,000 00
"*(b)* One puisne judge..... 9,000 00"

4. Subsection one of section six of the said Act, as amended by chapter twenty-nine of the statutes of 1912, is repealed, and the following is substituted therefor:—

"PROVINCIAL SUPERIOR COURTS.

"*Ontario.*

Ontario.

"**6.** (1) The salaries of the judges of the Supreme Court of Ontario shall be as follows:—

Per annum.

"*(a)* The Chief Justice of Ontario.....$10,000 00
"*(b)* Four Justices of Appeal, each..... 9,000 00
"*(c)* The Chief Justice of the Exchequer.. 10,000 00
"*(d)* The Chief Justice of the Common Pleas..... 10,000 00
"*(e)* Twelve judges of the High Court Division, each..... 9,000 00

"Upon a vacancy occurring in the office of Chief Justice of the Exchequer Division, or in the office of Chief Justice of the Common Pleas, the salary of such Chief Justice shall cease and the number of salaries for the judges of the High Court Division shall be increased to thirteen, and after both of the said offices have become vacant the salaries of the judges of the High Court Division shall be as follows:—

Per annum.

"*(c)* The Chief Justice of the High Court.$10,000 00
"*(d)* Thirteen judges of the High Court Division, each..... 9,000 00"

5. Section eight of the said Act, as enacted by chapter thirty-eight of the statutes of 1914, is repealed, and the following is substituted therefor:—

"*Quebec.*

Quebec.

"**8.** (1) The salaries of the judges of the King's Bench and of the Superior Court of the province of Quebec shall be as follows:—

Per annum

"*(a)* The Chief Justice of the King's Bench.....$10,000 00
"*(b)* Eleven puisne judges of the Court of King's Bench, each..... 9,000 00
"*(c)* The Chief Justice of the Superior Court 10,000 00
"*(d)* The puisne judge of the Superior

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE HOUSE OF COMMONS OF CANADA

BILL 219.

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

First Reading, June 28, 1920.

The PRIME MINISTER.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
5285 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

HOUSE OF COMMONS OF CANADA.

BILL 219.

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

R.S., c. 4; 1917, c. 35; 1918, c. 41; R.S., c. 10; 1912, c. 50; 1915, c. 7; 1917, c. 35; 1918, 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 four and subsection one of section five of the *Salaries Act*, Revised Statutes of Canada, 1906, chapter four, are repealed, and the following are enacted in lieu thereof:—

Salaries of Ministers increased.

"**4.** The salaries of the following ministers, members of the King's Privy Council for Canada, shall be as follows, that is to say:—

The Member of the King's Privy Council holding the recognized position of First Minister	$15,000	per annum.
The Minister of Justice and Attorney General	10,000	"
The Minister of Militia and Defence.	10,000	"
The Minister of Customs and Inland Revenue	10,000	"
The Minister of Finance	10,000	"
The Minister of Railways and Canals	10,000	"
The Minister of Public Works	10,000	"
The Minister of the Interior	10,000	"
The President of the King's Privy Council for Canada	10,000	"
The Minister of Marine and Fisheries	10,000	"
The Postmaster General	10,000	"
The Minister of Agriculture	10,000	"
The Secretary of State of Canada	10,000	"
The Minister of Trade and Commerce	10,000	"
The Minister of Labour	10,000	"
The Secretary of State for External Affairs	10,000	"
The Minister of Immigration and Colonization	10,000	"

The Minister of Soldiers' Civil Re-establishment..... 10,000 "

Salary of Solicitor General.

"**5.** (1) The salary of the Solicitor General of Canada shall be seven thousand dollars per annum."

First Minister inserted in sections excepting Ministers from disqualification for sitting in House of Commons and allowing exchange of portfolios in certain cases.

2. Section twelve and thirteen of the *Senate and House of Commons Act,* Revised Statutes of Canada, 1906, chapter ten, are amended by inserting in each section before the words "President of the Privy Council" the words "The Member of the King's Privy Council holding the recognized position of First Minister".

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

"**31.** The following salaries shall be payable, respectively:—

Salaries of Speakers and Deputy Speakers.

"*(a)* To the Speaker of the Senate the sum of six thousand dollars per annum;

"*(b)* To the Speaker of the House of Commons the sum of six thousand dollars per annum;

"*(c)* To the Deputy Speaker of the House of Commons the sum of four thousand dollars per annum."

Provisions applicable to present session.

4. The provisions of the said last mentioned Act as they were in force before the passing of this Act shall apply to this session, subject, however, to the increase of the sessional allowance in section thirty-two of the said Act to four thousand dollars; the increase in each case in the amounts mentioned in sections thirty-three, thirty-five, subsections one and two of section thirty-seven, and section thirty-eight of the said Act to twenty-five dollars and the increase in the amount mentioned in subsection three of said section thirty-seven to four thousand dollars.

5. (1) Sections thirty-two, thirty-three, thirty-five, thirty-seven, thirty-eight and thirty-nine of the said last mentioned Act are repealed, and the following are substituted therefor:—

Sessional indemnity.

"**32.** For every session of Parliament which extends beyond fifty days there shall be payable to each member of the Senate and House of Commons attending at such session a sessional allowance of four thousand dollars and no more.

Allowance where attendance less than three-fourths of days of sitting of House.

"**33.** A member shall not be entitled to the sessional allowance if he does not attend a sitting of the House of which he is a member on at least three-fourths of the days upon which such House sits; but the allowance for any less number of days shall be twenty-five dollars for each day's attendance.

Deductions for non-attendance.

"**35.** (1) A deduction at the rate of twenty-five dollars per day shall be made from such sessional allowance for

every day beyond fifteen on which the member does not attend a sitting of the House of which he is a member, if the House sits on such days.

Provided that, in the case of a member elected or appointed after the commencement of a session, no day of the session previous to such election or appointment shall be reckoned one of such fifteen days. Provided also that the deduction shall be made for every day on which a member does not attend a sitting of the House of which he is a member during the last two weeks of any session of Parliament.

Illness.

"(2) Each day when the member is in the place where the session is held, but is by reason of his illness unable to attend any such sitting as aforesaid, shall be reckoned as a day of attendance at such session for the purposes of the indemnity; and a member shall be held to be in the place where the session is held whenever he is within ten miles of such place, and, except for calculating the number of days he attended a sitting of the House for the purposes of section thirty-three, each day during the session on which there has been no sitting of such House in consequence of its having adjourned over such day shall be reckoned as a day of attendance at such session for every member who was in attendance at a sitting of the House on the day immediately before such adjournment.

Allowance where person is member for only part of a session.

"**37.** (1) Whenever any person is a member of either House and has attended a sitting of the House on three-fourths of the days upon which the House of which he is a member has sat during the session, though such person may be a member for a part only of such session, he shall be entitled to his sessional allowance, subject to the deduction aforesaid for non-attendance as a member, and subject also to a deduction of twenty-five dollars for each sitting day of such session before he was elected or appointed, or after he ceased to be a member, as the case may be.

"(2) If the period for which he has been a member includes less than three-fourths of the days of the session upon which the House of which he is a member has sat, he shall be entitled only to twenty-five dollars for each day's attendance at such session.

Section respecting allowance where session less than 30 days amended to 50 days and allowance increased from $20.00.

"**38.** In each session of Parliament of less than fifty days' duration there shall be allowed to each member of the Senate and House of Commons attending at such session twenty-five dollars for each day's attendance.

Allowance to Leader of Opposition.

"**39.** To the member occupying the recognized position of Leader of the Opposition in the House of Commons, there shall be payable in addition to his sessional allowance an annual allowance of ten thousand dollars."

" PRINCE EDWARD ISLAND.

Prince Edward Island.

" **13.** The salaries of the judges of the Supreme Court of the province of Prince Edward Island shall be as follows:—

	Per annum.
"*(a)* The Chief Justice of the Court.....	$10,000 00
"*(b)* One assistant judge, being also Master of the Rolls of Chancery.....	9,000 00
"*(c)* One assistant judge, being also Vice-Chancellor.....	9,000 00

" SASKATCHEWAN.

Saskatchewan.

" **14.** (1) The salaries of the judges of the Court of Appeal and of His Majesty's Court of King's Bench of Saskatchewan shall be as follows:—

	Per annum.
"*(a)* The Chief Justice of Saskatchewan if he is also the Chief Justice of the Court of Appeal and, if not, the Chief Justice of the Court of Appeal.....	$10,000 00
"*(b)* Three puisne judges of the Court of Appeal, each.....	9,000 00
"*(c)* The Chief Justice of the Court of King's Bench.....	10,000 00
"*(d)* Five puisne judges of the Court of King's Bench, each.....	$ 9,000 00

"ALBERTA.

Alberta.

"**14A.** (1) The salaries of the judges of the Supreme Court of Alberta shall be as follows:—

	Per annum.
"*(a)* The Chief Justice of the Court.....	$10,000 00
"*(b)* Eight puisne judges of the Court, each.....	9,000 00

"(2) On the coming into force of *The Judicature Act*, passed by the Legislature of the province of Alberta in the year one thousand nine hundred and nineteen, and upon and after a day to be named by proclamation of the Governor in Council, the salaries of the judges of the Supreme Court of Alberta shall be as follows:—

	Per annum.
"*(a)* The Chief Justice of Alberta.....	$10,000 00
"*(b)* Four Justices of Appeal, each.....	9,000 00
"*(c)* The Chief Justice of the Trial Division	10,000 00
"*(d)* Five Justices of the Supreme Court of Alberta, each.....	9,000 00

"(3) Whenever under any statute or statutes of Canada any power or jurisdiction is given to the Supreme Court of Alberta or any judge thereof, such power or jurisdiction

shall be deemed, upon the issue of the proclamation mentioned in subsection two of this section, to be given to the Court of Appeal or to His Majesty's Court of King's Bench for Alberta or to a judge of one of the said Courts, as the case may require, and, in case of any doubt as to which Court, or the judge of which Court, is to have such power or jurisdiction, any judge of the Court of Appeal or of the said Court of King's Bench shall have power to determine the same."

7. Section fifteen of the said Act is repealed and the following is substituted therefor:—

"YUKON TERRITORY.

Yukon Territory.

"**15.** The salary of the judge of the Territorial Court of the Yukon Territory shall be seven thousand dollars per annum."

8. The said Act is amended by inserting the following section immediately after section fifteen thereof:—

"JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

Judicial Committee of the Privy Council.

"**15A.** The Governor in Council may, in each fiscal year, pay, for expenses of travelling and living while in attendance at a sitting of the Judicial Committee of the Privy Council, a sum not exceeding three thousand dollars, to a member of His Majesty's Privy Council who is eligible to be a member of the said Judicial Committee in respect of holding or having held judicial office in Canada, and who attends a sitting of the said Judicial Committee as a member thereof."

CIRCUIT COURT, MONTREAL.

Circuit Court, Montreal.

9. (1) As from the date when the next vacancy shall occur among the judges now holding office in the Circuit Court of the District of Montreal, section seventeen of the *Judges Act*, as enacted by section four of the said chapter thirty-eight of the statutes of 1914, is amended by substituting the word "two" for the word "three" in the fourth line of the said section four.

(2) This section shall come into operation upon and after a day to be named by proclamation of the Governor in Council.

Additional $1,000 payable to judges of Circuit, County and District Court when district, etc. has town or city of over 40,000 population.

10. Every judge of every Circuit, County and District Court shall be paid one thousand dollars per annum as an addition to his present salary.

Provisions with respect to exemption from taxation.

11. (1) The provision of subsection three of section twenty-seven of the said Act as to taxes and deductions shall not apply to any judge whose salary is increased by the present Act, or whose salary was increased by chapter fifty-nine of the statutes of 1919, and who accepts or has accepted such increase, and the salaries and retiring allowances and annuities of judges appointed after the seventh day of July, 1919, and of all judges accepting any increase of salary under this Act, or accepting or having accepted any increase of salary under chapter fifty-nine of the statutes of 1919, shall be taxable and subject to the taxes imposed by *The Income War Tax Act, 1917*, and the amendments thereto.

Exception in case of judge giving notice, but such judge not to have increase in salary provided by this Act.

(2) Any judge entitled to any increase of salary under this Act or under the said chapter fifty-nine of the statutes of 1919, who was appointed before the seventh day of July, one thousand nine hundred and nineteen. may, by notice in writing delivered to the Minister of Justice within three months of the coming into force of this Act, elect to have the benefit of the exemption from taxes and deductions provided by the said subsection three instead of any increase of salary he would otherwise be entitled to receive under the provisions of this Act or under the said chapter fifty-nine of the statutes of 1919, and if he so elect his salary and retiring allowance or annuity shall continue as heretofore to be free and clear of any tax or deduction whatsoever imposed by the Parliament of Canada, but he shall thereby be disentitled to receive any increase of salary to which he would otherwise be entitled by this Act or the said chapter fifty-nine of the statutes of 1919.

Repeal of provision making judges liable to taxation who received an increase under Act of 1919.

(3) Section thirteen of chapter fifty-nine of the statutes of 1919 is repealed.

12. The said Act is amended by adding the following section at the end thereof:—

Judges of Supreme Exchequer and Superior Courts not to be paid any remuneration for acting on commissions, etc.

"**34.** (1) No judge of the Supreme Court of Canada, the Exchequer Court of Canada, or of any Provincial Superior Court shall receive any remuneration in addition to his judicial salary for acting as Administrator or Deputy of the Governor General, or for any duty or service, whether judicial or executive, which he may hereafter be required to perform for or on behalf of the Government of Canada or the Government of any province thereof. Provided that this section shall not affect the right of any judge under the provisions of any statute, Dominion or Provincial, now in force.

"(2) Every judge of the Supreme Court of Canada, the Exchequer Court of Canada, or of any Provincial Superior Court who may be nominated for the purpose by the Governor in Council or the Lieutenant Governor in Council shall execute without additional remuneration any commis-

sion or enquiry for which he may be appointed as commissioner under any authority in that behalf exercisable by the Governor in Council or the Lieutenant Governor in Council, including the discharge of the duty of arbitrator in any case in which he may be named to act by the competent authority. Provided, however, that any such judge while acting as commissioner or arbitrator at the nomination of the Governor in Council shall be entitled to his moving or transportation expenses and living allowance at the rate provided by section eighteen of this Act, and such judge when employed under the authority of the Lieutenant Governor in Council may be paid by the Lieutenant Governor in Council his moving or transportation expenses and a living allowance not exceeding the amount he would be entitled to under the said section eighteen."

May be paid travelling and living expenses.

13. The increases of salary granted by this Act shall not entitle any judge to any increase in the annuity which may be granted to such judge under the provisions of section twenty of the said Act, and the provisions of the said section twenty shall not apply to any judge appointed after the passing of this Act.

Increases of salary not to affect annuities equal to a full salary under s. 20, and said section not to apply to judges hereafter appointed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL A.

An Act respecting Divorce.

Read a first time, Tuesday, 2nd March, 1920.

Honourable Mr. BARNARD.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77810 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL A.

An Act respecting Divorce.

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 Divorce Act, 1920.*

Definition of "Superior Court." "Court."

2. In this Act, unless the context otherwise requires, "Superior Court" and "Court" shall mean,—

(a) The Exchequer Court of Canada;

(b) In the province of Ontario, the Supreme Court of Ontario;

(c) In the province of Quebec, the Superior Court of the province of Quebec;

(d) In the province of Nova Scotia, the Court for Divorce and Matrimonial Causes during the continuance in office of the present Judge of the said Court, and thereafter, the Supreme Court of Nova Scotia;

(e) In the province of New Brunswick, the Court of Divorce and Matrimonial Causes during the continuance in office of the present Judge of the said Court, and thereafter, the King's Bench Division of the Supreme Court;

(f) In the province of Manitoba, the Court of King's Bench of the province of Manitoba;

(g) In the province of British Columbia, the Supreme Court of the province of British Columbia;

(h) In the province of Prince Edward Island, the Supreme Court of the province of Prince Edward Island;

(i) In the province of Saskatchewan, the Court of King's Bench for the province of Saskatchewan;

(j) In the province of Alberta, the Supreme Court of Alberta; and,

(k) In the Yukon Territory, the Judge of the Territorial Court of the Yukon Territory.

Jurisdiction.

3. The Exchequer Court of Canada shall have jurisdiction throughout Canada where either of the parties is domiciled in Canada, and the Superior Court of each province shall have jurisdiction within the province where either of the parties is domiciled in such province, over all matters relating to marriage and divorce, and may declare any marriage dissolved for,—

Divorce.

(a) adultery; or,

(b) bigamy;

and may declare any marriage null and void,—

Null and void marriages.

(a) at the suit of the injured party, for the incurable physical impotence of a party to a marriage which existed at the time of the marriage;

(b) for duress, coercion or want of consent, at the suit of the injured party, unless such party has by his conduct confirmed the marriage;

(c) for kindred within the degrees prohibited by the laws of the province now in force which are applicable thereto; provided, however, that no marriage shall be declared null and void because the woman is a sister of a deceased wife of the man or a daughter of a sister of the deceased wife of the man;

(d) for insanity, at the time of the marriage, of either of the parties thereto;

(e) at the suit of the husband, when the wife is pregnant at the time of the marriage by a man other than the husband, if the husband was ignorant of the pregnancy at the time of such marriage and has not, after the discovery by him of such pregnancy, by his conduct confirmed such marriage;

(f) at the suit of the injured party, when the other party wilfully refuses to consummate the marriage;

Provided, however, that no marriage shall be declared null and void after the death of one of the parties thereto unless such marriage was void *ab initio.*

Relief to respondent on counter-charge of adultery.

4. In any suit instituted for dissolution of marriage, if the respondent opposes the relief sought on the ground of the adultery of the petitioner, the Court may in such suit give to the respondent, on his or her application, the same relief to which he or she would have been entitled in case he or she had filed a petition seeking such relief.

Court to be satisfied of absence of collusion.

5. In any suit for the dissolution of a marriage the Court shall satisfy itself, so far as it reasonably can, not only as to the facts alleged, but also as to whether or not the petitioner has been in any manner accessory to or conniving at the adultery, or has condoned the same, and the Court shall also inquire into any counter-charge which may be brought against the petitioner.

Dismissal of petition in certain cases.

6. In case the Court, on the evidence in relation to any suit, is not satisfied that the alleged adultery has been committed, or finds that the petitioner has during the marriage been accessory to or conniving at the adultery of the other party to the marriage, or has condoned the adultery complained of, or that any suit is presented or prosecuted in collusion with the respondent, then and in any of the said cases, the Court shall dismiss the said suit.

Attorney General may intervene.

7. In every case of a petition for dissolution of marriage the Court, if it sees fit, may direct that all necessary papers in the matter be sent to the Attorney General of Canada, who may call witnesses and may argue or instruct counsel to argue before the Court any question in relation to such matter which the Court may deem it necessary or expedient to have fully argued; and the Attorney General or counsel shall be entitled to charge and be reimbursed the costs of such proceeding.

Decree *nisi* in first instance which may be made absolute.

8. Every decree for dissolution or nullity of marriage shall in the first instance be a decree *nisi*, not to be made absolute until after the expiration of such time, not less than three months from the pronouncing thereof, as the Court shall by general or special order in that behalf from time to time direct; and during that period any person shall be at liberty, in such manner as the Court shall by general or special order in that behalf from time to time direct, to show cause why the said decree should not be made absolute by reason of the same having been obtained by collusion or connivance or by reason of material facts not brought before the Court; and no cause being so shown, the Court shall deal with the case by making the decree absolute, or by reversing the decree *nisi*, or by requiring further inquiry, or otherwise as justice may require; and at any time during the progress of the case or before the decree is made absolute, any person may give information to the Attorney General of Canada of any matter material to the due decision of the case, who may thereupon take such steps as he deems necessary or expedient; and if from any such information or otherwise the said Attorney General suspects that any party to the suit is or has been colluding or conniving for the purpose of obtaining a divorce contrary to the justice of the case, he may, by leave of the Court, intervene in the suit, alleging such case of collusion or connivance, and retain counsel and subpœna witnesses to prove the same, and the Court may order the costs of the Attorney General or counsel and such witnesses, and otherwise, arising from such intervention, to be paid by the parties or such of them as it sees fit.

Alimony.

9. (1) The Court may, if it thinks fit, on any decree for dissolution or nullity of marriage, order that the husband shall, to the satisfaction of the Court, secure to the wife such gross sum of money or such annual sum of money for any term not exceeding her life as, having regard to her fortune (if any), to the ability of the husband, and to the conduct of the parties, it deems reasonable, and for that purpose may refer the matter to any registrar, clerk, prothonotary, referee or master of the Court to settle and approve of a proper deed or instrument to be executed by all necessary parties, and the Court may, if it thinks fit, suspend the pronouncing of its decree until such deed has been duly executed.

Monthly or weekly payments may be ordered.

(2) In any such case, the Court may, if it thinks fit, make an order on the husband for payment to the wife, during their joint lives, of such monthly or weekly sum, for her maintenance and support, as the Court thinks reasonable, and any such order may be made either in addition to or instead of an order under the last preceding subsection.

Provided that,—

Suspending, modifying or increasing payments.

(a) if the husband afterwards from any cause becomes unable to make such payments, the Court may discharge or modify the order or temporarily suspend the same as to the whole or any part of the money so ordered to be paid, and may again revive the order wholly or in part as the Court thinks fit; and,

(b) when the Court has made any such order as is mentioned in this subsection and the Court is satisfied that the means of the husband have increased, the Court may, if it thinks fit, increase the amount payable under the order.

Interim alimony.

10. Upon any petition for dissolution or nullity of marriage the Court may, if it thinks fit, make orders for the payment by the husband of interim alimony in such sums and at such times as may be fixed by the order, and may direct the husband to pay such sums toward the wife's costs of suit as under all circumstances seem proper.

Appeals

11. Either party dissatisfied with any decision of the Court may, within thirty days after the pronouncement thereof, appeal therefrom, if the Court is the Exchequer Court of Canada, to the Supreme Court of Canada, and if the Court is the Superior Court of a province, then to the appellate court or tribunal of such province; and the Court hearing such appeal may either dismiss the appeal or reverse the decree or remit the case to the Court of first instance to be dealt with as the Court hearing the appeal

shall direct, and from the decision of such Court there shall be an appeal to the Supreme Court of Canada.

Remarriage.

12. After the period limited for appealing has expired, if no appeal has been presented against such decree of nullity or dissolution of marriage, or if any such appeal has been dismissed, or if as the result of any appeal any marriage has been declared to be null and void or dissolved, and not sooner, the respective parties thereto may marry again as if the prior marriage had been dissolved by death; but no clergyman or minister shall be liable to any penalty for refusing to publish any banns of marriage or to solemnize any marriage in any case where either of the persons desiring to be married has been so divorced, or has had his or her marriage declared null and void.

Examination of witnesses.

13. The Court may direct the examination of witnesses in any way that witnesses may be examined in civil cases in such court, and may allow costs to the wife during the suit, and upon its determination may award costs to either of the parties.

Husband and wife may be witnesses.

14. In all proceedings under this Act or under any rule or order made under this Act, the husband and wife shall each be a competent and compellable witness.

Domicile of married women.

15. For the purposes of any proceedings under this Act, or under any general or special rule or regulation, the domicile of a married woman shall be governed and fixed by the same laws and rules as apply to a man, and the law or rule that the domicile of a married woman shall be the same as that of her husband shall not apply.

Publication of reports of proceedings.

16. No report of a case or of the proceedings or any part of the proceedings in any case shall be published until after the final determination of the same, unless the judge or Court hearing the case orders such publication, and no such report shall be published after the final determination of a case without the approval of the said judge or Court. Any person violating the provisions of this section shall be guilty of contempt of court and liable to a fine not exceeding one thousand dollars and costs, or to imprisonment for any term not exceeding three months, or to both fine and imprisonment.

Practice of the courts and general orders and rules.

17. (1) The Court, the Appeal Courts and the Supreme Court of Canada, respectively, shall make such general orders, rules and regulations concerning the practice and procedure of the Court, and for proceedings in *formâ pauperis*, as such courts may respectively consider expedient, and shall make a tariff of the costs and fees to be paid for

or in connection with any proceedings had in such respective courts under the provisions of this Act, and may by such orders, rules and regulations provide for the trial or hearing or any part of the trial or hearing of any case being held *in camerâ;* provided, however, that no order, rule or regulation shall be made to permit the introduction of co-respondents in any case or to try any issue by a jury.

Practice and proceedure in matters not provided for.

(2) In all matters not provided for by this Act or by any general order, rule or regulation, the practice and procedure shall conform to and be regulated, as nearly as may be, by the practice and procedure at the time in force in civil cases in the court dealing with such matters, and if there is no such practice or procedure which can be conveniently and effectively adopted, then, as nearly as may be, by the practice and procedure at the time in force in the Probate, Divorce and Admiralty Division of the High Court of Justice in England or in appeals therein or therefrom, as the case may be.

Publication of orders and rules.

(3) All general orders, rules and regulations made under this section shall be published in the *Canada Gazette*.

In cases of marriage and divorce, jurisdiction of certain courts in N.S., N.B. and P.E.I., when to cease.

18. (1) Upon and from the date of the passing of this Act, the Court of Divorce established by chapter ten of the Acts of the General Assembly of Prince Edward Island, passed in the fifth year of His late Majesty King William the Fourth, shall not have jurisdiction to hear any matters relating to marriage and divorce.

(2) Upon the office of Judge of the Court for Divorce and Matrimonial Causes for the province of Nova Scotia becoming vacant, the said Court shall cease to have jurisdiction to hear any matters relating to marriage and divorce.

(3) Upon the office of Judge of the Court of Divorce and Matrimonial Causes for the province of New Brunswick becoming vacant, the said Court shall cease to have jurisdiction to hear any matters relating to marriage and divorce.

(4) Upon any of the courts mentioned in this section ceasing to have jurisdiction in matters relating to marriage and divorce, all such cases pending in the said court shall be transferred to and concluded and determined in the province of Nova Scotia in the Supreme Court, in the province of New Brunswick in the King's Bench Division of the Supreme Court, and in the Province of Prince Edward Island in the Supreme Court, and such cases shall be dealt with in accordance with the provisions of this Act and of any general or special orders, rules or regulations.

Repeal.

19. The provisions in any enactment prescribing the causes or reasons for which a marriage may be dissolved or annulled or declared null and void, which are in force in

any province of Canada, with the exception mentioned in paragraph *(c)* of section three of this Act, and the provisions of any enactment or law in force in any part of Canada which are inconsistent with the provisions of this Act, are hereby repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL B.

An Act to amend the Criminal Code so as to provide for the revision of excessive or inadequate Punishments.

AS PASSED BY THE SENATE, 6th APRIL, 1920.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
136 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL B.

An Act to amend the Criminal Code so as to provide for the revision of excessive or inadequate Punishments.

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

1. *The Criminal Code*, chapter one hundred and forty-six of the Revised Statutes, 1906, is hereby amended by inserting therein, immediately after section 1055, the following section:—

Revision of sentences for indictable offences.

1055A. (1) When an offender has been convicted of an indictable offence other than one punishable with death, a judge of the court of appeal for the province in which the conviction was had may direct that application may be made to that court for a revision of the sentence passed.

Powers of court of appeal.

(2) Upon any application so made the court of appeal shall consider the fitness of the sentence passed and may upon such evidence, if any, as it thinks fit to require or receive—

Refusal.

(a) refuse to alter that sentence; or

Diminution or increase of sentence.

(b) diminish or increase the punishment imposed thereby, but always so that the diminution or increase be within the limits of the punishment prescribed by law for the punishment of the offence of which the offender has been convicted; or

Modification.

(c) otherwise, but within such limits, modify the punishment imposed by the sentence.

Effect of judgment.

(3) 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 which might have been passed upon the offender by the court before which he was tried.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL C.

An Act to amend the Criminal Code (French Version).

AS PASSED BY THE SENATE, 11th MAY, 1920.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2259 1920

4th Session, 13th Parliament, 10-11 George V., 1920.

THE SENATE OF CANADA.

BILL C.

An Act to amend the Criminal Code (French Version).

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 (French Version) Amendment Act, 1920.*

R. S. c. 146, French version amended.

2. The French version of *The Criminal Code*, chapter one hundred and forty-six of the Revised Statutes, 1906, is hereby amended in the manner set forth in the following schedule:—

SCHEDULE.

AMENDMENT.	
Section 3.....	By inserting the word "et" before the word "d'une," in the third line.
Section 10.....	By repealing it and substituting the following section:— "10. La loi pénale de l'Angleterre, telle qu'elle existait le dix-septième jour de septembre mil sept cent quatre-vingt-douze, en tant qu'elle n'a pas été abrogée par toute loi du parlement du Royaume-Uni en vigueur dans la province de l'Ontario, ou par toute loi du parlement de la ci-devant province du Haut-Canada ou de la province du Canada, encore en vigueur, ou par la présente loi ou toute autre loi du parlement du Canada, et telle que changée, variée, modifiée ou affectée par toute pareille loi, est la loi criminelle de la province de l'Ontario."
Section 11.....	By repealing it and substituting thè following section:— "11. La loi pénale de l'Angleterre, telle qu'elle existait le dix-neuvième jour de novembre mil huit cent cinquante-huit, en tant qu'elle n'a pas été abrogée par toute ordonnance ou par toute loi encore en vigueur de la colonie de la Colombie-Britannique ou de la colonie de l'île de Vancouver, adoptée avant l'union de ces colonies, ou de la colonie de la Colombie-Britannique adoptée depuis cette union, ou par la présente loi ou par toute autre loi du parlement du Canada, et telle que changée, variée, modifiée ou affectée par quelqu'une de ces ordonnances ou lois, est la loi criminelle de la province de la Colombie-Britannique."
Section 12.....	By substituting the words «par toute autre loi» for «par toute loi» in the fifth line and the word «affectée» for «touchée» in the seventh line.

Section 24.....Bu striking out the words «et» and by inserting the figure "2" after the word "l'exécuter," in the fifth line, to indicate that the words which follow commence subsection two.

Section 25.....By striking out the word "et" and by inserting the figure "2" after the word "mandat," in the fifth line, to indicate that the words which follow commence subsection two.

Section 26.....By inserting the words " un juge de paix " after the word "cour," in the fourth line.

Section 27.....By striking out the words "en qualité de juge de paix ou d'une" in the thirteenth line, and substituting therefor "comme cour, juge de paix ou autre."

Section 42.....By striking out the words " avec ou," in the second line.

Section 56.....By striking out the word " et," after the word " corporel," in the sixth line, and substituting therefor the figure " 2," to indicate that the words which follow commence subsection two.

Section 61.....By substituting the word " immobilier " for the word " mobilier," in the second line.

Section 67.....By striking out the word " et," after the word " mort," in the second line, and by substituting the figure " 2 " therefor, to indicate that the words which follow commence subsection two.

Section 78.....By substituting the words " la publication " for the word "l'impression," in the second last and last lines of said section.

Section 82.....By inserting after the word " criminel," in the first line, the words " punissable par voie de mise en accusation, ou après déclaration sommaire de culpabilité devant deux juges de paix "; and substituting the words "condamnation après" for the words "poursuite par voie de," in the thirteenth line; and substituting the words " après déclaration sommaire de culpabilité devant deux juges de paix " for the words " dans le cas de poursuite pour conviction par voie sommaire," in the fourteenth and fifteenth lines.

Section 93.....By striking out, in the second and seventh lines of subsection one, the words " ainsi qu'il est dit plus haut."

Section 97.....By substituting the word " et " for the word " ou," in the second line of subsection one.

Section 129.....By substituting the word " quatorze " for the word " sept," in the first line.

Section 142.....By inserting, in paragraph (*c*), the word " construit " after the word " soit," in the second line, and striking out the words " sous le contrôle et la régie du," in the thirteenth and fourteenth lines, and substituting therefor the words " poursuivie par le."

Section 149.....By inserting the word " légalement " before the word " droit," in the fourth line.

Section 155.....By inserting the words " ou de tout fonctionnaire nommé par la Couronne," after the word " Couronne," in the second line of paragraph (*c*).

Section 157..... By inserting the words " ou de provoquer ou faciliter la perpétration d'un crime," after the word " justice," in the eighth line of paragraph (*a*).

Section 158.....By inserting the words " don, prêt ou " after the word " semblable," in the last line of sub-paragraph (*ii*) of paragraph (*h*).

Section 171.....By substituting the words "de l'article précédent" for the words "du présent article," in the first line of subsection one; by striking out the word "présent," in the first line of subsection two and substituting therefor the word "précédent"; and by inserting after the word "non," in the fifteenth line thereof, the words "et que la procédure ait été dûment instituée ou non," and striking out the words "aurait lieu," in the second last line, and substituting therefor the words "n'aurait pas eu lieu au bon endroit."

Section 172.....By inserting after the word "Canada," in the fourth line, the words "ou dans une province quelconque du Canada."

Section 176.....By inserting after the word "public," in the fifth line, the words "qui doit l'attester en sa qualité de notaire."

Section 201.....By striking out the words "au plus," in the fourth line.

Section 209.....By substituting the word "imprimé" for the word "impression," in the first line of paragraph (*a*).

Section 213.....By inserting after the word "fabrique," in the eighth line of paragraph (*b*), the words "le moulin, l'atelier, le magasin ou la boutique."

Section 216.....By inserting, after the word "commerce," in the second line of paragraphs (*h*) and (*j*), the word "charnel."

Section 220.....By striking out the words "y vienne," in the second line of paragraph (*a*), and substituting therefor the words "s'y trouve"; and by inserting after the word "femme," in the third line of said paragraph, the words "s'y trouve ou:"

By striking out the words "non emancipée," in the first line of paragraph (*b*):

By striking out the words "une femme sauvage non émancipée," in the fourth line of subsection two, and substituting therefor the words "toute pareille femme sauvage."

Section 230.....By striking out the words "au plus," in the fourth line of said subsection; and by substituting the word "jeu" for the word "désordre," in the third line of paragraph (*c*).

Section 231.....By inserting, after the word "d'infraction," in the first line of subsection two, the words "aux termes du présent article."

Section 234.....By striking out the words "compagnie ou," in the first line in subsections four and five.

Section 235.....By inserting after the word "annonce," in the first line of paragraph (*f*), the word "imprime."

Section 242A.....By substituting the word "femme" for the word "famille," in the second line of paragraph (*a*); and by substituting the words "père et mère" for the word "parent," in the first line of paragraph (*b*); and by inserting after the word "neglige," in the second last line of said section, the words "ou refuse."

Section 284.....By striking out the words "de moins," in the second line, and inserting after the word "corporelle," in the fifth line, the word "grave."

Section 285B.....By inserting the words "ou lieu" after the word "bâtiment," in the third line.

Section 291.....By substituting the word "ou" for the word "et," in the fourth line.

Section 307.....By substituting the words "plus d'une" for the words "une autre," in paragraph (*c*).

Section 333.....By striking out the words "de moins," in the second line.

Section 335.....By substituting the word " quantité " for the word " qualité," in the first line of sub-paragraph (*i*) of paragraph (*d*); by inserting after the word " valeurs," in the fourth line of paragraph (*r*), the words " émises sous l'autorité du parlement du Canada, ou sous l'autorité de la législature d'une province faisant partie du Canada, soit avant soit après que cette province devînt une partie du Canada."

Section 345.....By inserting the word " valable " after the word " chose," and the words " ou en faisant partie " after the word " vivante," in the first line of subsection six.

Section 348.....By substituting the word " ou " for the word " et," in the first line of subsection one.

Section 359.....By striking out the words " ou sous son contrôle," in the last line of paragraph (*a*).

Section 360.....By substituting the word " quatre " for the word " cinq," in the last line.

Section 365.....By striking out the words " excepté tel qu'il est mentionné à l'alinéa (*b*) de l'article 326," in the first and second lines of paragraph (*a*), and substituting therefor the words " autre que les lettres confiées à la poste mentionnées à l'article qui précède."

Section 366.....By inserting after the word " livre," in the third line, the words " un paquet de patrons ou d'échantillons de marchandises ou effets."

Section 375.....By inserting after the word " volé," in the sixth line of subsection one the words " ou du montant du dommage causé."

Section 376.....By inserting after the word " volé," in the eighth line of subsection one, the words " ou du montant du dommage causé."

Section 377.....By inserting after the word " volés," in the sixth line of subsection one, the words " ou du montant du dommage causé."

Section 400.....By striking out the words " au moins," in the second line.

Section 410.....By inserting after the word " Canada," in the third line of paragraph (*a*), the words " ou d'une province du Canada."

Section 411.....By inserting after the words " confession de jugement," in the second last line, the words " ou un jugement."

Section 435.....By striking out, after the word " coupable," in the fourth and fifth lines, the words " d'un acte criminel," and substituting therefor the words " d'une infraction punissable, par voie de mise en accusation ou sur conviction par voie sommaire "; and by striking out the words " au plus," in the ninth and tenth lines.

Section 436A.....By inserting, after the word " passible," in the eighth line of subsection two, the words " de même que le corps constitué."

Section 438.....By inserting after the word " sommaire," in the fifteenth line of said section, the words " et passible, sur conviction par voie de mise en accusation, de cinq ans d'emprisonnement, et, sur conviction par voie sommaire."

Section 440.....By substituting the word " ou " for the word " et," in the fifteenth line.

Section 450.....By inserting the words " à perpétuité " after the word " l'emprisonnement," in the first and second lines.

Section 468.....By striking out the words " ou d'un territoire," in the fifth line of paragraph (*b*); and by striking out the word " et " after the word " aloi," in the last line of said section, and by substituting therefor the words " ou à être employé comme."

Section 470.....By inserting, in the third line of paragraph (*a*), after the word " justice," the words " ou en émanant "; and by substituting the words " autre document " for the word " autrement," in the second line of paragraph (*b*).

Section 485.....By striking out the words " le mandat est préparé," in the last line, and substituting therefor the words " a droit le bénéficiaire de ce mandat."

Section 499.....By substituting the words " d'une infraction punissable par voie de " for the words " d'un acte criminel et passible, sur," in the first line; and by inserting, after the word " paix," in the third line, the words " et passible, sur conviction "; and by striking out the words " au plus," in the fourth line.

Section 501.....By substituting the word " ou " for the word " et," in the second line of said section; and by inserting the word " autre " after the word " cet," in the first line of paragraph (*f*).

Section 502.....By substituting the word " conspiration " for the word " construction," in the fourth line.

Section 503.....By inserting after the word " charge," in the second line of paragraph (*b*), the words " ou la garde."

Section 510.....By inserting the word " d'échantillons " after the words " de patrons ou," in the second line of paragraph (*d*) of subdivision (D); and by inserting after the word " immobilier," in the first line of paragraph (*e*) of subdivision (D), the words " corporel ou incorporel."

Section 529.....By inserting after the word " démolir," in the first and second lines of paragraph (*a*), the words " ou l'enlève ou commence à l'enlever."

Section 530.....By inserting the word " respectivement " after the word " choses, in the fifth line.

Section 534.....By striking out the words " une plante, racine, fruit ou," in the fifth and sixth lines, and substituting therefor the word " tout."

Section 538.....By striking out the words " d'y faire du tort," after the word " ou," in the fifth line, and substituting therefor the words " de leur faire du mal."

Section 541.....By substituting the words " ci-dessus de " for the words " contenues dans," in the second line of subsection one.

Section 542.....By inserting after the word " domestique," in the third line of paragraph (*a*), the words " ou tout animal sauvage ou oiseau en captivité."

Section 544.....By inserting the words " au moins " before the word " cinq," in the thirteenth line of subsection one.

Section 546.....By inserting the words " d'or ou d'argent " after the word " monnaie, in the fourth line of paragraph (*a*).

Section 548.....By inserting the word " réputée " after the word " est," in the sixth line.

Section 552.....By inserting the word " courante " after the word " cuivre," in the first line of paragraph (*e*).

Section 556.....By striking out the word " sciemment," in the third line, and inserting, in the fourth line of said section, after the word " sa," the words " garde ou "; and by striking out the word " dé," in the first line of paragraph (*a*), and inserting after the word " monnaie," in the sixth line, the words " d'or ou d'argent courant, ou de quelque pièce de monnaie;" and by striking out the word " molette," in the first line of paragraph (*b*), and substituting therefor the words " machine à cordonner;" and by striking out, in the second and third lines, the words " marquer sur le cordon de la monnaie des lettres, du molettage," and substituting therefor the words " empreindre sur la tranche des pièces de monnaie des lettres, grènetis;" and by substituting the words " découpoir, découpant " for the words " machine à couper," in the first line of paragraph (*c*).

Section 557.....By striking out the word " dé," in the fifth line; substituting, in the sixth line, the words " machine à cordonner " for the word " molette;" and inserting, after the word " machine," in the seventh line, the words " utilisée ou."

Section 577.....By inserting after the word " infractions," in the third and fourth lines, the words " de son ressort;" and after the word " procès," in the sixth line, the words " ou si ordre a été donné de lui faire subir son procès devant cette cour;" and after the word " toute," in the seventh line, the word " autre."

Section 579.....By striking out after the word " juge," in the first line, the words " en exercice," and inserting after the word " toute," in the same line, the word " autre," and after the word " commission," in the fourth line, the words " ou autrement."

Section 581.....By striking out the word " est," in the first line, and inserting, in the third line, after " quatre-vingt-dix-huit," the words " est déclaré fondé."

Section 583.....By striking out, after the word " commettre," in the second line of paragraph (*b*), the words " un crime," and substituting therefor the words " certains crimes;" and, in the sixth line, the words " des mauvaises," and substituting therefor the words " de fausses "; and by repealing subparagraph (*i*) and replacing it by the following:—

"(*i*) comploter ou tenter de commettre quelqu'une des infractions ci-dessus mentionnées au présent article, ou complicité après le fait; ou."

Section 608.....By inserting the word " recorder " after the word " paix," in the fourth line.

Section 611.....By inserting after the word " commissaire," in the fourth and fifth lines of subsection one, the words " ou juge de paix;" and by substituting the words " aux dispositions " for the words " à intention," in the second last line of subsection two.

Section 612.....By inserting the words " ou du juge de paix " after the word " commissaire," in the third line, and the words " ou devant qui elles sont apportées " after the word " saisir," in the same line.

Section 614.....By inserting after the word " infraction," in the sixth line, the words " aux dispositions dudit article."

Section 615.....By inserting the word " ainsi " before the word " saisie," in the second line, and substituting the word " aux " for the words " contre les," in the third line; by striking out, in the fourth line, the words " qu'il soit logé d'autre plainte ou fait d'autre " and substituting therefor the words " autre dénonciation ou;" and by striking out the words " amendes portées," in the fifth line, and substituting therefor the words " peines mentionnées."

Section 616.....By striking out the word " un " after the word " cinquante," in the fourth line of subsection two.

Section 617.....By striking out after the word " poursuite," in the first line, the words " pour infraction exercée sous l'empire de la présente loi," and substituting therefor the words " en vertu de la présente loi, pour une infraction relative à la liqueur enivrante."

Section 619.....By inserting the word " publique " after the word " assemblée," in the second line; and in the third line, after the word " rend," the words " sans son consentement et malgré elle, et avec la force nécessaire pour ce faire "; and by striking out, in the second last line, the words " dans les mains ou."

Section 627.....By substituting the words " un juge de paix " for the words " une personne qui a le pouvoir de juger les infractions à la présente loi," in the sixth and seventh lines of said section; likewise by substituting the words " ce juge de paix " for the words " cette personne qui informe alors sur l'accusation," in the eighth and ninth lines of said section; by substituting the words " ce juge de paix informe sur l'accusation, et s'il " for the words " si elle," in the first line of subsection two, and substituting the word " il " for the word " elle," in the second line; by substituting the words " le juge de paix devant lequel " for the words " la personne devant laquelle," in the second line of subsection three, and substituting the word " il " for the word " elle," at the end of the fourth line, and inserting after the word " détenu," in the second last line, the words " pendant un an ou."

Section 631.....By substituting the word " ci-dessous," in the third line of subsection two, for the word " ci-dessus."

Section 635.....By substituting the words " aux dispositions de " for the words " prévue par," in the second line, and inserting after the words " Partie VII," in the same line, the words " relatives à la fabrication des marques de commerce et à la marque frauduleuse des marchandises."

Section 636.....By inserting the word " autre " before the word " agent," in the first line of subsection two.

Section 637.....By substituting the words " y compris " for the word " comprenant," in the eighth line.

Section 638.....By inserting the word " autre " before the word " agent," in the first line.

Section 640.....By inserting the words " ni mari " after the word " mère," in the seventh line.

Section 641.....By striking out the word " d'entrer," in the twenty-eighth line of said section, and substituting therefor the words " à entrer et à perquisitionner."

Section 642.....By substituting the words " à toute affaire de jeu au sujet de laquelle " for the words " matières et choses au sujet desquelles," in the eleventh and twelfth lines of subsection two; and by inserting the word " ainsi " before the word " interrogé," in the eleventh line.

Section 642A.....By striking out the word " des " before the word " lits," at the end of the fourth line, and by inserting therefor the words " de tous les divans."

Section 645.....By inserting the words " ou juge de paix " after the word " juge," in the fifteenth line.

Section 646.....By inserting the words " moins de " before the word " quatorze," in the last line of sub-paragraph (*i*).

Section 651.....By substituting the words " maître entretenu de 2e classe et second maître de la marine royale, et tout sous-officier de l'infanterie de " for the words " officier nommé par l'Amirauté, tout officier et sous-officier de," in the first and second lines

Section 658.....By inserting after the word " temps," in the third line, the words " et lieu."

Section 660.....By striking out the words " de ce genre," in the first line of subsection one, and inserting the word " territoriale " after the word " circonscription," in the fourth line of subsection one; and by inserting the words " ou les juges de paix " after the word " paix," in the fifth line of subsection two; and the words " ou tous autres juges de paix " after the word " paix," in the sixth line; and by striking out the words " de la même circonscription territoriale," in the same line.

Section 661.....By inserting the words " de ce genre " after the word " mandat," and striking out the word "d'arrestation," in the first line.

Section 674.....By inserting the words " en vertu du présent article " after the word " condamnation," in the first line of subsection three.

Section 676.....By inserting the word " même " after the word " personne," in the first line of subsection two.

Section 679.....By substituting the word " ou " for the word " et," in the second line of paragraph (*d*); and striking out the words " qui n'est pas une audience publique," in the fourth line.

Section 681.....By substituting the words " comme susdit " for the words " en vertu de l'article qui précède," in the first and second lines.

Section 684.....By inserting the words " en réponse " after the word " alors," in the first line of subsection three.

Section 692.....By inserting the figures and word " 24 ou 25 " after " 23," in the second line of subsection three.

Section 698.....By substituting the word " finalement " for the word " préventivement," in the fourth line.

Section 700.....By striking out the words " ou le coroner," in the first line of subsection two, and inserting after the word " possible," in the second line, the words " après en avoir ainsi reçu l'avis;" and by striking out all the words after the word " paix," in the first line of subsection three, to the word " présent," in the second and third lines, and substituting therefor the words " néglige de se conformer aux dispositions précédentes du;" by inserting the word " autres " after the word " dénonciations," in the fourth line; by striking out the words " cautionnements ou obligations," in the fifth line, and substituting therefor the words " ou mandat de dépôt;" and, in the second last line, by striking out all the words after the word " sommaire " and substituting therefor the words " au juge de paix, l'amende qu'elle juge convenable."

Section 701.....By striking out all the words of the first line to the word " est," in the second line, and substituting therefor the words " Sur requête d'admission à caution, comme susdit, adressée à telle cour ou à tel juge, il," and by inserting after the word "prévenu," in the third line, the words "le même ordre."

Section 704.....By substituting "l'un des constables" for "les constables" in the first line, "conduit" for "conduisent" in the third line, and "remet" for "remettent" in the fourth line; and by striking out all the words after the word "prévenu", in the third and fourth lines, to the word "mandat" inclusively, and substituting therefor the words "mentionné ou décrit dans le mandat à la prison y indiquée."

Section 705.....By inserting after the word " cause," in the third line of paragraph (*b*), the words " par les juges de paix," and, in the fourth line, after the word " criminelle," inserting the words " pour la province "; and, after the words " prison commune " ou " prison," in the first line of paragraph (*d*), inserting the words " pour les fins de la présente Partie "; and by substituting the word "comprend " for the word " signifie," in the first line of paragraph (*e*), and striking out the words " des territoires du Nord-Ouest," in the fifth and sixth lines; and by substituting "dans lequel" for "où" in the eighth line.

Section 709.....By inserting after the word " résultant," in the fourth line, the words " ou à toute banqueroute ou faillite."

Section 710.....By substituting the word " Partie " for the word " loi," at the beginning of the fifth line of subsection two.

Section 716.....By substituting the words " neuf cent quatre-vingt-dix-sept," in the ninth and tenth lines of subsection two, for the words " neuf cent quatre-vingt-dix-neuf," and by inserting, immediately after, the words " et toutes les dispositions dudit article, relativement aux affaires en découlant, s'appliquent *mutatis mutandis*:" and, at the beginning of the eleventh line, substituting the words " du présent " for the words " de cet."

Section 722.....By striking out, in the fifth line the word " respectivement," and by substituting therefor " ou de leur conseil ou de leurs avocats ou procureurs alors présents."

Section 735.....By substituting the word " poursuivant," in the fourth line, for the word " dénonciateur."

Section 736.....By substituting the word " poursuivant," in the fourth line, for the word " dénonciateur."

Section 739.....By inserting after the word " condamnation," in the third line of said section, the words " ou ordonnance "; by striking out the words " soit prélevé " after the word " d'argent," in the third line of paragraph (*a*), and inserting the words " et les frais, si la condamnation est prononcée ou l'ordonnance rendue avec dépens, soient prélevés;" and, after the word " temps," at the end of the eighth line, by inserting the words " de trois mois au plus, si la loi qui autorise la condamnation ou l'ordonnance ne spécifie pas l'emprisonnement, ni aucun terme d'emprisonnement;" and, by substituting the words " de l'emprisonnement" for the word " vente," in the eleventh line; by inserting after the word " l'emprisonnement," in the seventh line of paragraph (*b*), the words " ni aucun terme d'emprisonnement;" and by striking out the words " et vente," in the fourth line of subsection two.

Section 740.....By striking out the words " ainsi que prévu au présent article," in the sixth line of subsection one; and, by substituting the words " le présent ou précédent article " for the words " l'article qui précède," in the second line of subsection two.

Section 747.....By substituting the words " Ce gardien " for the word " il," at the beginning of the first line of subsection three.

Section 749.....By inserting after the word " l'ordonnance," in the fifth line, the words " ou le renvoi."

Section 752.....By striking out all the words after the word " témoignage," to the word " peut," in the first and second lines of subsection three. and substituting therefor the following words " rendu devant le juge de paix d'une cour inférieure qui l'a attesté."

Section 755.....By inserting after the word " recevoir," in the third line of subsection one, the words " que cet avis ait été régulièrement donné ou non, et;" and, in the fourth line, substituting the words " s'il n'y a pas eu de désistement de cet appel " for the words " si l'appel n'a pas été déserté;" and by inserting the word " d'appel " after the word " frais," in the second line of subsection two.

Section 759.....By striking out the words "en la manière susdite" in the third and fourth lines, and the words "frais et dépens dont le montant est constaté et indiqué dans le mandat d'emprisonnement" in the tenth and eleventh lines.

Section 765.....By striking out, after the word " transmise," in the first line of subsection one, all the words to the word " entend," in the second line; by substituting the word " infirme " for the word " renverse," in the third line, and after the word " cour," in the sixth line, substituting the words " et peut rendre, relativement à cette affaire, toute autre ordonnance, et " for the words " ou peut donner "; and by striking out the words " en conformité du présent article " after the word " cause " in the first line of subsection two.

Section 767.....By inserting after the word " s'il," at the end of the seventh line of subsection one, the words " n'y avait pas eu exposé de cause," and by striking out the four following lines.

Section 768.....By striking out the words " ou autrement " after the word " haut," in the fourth line.

Section 770.....By inserting the words " d'un témoin " after the word " d'assignation," in number six, and inserting the word " d'amener " after the word " mandat," in the first line.

Section 771.....By substituting the word " un " for the word " au," in the second line of sub-paragraph (iv) of paragraph (*a*).

Section 773.....By repealing paragraphs (*c*), (*d*) and (*e*) and substituting therefor the following:—

" (*c*) d'avoir blessé illégalement ou infligé à autrui, avec ou sans arme ou instrument, quelque lésion corporelle grave; ou,

" (*d*) d'avoir attenté à la pudeur d'un garçon dont l'âge, de l'avis du magistrat, n'excède pas quatorze ans, si cet attentat est de nature, aux yeux du magistrat, à ne pouvoir être suffisamment puni par une condamnation sommaire devant lui en vertu de toute autre partie de la présente loi; ou d'un attentat à la pudeur d'une femme ou fille, qui ne constitue pas, selon lui, un attentat avec intention de viol; ou,

"(*e*) d'avoir assailli ou entravé un agent de la paix ou un fonctionnaire public dans l'accomplissement de son devoir, ou toute personne qui aide à cet agent ou fonctionnaire; ou"; and by inserting the words "de la présente Partie" after the word "dispositions," in the second last line of said section.

Section 775.....By inserting the words " dans la présente Partie " after the word " mentionnées," in the eighth line of section one; and by inserting the word " autre " before the word " personne," in the ninth line.

Section 777.....By substituting the words " le recel " for the words " réception illégitime " in the seventh line of subsection five.

Section 788.....By striking out the word " assigner," in the second line of subsection one, and substituting therefor the words " par assignation ou écrit sous son seing, obliger;" and by inserting the words " comme susdit " after the word " obligée," in the first line of subsection two.

Section 792.....By inserting the word "autres" after the word "toutes," in the third line, and by striking out the word "ultérieures" in the same line.

Section 794.....By inserting the word " conforme "after the word " copie," in the third line.

Section 796.....By substituting the words " prescrit par la présente Partie " for the words " par le présent prescrit," after the words " tel que," in the fourth line of subsection one; and by striking out the words " un interrogatoire ultérieur," in the seventh line, and substituting therefor the words " son procès;" likewise by striking out the words " un interrogatoire ultérieur ou un," in the twelfth line, and substituting therefor the word " son;" by substituting the words " son procès " for the words " un interrogatoire ultérieur," in the first and second lines of subsection two, and inserting after the word " par,"in the last line, the words " ledit magistrat ou."

Section 799.....By inserting after the word " certificat," in the first line, the words " de non-lieu, en vertu de la présente Partie", and substituting the words "rédigés" for the word "adressés," in the last line.

Section 800.....By inserting after the word " juge," in the second line of sub-paragraph (*i*) of paragraph (*a*), the words " d'une cour de comté qui est juge ;", by inserting after the word " paix, " in the fourth line of sub-paragraph (*ii*), the words " magistrat de police;" and by inserting after the word " condamnation," in the third line of paragraph (*b*), the words " en question."

Section 803.....By inserting the words "ou plus de deux" after the word "deux," in the second line.

Section 804.....By inserting the words "qui peut être jugé en vertu des dispositions de la présente Partie," after the word "l'accusé," in the second line.

Section 809.....By inserting after the word " citation," in the first line, the words " ou écrit sous son seing."

Section 811.....By inserting after the word " obligée," in the fourth line, the words " par cautionnement."

Section 812.....By inserting after the word " comparaître," in the second last line, the words " et à rendre témoignage,"

Section 814.....By inserting after the word " mentionnée," in the second and third lines, the words " dans la présente Partie."

Section 816.....By inserting after the word " paix," in the last line, the words " ou de toute autre cour exerçant les fonctions d'une cour de sessions générales ou trimestrielles de la paix."

Section 823.....By striking out the words " d'un autre district," in the sixth line of sub-paragraph (*ii*) of paragraph (*a*).

Section 825.....By repealing subsection four and substituting therefor the following:—
" 4. Toute personne admise à fournir caution par un ou des juges de paix, en vertu de l'article six cent quatre-vingt-seize, et qui est livrée par ses cautions et détenue sur l'accusation, ou qui est autrement détenue en attendant son procès sur une telle accusation estcensée préventivement incarcérée, au sens du présent article".

Section 826.....By striking out the words " ainsi que ci-haut est préventivement," in the second line of subsection one, and substituting therefor the words " accusé comme susdit, est;" and by striking out, in the third line, the words " informer le juge," and substituting therefor the words " donner au juge un avis."

Section 828.....By striking out the words " de paix " after the word " juge, " in the second line of subsection one; and by substituting the words " ladite première option "for the word " l'option, " in the last line of subsection three.

Section 829.....By substituting the words " Si deux ou plus de deux prisonniers sont " for all the words in the first line to the word " accusés;" and by inserting after the word " infraction," in the second line, the words " et si l'un d'eux;" and inserting after the word " procès," in the last line, the words " devant un jury."

Section 830.....By inserting the words " le fonctionnaire poursuivant ou " after the word " shérif," in the sixth line of subsection one.

Section 835.....By striking out, after the word " procès," in the fourth line, the words to the word " et," at the end of the fifth line, and substituting therefor the words " devant une cour ayant juridiction de juger l'infraction en la manière ordinaire."

Section 847.....By inserting the word " inclusivement " after the words " quatre-vingt-six," in the second line of subsection one; and by striking out the words " ci-haut donnée," in the first and second lines of subsection two, and substituting therefor the words " conférée par la présente Partie."

Section 850.....By inserting the words " le contrevenant ou" after the words " d'exprimer que," in the fifth line; and after the word " cette," in the same line, the word " autre."

Section 851.....By inserting after the word " lieu," in the sixth line, the words " ou en certains temps et lieux."

Section 855.....By inserting after the word " autorité," in the second line of paragraph (*h*), the words " est exigé."

Section 859.....By inserting after the word " document," in the first line of paragraph (*e*), the words " ou des mots;" and substituting, in the same line, the word " font " for the word " fait."

Section 861.....By substituting the word " mots " for the word " paroles," in the fifth line of subsection one; and by inserting after the word " préliminaire," in the fourth line of subsection two, the words " indiquant comment la chose a été écrite dans ce sens."

Section 870.....By striking out after the word " d'archives " in the first line of subsection one, the words " tout commissaire;" and after the word " juge," in the eighth line, the words " ou le commissaire;" after the word "emprisonner," in the first line of subsection two, by substituting the word " la " for the word " cette," and striking out, after the word " personne," in the same line, the words " qui doit être ainsi poursuivie;" and by substituting after the word " personne," in the first line of subsection three, the word " qu'il" for the words " que le juge ou le commissaire."

Section 875.....By inserting at the end of the first line, the word " grand " before the word "jury."

Section 888.....By striking out, at the beginning of the fourth line, the words " excepté dans le cas suivant."

Section 892.....By substituting the words " différents faits " for the word " des," in the third line of subsection one; and the words " énoncés sous cette forme" for the words "allégués sous la forme alternative" in the third and fourth lines; and the word " décrit " for the word " énonce," in the fifth line; and the word " faits " for the word " affaires," in the same line; and by inserting in the sixth line, the word " imputés " after the word " omissions," and substituting the word " ou " for the word " et," in the same line.

Section 893.....By substituting the words " quelque personne ou corporation " for the word " quelqu'un," in the fourth line.

Section 900.....By substituting the words " qu'il est subséquemment prescrit dans la présente Partie " for the words " que ci-dessus prévu," in the third line of subsection one; and by inserting the word " volontairement " after the word " refuse," in the first line of subsection two.

Section 906.....By substituting the words " au chef ou aux chefs " for the words " à sa charge dans l'acte," in the third and fourth lines of subsection three; and inserting after the word " d'accusation," in said fourth line, the words " auxquels il oppose cette défense."

Section 912.....By substituting the words " lorsque ce certificat est ainsi présenté," for the word " alors," in the first line of subsection two.

Section 914.....By inserting the words " au dossier " after the word " inscrit," in the second line of subsection two.

Section 915.....By striking out the words " ainsi qu'il est dit plus haut," in the second and third lines.

Section 916.....By substituting the words " déclaré fondé " for the word " formulé," in the fourth line.

Section 918.....By striking out the words " a été " after the word " accusation," in the first line, and inserting after the word " corporation," in the second line, the words " est déclarée fondée "; and substituting the words " ladite corporation " for the words " la défenderesse," in the tenth and eleventh lines.

Section 919.....By substituting the words " déclaré fondé " for the word " porté ", in the second line.

Section 920.....By inserting the words " ordre de " before the words " la cour,". in the third line.

Section 921.....By inserting the words " ou petit juré " after the words " grand juré," in the second line.

Section 926.....By inserting the word " réellement " before the word " fondé," in the second and third lines of subsection two.

Section 929.....By substituting the words " dont les noms ont été définitivement tirés, et qui ont été" for the words " qui sont définitivement," in the first line of subsection one; and inserting after the word " article " the words " ou des deux derniers articles précédents," in the first line of subsection three.

Section 930.....By inserting after the word " cour," in the second line, the words " sur *voir dire.*"

Section 931.....By inserting the words " comme ci-après spécifié " after the word " condamné," in the sixth line of subsection one.

Section 936.....By inserting after the word " peut," in the first line of subsection one, the words " à discrétion."

Section 944.....By inserting after the word " l'accusé," in the second line of subsection three, the words " ou l'accusé, s'il n'est pas défendu par un conseil."

Section 951.....By substituting the words " toute l'infraction " for the words " toute infraction," in the sixth and seventh lines of subsection one; and by inserting the word " autre " before the word " infraction," in the last line of subsection two.

Section 955.....By inserting the words " concernant la monnaie " after the words " Partie IX," in the third line; and substituting the word " matrice " for the word " dé," in the eighth line.

Section 960.....By inserting after the word " peut," in the third line of subsection one, the words " à sa discrétion."

Section 963.....By inserting after the word " condamné," in the third line of subsection two, the words " ou s'il refuse par malice de répondre."

Section 965.....By inserting the words " ni n'atteint " after the word " n'amoindrit," in the second line, and the words " cette pratique ou ces formalités," after the word " autorité," in the sixth line; and substituting the word " sont " for the word " est " before the word " expressément," in the sixth line.

Section 970.....By substituting the word " preuve " for the word " épreuve," in the first line.

Section 975.....By substituting the word " heures " for the word " temps," in the fourth line, and the words " faire extraire du dossier " for the word " déclarer," in the fifth line; and by transposing the word " forfait " from the sixth line to the fifth line after the word " cautionnement."

Section 981.....By substituting the words " de quelqu'une des infractions " for the words " de l'infraction," in the first line.

Section 984.....By inserting the words " de l'enfant " after the word " fille," in the eighth line of subsection one; by substituting the words " A défaut d'autre," for the words " En l'absence d'une autre," in the first line of subsection two; and, in the same line, the words " voie de corroboration d'autre preuve " for the word " supplément."

Section 991.....By substituting the word " cinq " for the word " six," in the third line of subsection two.

Section 994.....By substituting the word "trois" for the word "treize," in the eleventh line of subsection one.

Section 996.....By inserting after the word "reçu," in the first line, the words "avis ou;" and substituting the word "la" for the word "quelque," in the second line.

Section 1007.....By striking out the word "tout" before the word "amendement," in the third line of subsection one; and by inserting the words "s'il en est" after the said word "amendement," then striking out the words "que la cour consent à faire et a le pouvoir de faire," in the third and fourth lines; and by inserting the word "subséquemment" after the word "traduite," in the third line of subsection five.

Section 1014.....By substituting for the word" antérieur," the word "préliminaire" and inserting after the said word "préliminaire" the word "postérieur," in the third and fourth lines of subsection two; and by inserting the words "à sa discrétion" after the word "peut," in the first line of subsection five, and after the word "remettre," in the second line, the words "la sentence;" and by striking out the words "elle peut," in the third line.

Section 1018.....By transposing the words of paragraph (*e*) to the end of paragraph (*d*) and paragraph (*f*) becomes paragraph (*e*).

Section 1023.....By striking out the words following the word "procès," in the third line of subsection two, to the word "d'appel," inclusively, in the fourth line; and by inserting the words "à discrétion" after the word "peut," in the first line of subsection three.

Section 1024.....By inserting after the word "conviction," in the fourth line of subsection one, the words "mais nul pareil appel ne peut être interjeté, si la cour d'appel est unanime à confirmer la condamnation, ni à moins qu'avis par écrit de l'appel n'ait été signifié au procureur général, dans les quinze jours après que la condamnation a été confirmée, ou dans tout autre délai que peut accorder la cour suprême du Canada ou l'un de ses juges."

Section 1033.....By inserting the words "ni la déshérence" after the word "biens," in the fourth line.

Section 1034.....By inserting the words "ou allocation de retraite" after the word "pension," in the sixth line of subsection one and the words "ou allocation de retraite ou émolument" after the word "pension" in the eighth line; by striking out the words "Cette personne," in the first line of subsection two, and substituting therefor the words "Toute pareille personne condamnée à l'emprisonnement, comme susdit, ou dont la sentence de mort a été commuée en la peine d'emprisonnement;" and substituting the words "d'emprisonnement susdite" for the words "à laquelle elle a été condamnée" in the second line.

Section 1036.....By inserting the words "recouvrée ou" after the word "confiscation," in the fourth line of subsection two; and by inserting, in the seventh line of subsection three, instead of the word "les," the words "cette amende, peine pécuniaire ou confiscation a été imposée ou ces."

Section 1038.....By substituting the words "Sa Majesté" for the words "la Couronne," each time that such words appear in said section.

Section 1040.....By inserting after the word "loi," in the second line, the words "relativement auxdites dernières dispositions mentionnées."

Section 1050.....By inserting the words "ou le tribunal" after the word "cour," in the first line of subsection two and of subsection three; and make the clerical corrections necessary in consequence.

Section 1059.....By inserting after the word " conduire," in the second and third lines of subsection one, the words " ou de ne pas prendre part à un combat concerté."

Section 1063.....By inserting after the word " ou," in the fifth line of subsection two, the words " tout juge;" and substituting, in the sixth line, the words " avoir tenu cette cour ou y avoir siégé " for the words " tenir cette cour ou y siéger;" and after the word " pour," in the second last line, substituting the words " quelqu'une des fins susdites " for the words " permettre à la Couronne d'examiner l'affaire."

Section 1072.....By substituting the word " Partie " for the word " loi," in the second line of subsection one.

Section 1077.....By substituting the word "commutation " for the word " communication," in the seventh line of subsection two.

Section 1079.....By inserting after the word " frais," in the second line, the words " s'il en est."

Section 1081.....By substituting the word " exercer " for the word " exiger, " in the second line of subsection two.

Section 1083.....By substituting the words " convaincu à la suite d'une " for the words " informé par," in the third line of subsection one.

Part XXI.....In the title : By inserting the words " Réintégration par les cautions et " before the word " cautionnements."

Section 1095.....By substituting the words "forfait soit rayé des rôles ou du dossier" for the words "ne puisse être forfait," in the second line of subsection one.

Section 1096.....By inserting after the word " loi," in the fourth line, the words " du parlement;" and after the word " Majesté," in the sixth line, the words " le Roi."

Section 1100.....By substituting the word " forfaites " for the word " faites," in the third line, and by inserting after the word "cautionnement," in the sixth line, the word " forfait."

Section 1109.....By inserting after the word " soumettre," in the sixth line, the words " là et."

Section 1119.....By striking out the word " mandat," in the fifth line of subsection one, and substituting therefor the words " juridiction en matière civile, à concurrence du même montant;" and by substituting the words " de contrainte par corps" for the word " d'emprisonnement," in the second line of subsection two.

Section 1121.....By inserting the words "prononcée ou " after the word " condamnation," in the first line, and the words " rendu après déclaration sommaire de culpabilité " after the word "ordre," in the same line; and substituting the words "vice de forme" for the words " cause d'informalité," in the second and third lines.

Section 1123.....By substituting the words " vice de forme " for the word "informalité," in the second line; and by inserting after the word "d'emprisonnement," in the fourth line, the words "sous l'empire de ladite Partie."

Section 1124.....By substituting the words " sept cent cinquante-neuf" for the words " sept cent quarante-neuf," in the eighteenth and nineteenth lines of subsection one.

Section 1129.....By inserting after the word "condamnation," in the first line of subsection one, the words " prononcée par un juge de paix, ou par un magistrat stipendiaire;" and substituting the word "vice" for the word " défaut," in the sixth line.

Section 1130.....By inserting after the word " condamnation," in the third and fourth lines, the words "en vertu de ladite Partie;" and by substituting the words " de vice de forme" for the word "d'informalité," in the said fourth line.

Section 1131.....By inserting after the word " paix," in the second line, the words "ou magistrat stipendiaire;" and after the word "lui," in the third line, the words "ou d'une autre procédure faite devant lui;" and after the word "paix," in said third line, the words "ou magistrat stipendiaire;" and after the word "paix," in the sixth line, the words " ou magistrat stipendiaire;" and after the word " condamnation," in the seventh line, the words " décerné l'ordre ou fait l'autre procédure;" and after the word "fonctionnaire," in said seventh line, the words "agissant à cet égard ou".

Section 1133.....By substituting the word " concourent" for the word "encourent," in the first line of subsection three.

Section1134 .....By inserting after the word " recevoir," in the fifth line of subsection one, the words " et tout juge de paix qui, à l'occasion ou à propos ou sous le prétexte d'une dénonciation faite d'une plainte portée ou d'une procédure ou enquête judiciaire faite devant lui, sciemment exige, reçoit, s'approprie ou retient des honoraires ou des deniers que la loi ne l'autorise pas à recevoir ou des paiements qui ne sauraient lui être faits sous son autorité,"

Section 1135.....By inserting after the words "dix-huit," in the second line of subsection one, the words "de la présente loi."

Section 1137.....By inserting after the word " faits," in the second line of subsection one, the words " en vertu de la présente Partie," and after the word " cour," in the sixth line, the words " ayant juridiction d'appel comme susdit;" and by striking out the words "plus haut mentionnée," in the sixth and seventh lines.

Section 1140.....By inserting the words "à compter" after the word "année," in the first line of paragraph (*c*); and by substituting the word "tuteur" for the word " gardien," in the first line of subparagraph (viii) of paragraph (*c*); and by repealing sub-paragraph (iii) of paragraph (*e*) and substituting therefor the following: " (*iii*) le refus d'entrée à un agent de la paix ou constable—article cinq cent quarante-cinq; ni."

Section 1141.....By inserting after the word " contravention," in the fifth line, the words "comportant cette amende ou confiscation."

Section 1147.....By inserting before the word "ou," in the fifth line, of subsection one, the words " et dès ce moment."

Section 1149.....By substituting the words "prescrit au présent article" for the words " ci-dessus mentionné," in the third line of subsection two.

Section 1150.....By substituting the words "ses frais d'action." for the words " les frais," in the second line.

Section 1152.....By inserting the word "respectivement" after the word " pourvoient," in the third and fourth lines.

AMENDMENTS.

Form 1.....By striking out the words " dit comté," in the seventh line, and substituting therefor the words " district (*ou* comté, *etc.*,)"; by striking out the word " comté " in the twelfth line, and substituting therefor the words " district (*ou* comté, *etc.*,)"; by inserting the words "(*ou selon le cas*)", at the end of the seventeenth line; by inserting the word " à," followed by a blank, before the word " dans," in the nineteenth line; and by inserting after the word " comté," in the twenty-first line, " *etc.*"; and by inserting, at the foot of the Form, the figures and words " 63-64 V., c. 46, formule J."

Form 2.....By inserting, on the line after the words " comté de," in the third line, the words " A tous et chacun les constables et autres agents de la paix dans ledit comté de."

Form 3.....By inserting, at the foot of the Form, the figures and words " 55-56 V., c. 29, annexe 1, formule C."

Form 9.....By inserting after the words "(*nom de l'accusé*), in the fifteenth line, the word " de," followed by a blank.

Form 11.....By striking out the parenthesis before the word " poursuite," in the tenth line, and inserting it before the word "*la*" in the same line ; after the said word " poursuite," inserting the words " ou de la défense."

Form 13.....By inserting after the word " forcés," in the sixteenth line, the words " ou non," and before the word " et," which follows the parenthesis, in the same line, by inserting the words " *suivant qu'il peut être autorisé et décidé.*"

Form 15.....By inserting after the word " témoignage," in the sixteenth line, the words " de ce qu'il sait."

Form 16.....By adding the word " de," after the word " comté," in the sixth line; by inserting after the word " plainte," in the sixteenth line, the words " ainsi portée contre ledit A.B., comme susdit; et "; by forming the parenthesis after the word " d'amener," in the eighteenth line, and removing it after the word " susdit," in the following line.

Form 18.....By substituting the words " et effets, terres et tènements " for the words " meubles et immeubles," in the thirteenth line.

Form 19.....By inserting the word " à ", followed by a blank, before the parenthesis in the sixth line; and by inserting the words " sous serment " after the word " déclare ", in the twenty-first line.

Form 20.....By substituting the word " susdit " for the word " de " and the blank in the fifth line; by leaving a blank after the words " jour de ", in the same line, and inserting the word " en " before the word " l'année " in said fifth line; and by inserting after the word " dire ", in the twelfth line, the words " à moins que vous ne le désiriez."

Form 24.....By inserting after the word " accusation ", in the second line, the words " contre ledit A. B. pour l'infraction susdite."

Form 26.....By inserting the word "de," followed by a blank, after the words "dudit comté," in the sixth line; and inserting the words "là et alors" after the word "portée," in the thirty-seventh line.

Form 27.....By inserting the words " en conséquence " before the word " nécessaire ", in the nineteenth line.

Form 28.....By substituting the words " et effets, terres et tènements " for the words " meubles et immeubles ", in the thirteenth and fourteenth lines ; by inserting, in parenthesis, the words " *ou* maison d'arrêt ", after the word " commune ", in the thirty-first line.

Form 31.....By inserting, in the nineteenth line, before the parenthesis, the words " dans ledit comté de ", followed by a blank, and after the word " forcés ", in the same line, the words " *si l'acte ou la loi autorise cette peine et* "; by inserting quotation marks before the word " vu," in the thirty-second line, and after the word " famille ", in the thirty-fourth line, also before the word " que ", in said thirty-fourth line, and after words the "saisie-exécution ", in the thirty-sixth line.

Form 32.....By inserting, in the sixteenth line, before the parenthesis, the words "dans ledit comté de", followed by a blank; and, in the seventeenth line, after the word "forcés", the words "*si l'acte ou la loi autorise cette peine, et s'il en est adjugé ainsi*)"; and, in the eighteenth line, after the word "dépens", the words "d'emprisonnement et."

Form 33.....By inserting, in the tenth line, before the parenthesis, the words "dans le comté de," followed by a blank; and, in the twenty-third line, after the word "frais", the words "et les frais et dépens de l'emprisonnement et du transport dudit A.B."; by substituting the word "soient" for the word "soit", in said line; and by placing quotation marks after the word "famille" and before the word "que", in the thirty-fourth line.

Form 34.....By inserting, in the twenty-ninth line, after the blank that follows the word "à", the words "dans ledit comté de," followed by a blank; and by inserting in the thirthieth line, after the word "*peine*", the words "*et s'il en est adjugé ainsi*"; by placing quotation marks, in the forty-fourth line, before the word "vu" and after the word "famille", in the forty-sixth line; also before the word "que", in the said forty-sixth line, and after the word "saisie", in the forty-eighth line.

Form 35.....By inserting, in the twenty-seventh line, after the blank that follows the word "à", the words "dans ledit comté de", followed by a blank; also, in the twenty-eighth line, after the word "*peine*", the words "*et s'il en est adjugé ainsi*"; and inserting the figures "29" after the letter "c" at the foot of the Form.

Form 36.....By inserting, in the twenty-fifth line, after the blank that follows the word "à", the words "dans ledit comté de", followed by a blank; and in the twenty-sixth line, after the word "*peine*", the words "*et s'il en est adjugé ainsi*"; and, in the thirty-fifth line, after the word "forcés", the words "*si l'acte ou la loi autorise cette peine et s'il en est adjugé ainsi.*"

Form 37.....By placing quotation marks before the word "auquel", in the ninth line, and after the word "notifiés", in the tenth and eleventh lines; and inserting, in the twenty-sixth line, after the blank which follows the word "à", the words "dans ledit comté de", followed by a blank.

Form 39.....By inserting, in the twentieth line, after the word "forcés", the words ", *si telle est la sentence.*"

Form 40.....By inserting, in the twentieth line, after the blank that follows the word "à," the words "dans ledit comté de", followed by a blank.

Form 41.....By inserting, in the sixth line, after the word "comté", the word "de", followed by a blank; and after the blank that follows the word "à", in the same line, the words "dans ledit comté de", followed by a blank; by making the same corrections in the sixteenth line, and inserting, after the word "forcés", in the seventeenth line, the words "*s'il en est adjugé ainsi*"; by striking out the words "constables et", in the twenty-fourth line, and the words "se montant à une autre somme de, et blanc", in the thirty-third and thirty-fourth lines, and removing the parenthesis, in the thirty-second line, after the word "sommes", and after the blank that follows the words "somme de", in the thirty-fourth line.

Form 42.....By inserting, in the sixth line, after the word " comté ", the word " de ", followed by a blank; and after the blank that follows the word " à ", in the same line, the words " dans ledit comté de ", followed by a blank; by inserting, after the blank that follows the word " le ", in the tenth line, the words " jour de ", followed by a blank; by substituting, in the eleventh line, for the words " les parties " the letters and word " A.B. et C.D."; by inserting after the blank that follows the word " à ", in the twenty-first line, the words " dans ledit comté ", followed by a blank, and before the word " transport ", in the twenty-fourth line, the words " de l'emprisonnement et du "; by striking out the words " *selon le cas* ", after the word " commune ", in the twenty-fifth line, and the words " constables et ", before the word " agents ", in the thirtieth line; and by inserting after the word " forcés ", in the thirty-sixth line, the words " *si l'ordre. mentionne cette peine* ", and before the word " transport ", in the thirty-eighth line, the words " l'emprisonnement et du ".

Form 44.....By inserting, in the sixth line, after the word " comté," the word "de", followed by a blank; and after the blank that follows the word " à " in the same line, the words " dans ledit comté;" by substituting for the word " et," between the figures 39 and 40, in the eighth line, the word " ou," and by striking out, in the thirtieth line, the words " se montant à la somme de ," after the word "prison."

Form 45.....By inserting, after the word " devant," in the eleventh line, the word " (*moi*)," and after the blank that follows the word " à," in the twenty-third line, the words " dans ledit comté de ."

Forms 46.....By inserting, in the sixth line, after the word " comté," the word " de," followed by a blank, and after the blank that follows the word " à," in the same line, the words " dans ledit comté de ;" by striking out, in the twenty-ninth and thirtieth lines, the words " se montant à une autre somme de ," and by taking out the parenthesis before the words " et de l'emprisonnement," in the twenty-eighth line, and after the words " somme de ," in the thirtieth line.

Form 48.....By placing between parenthesis the words " *ou* procureur," in the seventh line, and striking out the word "de " and the blank following it, in the twelfth line.

Form 49.....By inserting after the heading of the Form the words
" Canada ,
Province de ,"
Comté de ,"
and by substituting the words " et effets, terres et tènements" for the words " meubles et immeubles," in the tenth line.

Form 50.....By inserting after the blank that follows the word " à ", in the sixth line, the words " dans ledit comté ".

Form 51.....By substituting for the words " *au défendeur (appelant)* ", in the thirty-seventh and thirty-eight lines, after the word " donné ", the words " à l'appelant ", and striking out in the forty-first line, the words " à la condition suivante, savoir."

Form 53.....By inserting, in the sixth line, after the word " saisie ", the word " formules "; and ,in the thirty-second line, after the word " vendre ", the word " alors."

Form 54.....By inserting, after the word " tous ", in the fourth line, the words " et chacun "; by substituting for the word " et ", in the eleventh line, the word " ou "; and inserting before the words " de prélever ", in the twelfth line, the words " ou à l'un d'entre eux"; and by striking out the word " susdit ", after the blank that follows the word " de ", in the twenty-second line.

Form 56.....By substituting the word "*culpabilité*", for the word "*coupable*", in the heading; and the words "avoué sa culpabilité" for the words "plaidé coupable à cette accusation", in the ninth and tenth lines.

Form 59.....By inserting after the blank that follows the word "dans", in the thirteenth line, the words "aux (*ou* sans) travaux forcés (*à la discrétion du juge*) pendant l'espace de ."

Form 60.....By substituting, in the heading, the word "*s'avoue*" for the word "*plaide*"; and in the thirteenth line, the words "avoué sa culpabilité" for the words "plaidé coupable."

Form 61.....By substituting, in the heading, the words "*nie sa culpabilité*" for the words "*plaide non coupable*"; and, in the fifteenth line, the words "nié sa culpabilité", for the words "plaidé non coupable."

Form 64.....By inserting after the blank that follows the word "de", in the eleventh and the thirty-eighth lines, the figures "19 ."

Form 65.....By substituting the word "ce" for the word "à", after the word "Daté", in the thirteenth line, and striking out the word "ce" before the blank that precedes the word "jour", in the same line; and by placing between parenthesis the words "*Titre du fonctionnaire*", in the sixteenth line.

Form 66.....By striking out the words "Couronne de", in the sixth line.

Form 67.....By inserting the word "de", followed by a blank, after the word "comté", in the sixth line.

Form 69.....By inserting, in the eighth line, after the letters "X.Y.", the words "shérif du comté de (*selon le cas*), et que ledit X.Y."

Form 70.....By starting the parenthesis after the word "*etc.*", instead of before it, in the fourth line; by substituting brackets for the parenthesis before the word "ou", in the sixth line; by starting the parenthesis before the word "mort", in the eighth line, and by substituting brackets for the parenthesis after the word "d'aubain", in the eleventh line.

Form 71.....By substituting the word "ce" for the word "à", after the word "Daté", in the seventh line; and by striking out the word "ce" before the blank that precedes the word "jour", in the same line.

Form 72.....By substituting the word "ce" for the word "à", after the word "Daté", in the fourth line; and by striking out the word "ce" before the blank that precedes the word "jour", in the same line.

Form 73.....By inserting, after the word "forfait", in the fourth line, the words "Daté à ", at beginning of line.

Form 75.....By inserting as a heading the words "*Rapports des juges de paix.*"

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL D.

An Act to amend the Industrial Disputes Investigation Act, 1907.

Read a first time, Friday, 5th March, 1920.

Honourable Mr. ROBERTSON.

OTTAWA
J. de LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
78054 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL D.

An Act to amend the Industrial Disputes Investigation Act, 1907.

1907, c. 20. 1910, c. 29. 1913, c. 27.

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

Interpretation of "Employer" extended.

1. Paragraph *(c)* of section two of *The Industrial Disputes Investigation Act, 1907*, is amended by adding the following words at the end thereof:—

"or any number of such persons, companies or corporations acting together, or who in the opinion of the Minister have interests in common."

Signatures requisite for applications to refer disputes to Boards and for statutory declarations accompanying them.

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

"**16.** (1) The application and the declaration accompanying it shall be signed, if made—

"*(a)* by an employer who is an individual, by the employer himself;

"*(b)* by an employer which is a partnership, firm or association, by a majority of the partners or members;

"*(c)* by an employer which is an incorporated company or corporation, by some one of its duly authorized managers or by one or more of the principal executive officers;

"*(d)* by employees who are members of a trade union, by two of its officers duly authorized by a majority of the members of the union. If such authorization is obtained by a vote taken in whole or in part at a meeting such meeting shall be called on not less than three days' notice and the vote shall be by ballot;

"*(e)* by employees some or all of whom are not members of a trade union, by two of their number duly authorized by a majority of such employees. If such authorization is obtained in whole or in part by a vote at a meeting,

such meeting shall be called on not less than three days' notice and the vote shall be by ballot.

Requirements when there is more than one party to application.

"(2) If more than one employer, or more than one trade union, or the employees of more than one employer, is or are interested, then and in such case the application and declaration shall be signed in the manner aforesaid by or on behalf of each employer or trade union or the employees of each employer so interested, or by or on behalf of a majority of such employers, or trades unions, or of such employees."

Clerical correction consequent on amendment of s. 16.

3. Section twenty of the said Act is amended by substituting in sub-paragraph *(c)* of paragraph (4) for the words "paragraph (4) of section 16" the words "paragraph *(c)* of subsection (1) of section sixteen," and also by adding the following subsections:—

To whom copies of applications and replies are to be sent.

"(2) When the other party comprises more than one employer and those employers are members of an association authorized to carry on negotiations in disputes between employers and employees, copies of applications or statements in reply shall be transmitted to the secretary or principal executive officer of such association; when no such association exists copies of the applications or statements in reply shall be transmitted to each employer individually, or by agreement one employer may be designated by the individual employers concerned to receive copies of applications or statements in reply.

Associations of employers.

Groups of trade unions.

"(3) When in any individual industry the other party comprises more than one trade union and the latter are grouped in a council or federation authorized to carry on negotiations between employers or employees, copies of applications or statements in reply shall be transmitted to the president or secretary of such council or federation; when no such council or federation exists, copies of applications or statements in reply shall be transmitted to the president or secretary of each individual union."

4. Section thirty-four of the said Act is repealed, and the following is substituted therefor—

Allowance to witnesses.

"**34.** Every person who is summoned and duly attends as a witness shall be entitled to an allowance of two dollars per day and actual and reasonable cost of living and travelling expenses for each day in attendance and for each day necessarily engaged in travelling from or to his place of residence for the purpose of attending or after having attended a meeting of the Board."

5. Section fifty-seven of the said Act, as amended by section five of chapter twenty-nine of the statutes of 1910, is hereby further amended by substituting for the

words in the first six lines thereof down to " alter " inclusive the following:—

Relation of parties to remain unaltered pending proceedings before a Board, and delivery of report.

" **57.** Employers and employees shall give at least thirty days' notice of an intended change affecting conditions of employment with respect to wages or hours; and in the event of such intended change resulting in a dispute, until the dispute has been finally dealt with by a Board, and a copy of its report has been delivered through the Registrar to both the parties affected, neither of those parties shall alter."

Minister may, on or without application, order a Board or recommend inquiry.

6. Section sixty-three A of the said Act as enacted by chapter twenty-seven of the statutes of 1918 is amended by inserting after the word "occurred" in the second line the words "or seems to the Minister to be imminent."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL E.

An Act to amend the Technical Education Act.

AS PASSED BY THE SENATE, 7th APRIL, 1920.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
177 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL E.

An Act to amend the Technical Education Act.

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 Technical Education Amendment Act, 1920.*

Provincial expenditure for land, buildings and equipment, may be taken into account in determining Dominion grant.

2. Sub-section two of section five of chapter seventy-three of the statutes of 1919 (First Session), entitled "An Act for the promotion of Technical Education in Canada," is hereby repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920

THE SENATE OF CANADA

BILL I.

An Act to provide in Ontario and Prince Edward Island for the Dissolution and the Annulment of Marriage.

Read a first time, Thursday, 8th April, 1920.

Honourable Mr. Ross
(Middleton).

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
225 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL I.

An Act to provide in Ontario and Prince Edward Island for the Dissolution and the Annulment of Marriage.

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

Part of law of England as to divorce, on 15 July, 1870, made law of Ontario and Prince Edward Island.

1. The law of England as to the dissolution of marriage and as to the annulment of marriage, as that law existed on the fifteenth day of July, 1870, in so far as it can be made to apply in the province of Ontario or in the province of Prince Edward Island, and in so far as it has not been repealed, as to the province, by any Act of the Parliament of the United Kingdom or by any Act of the Parliament of Canada or by this Act, and as altered, varied, modified or affected, as to the province, by any such Act, shall be the law of those provinces respectively as to dissolution of marriage and as to annulment of marriage.

Courts given jurisdiction.

2. The superior court of the province shall have jurisdiction for all purposes of this Act.

Short title.

3. This Act may be cited as "*The Divorce Act (Ontario and Prince Edward Island), 1920.*"

Repeal.

4. The following enactments are hereby repealed to the extent hereinafter described:—

STATUTES OF THE FORMER PROVINCE OF PRINCE EDWARD ISLAND.

Year and Chapter.	Title of Act.	Extent of Repeal.
5 William IV, (1836, c. 10.	An Act for establishing a Court of Divorce in this Island, and for repealing a certain Act therein mentioned.	The Whole Act.
16 Victoria, (1853), c. 12.	An Act to amend the law of Evidence.	Section 14.
29 Victoria, (1886), c. 11.	An Act to amend the Act intituled "*An Act for establishing a Court of Divorce in this Island, and for repealing a certain Act therein mentioned.*"	The Whole Act.
32 Victoria, (1869), c. 11.	An Act to provide for the service of Divorce Process on absent parties.	The Whole Act.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL J.

An Act respecting the Dissolution and the Annulment of Marriage.

Read a first time, Thursday, 8th April, 1920.

Honourable Mr. Ross
(Middleton).

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
226 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA

BILL J.

An Act respecting the Dissolution and the Annulment of Marriage.

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

Definition "court."

1. In this Act, unless the context otherwise requires, "court" means the superior court having jurisdiction within a province as to dissolution of marriage and as to annulment of marriage.

Relief to respondent on counter-charge of adultery.

2. In any suit for dissolution of marriage, if the relief sought is opposed by the respondent on the ground of adultery by the petitioner, the court may, upon the application of the respondent, give the respondent the same relief as that to which the respondent would have been entitled if the respondent had filed a petition seeking such relief.

Husband's adultery enough cause for divorce.

3. Notwithstanding anything to the contrary in the law of any province, adultery by the husband shall in itself be sufficient cause for the dissolution of a marriage.

Wife to have separate domicile for divorce.

4. For the purposes of any proceeding to dissolve a marriage or to annul a marriage, if the petitioner or applicant is a married woman her domicile shall be determined by the same laws and rules as apply to the determination of the domicile of a man, and the law or rule that the wife's domicile is that of her husband shall not apply.

Evidence by husband and wife.

5. In any proceeding to dissolve a marriage or to annul a marriage, the husband and wife shall each be a competent and compellable witness.

Co-respondent not party to divorce suit.

6. Notwithstanding anything to the contrary in the law of any province, there shall be no joinder of any

co-respondent in any suit to dissolve a marriage or in any proceeding arising out of such suit, and no damages shall be recovered from a co-respondent in any such suit or proceeding.

Decree *nisi* in first instance which may be made absolute.

7. (1) Every decree for dissolution or nullity of marriage shall in the first instance be a decree *nisi*, not to be made absolute until after the expiration of such time, not less than three months from the pronouncing thereof, as the court shall by general or special order in that behalf from time to time direct; and during that period any person may, in such manner as the court shall by general or special order in that behalf from time to time direct, show cause why the decree should not be made absolute by reason of the same having been obtained by collusion, by connivance, or by reason of material facts not brought before the court; and if no cause is so shown, the court shall deal with the case by making the decree absolute, or by reversing the decree *nisi*, or by requiring further inquiry, or otherwise as justice may require.

Opposition on ground of collusion, etc.

Powers of court.

Information to Attorney General as to collusion, etc.

(2) At any time during the proceedings or before the decree is made absolute, any person may give information to the Attorney General of the province in which the proceedings are had of any matter material to the due decision of the case; and the said Attorney General may thereupon take such steps as he deems necessary or expedient; and if, from any such information or otherwise, the said Attorney General suspects that any party to the suit is or has been colluding or conniving for the purpose of obtaining a divorce contrary to the justice of the case, he may, by leave of the court, intervene in the suit, alleging such collusion or connivance, and may retain counsel and subpœna witnesses to prove the same; and the court may order the costs of the Attorney General or counsel and such witnesses, and otherwise, arising from such intervention, to be paid by the parties or such of them as the court sees fit.

Intervention by Attorney General.

Costs of intervention.

Publication of report of divorce suits.

8. (1) No report of any suit to dissolve a marriage or to annul a marriage, or of the proceedings or any part of the proceedings in any such suit, shall be published until after the final determination of the suit unless the judge or court before whom the suit is heard or proceeding is had orders such publication; and after such final determination no such report shall be published without the approval of the said judge or court.

Penalty.

(2) Every one who violates any provision of this section shall be guilty of contempt of court, and upon conviction thereof before the court shall be liable to a fine not exceeding one thousand dollars and costs, or to imprisonment for a

term not exceeding three months, or to both such fine and such imprisonment.

Orders for payment of alimony and wife's expenses.

9. Upon any petition to dissolve a marriage or to annul a marriage, the court may, if it thinks fit, make from time to time such orders for the payment by the husband of interim alimony in such sums, at such times, and on such terms as may be fixed by any such order, and for the payment by the husband of such sums towards defraying the wife's expenses, incurred or likely to be incurred in and about the proceedings, as under the circumstances seem proper.

Appeals.

10. Either party dissatisfied with any final decree of the court may, within thirty days after the pronouncement thereof, appeal therefrom to the appellate court of the province, and that appellate court may either dismiss the appeal, or reverse the decree, or remit the case to the court of first instance to be dealt with as the appellate court shall direct; and from the decision of the appellate court there shall be an appeal to the Supreme Court of Canada.

Short title.

11. This Act may be cited as *The Divorce Act, 1920.*

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL P.

An Act to incorporate United Canada Fire Insurance Company.

Read a first time, Tuesday, 13th April, 1920.

Honourable Mr. McMEANS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
510 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL P.

An Act to incorporate United Canada Fire Insurance Company.

Preamble.

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. Harold Melville Leach, barrister-at-law, James Kennedy Burgess Turner, real estate manager, Fitz Roy George, treasurer, Robert Milne, valuator, and Alfred James Roberts, student-at-law, all of the city of Winnipeg in the province of Manitoba, together with such persons as become shareholders in the Company, are incorporated under the name of "United Canada Fire Insurance 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 three million dollars divided in shares of one hundred dollars each.

Subscription before organization.

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 Winnipeg in the province of Manitoba.

Business authorized.

6. The Company may make contracts of all kinds and classes of insurance, except life insurance.

Deposit before commencing business.

7. (1) The Company shall not commence the business of fire insurance until at least two hundred and fifty

thousand dollars of its capital stock have been *bonâ fide* subscribed and at least one hundred thousand dollars have been paid thereon.

(2) The Company shall not commence the business of any other class or kind of insurance in addition to fire insurance until its subscribed capital stock has been increased by a further sum of fifty thousand dollars, and twenty thousand dollars have been paid on such increased capital, but such additional subscription for stock and payment thereon shall not entitle the Company to engage in more than one additional class of insurance and the Company shall not commence a third, fourth, fifth or sixth class of insurance business until its subscribed capital stock and the amount paid thereon has been increased in the same proportion for each class of insurance undertaken.

(3) The Company shall not transact all the classes of insurance authorized by this Act until its subscribed capital stock has been increased to at least five hundred thousand dollars and at least two hundred thousand dollars have been paid thereon.

(4) In each year for five years after the issue of a license to the Company a sum of not less than fifteen thousand dollars shall be paid in cash upon the capital stock of the Company, which sum shall be in addition to the several sums required to be paid upon the capital stock as provided in this section.

1917, c. 29.

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

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL R.

An Act to amend and consolidate the Acts respecting The Western Assurance Company.

Read a first time, Wednesday, 14th April, 1920.

Honourable Mr. Ross
(Middleton).

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
512 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL R.

Statutes of former Province of Canada. 14-15 Vict. c. 162. 20 Vict. c. 167 Dominion Statutes. 1872, c. 99. 1875, c. 81. 1887, c. 102. 1901, c. 116. 1903, c. 201. 1904, c. 141. 1906, c. 179.

An Act to amend and consolidate the Acts respecting The Western Assurance Company.

WHEREAS a petition has been presented praying that the Acts respecting The Western Assurance Company be consolidated and amended 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 title.

1. This Act may be cited as *The Western Assurance Company Consolidation Act, 1920.*

Repeal.

2. The Acts described in the schedule to this Act are hereby repealed to the extent described in the said schedule and the provisions of this Act are substituted for the provisions of the Acts so repealed.

Corporate existence and name continued.

3. The said repeal shall not in any way affect the corporate existence of The Western Assurance Company, hereinafter called "the Company," and the Company shall continue to be the same corporation, under the said name, as that constituted by the Act of the legislature of the former province of Upper Canada, 14-15 Victoria, chapter 162.

General corporate powers.

4. The Company shall have continued succession and shall be capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended in all manner of actions, suits, complaints, matters and causes whatsoever, and may have a common seal which until altered shall be the one heretofore adopted by the Company and may change and alter the same at pleasure, and shall be capable in law of purchasing, holding or conveying any estate, real or

personal, for the use of the Company subject to the provisions of this Act.

Capital stock.
Shares.

5. (1) The capital stock of the Company shall be five million dollars divided into two hundred and fifty thousand shares of the par value of twenty dollars each.

Increase of capital stock.
Limitation.

6. (1) The directors may, after the whole authorized capital stock of the Company has been subscribed and fifty per cent paid thereon, increase the capital stock from time to time to an amount not exceeding ten million dollars.

Shares, increase or reduction of par value.
Provision for fractional shares.

(2) The directors may at any time pass a by-law providing for increasing or reducing the par value of the shares in the capital stock of the Company, and in such bylaw may provide a scheme for dealing with fractional shares resulting from such increase or reduction in par value, including in the scheme provisions—

(a) to call in outstanding certificates of stock and issue new certificates;

(b) to issue certificates for fractional parts of shares;

(c) to accumulate and consolidate fractional parts of shares into shares of the new par value;

(d) to buy and sell such fractional parts;

(e) after consolidating fractional parts of shares into shares of the new par value, to sell the same;

(f) if such fractional parts of shares have not all been accumulated and consolidated or otherwise dealt with after the expiration of six months from the passing of the by-law changing the par value of the shares then, after giving at least thirty days' notice to each holder of a fractional part, to purchase all such fractional parts at the then market price as indicated by the then last sale of stock, or at such price, not being less than the market price, as the directors may determine upon; and that such price shall be paid by crediting each such shareholder in the books of the Company with the amount which shall thereafter be payable to each such shareholder on demand, and that such action shall operate as an extinguishment of the rights of such shareholders to such fractional parts:

Provided always that all such shares or fractional parts of shares acquired by the Company shall be sold and disposed of by it within two years from the acquisition thereof: and Provided further that as often as any shareholder appears on the stock ledger or share register of the Company as holding fractional parts of shares which together amount to the new par value of a share, or to any multiple thereof, such shareholder shall thenceforth be deemed to hold an equivalent amount in shares of the new par value, and when the certificates therefor are issued they shall be certificates for shares of the new par value.

Approval by shareholders.

(3) No such by-law for the purpose of increasing the capital stock of the Company or of increasing or reducing the par value of the shares of the capital stock of the Company shall take effect until confirmed by the votes of shareholders representing at least two-thirds of the value of the shares represented and voted upon at a special general meeting of the shareholders of the Company called for considering such by-law.

Preference stock.

Voting power.

Limitation of amount.

7. (1) The directors may by by-law create and issue any part of the capital stock as preference stock, giving it such preference and priority as respects dividends and in any other respect, over ordinary stock as is declared by the by-law, which by-law may provide for the calling in and cancellation of the said preference stock, and may fix the terms and conditions upon which it may be so called in and cancelled: Provided that the holders of preference stock shall not be given any greater voting power than the holders of ordinary stock: Provided further that the preference stock at any time issued and outstanding shall not exceed two shares of preference stock to every three shares of ordinary stock issued and sold.

Approval by shareholders.

(2) No such by-law shall take effect until confirmed by the votes of shareholders representing at least two-thirds of the value of the shares represented and voted upon at a special general meeting of the Company called for considering such by-law.

Creditors' rights saved.

(3) No such by-law nor the issue of preference stock created thereby shall in any way affect, prejudice or impair the rights of creditors of the Company.

Reduction of capital stock in case of impairment.

8. (1) If the paid-up capital stock of the Company is at any time impaired (and the capital stock shall for this purpose be deemed to be impaired when the assets of the Company, exclusive of its paid up capital, are insufficient to meet its liabilities, including in the said liabilities a reinsurance reserve of eighty per cent of the *pro rata* unearned premiums) the directors may from time to time pass a by-law for writing any amount off the paid up capital stock of the Company, and the issued stock of the Company shall be reduced by the amount of the reduction in the paid up portion thereof: Provided that no such by-law shall take effect until confirmed by the votes of shareholders representing at least two-thirds of the value of the shares represented and voted upon at a special general meeting of the Company called to consider the by-law.

By-law for reduction.

Approval by shareholders.

Methods of reduction.

(2) Such reduction in the paid up capital stock may be effected either by reducing the par value of the shares, or by reducing the number of shares and issuing to the shareholders a lesser number of shares, proportionate as nearly as possible in amount to their respective holdings as reduced,

Provisions to be made in by-law.

according to a scheme to be determined by the directors and embodied in the said by-law; and such scheme may provide for the disposition of fractional parts of shares, where necessary; and the directors may call in and cancel the shares so reduced, and issue new shares and certificates therefor as may be deemed expedient, and the register of the Company shall be amended in accordance with every change in the shares thereof.

Fractional parts of shares.

(3) Any such scheme providing for the disposition of fractional parts of shares may include the right on the part of the Company to require the holder of any such fractional part to sell and the right on the part of the Company to buy the same; and such scheme may provide for the accumulating and consolidating and selling of fractional parts, and for the extinguishment of the rights of the holders of such fractional parts in the manner hereinbefore provided with respect to changing the par value of shares of the capital stock of the Company: Provided that all shares so acquired by the Company shall be sold within two years from the acquisition thereof.

Issue of new stock to replace reduced capital.

9. The Company may from time to time issue or re-issue new stock of the Company to the amount by which the paid-up capital stock has been in any manner reduced, written off, called in or cancelled, but so that the capital stock shall not, at any time, exceed the authorized capital stock of the Company; and all such new stock shall rank in all respects *pari passu* with the existing stock, subject always to the right to issue part of the same as preference stock as hereinbefore set out, and to the preference and priority over ordinary stock given with respect thereto; and such new stock may, notwithstanding anything herein contained, be issued, allotted and called in from time to time in such manner as the directors determine.

Rank thereof.

Ranking of stock hereafter issued.

10. All stock issued after the passing of this Act shall rank in all respects *pari passu* with the existing stock of the Company, subject always to the right to issue part of the same as preference stock as hereinbefore set out and to the preference and priority over ordinary stock given with respect thereto; and in the event of the directors increasing or reducing the par value of the shares of the Company any shares issued thereafter shall be issued at such increased or reduced par value.

New issues to go first to shareholders.

11. Every new issue of stock shall first be offered for subscription to the shareholders of the Company in proportion as nearly as possible to their respective holdings for the time being.

Stock not to be sold below par.

12. No stock shall be sold or allotted by the Company at a less price than par.

Liability of shareholders on their stock.

13. The shareholders of the Company shall be liable and responsible for the debts and liabilities thereof in their individual and private capacity to the amount unpaid on their respective shares and no more.

Votes at meetings.

Proxies.

14. Every shareholder shall be entitled to as many votes at all general meetings of the Company as he owns shares in the Company, and may vote by proxy, but every such proxy must himself be a shareholder and be entitled to vote.

Liability of executors, trustees, etc.

Liability on stock held as collateral security.

15. A person holding stock in the Company as an executor, administrator, tutor, curator, guardian or trustee shall not be personally subject to liability as a shareholder; but the estate and funds in the hands of such person shall be liable in like manner and to the same extent as the testator or intestate, if living, or the minor, ward or interdicted person, or the person interested in such trust funds, if competent to act and holding such stock in his own name would be liable. A person holding stock in the Company as collateral security shall not be personally subject to liability as a shareholder; but the person pledging such stock shall be considered as holding the same and shall be liable as a shareholder accordingly.

Transfers of stock.

16. The stock of the Company shall be personal estate and shall be transferable in such manner only and subject to such conditions and restrictions as are prescribed by the by-laws of the Company: Provided always that until the shares are fully paid it shall be necessary to obtain the consent of the directors to the transfer of the same: Provided further that a shareholder indebted to the Company shall not be entitled, without the consent of the directors, to make a transfer or receive a dividend until such debt is paid or secured to be paid to the satisfaction of the directors.

Issue and allotment of stock.

17. (1) The capital stock of the Company may be issued and allotted in such amounts, at such times, at such rates and in such manners as the directors of the Company may prescribe.

Calls.

Forfeiture.

(2) Calls for payments on shares and forfeiture for the non-payment of calls shall be made in accordance with the by-laws of the Company.

Form of action.

(3) In any action to enforce payment of calls and interest thereon it shall not be necessary to set forth the special matter, but it shall be sufficient to declare that the defendant is a holder of one share or more, stating the number of shares, and is indebted to the Company in the sum of

money to which the calls in arrear amount, in respect of one call or more, upon one share or more, stating the number of calls and the amount of each call, whereby an action has accrued to the Company under this Act.

Stock book.

18. (1) The directors shall cause books to be kept by such officers, agents or transfer agents as are specially charged with that duty, wherein shall be kept recorded—

Information to be contained therein

(a) the names alphabetically arranged of all persons who are or have been shareholders;

(b) the address and calling of every such person while such shareholder;

(c) the number of shares of stock held by each shareholder;

(d) the amounts paid in, and remaining unpaid, respectively, on the stock of each shareholder;

(e) all transfers of stock in their order as presented to the Company for entry, with the date and other particulars of each transfer, and the date of the entry thereof;

(f) the names, addresses and callings of all persons who are or have been directors of the Company, with the several dates at which each became or ceased to be a director, and in case the Company transacts the business of life insurance, distinguish between shareholders' directors and policyholders' directors.

Place where information is to be recorded.

(2) The provisions of subsection one of this section shall be subject to the subsequent provisions of this Act with reference to the maintaining of share registry and transfer offices, and the information required by the said subsection to be kept in respect of any shares need only be kept at the place where such shares are registered.

Stock books to be open for inspection.

19. The books referred to in the last preceding section shall, during reasonable business hours of every day except Sundays and holidays, be kept open for inspection of the shareholders of the Company and their personal representatives.

Company not liable for execution of trusts as to shares.

20. (1) The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, in respect of any share.

Shareholders' receipt a discharge.

(2) The receipt of the shareholder in whose name any share stands in the books of the Company shall be a valid and binding discharge to the Company for any dividend or money payable in respect of such share, and whether or not notice of such trust has been given to the Company.

Application of money.

(3) The Company shall not be bound to see to the application of the money paid upon such receipt.

Entry requisite to validity of transfer.

21. No transfer of shares, unless made by sale under execution or under the decree, order or judgment of a court

of competent jurisdiction, shall be valid for any purpose whatsoever until entry thereof has been duly made in the books of the Company, except for the purpose of exhibiting the rights of the parties thereto towards each other, and of rendering the transferee liable, in the meantime, jointly and severally with the transferor to the Company and its creditors.

Share registry and transfer offices.

22. The directors of the Company may make by-laws providing for the opening and maintaining in Canada, and elsewhere as may be deemed advisable, of share registry and transfer offices in addition to the head office of the Company, at which registry and transfer offices such of the shareholders as may from time to time so desire may have their names and holdings entered subject to their complying with the forms and arrangements made with respect thereto. Shares registered in any such share registry and transfer office may be transferred and the dividends accruing thereon may be made payable thereat in like manner as shares and dividends are respectively transferred and paid at the head office of the Company. Such by-laws may include such rules and regulations in respect to such share registry and transfer offices and to the share and transfer registers kept thereat, and the shares registered therein, as may be deemed expedient, and may, among other things, provide for the appointment of registrars or transfer agents or such other officers as may be required for such purpose, and for convenient arrangements allowing of the transfer of shares from one register to another, and for the forms to be used in connection therewith, and may include a charge or fee for the transfer from one register to another or for the transfer of shares, and for the collection and payment of any transfer or other taxes payable in respect of any and all such transfers by the law of the place at which such transfer is made, or by any other law affecting the same, and that all such rules and regulations shall be binding upon the shareholders of the Company.

Rules and regulations respecting such offices.

Board of directors.

23. The property, affairs and concerns of the Company shall be managed and conducted by a board of directors, not being fewer than nine nor more than twenty, as the by-laws may from time to time provide. The present directors shall continue to be the directors of the Company and shall remain in office until replaced by directors duly elected or appointed in their stead.

Qualification of directors.

24. No person shall be elected or continue to be a director unless he holds in his own name and for his own use shares of the capital stock of the Company to the amount of at least two thousand five hundred dollars, and has paid all calls due thereon and all liabilities to the Company incurred by him.

Election of directors on expiry of term.

25. The directors to succeed directors retiring on expiry of the term for which they have been elected shall be elected by the shareholders at an annual general meeting of the Company or at a special general meeting of the Company called for that purpose. Any vacancy otherwise occurring in the board of directors may be filled, for the remainder of the term for which the director whose office has been vacated was elected, by the directors from among the qualified shareholders of the Company.

Filling vacancies for remainder of unexpired term.

President and vice-presidents.

26. The directors shall elect from amongst themselves a president and vice-president or vice-presidents.

Existing by-laws continued.

27. The by-laws of the Company as in force immediately preceding the passing of this Act shall be and remain the by-laws of the Company until altered, varied or amended in pursuance of the provisions of this Act, except in so far as they may be inconsistent with the provisions of this Act.

Power to make by-laws respecting directors.

28. The directors may make by laws not contrary to law or to this Act for—

(a) determining the number of directors to constitute the board from time to time;

(b) varying the number of directors to constitute the board from time to time;

(c) fixing the term of office and manner and method of election of directors;

(d) providing for all or any proportion of the directors being from time to time elected for one, two or three years;

(e) providing the plan by which any provisions for rotation of office shall be brought into effect and carried out, the order in which directors shall retire and successors shall be elected, and any other things necessary or expedient for giving effect to and carrying out the intention of such by-laws.

Powers of directors to make by-laws.

29. The directors may make by-laws not contrary to law or to this Act for—

Shares.

(a) the regulation and allotment of stocks; the making of calls thereon; the payment thereof; the issue and registration of share certificates; the forfeiture of shares for non-payment; the disposal of forfeited shares and the proceeds thereof and the transfer of shares;

Dividends.

(b) the declaration and payment of dividends;

Officers, etc.

(c) the appointment, functions, duties, removal and remuneration of all agents, officers and servants of the

Company and the security to be given to them by the Company;

Meetings. *(d)* the time and place of the holding of the annual meeting of the Company; the calling of meetings, annual, regular, and special, of the shareholders of the Company; the calling of meetings of the directors of the Company; the requirements as to proxies and the procedure in all things at such meetings, whether of shareholders or of directors;

Penalties. *(e)* the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law;

Local advisory boards. *(f)* the establishment of local advisory boards or agencies within Canada or elsewhere, at such times and in such manner as the directors may deem it expedient.

Rates and policies. *(g)* fixing the rates, terms and amount of insurance and issuing all policies;

Closing of transfer books. *(h)* ordering that no entry of a transfer of shares shall be made in the books of the Company for a period not exceeding thirty days immediately preceding the holding of an annual or special meeting of the shareholders or the payment of a dividend;

Number of directors. *(i)* varying or changing the number of directors, but so that the number shall not be less than nine nor more than twenty;

Quorum and remuneration of directors. *(j)* fixing the number of the directors to constitute a quorum at meetings of the board, but so that in no event shall the quorum be fixed at less than five, and fixing the remuneration to be payable to the directors;

Head Office. *(k)* changing the location of the head office of the Company;

Executive committees. *(l)* appointing executive committees composed of members of the board of directors, and delegating such of the powers and authorities of the board of directors as may be deemed expedient to such executive committees; but such delegation shall not relieve the directors from liability in respect of any act or omission by such committees;

Generally. *(m)* The conduct, in all other particulars, of the affairs of the Company.

Altering by-laws. **30.** The directors may from time to time repeal, amend or re-enact any by-law made by them, provided that every such by-law, repeal amendment or re-enactment,

Confirmation necessary. unless in the meantime confirmed at a general meeting of the Company duly called for that purpose, shall have force only until the next annual meeting of the Company and, in default of confirmation thereat, shall from the time of such default, cease to have force and effect.

Failure to elect directors. **31.** If at any time an election of directors is not made or does not take effect at the proper time, the Company

Remedy.

shall not be held to be thereby dissolved, but such election may take place at any general meeting of the Company duly called for that purpose, and the retiring directors shall continue in office until their successors are elected.

Removal of director from office.

32. Any director may at any time be removed from office and another appointed in his stead by resolution of shareholders representing at least two-thirds of the value of the shares represented and voted upon at a special general meeting of the shareholders of the Company called for that purpose; and the person so appointed shall hold office for the remainder of the term of the person whose removal has caused the vacancy.

Term of office of successor.

Quorum of directors.

33. Five directors shall constitute a quorum, unless and until the quorum is changed in accordance with the provisions of this Act, and no business shall be transacted at any meeting of the directors at which a quorum is not present.

Remedy in event of there not being a quorum of directors.

34. Whenever there is not a quorum of directors in office the remaining directors or director shall forthwith call a meeting of the shareholders to fill the vacancies, and in default the meeting may be called by any shareholder, provided that he has previously given to the remaining directors or director notice of his intention to call such meeting, and that at the expiration of ten days after the giving of such notice the remaining directors or director has failed to call such meeting.

General powers of directors.

35. The directors may in all things administer the affairs of the Company and may make or cause to be made for the Company any description of contract which the Company may by law enter into.

Votes at directors' meetings.

36. At all meetings of the directors all questions before them shall be decided by a majority of votes, and in the case of an equality of votes the president, vice-president or other presiding officer shall give the casting vote over and above his proper vote as a director.

Directors to be indemnified against costs, etc., incurred by reason of office.

37. Every director shall be indemnified by the Company against, and it shall be the duty of the directors to pay, out of the funds of the Company, all costs, losses and expenses which any director has lawfully incurred, or become liable for, by reason of any contract entered into, or of any act or thing done by him as a director or in any way in discharge of his duties, including all travelling and out-of-pocket expenses: Provided that nothing in this section shall authorize the indemnification of any director for any

penalty incurred under the provisions of *The Insurance Act, 1917.*

Restrictions of liability of directors and officers.

38. A director or other officer of the Company shall not be liable for—

(a) the acts, receipts, neglects, omissions or defaults of any other director or officer;

(b) any loss or expense happening to the Company through the insufficiency or deficiency of title to any property acquired by order of the directors for or on behalf of the Company;

(c) the insufficiency or deficiency of any security in or upon which any of the moneys of the Company have been or are invested;

(d) any loss or damage arising from the bankruptcy, insolvency or tortious act of any person or Company with whom any moneys, securities or effects have been deposited.

General power to do insurance business.

39. The Company may, throughout Canada and elsewhere, carry on and transact every kind of insurance business now or hereafter capable of being carried on or transacted.

Specific powers for various kinds of insurance.

40. Without in any way limiting or restricting the generality of the last preceding section the Company may—

(a) carry on the business of fire insurance in all its branches, and grant insurances against injury or damage to or loss of property directly or indirectly caused by or resulting from fire, lightning, explosion, cyclone or tornado, and against loss or damage by breakage, leakage, freezing, rupture or collapse of sprinklers, tanks, pumps, water pipes, plumbing or fire extinguishing or fire preventing appliances or devices;

(b) carry on the business of marine insurance and inland marine insurance in all its branches, and in particular and without prejudice to the generality of the foregoing words, make or effect insurances on ships, vessels, boats and craft of all kinds, and on goods, merchandise, live or dead stock, luggage, effects, specie, bullion and or other property, respondentia and bottomry interests, and on commissions, profits and freights;

(c) carry on the business of all kinds of transit and transportation insurance, including inland transportation insurance, in all their branches, and whether partly by land or partly by water, or wholly by land or wholly by water, and including all risks of transit by post, whether alone or in connection with any other mode of transit, and whether by land, sea or air, and

also risks incidental to goods or other property wheresoever carried, held, stored or deposited;

(d) be surety in and execute any bail bond or guarantee in lieu of bail, and any bond or guarantee required to be given or executed to obtain the release of any vessel's cargo or freight or otherwise in connection with marine insurance business;

(e) carry on the business of insurance of, against and in connection with accidents, including accidental death, automobiles, including automobile accident, theft, property damage and personal liability and other losses in connection therewith and resulting therefrom, air, airplanes and flying machines and apparatus, balloons, and other lighter-than-air contrivances for floating or being propelled above the surface of the earth, and any other kind of machine and apparatus to be used or operated above the surface of the earth, aviation of every kind, and all kinds of insurance generally and popularly known as air insurance, including accidents happening on the ground or in the air or as a result of operating or attempting to operate machines or appliances wheresoever, war, riot, civil commotion, strikes and labour disturbances, insurrection, burglary, guarantee and suretyship, credit, earthquake, volcano, weather and industrial, war risks of every kind, loss of health, trade and other losses including loss of or damage of or to goods, wares and merchandise and other personal property, theft, pilferage, loss of profits, loss by forfeiture of licenses, leases or other property or rights, live stock, employers' liability, trustees', executors', administrators', and receivers' liability, boiler, steam boiler, plate glass, hail and sickness;

(f) insure, guarantee or indemnify against loss, injury or damage of any description to human beings, or of or to animals, or real or personal property, arising from or in connection with accidents, contingencies, risks and events of any and every kind;

(g) re-insure or counter-insure all or any risks or parts of risks, and undertake all kinds of re-insurance and counter-insurance connected with any of the businesses aforesaid;

(h) do all or any of the above things either as principals, agents, contractors or otherwise, and either alone or in conjunction with others, and either by or through agents, sub-contractors, trustees or otherwise;

(i) do all such other things as are incidental or conducive to the attainment of the above objects.

Ice-breakers and wreck-relieving steamers and appliances.

41. The Company may acquire, own, equip, maintain, operate and navigate ice-breakers and wreck-relieving

steamers and other appliances for ice-breaking and wreck-relieving, and may subscribe for, purchase and hold stocks or shares in any company incorporated for the purpose, solely or among other things, of owning, equipping, maintaining, operating and navigating ice-breakers and wreck-relieving steamers and other appliances for ice-breaking and wreck-relieving: Provided, however, that the amount so invested by the Company shall not exceed ten per centum of its paid-up capital stock.

Holding of stocks for such purposes.

Limitation.

42. Notwithstanding the provisions of *The Insurance Act, 1917*, or of any other Act, the Company shall be eligible for a license under *The Insurance Act, 1917*, or any other Act, regardless of the corporate powers of the Company, upon complying in other respects with such of the provisions of *The Insurance Act, 1917*, as are not inconsistent with the provisions of this Act.

Investment of Company's funds.

43. (1) The Company may invest its funds, or any portion thereof, in the purchase of—

Government securities.

(a) 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 any foreign country or state forming a portion of such foreign country; or of any municipal or school corporation in Canada or elsewhere, where the Company is carrying on business; 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;

Municipal and school securities.

Bonds secured by mortgage.

(b) (i) the bonds of any company which are secured by a mortgage or a hypothec to trustees or to a trust corporation, or otherwise upon real estate or other assets of such company; or

Debentures.

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

Preferred stock.

(iii) the preferred stocks of any 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 company which are guaranteed by a company 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

Limitation.

Common stocks.

(iv) the common stocks of any company or corporation 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 shall be purchased by the Company; but the Company shall not after the passing of this Act be permitted to invest in its own stock or in the stock of any other insurance company;

Limitation.

Real estate mortgages, etc.

(c) ground rents, mortgages or hypothecs on real estate in Canada, or elsewhere where the company is carrying on its business: 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; or

Limitation.

Life policies.

(d) life or endowment policies or contracts issued by the company or by any other life insurance company licensed to transact business in Canada.

Lending funds.

(2) The Company may in addition lend its funds or any portion thereof on—

On bonds, etc.

(a) any of the bonds, debentures, stocks or other securities mentioned in the last preceding subsection: 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 next preceding subsection; or

Limitation.

On real estate.

(b) real estate or leaseholds for a term or terms of years, or other estate or interest therein in Canada or elsewhere where the Company is carrying on business: Provided however, that no such loan shall exceed sixty per cent of the value of the real estate or interest therein which forms the security for such loan, but this proviso shall not be deemed to prohibit the 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.

Limitation.

Other bonds, etc., may be accepted with consent of Treasury Board.

44. The Company may, with the consent of the Treasury Board, accept bonds, stocks or debentures not fulfilling the requirements of the foregoing section—

(a) in payment or part payment for securities sold by the Company; or

(b) if obtained under a *bonâ fide* arrangement for the reorganization of a company, or for the amalgamation with another company the securities of which other

company were owned by the Company; but the bonds, stocks or debentures whose acquisition is so authorized shall be absolutely sold and disposed of within five years after the acquisition thereof, or within such further time not exceeding one year as the Governor in Council, on report of the Minister of Finance, determines.

No loan to director or officer.

(2) The Company shall not loan any of its funds to any director or officer thereof except on the security of the Company's own life policies.

Deposits outside of Canada.

45. The Company may deposit outside of Canada such portion of its funds and securities as is necessary or desirable for the maintenance of any foreign branch or branches.

Terms, etc., of investments, loans, etc.

46. Any investment, loan or purchase of securities which the Company is hereby authorized to make may be made on such terms and conditions, and in such manner, and at such times, and for such sums and in such sums of repayment, whether of principal or interest, or of principal and interest together, as the directors may from time to time determine.

Head office.

47. The head office of the Company shall be at the city of Toronto or at such other place as may be fixed by the Company's by-laws.

Borrowing powers.

48. The Company may borrow money upon the credit of the Company, and limit or increase the amount to be borrowed; and may 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; and may hypothecate, mortgage or pledge the real or personal property of the Company or both, to secure any such bonds, debentures, debenture stock or other securites, or any money borrowed for the purposes of the Company.

Books and funds of life insurance branch to be kept separate from those of other business.

49. (1) When and so soon as the Company commences the business of life insurance, separate books of account shall be opened and kept for all transactions connected with that branch of the business of the Company; and the funds pertaining to that branch shall be kept distinct and separate from those pertaining to the other business of the Company, and the funds derivable from that branch shall not be applicable to any losses or claims whatsoever that may happen in the other branches; and in like manner the accounts in the other branches shall be kept distinct and separate from those of the life branch, and the funds of the same shall not be applicable to any losses or claims whatsoever arising in the life branch.

Apportionment of stock to life insurance branch.

(2) Before commencing the business of such life branch, the board of directors may issue such portion of the authorized capital stock of the Company as may be deemed advisable which shall from thenceforth belong exclusively to the said life branch, and shall be liable, as regards both the amount paid in thereon and the amount unpaid on the said stock, for losses and claims connected with the business of that branch, and for no other losses or claims whatsoever.

Meaning of "Company" in certain sections.

50. In sections fifty-one to fifty-five, both inclusive, of this Act, the word "company" shall be deemed to include any association, partnership or other body of persons, whether incorporated or not incorporated, and whether incorporated or formed in Canada or elsewhere.

Disposal of Company's undertaking.

51. The Company may dispose of and transfer the undertaking and business of the Company, or any part thereof, for such consideration and on such terms as the Company may think fit, and in particular for shares, debentures, debenture stock, or other securities of any other company: Provided always that a by-law for such purpose shall be passed by the board of directors and confirmed by the votes of shareholders representing at least two-thirds of the value of the shares represented and voted upon at a special general meeting of the shareholders of the Company duly called for considering such by-law.

By-law requisite.

Acquisition of business, etc., of other companies.

52. The Company may purchase or otherwise acquire all or any part of the business, undertaking, property and assets, and assume the liabilities of any company carrying on or formed to carry on, either in Canada or elsewhere, any business which the Company is authorized to carry on, or of any company which is possessed of property suitable for the purposes of the Company, and the Company shall have power to re-insure all and any part of any such business of any such company and to assume the liabilities of any such company: Provided that any asset or investment acquired under this section which is not an investment authorized under this Act or amendments thereto shall be absolutely disposed of and realized within one year of such acquisition.

Disposal of certain assets so acquired.

Powers to promote and hold stock in companies.

53. The Company may promote and establish and hold stock in any other company, association or bureau which may seem directly or indirectly calculated to benefit the Company, and, without limiting the generality of the foregoing, in any company, association or bureau for printing, map making, inspection, adjusting, rating salvage, or for supporting fire brigades, and that whether such company, association or bureau is dividend-paying or not;

To act as insurance agents.

and the Company may act as an insurance underwriter, agent and settling agent.

Sharing profits, and co-operation with other companies.

54. The Company may enter into any joint-purse arrangement, or any arrangement for sharing profits, union of interests or co-operation with any other company, firm or person carrying on or proposing to carry on any business or transaction which the Company is for the time being authorized to carry on.

Amalgamation, transfer of policies, property, etc., re-insurance, etc.

55. The Company may amalgamate its property and business with those of any other insurance company carrying on a business similar in whole or part to that of the Company, or may transfer all or any portion of its policies to, or re-insure the same in any such other company; or may transfer its property and business or any part thereof, to any such other company; or may re-insure the policies or any portion thereof of any such other company; or may purchase and take over the business and property, or any portion thereof, of any such other company; and the Company is hereby authorized to enter into all contracts and agreements necessary to such amalgamation, transfer, re-insurance or purchase.

Acquisition of business, etc., of other companies.

Holding of real estate.

56. (1) The Company may hold such real estate as is required for its actual use and occupation or such as may reasonably be required for the natural expansion of its business, and such as at the date of the passing of this Act the Company may possess and hold in immediate connection with or adjoining to its present place of business, and including such as having been lawfully acquired is vested in it at the time of the passing of this Act, or such as is *bonâ fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered: Provided, that the Company may, with the consent of the Treasury Board, acquire and hold such real estate in the United Kingdom and other countries in which it transacts business as its directors deem necessary for the use of the Company's branches, or for the expansion of its business in the United Kingdom and the said other countries: Provided that no parcel of land or interest therein, at any time acquired by the Company and not required for its actual use and occupation, present or prospective, as hereinbefore in this section mentioned, and not held by way of security, shall be held by the Company or any trustee on its behalf, for a longer period than twelve years after the acquisition thereof, but shall, at or before the expiration of such period be absolutely sold and disposed of, so that the Company shall no longer retain any interest therein, except by way of security, but this proviso shall not apply to the real estate

Proviso as to United Kingdom and elsewhere.

Proviso as to time of holding.

at present possessed and held by the Company in connection with or adjoining its present places of business.

Forfeiture of lands.

(2) Any such parcel of land, or any interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Company for a longer period than twelve years without being disposed of, shall be liable to be forfeited to His Majesty for the use of Canada: Provided that:—

Proviso.

Notice of intention.

(a) No such forfeiture shall take effect until the expiration of at least six calendar months after notice in writing to the Company by the Minister of Finance, of the intention of His Majesty to claim the forfeiture; and

Company may sell before forfeiture is effected.

(b) The Company may, notwithstanding such notice, before the forfeiture is effected, sell or dispose of the property free from liability to forfeiture.

Statement as to lands.

(3) It shall be the duty of the Company to give the Minister of Finance when required a full and correct statement of all lands at the date of such statement held by the Company, or in trust for it, and subject to the foregoing provisoes.

Benefits for employees.

57. The Company may establish and support, or aid in the establishment and support of, associations, institutions, funds, trusts or conveniences calculated to benefit persons employed by the Company or having dealings with the Company, and pay pensions and give gratuities to employees and ex-employees and others dependent on or connected with them, and subscribe or guarantee money for charitable or benevolent objects or for any exhibition or for any public general or useful object.

Pensions.

Subscriptions.

Re-insurance of risks.

58. The Company may cause itself to be re-insured against any risk undertaken by it, and may re-insure any other company or underwriters carrying on the same class of business as the Company, or any part of such business, against any risk undertaken by such other company or underwriters.

Application of 1917, c. 20.

59. Except as herein otherwise provided *The Insurance Act, 1917*, and all amendments thereto, shall apply to the Company.

SCHEDULE.

ACTS REPEALED (S. 2).

Year and Chapter.	Title.	Extent of Repeal.
	ACTS OF THE FORMER PROVINCE OF CANADA.	
14-15 Vict., (1851), c. 162	An Act to incorporate "The Western Assurance Company"	The Whole.
20 Vict., (1857), c. 167	An Act to amend the Act incorporating the Western Assurance Company	The Whole.
	ACTS OF THE DOMINION OF CANADA.	
1872, c. 99	An Act further to amend the Act incorporating the Western Assurance Company	The Whole.
1875, c. 81	An Act to amend the Act incorporating the Western Assurance Company and other Acts affecting the same, and to extend the powers of the said Company	The Whole.
1887, c. 102	An Act further to amend the Act incorporating the Western Assurance Company and other Acts affecting the same.	The Whole.
1901, c. 116	An Act respecting the Western Assurance Company	The Whole.
1903, c. 201	An Act respecting the Western Assurance Company	The Whole.
1904, c. 141	An Act respecting the Western Assurance Company	The Whole.
1906, c. 179	An Act respecting the Western Assurance Company.	The Whole.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL S.

An Act to amend and consolidate the Acts respecting The British America Assurance Company.

Read a first time, Wednesday, 14th April, 1920.

Honourable Mr. Ross
(Middleton).

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
511 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL S.

An Act to amend and consolidate the Acts respecting The British America Assurance Company.

Preamble.

1882, c. 99.
1893, c. 75.
1901, c. 90.
1904, c. 51.
1906, c. 64.
1907, c. 65.

WHEREAS it is expedient to amend and consolidate the various Acts respecting The British America Assurance Company: Therefore 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 British America Assurance Company Consolidation Act, 1920.*

Repeal.

2. The Acts described in the schedule to this Act are hereby repealed to the extent described in the said schedule and the provisions of this Act are substituted for the provisions of the Acts so repealed.

Corporate existence and name continued.

3. The said repeal shall not in any way affect the corporate existence of The British America Assurance Company, hereinafter called "the Company", and the Company shall continue to be the same corporation, under the said name, as that constituted by the Act of the Legislature of the former province of Upper Canada, 3rd William IV, chapter 18.

Capital stock and shares.

4. (1) The capital stock of the Company shall be three millions of dollars, divided into shares of twenty-five dollars each, and may be increased or reduced as hereinafter provided.

Increase of capital stock how to be effected.

(2) The shareholders of the Company may from time to time by by-law passed at any general annual meeting, or at any special general meeting of the shareholders called for that special purpose, and of which not less than thirty days' notice has been given in *The Canada Gazette* and in two newspapers published in the city of Toronto, increase the capital stock of the Company to such an amount, not exceeding eight million dollars, as may be determined at

Limitation.

such meeting, and such additional stock may be issued and allotted and called in, in such amounts, at such times, at such rates, and in such manners as the directors of the Company for the time being may order, limit and direct: Provided, that all calls for the payment of such additional stock and the forfeiture of shares for the non-payment of calls, shall be made according to the provisions of the said by-law.

Ranking of stock.

(3) Except so far as otherwise provided by the conditions of issue, all stock hereafter issued shall rank in all respects *pari passu* with the existing stock of the Company.

New stock to be offered to shareholders.

(4) Every new issue of stock shall first be offered for subscription to the shareholders in proportion as nearly as possible to their respective holdings for the time being.

Stock to be sold at par.

(5) No stock shall be sold or allotted by the Company at a less price than par.

Transfer of shares.

(6) (*a*) The stock of the Company shall be assignable and transferable and may from time to time be assigned and transferred by the respective holders thereof.

Subject to Company's claims against shareholders.

(b) Provided that if the Company has any claim or demand against any shareholder, whether such claim or demand is due or to become due at any future period, such shareholder shall not be entitled to make any sale or transfer of his stock in the Company nor to receive a dividend thereon until such claim or demand has been paid or secured to be paid to the satisfaction of the directors, and unless such claim or demand has been paid, or secured as aforesaid, within three months after the same has become due, then and in that case, such stock of any such debtor or so much thereof as is sufficient for that purpose, may be sold by the Company, and the proceeds thereof may be applied towards the satisfaction of such claim or demand, and this provision shall apply to unpaid calls of stock whenever such stock may have been or may be issued.

Transfer offices to be established.

(c) The Company may establish transfer offices in Toronto or elsewhere in Canada, and in London or elsewhere in Great Britain.

Transfers in Canada.

(d) In Canada every such assignment and transfer shall be entered in books of the Company to be kept for that purpose by such officers or agents and at such places as the directors by resolution from time to time appoint; and shall be signed by the persons making and accepting such assignments or transfers, or by their respective attorneys or agents, duly authorized in writing, whose authority shall be left with the Company.

Transfers in Great Britain.

(e) In Great Britain the instrument of transfer of any share shall be in writing in the usual common form there used and shall be signed by both the transferor

and transferee, and the transferor shall be deemed to remain the holder of such share until the name of the transferee is entered in the register to be kept for that purpose. Every instrument of transfer shall be left at the transfer office for registration accompanied by the certificate of the shares to be transferred and such other evidence as the Company may require to prove the title of the transferor or his right to transfer the shares. All instruments of transfer which have been registered shall be retained by the Company but any instrument of transfer which the directors decline to register shall be returned to the person depositing the same.

(f) No transfer of shares, unless made by sale under execution or under the decree, order or judgment of a court of competent jurisdiction, shall be valid for any purpose whatsoever until entry thereof has been duly made in the books of the Company, except for the purpose of exhibiting the rights of the parties thereto towards each other, and of rendering the transferee liable in the meantime jointly and severally with the transferor to the Company and its creditors.

Dividends.

(g) The dividends accruing upon any shares may be made payable at London or elsewhere in Great Britain in like manner as dividends are paid at the head office of the Company at Toronto.

Transfer books and register may be closed.

(h) The transfer books and register of shareholders may be closed during such time as the directors think fit, not exceeding in the whole thirty days in each year.

Capital stock may be reduced if impaired.

(7) *(a)* If the paid-up capital stock of the Company should at any time be impaired (and the capital shall be deemed to be impaired when the excess of assets over liabilities amounts to less than the paid-up capital, the liabilities entering into the calculation to include eighty per cent of the reserve of the unearned premiums calculated *pro rata* for the unexpired term of the policies) the directors may, so often as the same shall happen, pass a by-law to reduce or write off the paid-up capital stock such amount as they determine, and the issued stock of the Company shall be reduced by the amount of the reduction in the paid-up portion thereof: Provided, that no by-law for the said purpose shall be valid unless it is approved by two-thirds of the votes of the shareholders present or represented by proxy at a special general meeting of the Company called ton consider such by-law.

Approval of shareholders.

Method of reduction.

(b) Such reduction in the paid-up capital stock may be effected either by reducing the par value of the shares or by reducing the number of shares and issuing to the shareholders a lesser number of shares, proportionate as nearly as possible in amount to their respective

holdings as reduced, according to a scheme to be determined by the directors and embodied in the said by-law; and such scheme may provide for the disposition of fractional parts of shares where necessary; and the directors may call in and cancel the shares so reduced, and issue new shares and certificates therefor, as may be deemed expedient, and the registers of the Company shall be amended in accordance with every change in the shares thereof.

Restoration of capital stock.

(c) The directors may from time to time by by-law increase the paid-up stock of the Company so reduced as aforesaid by an amount or amounts by which the same may have been from time to time reduced under the provisions thereof, by declaring a stock dividend or bonus, or otherwise, out of the profits of the business of the Company.

Creditors' rights and shareholders' liabilities not affected.

(d) Nothing in this sub-section contained or done under the provisions thereof shall affect the liability of the Company or its shareholders to the creditors thereof, nor the liability of the holders of shares unpaid or not fully paid up, to pay in full the amount of such shares at the par value at which such shares were sold, subscribed for issued or allotted.

By-law respecting preference stock.

(8) The shareholders of the Company may by by-law to be passed by the votes of shareholders representing at least three-fourths in value of the shares represented at any general annual meeting or at any special general meeting of the shareholders to be called for that special purpose and of which notice shall be given as prescribed in subsection (2) of this section, create and issue any part of the Company's capital stock as preference stock, giving it such preference and priority as respects dividends and in any other respect over ordinary stock as is declared by the by-law, which by-law may provide for the calling in and cancellation of the said preference stock; and may fix the terms and conditions upon which it may be so called in and cancelled: Provided that the holders of the preference stock shall not be given any greater voting power than the holders of ordinary stock, and that the preference stock at any time issued and outstanding shall not exceed two shares of preference stock to every three shares of ordinary stock issued and sold.

Rights of creditors saved.

No such by-law, nor the issue of preference stock created thereby, shall in any way affect, prejudice or impair the rights of creditors of the Company.

Annual meeting of Company.

5. The annual meeting of the shareholders shall be held at the head office of the Company on such day in each year not later than the last day of the month of March as shall from time to time be fixed by resolution of the directors. Notice of the meeting shall be given by publish-

Notice.

ing the same in a newspaper, published in the place where the head office of the company is situated, fifteen days before the day the meeting is to be held, and the directors shall lay before the meeting a full printed statement of the affairs and financial position of the Company made up to the thirty-first day of December of the previous year, which statement shall be certified by the president or vice-president and by the secretary or assistant-secretary for the time being.

Statement to be submitted.

Notice of special general meeting.

6. Notice of any special general meeting shall be given by publishing the same in two newspapers, published in the place where the head office of the Company is situated, thirty days before the day the meeting is to be held.

Proportion of votes to shares.

7. Each and every shareholder in the Company shall, on all occasions on which the votes of the shareholders are to be taken at any meeting, have one vote for each share held by him for at least fifteen days before the said meeting.

Directors; their qualifications.

8. (1) No person shall be elected or continue to be a director of the Company unless he holds in his own name and for his own use shares of the capital stock of the Company to the amount of at least two thousand five hundred dollars and has paid in cash all calls due thereon, and all liabilities incurred by him to the Company.

Present directors to continue in office.

(2) The directors at the time of the passing of this Act shall hold office until their successors are elected or appointed under this Act.

Number of directors.

9. (1) The number of directors shall not be less than nine nor more than twenty as may be provided by by-law of the shareholders from time to time.

Directors. Tenure of office.

(2) At each annual meeting one-third of the number of the directors shall retire from office; the directors to retire as aforesaid in each year shall be those who have been longest in office; as between one or more who have been in office an equal length of time, the director who retires, shall, in default of agreement between them, be determined by lot; the length of time a director, who has previously vacated office, has been in office shall be computed from his last election or appointment; a retiring director shall be eligible for re-election.

Election of directors.

(3) At each annual meeting of the shareholders there shall be held an election of directors to fill the places of the retiring directors and any vacancies that may then exist from other causes; which election shall be held and made by such of the shareholders as attend at the head office of the Company in their own proper persons or are represented thereat by proxy, which proxy must be held by a shareholder and be in writing under the hand of the

Proxies.

shareholder giving the same, signed in the presence of one witness; and the persons who have the greatest number of votes at any such election shall be the directors to fill the vacancies; and if it happens at any election that two or more persons have an equal number of votes in such manner that a greater number of persons than necessary to fill the vacancies appear, by plurality of votes, to be chosen as directors, then the said shareholders herein authorized to vote shall proceed to ballot until by a majority of votes it has been determined which of the said persons so having an equal number of votes shall be the director or directors so as to complete the number.

Provision in case of ties.

Filling of vacancies among directors.

(4) If a vacancy at any time happens among the directors by death or resignation or other cause, such vacancy may be filled up for the remainder of the year in which it happens by the election by the remaining directors, who shall be specially summoned to attend a meeting of the directors for the purpose, of some one of the shareholders eligible to be elected; but the directors may by resolution determine that such vacancy shall not be filled up until the next annual meeting, and that the number of the directors shall in the meantime be reduced accordingly.

President and Vice-President.

(5) The directors shall have power to choose from among themselves a president and vice-president.

Failure to elect directors.

(6) If at any annual meeting at which an election of directors ought to take place the places of the retiring directors are not filled up, the retiring directors or such of them as have not had their places filled up shall continue in office until the annual meeting in the next year, and so on from year to year until their places are filled up, unless it is determined at any such meeting to reduce the number of directors.

Remedy.

Meeting of directors.

10. The directors shall hold meetings at such times as they may by resolution appoint, and they shall by such resolution fix the quorum at such meetings, which shall, however, consist of not fewer than five members; and all questions brought before or submitted to the directors shall be decided by a majority of votes, each director having one vote, and in the case of an equality of votes, the president or vice-president or the acting chairman for the time being, shall give the casting vote over and above his proper vote as a director.

Quorum.

Voting at meeting of directors.

Casting vote.

Powers of directors.

11. The management of the business of the Company shall be vested in the directors who, in addition to the powers and authorities by this Act expressly conferred upon them, may exercise all such powers and do all such acts and things as may be exercised or done by the Company and are not by this Act, or by any other Act binding upon the Company, directed, or required to be exercised or done

by the Company in general meeting; subject, nevertheless, to any by-laws which may from time to time be passed by the shareholders at any annual or special general meeting: Provided that no such by-law so made shall invalidate any prior Act of the directors which would have been valid if such by-law had not been passed, and, without limiting the general powers conferred by this section and the other powers conferred by this Act, the directors shall have the following powers, that is to say—

To make by-laws.

(a) to make such by-laws and regulations as to them may seem necessary for regulating the calling of meetings of the Company, the declaration and payment of dividends, the remuneration of the directors and the management of the Company's affairs;

To grant policies.

(b) to grant policies or to enter into contracts on behalf of the Company, and to appoint agents to grant, issue and execute such policies and contracts, and to provide how the same shall be executed; to determine who shall be entitled to sign on the Company's behalf bills, notes, receipts, acceptances, endorsements and cheques; and, on the Company's behalf, to execute releases, contracts and documents and how the same shall be executed; and when so signed or executed the same shall be binding on the Company;

Managing director.

(c) to elect one of their number to be the managing director of the Company, who shall, in the absence of the president and vice-president, have the same powers and authority as are vested in them or in either of them, and shall, in their absence, or when it is convenient so to do, act in all matters in their place, subject to any restrictions that may be imposed by any by-law of the Company, or by resolution of the directors;

Executive committee.

(d) to appoint from among themselves for each year an executive committee and other committees, whose duties shall be defined by resolution of the directors;

Appointment of officers.

(e) to appoint a general manager, a manager or managers, an assistant manager or assistant manager, a secretary or secretaries, and an assistant secretary or assistant secretaries, and all other necessary officers and employees of the Company, who shall hold their offices at the will and pleasure of the directors, and to prescribe their duties and fix their remuneration and, if the directors deem it expedient, to make such regulations as to the giving of security by them for the proper, honest and efficient discharge of their respective duties as the directors think fit;

Security.

Local boards.

(f) to establish local boards or agencies in Canada, or elsewhere, at such times and in such manner as they may deem expedient for managing any of the affairs of the Company, and to appoint any persons to be

Delegation of certain powers of directors.

members of such local board or managers or agents, and to fix their remuneration. To delegate to any such board or persons so appointed any of the powers, authorities and discretions for the time being vested in the directors other than their power to make calls or investments, and to authorize members for the time being of any such local board or any of them to fill up any vacancies; such appointments or delegations to be made on such terms and subject to such conditions as the directors may think fit; and at any time to remove any person so appointed and to annul or vary any such delegation.

Holding of real estate.

12. The Company may hold such real estate as is required for its actual use and occupation or such as may reasonably be required for the natural expansion of its business, and such as at the date of the passing of this Act the Company may possess and hold in immediate connection with or adjoining to its present place of business, and including such as having been lawfully acquired is vested in it at the time of the passing of this Act, or such as is *bonâ fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered:

Proviso as to United Kingdom and elsewhere.

Provided that the Company may, with the consent of the Treasury Board, acquire and hold such real estate, in the United Kingdom and other countries in which it transacts business, as its directors deem necessary for the use of the Company's branches, or for the expansion of its business in the United Kingdom and other countries:

Proviso as to time of holding.

Provided that no parcel of land or interest therein, at any time acquired by the Company and not required for its actual use and occupation, present or prospective, as hereinbefore in this section mentioned, and not held by way of security, shall be held by the Company or any trustee on its behalf, for a longer period than twelve years after the acquisition thereof, but shall, at or before the expiration of such period, be absolutely sold and disposed of, so that the Company shall no longer retain any interest therein, except by way of security, but this proviso shall not apply to the real estate at present possessed and held by the Company in connection with or adjoining its present places of business.

Investment of Company's funds. In Government securities.

13. (1) The Company may invest its funds, or any portion thereof, in the purchase of—

(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 any foreign country, or state forming

a portion of such foreign country; or of any municipal or school corporation in Canada, or elsewhere where the Company is carrying on business; 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.

Bonds secured by mortgage.

(b) (i) the bonds of any company which bonds are secured by a mortgage or hypothec to trustees or to a trust corporation, or otherwise upon real estate or other assets of such company; or

Debentures.

(ii) the debentures or other evidences of indebtedness of any 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 stock.

(iii) the preferred stocks of any 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 company which are guaranteed by a company 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,

Proviso.

Common stock.

(iv) the common stocks of any company or corporation 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 shall be purchased by the Company, and that the Company shall not be permitted to invest in its own shares, nor, except as hereinafter in this Act is specially provided, in the shares of any other company transacting or authorized by its charter to transact any class of insurance which the Company transacts or is by this Act authorized to transact; or,

Proviso.

Real estate mortgages.

(c) ground rents, mortgages or hypothecs on real estate in Canada, or elsewhere where the Company is carrying on its business: 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.

Lending funds.

(2) The Company may lend its funds or any portion thereof on the security of—

On bonds, stocks, etc.

(a) any of the bonds, debentures, stocks or other securities mentioned in the next preceding subsection: 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 next preceding subsection; or

Proviso.

On real estate.

(b) real estate or leaseholds for a term or terms of years or other estate or interest therein in Canada or elsewhere where the Company in carrying on business: Provided, however, that no such loan shall exceed sixty per cent of the value of the real estate or interest therein which forms the security for such loan, but this proviso shall not be deemed to prohibit the 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; or

Proviso.

On other securities authorized by Treasury Board.

(c) any other securities not fulfilling the requirements of this section that the Treasury Board may authorize in payment or part payment for securities sold by the Company, or obtained under a *bonâ fide* arrangement for the reorganization of a company whose securities were previously owned by the Company, or for the amalgamation with another company of a company whose securities were so owned; but the bonds, stocks or debentures whose acceptance is so authorized shall be absolutely sold and disposed of within five years after the acquisition thereof, or within such further time not exceeding one year as the Governor in Council shall, on the report of the Minister of Finance, fix and determine;

Additional securities to secure repayment of liabilities.

(d) The Company may take any additional securities of any nature to secure further the re-payment of any liability thereto, or to secure further the sufficiency of any of the securities in or upon which the Company is authorized to invest or lend any of its funds.

Deposits outside of Canada.

14. The Company may deposit outside of Canada such portion of its funds and securities as is necessary to the maintenance of any foreign branch or branches.

Powers of Company.

15. (1) The Company may throughout Canada and elsewhere—

(a) carry on all and every kind of insurance businesses (excepting ordinary life insurance) in all or any one or more of their respective branches; and without limiting these general powers, may—

(b) carry on the business of fire insurance, marine insurance, both ocean and inland marine, the insurance of airplanes against any and every kind of hazard, air insurance, accident insurance, including accidental

death, insurance of profits, including leasehold profits, insurance against loss or damage by war, riot, civil commotion, insurrection, strikes or labour disturbances, earthquake, volcano, lightning, explosion, cyclone or tornado, sprinkler leakage insurance, including insurance against loss or damage by breakage, leakage, freezing, rupture or collapse of sprinklers, tanks, pumps, water pipes, plumbing or other fire-extinguishing or fire-preventing appliances, hail insurance, automobile insurance, bond insurance, burglary insurance, theft insurance, credit insurance, inland transportation insurance, plate glass insurance, sickness insurance, steam boiler insurance, boiler insurance, weather insurance, insurance against loss or damage of or to goods, wares, merchandise or property of any kind, including matter transmitted by mail and property of all kinds in transit from place to place by land, sea or air, insurance of employers against claims of workmen, domestic and other servants for compensation for injuries, and guarantee and suretyship business, and may carry on the said businesses in all their branches;

(c) re-insure or counter-insure all or any of its risks and may undertake all kinds of re-insurance or counter-insurance connected with any of the businesses aforesaid;

(d) purchase or otherwise acquire and undertake and re-insure all or any part of the business, property and liabilities of any person or company carrying on or formed to carry on, either in Canada or elsewhere, any business which the Company is authorized to carry on or possessed of property suitable for the purposes of the Company, whether dividend paying or not: Provided stock in any such company shall not be held by the Company for a longer period than one year;

(e) enter into partnership, or into any arrangement or treaty for sharing profits, union of interests, joint adventure, reciprocal concession or co-operation with any person or company carrying on, or engaged in, or about to carry on or engage in, any business or transaction which the Company is authorized to carry on or engage in, or any business or transaction capable of being conducted so as directly or indirectly to benefit the Company; and, subject to the proviso in paragraph *(d)* of this section, may take or otherwise acquire and hold shares or stock in or securities of and may subsidize or otherwise assist any such company; and may sell, hold, re-issue with or without guarantee, or otherwise deal with, such shares or securities; and may manage or control, or take part in the management or control of, the business of any such

company and may act as agent or trustee for any such company and that whether such company is dividend paying or not;

(f) dispose of and transfer the undertaking of the Company or any part thereof, for such consideration and on such terms as the Company may think fit: Provided that a by-law for such purpose has been passed at any annual general meeting, or special general meeting called for the purpose, by the votes of shareholders representing at least two-thirds of the value of the shares represented at that meeting;

(g) promote and establish and hold stock in any company, association, or bureau, for printing, map making, inspection, adjusting, rating and salvage, supporting fire brigades, or other like objects, whether such company, association or bureau is dividend-paying or not;

(h) own, equip, maintain, operate, and navigate on the lakes and rivers of Canada, and elsewhere, ice-breakers and wreck-relieving steamers and other appliances for ice breaking and wreck-relieving; and may subscribe for, purchase and hold stock or shares in any company, whether dividend-paying or not, incorporated for the purpose, solely or among other things, of owning, equipping, maintaining, operating and navigating on the lakes and rivers of Canada, and elsewhere, ice-breakers and wreck-relieving steamers and other appliances for ice-breaking and wreck-relieving: Provided, however, that the amount so invested by the Company shall not exceed ten per cent of its paid-up capital stock;

(i) establish and support, or aid in the establishment and support of, associations, institutions, funds, trusts or conveniences calculated to benefit persons employed by the Company or having dealings with the Company and may pay pensions and give gratuities to employees and ex-employees, and others dependent on or connected with them, and may subscribe or guarantee money for charitable or benevolent objects, or for any exhibition, or for any public, general or useful object;

(j) invest the moneys of the Company not immediately required in such manner and upon such terms, not contrary to the provisions of this Act, as may seem expedient;

(k) effect all such insurances and guarantees for the protection of the Company, whether against loss upon any investment or security or otherwise, as may seem expedient, and may pay all premiums and other moneys necessary for these purposes;

(l) draw, accept, endorse, discount, execute and issue bills of exchange, promissory notes, debentures, bills of

lading and other negotiable or transferable instruments or securities and to borrow or raise money;

(m) pay, satisfy or compromise any claims made against the Company which it may deem expedient to pay, satisfy or compromise, notwithstanding that the same may not be valid in law, and may re-insure and effect counter guarantees.

(n) sell, exchange, enfranchise, improve, manage, develop, lease, mortgage, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Company;

(o) do all such other things as are incidental or conducive to the attainment of the above objects and powers.

Company may be licensed for any number of classes of business.

16. Notwithstanding the provisions of section nine of *The Insurance Act, 1917*, the Company shall be deemed eligible for licenses and the Minister may issue licenses to the Company.

Borrowing powers.

17. The Company may borrow money upon the credit of the Company, and limit or increase the amount to be borrowed; and may issue bonds, debentures, debenture stock or other securities of the Company, and pledge or sell the same for such sum and at such prices as may be deemed expedient; and may 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, or any money borrowed for the purposes of the Company.

Liability of shareholders limited.

18. The shareholders of the Company shall be liable and responsible for the debts and liabilities thereof, in their individual and private capacity, to the amount unpaid on their respective shares and no more.

Financial year.

19. The financial year of the Company shall end and all the books and accounts of the Company shall be closed for the then current year on the 31st day of December.

Head office.

20. The head office of the Company shall be at the city of Toronto, but the shareholders of the Company at any general meeting may change the place of the head office of the Company.

Directors and officers not liable for certain matters.

21. A director or other officer of the Company shall not be liable for—

(a) the acts, receipts, neglects or defaults of any other director or officer;

(b) joining in any receipt or other conformity;

(c) any loss or expense happening to the Company through the insufficiency of title to any property

acquired by order of the directors for or on behalf of the Company;

(d) the insufficiency or deficiency of any security in or upon which any of the moneys of the Company have been or are invested;

(e) any loss or damage arising from the bankruptcy, insolvency or tortious act of any person with whom any moneys, securities or effects have been or are deposited;

(f) any loss, damage or misfortune whatever, which happens in the execution of the duties of his office, or in relation thereto, unless the same happen through his own dishonesty.

Indemnification of directors, officers and servants against costs, losses, etc.

22. Every director, manager, secretary and other officer or servant of the Company shall be indemnified by the Company against, and it shall be the duty of the Directors, to pay, out of the funds of the Company, all costs, losses and expenses which any such director, officer or servant incurs or becomes liable for by reason of any contract entered into, or any act or thing done by him as such director, officer or servant, or in any way in the discharge of his duties, including travelling and all out-of-pocket expenses. The amount for which such indemnity is provided shall immediately attach as a lien on the property of the Company and have priority as between the shareholders over all other claims: Provided that nothing in this section shall authorize the indemnification of such director, officer or servant for any penalty incurred under the provisions of *The Insurance Act, 1917*.

Lien.

SCHEDULE.

Acts repealed (s. 1).

Year and chapter.	Title.	Extent of repeal.
1882, c. 99.	An Act to amend, and consolidate as amended, the several Acts relating to the British America Assurance Company.	The Whole.
1893, c. 75.	An Act respecting the British America Assurance Company.	The Whole.
1901, c. 90.	An Act respecting the British America Assurance Company.	The Whole.
1904, c. 51.	An Act respecting the British America Assurance Company.	The Whole.
1906, c. 64.	An Act respecting the British America Assurance Company.	The Whole.
1907, c. 65.	An Act respecting the British America Assurance Company.	The Whole.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL W.

An Act for the identification of Traders in German Goods.

Read a first time, Thursday, 15th April 1920.

Honourable Mr. LYNCH-STAUNTON.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL W.

An Act for the identification of Traders in German Goods.

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. Dealing in goods, etc., of German or Austrian origin.

1. *The Criminal Code* is hereby amended by inserting therein, immediately after section 508D as inserted by section one of chapter twenty-six of the statutes of nineteen hundred and seventeen, the following as section 508E:—

Words "Dealer in German Goods" to be on dealer's premises, advertisements and stationery.

508E. (1) Every person who knowingly deals in goods, wares or merchandise which are, in whole or in part, the growth, product or manufacture of Germany or Austria-Hungary, shall keep posted in letters easily legible over every outside entrance to his premises the words "Dealer in German Goods," and shall print the said words prominently in all his advertisements and stationery.

Penalty.

(2) Every person who fails to comply with the provisions of this section shall be liable for each offence on summary conviction to imprisonment for six months or to a fine of five hundred dollars or to both such imprisonment and fine.

Exception.

(3) The provisions of this section shall not apply to dealings in any such goods, wares or merchandise as are in Canada at the date of the passing of this Act.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA

BILL L².

An Act respecting the Hamilton Provident and Loan Society, and to change its name to "The Hamilton Provident and Loan Corporation."

Read a first time, Thursday, 22nd April, 1920.

Honourable Mr. LYNCH-STAUNTON.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
128 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL L².

An Act respecting The Hamilton Provident and Loan Society, and to change its name to "The Hamilton Provident and Loan Corporation."

1885, c. 30.
1893, c. 85.
1895, c. 85.
1911, c. 88.

WHEREAS The Hamilton Provident and Loan Society 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:—

Corporate name changed.

Rights saved.

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

Money deposits.

Limitation.

2. The Hamilton Provident and Loan Corporation may receive money on deposit upon such terms as to interest, security, time of repayment and otherwise as may be agreed upon, but the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid up and unimpaired capital stock, of its actual reserve fund, and of its cash actually in hand or deposited in any chartered bank in Canada, and not included in either the paid up capital or the reserve fund.

Former limitation repealed.

3. The second proviso to section three of chapter thirty of the statutes of 1885, as enacted by section one of chapter eighty-eight of the statutes of 1911, is hereby repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL U².

An Act respecting The Army and Navy Veterans in Canada.

Read a first time, Friday, 23rd April, 1920.

Honourable Mr. SHARPE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1920

165

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL U2.

An Act respecting the Army and Navy Veterans in Canada.

1917, c. 70.

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 the House of Commons of Canada, enacts as follows:

1. Section six of chapter seventy of the statutes of 1917 entitled, "An Act to incorporate The Army and Navy Veterans in Canada," is hereby amended by adding thereto the following as subsection three thereof:—

Power to establish women's association.

Purposes.

Name.

Branches of women's association.

"(3) The expression "branches" in this section includes an association of women established, under the powers given by this section, for the purposes of assisting the Army and Navy Veterans in Canada in caring for sick and destitute veterans and their dependents, in the promotion of patriotic endeavour, in giving aid to war widows and their dependents, and generally in aiding The Army and Navy Veterans in Canada in every possible way in carrying out the purposes and objects defined by section two of this Act. The association so established shall be known as "The Dominion Association of the Ladies Auxiliary of The Army and Navy Veterans in Canada," and may form Branch Ladies Auxiliaries throughout Canada for the furtherance of the purposes and objects for which it is established."

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL X².

An Act to amend The Immigration Act (Deportation of Undesirable Persons).

Read a first time, Tuesday, 27th April, 1920.

Honourable Mr. Robertson, P.C.

OTTAWA
J. de LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1294 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL X².

An Act to amend The Immigration Act (Deportation of Undesirable Persons.)

1910, c. 27; 1919, c. 25; 1919, c. 26.

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

Deportation of undesirables.

1910, c. 27, s. 45. 1919, c. 25, s. 15. 1919, c. 26, s. 1.

1. Section forty-one of *The Immigration Act*, as the said section is enacted by section one of chapter twenty-six of the statutes of 1919 (First Session), is hereby amended by striking out the proviso at the end thereof and substituting therefor the following:

"Provided that this section shall not apply to any person who is a Canadian citizen".

Presumption as to certain persons abolished.

2. Subsection (2) of the said section forty-one is hereby repealed.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL Y².

An Act to amend The Employment Offices Co-ordination Act.

AS PASSED BY THE SENATE, 7th MAY, 1920.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2030 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL Y2.

An Act to amend The Employment Offices Co-ordination Act.

1918, c. 21.

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

Definition.

1. Paragraph *(b)* of section two of *The Employment Offices Co-ordination Act*, chapter twenty-one of the statutes of 1918, is hereby repealed and the following substituted therefor:—

"*(b)* 'employment office' means an employment office, or any division of an employment office, operated by any provincial government, or any other employment office, or division of an employment office, approved by the Minister;"

Powers of Minister.

2. Section three of the said Act is hereby amended by adding thereto the following paragraph:—

"*(d)* to require any person or firm to make a written return of such information as may be deemed necessary for the purposes of this Act or of any regulation made by authority of this Act, under penalty not exceeding one hundred dollars and not less than ten dollars, for each refusal or neglect to answer or wilfully false answer."

Allotment of monies appropriated.

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

"(2) Notwithstanding anything in subsection one of this section, the Minister may in any year set aside from the monies appropriated such sum as may seem desirable for the maintenance of employment offices other than those operated by provincial government: Provided that, before any such employment office is assisted under this Act, the Minister shall be satisfied that the provincial government concerned does not propose to establish or maintain

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL M3.

An Act respecting The Montreal Central Terminal Company.

Read a first time, Thursday, 6th May, 1920.

Honourable Mr. BEAUBIEN.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL M3.

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. 120.
1912, c. 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:—

1. The Montreal Central Terminal Company may, within five years from the passing of this Act, complete the works mentioned in sections two and three of chapter one hundred and nine of the statutes of 1909, that is to say, one or more tunnels for railway purposes under the River St. Lawrence from a point in the city of Montreal, to a point on the south shore of the River St. Lawrence, and, for the purpose of connecting with any railway reaching the south shore of the River St. Lawrence from the south or west, a bridge or tunnel across or under the River St. Lawrence near Lachine; and if, within the said five years, any of the said works are not completed the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said works as then remains uncompleted.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL O3.

An Act respecting the Director of Coal Operations.

Read a first time, Friday, 7th May, 1920.

Honourable Mr. ROBERTSON, P.C.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
2041 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL O3.

An Act respecting the Director of Coal Operations.

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

Ratification of Orders-in-Council respecting Director of coal operations.

1. The powers, duties and rights of the Director of Coal Operations, appointed under the provisions of the Order-in-Council of the twenty-fifth day of June, nineteen hundred and seventeen (P.C. 1725), as set forth in the said Order-in-Council and in the Order-in-Council of the twelfth day of July, nineteen hundred and seventeen (P.C. 1896), the Order-in-Council of the fifteenth day of November, nineteen hundred and seventeen (P.C. 3224), and the Order-in-Council of the twentieth day of February, nineteen hundred and eighteen (P.C. 426), in amendment thereof, are hereby ratified and confirmed and continued in force and effect until the end of the next session of Parliament: Provided, however, that the Governor in Council shall have power to repeal and cancel all or any of the said Orders-in-Council if at any time he deems that the same are no longer required.

Powers and duties of Director continued.

Power to Governor in Council to repeal.

Ratification of Orders issued by Director.

2. The orders heretofore issued by the Director of Coal Operations set forth in the schedule hereto attached are hereby ratified and confirmed and shall be deemed to have been lawfully made on the respective dates when they were signed by the said Director of Coal Operations.

SCHEDULE.

ORDERS OF THE DIRECTOR OF COAL OPERATIONS.

Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79,

80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 126A, 126B, 126C, 126D, 126E, 126F, 126G, 126H, 126I, 126J, 126K, 126L, 126M, 126N, 126O, 126P, 126Q, 126R, 126S, 126T, 126U, 126V, 127A, 127B, 128A, 128B, 128D, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 142B, 142C, 142D, 142E, 142F, 142G, 143, 144.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL X3.

An Act respecting the Colonial Investment and Loan Company.

Read a first time, Tuesday, 11th May, 1920.

Honourable Mr. PROUDFOOT.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1920

300

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL X³.

An Act respecting the Colonial Investment and Loan Company.

1900, c. 95.

WHEREAS The Colonial Investment and Loan 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:—

Provision for decrease of capital stock.

1. Chapter ninety-five of the statutes of 1900 entitled, "An Act to incorporate the Colonial Investment and Loan Company," is hereby amended by adding thereto the following as section twenty-five thereof:—

1914, c. 40.

"**25.** Sections thirty-eight, thirty-nine, forty, forty-one and forty-two of *The Loan Companies Act, 1914*, shall apply to the Company.

Redemption of preference stock.

2. The directors may by by-law from time to time provide, either out of the capital or reserves of the Company, or partly out of each, for redeeming, at not less than the par value thereof, the whole or any part of the Company's preference stock.

Approval by shareholders.

3. No by-law for redeeming preference stock of the Company shall have any force or effect unless and until it has been sanctioned by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law, such vote being that of shareholders holding not less than two-thirds of the subscribed and issued capital stock of the Company, and provided that such by-law has afterwards been confirmed by the certificate of the Minister given under the authority of the Treasury Board.

Confirmation by Minister

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL K4.

An Act respecting Dominion Trust Company.

Read a first time, Tuesday, 1st June, 1920.

Honourable Mr. PLANTA.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
3153 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL K4.

An Act respecting Dominion Trust Company.

Preamble.

1912, c. 89; 1913, c. 107.

WHEREAS a petition has been presented setting forth that Dominion Trust Company, hereinafter called "the Company," was incorporated by chapter eighty-nine of the statutes of 1912, and that the Company purported to commence business on the fourth day of January, 1913, and that on the ninth day of November, 1914, the Honourable the Chief Justice of British Columbia ordered that the Company be wound up under the provisions of the *Winding-Up Act*, chapter one hundred and forty four of *The Revised Statutes of Canada*, 1906, and amending Acts, and that the present liquidator thereof is John Crowther Gwynn, and that certain doubts have arisen as to whether or not the provisions of section five of the said chapter eighty nine have been complied with and whether the Company was entitled to commence business on the fourth day of January, 1913, and that it is expedient that such doubts should be set at rest, and that there are over seven thousand three hundred creditors of the Company whose claims have been proved and allowed by the Supreme Court of British Columbia, and that there are three hundred and thirty nine persons claiming to be creditors of the Company whose claims are disputed by the liquidator and have not yet been allowed by the court, and that it is expedient that the said John Crowther Gwynn or other the liquidator for the time being of the Company should be enabled to declare and pay a dividend or dividends to those creditors of the Company whose claims have been allowed or shall be allowed by the court without waiting for the settlement of the disputed claims, provided that the liquidator shall make provision for the payment of a like dividend or dividends on the said disputed claims as and when the same may be allowed by the court, and shall make provision for the payment of the probable costs of proving such of the said claims as may be allowed by the court, and 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, enact as follows:—

Declaration as to right to commence business on 4th January, 1913.

1. Except as herein provided, it shall, for the purposes of the liquidation of the Company and for all other purposes, be admitted by all persons and be accepted as a binding and conclusive fact that the provisions of section five of chapter eighty-nine of the statutes of 1912, have been complied with by the Company and that the Company was entitled to commence business on the fourth day of January, 1913.

Powers of liquidator to distribute assets and pay dividends.

2. The said John Crowther Gwynn, or other the liquidator of the Company for the time being, may at any time hereafter, and from time to time, distribute the assets of the Company or any part thereof among the creditors of the Company without reference to any claim against the Company which shall not then have been sent to the the said John Crowther Gwynn, or other the liquidator of the Company for the time being, who may at any time hereafter declare and pay a dividend or dividends to those creditors of the Company whose claims have been allowed by the court: Provided always that before making payment of any such dividend or dividends the liquidator shall make such provision as the court may direct for a like dividend or dividends upon the claims which shall then have been sent to him but which shall not then have been allowed by the court and for payment of the probable costs which may be allowed against him of the proof of such claims.

Proviso.

Pending suits not affected.

3. Nothing in this Act shall in any way affect any suit or proceeding commenced before the twenty-fourth day of April, 1920, either by or in favour of or against the Company, or any liquidator thereof, and now pending, and no party to any such suit shall be entitled to plead this Act or anything herein contained.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL S4.

An Act to incorporate The Bank of Saskatchewan.

Read a first time, Wednesday, 2nd June, 1920.

Honourable Mr. Ross
(Moosejaw).

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
3472 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA

BILL S4.

An Act to incorporate The Bank of Saskatchewan.

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 Sinton, farmer, J. K. McInnes, farmer and real estate agent, James Grassick, Mayor of the city of Regina, William Thomson, physician, J. W. Brown, retired farmer, George Speers, undertaker, H. Black, contractor, and Hugh Armour, farmer, all of the city of Regina, in the province of Saskatchewan, in the Dominion of Canada, J. A. Sheppard, farmer, and Andrew Dalgarno, retired farmer, both of the city of Moose Jaw, in the said province, and F. S. Wilbur, financial agent, of the town of Creelman, in the said province, together with such persons as become shareholders in the corporation by this Act created, are incorporated under the name of "The Bank of Saskatchewan," hereinafter called "the Bank."

Corporate name.

Provisional directors.

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

Capital.

3. The capital stock of the Bank shall be five million dollars.

Chief office.

4. The chief office of the Bank shall be at the city of Regina, in the province of Saskatchewan.

Duration of charter.

1913, c. 9.

5. This Act shall, subject to the provisions of section sixteen of *The Bank Act*, remain in force until the first day of July, in the year one thousand nine hundred and twenty-three.

Court who is appointed by the Governor in Council to perform the duties of Chief Justice in the District as constituted for the Court of King's Bench sitting in appeal within which the Chief Justice does not reside, Montreal or Quebec, as the case may be..... 10,000 00

"*(e)* Thirty-five puisne judges of the Superior Court, each..... 9,000 00

including—

Twenty-one for the District of Montreal with residence in the city of Montreal or in the immediate vicinity thereof, among whom are numbered the judges who by provincial enactment have special charge of the Districts of Terrebonne, Beauharnois, Richelieu, St. Hyacinthe, Pontiac, Hull, Montcalm, Bedford, Iberville and Joliette, respectively;

Ten for the District of Quebec, with residence in the city of Quebec or in the immediate vicinity thereof, among whom are numbered the judges who by provincial enactment have special charge of the Districts of Gaspé, Beauce, Rimouski and Montmagny, Arthabaska, Kamouraska, Saguenay and Roberval, respectively;

Two whose residences are fixed at the city of Sherbrooke, or in the immediate vicinity thereof, who by provincial enactment have special charge of the District of St. Francis;

Two whose residences are fixed at the city of Three Rivers or in the immediate vicinity thereof, who by provincial enactment have special charge of the District of Three Rivers.

" Provided, however, that a judge of the Superior Court shall not be entitled to receive any addition to his present salary unless he is actually residing at or in the immediate vicinity of the city of Montreal, Quebec, Sherbrooke or Three Rivers, as the case may be, as required by Article three thousand and seventy-six of the Revised Statutes, 1909, of the province of Quebec, as enacted by section forty-one of chapter seventy-nine of the statutes of 1920 of the said province.

"(2) This section shall come into operation upon and after a day to be named by proclamation of the Governor in Council."

6. Sections nine, ten, eleven, twelve, thirteen, subsection one of section fourteen, and section fourteen A of the said Act, as enacted by chapter fifty-nine of the statutes of 1919, are repealed, and the following are substituted therefor:—

" NOVA SCOTIA.

Nova Scotia.

" **9.** The salaries of the judges of the Supreme Court of the province of Nova Scotia shall be as follows:—

	Per annum.
"*(a)* The Chief Justice of the Court.....	$10,000 00
"*(b)* The Judge in Equity.....	9,000 00
"*(c)* Five puisne judges of the Court, each	9,000 00

" NEW BRUNSWICK.

New Brunswick.

" **10.** The salaries of the judges of the Supreme Court of the province of New Brunswick shall be as follows:—

	Per annum.
"*(a)* The Chief Justice of New Brunswick..	$10,000 00
"*(b)* Two puisne judges of the Court of Appeal, each.....	9,000 00
"*(c)* The Chief Justice of the King's Bench Division.....	10,000 00
"*(d)* Three puisne judges of the King's Bench Division, each.....	9,000 00

" MANITOBA.

Manitoba.

" **11.** The salaries of the judges of the Court of Appeal and of the Court of King's Bench of the province of Manitoba shall be as follows:—

	Per annum.
"*(a)* The Chief Justice of the Court of Appeal.....	$10,000 00
"*(b)* Four puisne judges of the said Court, each.....	9,000 00
"*(c)* The Chief Justice of the Court of King's Bench.....	10,000 00
"*(d)* Five puisne judges of the said Court, each.....	9,000 00

" BRITISH COLUMBIA.

British Columbia.

" **12.** The salaries of the judges of the Court of Appeal and of the Supreme Court of the province of British Columbia shall be as follows:—

	Per annum.
"*(a)* The Chief Justice of the Court of Appeal.....	$10,000 00
"*(b)* Four Justices of Appeal, each.....	9,000 00
"*(c)* The Chief Justice of the Supreme Court.....	10,000 00
"*(d)* Five puisne judges of the Supreme Court, each.....	9,000 00

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA.

BILL A5.

An Act to incorporate The Reliance Insurance Company of Canada.

Read a first time, Tuesday, 15th June, 1920.

Honourable Mr. Michener.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1920

3475

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA

BILL A5.

An Act to incorporate The Reliance Insurance Company of Canada.

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. Louis Oliver Crampton Walker, manager, Charles Malcolm Lester, manager, Clare Gordon Thompson, manager, Joseph Alphonse Leclaire, stenographer, Louis Armand Lemirande, accountant, George Marchbank, accountant, Cecil Gordon Mackinnon, advocate and King's Counsel, John Thomas Hackett, advocate, Arthur Findlay Armstrong, accountant, 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 "The Reliance Insurance Company, of Canada," 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 one million dollars, which may be increased to two million dollars.

Amount to be subscribed before election of directors.

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

Head office.

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

Classes of insurance business authorized.

6. The Company may make contracts of fire insurance; accident insurance, sickness insurance, automobile insurance, burglary insurance, hail insurance, guarantee insurance, tornado insurance, explosion insurance, inland transportation insurance, live stock insurance, plate glass insurance, sprinkler leakage insurance and steam boiler insurance.

Conditions for commencing business.

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 have been *bona fide* subscribed and not less than one hundred thousand dollars have been paid thereon.

Increase of paid capital required before commencing other classes of insurance.

(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 accident insurance the said increase shall be not less than forty thousand dollars ; for sickness insurance not less than ten thousand dollars; for automobile insurance not less than twenty thousand dollars; for burglary insurance not less than twenty thousand dollars; for hail insurance not less than fifty thousand dollars; for guarantee insurance not less than fifty thousand dollars; for tornado insurance not less than ten thousand dollars; for explosion insurance not less than twenty thousand dollars; for inland transportation insurance not less than ten thousand dollars; for live stock insurance not less than twenty thousand dollars; for plate glass insurance not less than ten thousand dollars; for sprinkler leakage insurance not less than ten thousand dollars; and for steam boiler insurance not less than twenty thousand dollars.

Increases of amounts 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 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 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.

Fourth Session, Thirteenth Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA

BILL M5.

An Act to amend the Boards of Trade Act.

Read a first time, Thursday, 24th June, 1920.

The Honourable Sir JAMES LOUGHEED, K.C.M.G.

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
4807 1920

4th Session, 13th Parliament, 10-11 George V, 1920.

THE SENATE OF CANADA

BILL M5.

An Act to amend the Boards of Trade Act.

R.S., c. 124; 1908, c. 9; 1917, c. 12.

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 *Boards of Trade Amendment Act, 1920.*

Definition.

2. Section two of the *Boards of Trade Act,* chapter one hundred and twenty-four of the Revised Statutes of Canada (hereinafter referred to as the "principal Act"), is hereby amended by adding the following:—

(c) "Council" shall include Board of Directors and Trustees of the Governing Body, howsoever designated.

Incorporation.

3. Any number of persons, not less than thirty, who are directly or indirectly engaged or interested in trade, commerce or the economic and social welfare of any district, as defined in the principal Act, whether residents of such a district or not, may associate themselves together as a Board of Trade for the purpose of promoting and improving trade and commerce and the economic, civil and social welfare of such district.

Memorandum of Agreement.

4. Such persons shall forward to the Secretary of State of Canada, together with the certificate of formation, a memorandum of agreement in duplicate, which shall set out the by-laws or regulations of the proposed Board of Trade and shall, more particularly, provide by-laws or regulations upon the following matters:—

Terms of admission.

(a) Conditions of membership, including societies or companies becoming members of the corporation;

Meetings.

(b) Mode of holding meetings, rights of voting and of making, repealing or amending by-laws or regulations;

Directors, Committee, Officers.

(c) Appointment and removal of the directors, trustees, committee or officers, and their respective powers and remuneration;

Audit of accounts.

(d) Provision for audit of accounts and appointment of auditors;

Withdrawal of members.

(e) Determination whether or how members may withdraw from the corporation;

Seal.

(f) Provision for custody of seal and certifying of documents issued by the corporation.

Amendments.

5. Such by-laws and regulations may be amended from time to time in general meeting duly called for such purpose, but such variation or amendment shall not be in force or acted upon until the approval of the Secretary of State of Canada has been obtained.

Existing Boards of Trade.

6. Any existing Board of Trade heretofore incorporated under any Act of the Parliament of Canada may apply under the provisions of this Act for establishing such Board of Trade under the provisions of this Act.

Powers.

7. Any Board of Trade established under the provisions of this Act shall have all the powers and authorities conferred on a Board of Trade by the principal Act and shall be subject to all the provisions of the principal Act except in so far as the same may be varied by the provisions of this Act.

Annual summary.

8. (1) Every Board of Trade to which this Act is applicable shall, on or before the first day of June in every year, make a summary as of date the thirty-first of March preceding, specifying the following particulars:—

(a) Name of the Board of Trade;

(b) The manner in which the said Board of Trade is incorporated, giving the date thereof;

(c) The date upon which the last general meeting of the members of the said Board of Trade was held;

(d) The names and addresses of the persons who at the date of the return compose the Council of the said Board of Trade.

Filing.

(2) The said summary shall be completed and filed in duplicate in the Department of the Secretary of State of Canada on or before the first day of June aforesaid. Each of the said duplicates shall be signed by the President and Secretary of the Board of Trade, and shall be duly verified by their affidavits.

Penalty.

(3) If a Board of Trade makes default in complying with any requirements of this section, it shall be liable to a fine not exceeding twenty dollars for every day during which the default continues, and every member of the Council of the said Board of Trade who knowingly or wilfully authorizes or permits the default shall be liable to the like penalty, and such fines may be recoverable on summary conviction.