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Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 2.

An Act to readjust the Representation in the House of Commons

First reading, March 3, 1924

THE PRIME MINISTER.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75142 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to readjust the Representation in the House of Commons

R.S., c. 5; 1907, c. 41; 1914, c. 51; 1915, c. 19; 1919, c. 6.

WHEREAS the results of the census of 1921 necessitate a readjustment of the representation in the House of Commons, pursuant to the provisions of *The British North America Act, 1867*, and the other statutes in that behalf: 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 Representation Act, 1924*.

Number of Members.

2. The House of Commons shall consist of two hundred and forty-five members, of whom eighty-two shall be elected for the province of Ontario, sixty-five for the province of Quebec, fourteen for the province of Nova Scotia, eleven for the province of New Brunswick, seventeen for the province of Manitoba, fourteen for the province of British Columbia, four for the province of Prince Edward Island, twenty-one for the province of Saskatchewan, sixteen for the province of Alberta, and one for the Yukon Territory.

Division into electoral districts.

3. The said provinces and territory respectively shall, for the purposes of the election of members to serve in the House of Commons, be divided into electoral districts, and be represented as provided in the schedule to this Act.

Places not mentioned.

4. Every city, town, village, township, parish or place, or part thereof, lying within the territorial limits of any electoral district, and not specifically included in any other electoral district by the said schedule, shall be and be taken to be part of the electoral district in which it is so locally situate.

Interpretation.

5. Wherever in the said schedule any word or expression is used to denote the name of any territorial division, such word or expression shall, unless the context otherwise requires, be construed as indicating such territorial division as it exists and is bounded at the date of the passing of this Act.

Incorrect description.

6. Wherever in the said schedule a municipality or place is wrongfully referred to as a city, or a town, or a village, but there is within the territorial limits of the electoral district, in the description of which the reference occurs, a municipality or place of the same name which is a city, or a town, or a village, but is not of the class,—city, town or village, as the case may be,—specified in the schedule, the reference shall be taken to be to that municipality or place.

Commencement of Act.

7. This Act shall take effect only upon the dissolution of the present Parliament.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 2.

An Act to readjust the Representation in the House of Commons

(Reprinted as reported by the Select Special Committee.)

THE PRIME MINISTER.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
82232 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

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Division into electoral districts.

3. The said provinces and territory respectively shall, for the purposes of the election of members to serve in the House of Commons, be divided into electoral districts, and be represented as provided in the schedule to this Act.

Construction of schedule.

4. The whole of that part of the said schedule relating to any province shall be read together, and shall, so far as possible, be construed as including the whole of such province in some one or other of the electoral districts therein described, the description of each electoral district being accordingly construed as intended, unless the contrary is

Doubtful cases decided by Chief Electoral Officer.

expressed, to include the whole of the contained area, whether particularly mentioned or not, and to include also any area partly surrounded by the areas expressly described which appears to have been intended to be included. In any doubtful case the Chief Electoral Officer shall finally determine of what electoral district, if any, any area not expressly referred to was intended to form part, and shall, within the first fifteen days after the session of Parliament next following any such determination, report the same, with the reasons therefor, to the Speaker of the House of Commons.

Report to Speaker.

Interpretation.

5. Wherever in the said schedule any word or expression is used to denote the name of any territorial division, such word or expression shall, unless the context otherwise requires, be construed as indicating such territorial division as it exists and is bounded at the date of the passing of this Act.

Incorrect description.

6. Wherever in the said schedule a municipality or place is wrongfully referred to as a city, or a town, or a village, but there is within the territorial limits of the electoral district, in the description of which the reference occurs, a municipality or place of the same name which is a city, or a town, or a village, but is not of the class,—city, town or village, as the case may be,—specified in the schedule, the reference shall be taken to be to that municipality or place.

Commencement of Act.

7. This Act shall take effect only upon the dissolution of the present Parliament.

SCHEDULE.

ONTARIO.

There shall be in the Province of Ontario eighty-one electoral districts, named and described as follows, each of which, unless otherwise expressly stated, shall return one member:—

ALGOMA EAST consisting of the territorial district of Manitoulin and those parts of the territorial districts of Algoma and Sudbury bounded on the south by Lake Huron and the said district of Manitoulin, and on the west by a line described as commencing on the south boundary of Canada at the intersection (east of St. Joseph's Island in Lake Huron) of the projection southerly of the east boundary of the township of Plummer Additional and running north to and along the east boundary of the said township and of the line of townships lying north thereof to the south boundary of the twenty-first range of townships, east along the said south boundary to a point directly south of the southeast corner of the township of Lackner, and north to and along the east boundary of the said township and of the line of townships lying north thereof to the south boundary of the township of Kapuskasing; and bounded on the east and north by a line described as commencing on the south boundary of the said district of Sudbury at the southeast corner of the territorial district of Manitoulin and running north to the north boundary of the said district of Sudbury, and west and north along the said boundary and the south boundary of the townships of Lougheed and Kapuskasing to the north end of the west boundary as above described.

ALGOMA WEST consisting of those parts of the territorial districts of Algoma and Sudbury bounded on the south by the southerly boundary of the said district of Algoma; on the east by the west boundary of the said district and of the electoral district of Algoma East as above described, and on the west and north by a line described as commencing at the intersection of the west boundary of the territorial district of Algoma with the base line of the twenty-third range of townships and running east along the said base line, north along the east boundary of township thirty and its projection due north, thence east along the south boundary of the township of McCoig to the southeast corner of the township of McMillan, thence south to the northwest corner of the township of Dowsley, thence east along the north boundary of the Township of Dowsley to the northeastern boundary of the township of Ebbs, thence south along the east boundary of the township of Ebbs to the northwestern boundary of the township of

Doherty, thence east along the northern boundary of the township of Doherty to the northeastern boundary of the township of Shanley but not including the village of Horne Payne.

BRANT consisting of that part of the county of Brant included in the townships of Burford, South Dumfries, Onondaga, Tuscarora and that part of the township of Brantford lying east of the Grand River including that part of the city of Brantford contained therein.

BRANTFORD CITY consisting of that part of the county of Brant included in the township of Oakland and in that part of the township of Brantford lying south and west of the Grand River, and including that part of the city of Brantford lying within the area so described.

BRUCE NORTH consisting of all that part of the county of Bruce lying north of a line described as commencing at the southwest corner of the township of Kincardine, and following the southerly and easterly boundaries of the said township and the townships of Bruce, Saugeen and Arran to the east boundary of the said county.

BRUCE SOUTH consisting of that part of the county of Bruce lying south of a line described as commencing at the northwest corner of the township of Huron and following the north and west boundaries of the said township and of the townships of Kinloss, Greenock and Elderslie to the east boundary of the said county.

CARLETON consisting of the county of Carleton, excepting the townships of Gloucester and Osgoode and that part of the city of Ottawa lying east of a line described as commencing at the intersection of the Rideau Canal with the line of the Canadian Pacific Railway, and following the said line of railway, Somerset Street, Bayswater Avenue, Bayview Road, and Mason Street to the south bank of the Ottawa River.

DUFFERIN-SIMCOE consisting of the county of Dufferin and that part of the county of Simcoe lying south of the north boundary of the townships of Tossorontio, Essa and Innisfil.

DURHAM consisting of the county of Durham.

ELGIN consisting of the county of Elgin, excepting the townships of Malahide and Bayham, and including the city of St. Thomas.

ESSEX EAST consisting of that part of the county of Essex included in the towns of Ford City and Walkerville and the villages of Riverside, Tecumseh and in the townships of Maidstone, Rochester and Tilbury (North and West), together with that part of the county of Kent included in the town of Tilbury.

ESSEX SOUTH consisting of that part of the county of Essex included in the townships of Anderdon, Malden, Sandwich South, Colchester (North and South), Gosfield (North and South), Mersea and Pelee Island, together with that part of the village of Wheatley lying in the county of Kent.

ESSEX WEST consisting of the city of Windsor, the town of Sandwich and that part of the county of Essex included in the townships of Sandwich (East and West) but not including the towns of Ford City and Walkerville, or the villages of Riverside, Tecumseh and St. Clair Shores.

FORT WILLIAM consisting of those parts of the territorial districts of Rainy River, Kenora and Thunder Bay bounded on the south by the southern boundary of Canada, and on the west, north and east by a line described as commencing on the said southern boundary at the intersection of the fifth meridian passing between the townships of Melgund and Revell, thence north along the said meridian to a point five miles north of the Canadian Pacific Railway, thence southeast parallel to and at a distance of five miles northerly from the said line of railway to a point five miles due north of the station of Poland, south to the said railway and continuing along the same to the intersection of the projection westerly to the north boundary of the township of Forbes, thence along the north and east boundaries of the said township, the north and east boundaries of the townships of Conmee and Oliver, and the north boundary of the townships of Paipoonge and Neebing, and their projection easterly to the eighty-ninth meridian, thence along the said meridian to the southern boundary of Canada.

FRONTENAC-ADDINGTON consisting of the county of Frontenac, except the city of Kingston and the village of Portsmouth, together with all that part of the county of Lennox and Addington lying east and north of a line described as commencing at the northwest corner of the township of Camden and following the westerly and southerly boundaries of the said township and of the township of Ernestown to the east boundary of the said county.

GLENGARRY consisting of the county of Glengarry.

GRENVILLE-DUNDAS consisting of the counties of Grenville and Dundas.

GREY NORTH consisting of that part of the county of Grey lying north of a line described as commencing at the southwest corner of the township of Derby and following the south boundary of the said township and the township of Sydenham, the west and south boundaries of the township of Euphrasia and the south boundary of the township of Collingwood to the east boundary of the said county.

GREY SOUTHEAST consisting of that part of the county of Grey lying south of a line described as commencing at the northwest corner of the township of Sullivan and following the north boundary of the said township, the north and east boundaries of the township of Holland and the north boundary of the townships of Artemesia and Osprey to the east boundary of the said county.

HALDIMAND consisting of the county of Haldimand.

HALTON consisting of the county of Halton.

HAMILTON EAST consisting of that part of the city of Hamilton lying east of Wellington Street and west of Ottawa Street.

HAMILTON WEST consisting of that part of the city of Hamilton lying west of Wellington Street, east of Paradise Road, and north of Coate's Paradise.

HASTINGS-PETERBOROUGH consisting of that part of the county of Peterborough lying east of a line described as commencing at the northwest corner of the township of Anstruther and following the west boundary of the said township and the townships of Burley, Dummer, Douro and Otonabee, to the south boundary of the said county, together with that part of the county of Hastings lying north of a line described as commencing at the southwest corner of the township of Rawden and following the south boundary of the said township, the south and east boundaries of the township of Huntingdon and the south boundary of the townships of Madoc and Elzevir to the east boundary of the said county.

HASTINGS SOUTH consisting of that part of the county of Hastings included in the townships of Hungerford, Tyendinaga, Thurlow and Sydney, and including the city of Belleville.

HUMBER-VALE consisting of all that part of the city of Toronto lying west of a line described as commencing at the south boundary of the said city at the intersection of the projection southerly of Sunnyside Avenue, and thence following the said projection, Sunnyside Avenue, Howard Park Avenue, Indian Road and Bloor Street to the intersection of the line of the Canadian National Railway leading northwest from the said city, thence following the said line to its intersection with the line of the Canadian Pacific Railway and the said line to its intersection with the northern division of the Canadian National Railway, thence along the said last mentioned line to the north boundary of the said city.

HURON NORTH consisting of that part of the county of Huron lying north of a line described as commencing at the southwest corner of the town of Goderich and following

the south boundary of the said town and of the townships of Colborne, Wawanosh (East and West), Morris and Grey, to the east boundary of the said county.

HURON SOUTH consisting of that part of the county of Huron lying south of a line described as commencing at the southwest corner of the town of Goderich, and following the south boundary of the said town, the north and west boundaries of the township of Goderich, and the west and north boundaries of the township of Hullett, and the north boundary of the township of McKillop, to the east boundary of the said county.

KENORA-RAINY RIVER consisting of those parts of the territorial districts of Kenora and Rainy River lying west of the fifth meridian passing between the townships of Melgund and Revell.

KENT consisting of that part of the county of Kent lying west or south of a line described as commencing at the northeast corner of the Gore of Chatham, and following the east boundary of the said Gore, the north and east boundaries of the township of Chatham and the river Thames to the east boundary of the said county, but excluding the town of Tilbury and the village of Wheatley.

KINGSTON CITY consisting of the city of Kingston and the village of Portsmouth.

LAMBTON EAST consisting of that part of the county of Lambton included in the townships of Bosanquet, Warwick, Inniskillen, Brooke, Dawn and Euphemia, together with that part of the county of Kent included in the townships of Zone and Camden.

LAMBTON WEST consisting of that part of the county of Lambton included in the townships of Plympton, Sarnia, Moore and Sombra (including Walpole Island, St. Anne's Island and the other islands at the mouth of River St. Clair).

LANARK consisting of the county of Lanark.

LEEDS consisting of the county of Leeds.

LINCOLN consisting of the county of Lincoln.

LONDON consisting of that part of the city of London lying west of a line described as commencing at the intersection of Adeliade Street with the north boundary of the said city and following Adelaide Street and Oxford Street to the northeast corner of Woolsey Barracks, thence follow-

ing the easterly boundary of the barrack area and its projection southerly to the intersection of the projection of the south side of Central Avenue to the south side of Middleton Avenue, thence following the said projection and the south side of the said street easterly to its intersection with the west side of Glasgow Street, thence following the said west side of Glasgow Street and its projection southerly to the north side of Lorne Avenue, thence following the said north side of Lorne Avenue and its projection easterly to Burbrook Place, thence following Burbrook Place southerly to Dundas Street and Dundas Street easterly to its intersection with the projection northerly of Swinyard Street, thence southerly along the said projection, the said street and its projection southerly to Pine Street, thence westerly and southerly along Pine Street, Elm Street, Trafalgar Street, Adelaide Street and its projection southerly to the centre line of the south branch of the River Thames, thence along the said centre line downstream to its intersection with the projection northerly of Beverly Street, thence southerly along the said projection and Wellington Street south to the south boundary of the said city.

MIDDLESEX EAST consisting of that part of the county of Middlesex lying east of a line described as commencing at the northwest corner of the township of Biddulph and following the west boundary of the said township and of the townships of London and Westminster to the south boundary of the said county, together with that part of the city of London not included in the electoral district of London as hereinbefore described.

MIDDLESEX WEST consisting of that part of the county of Middlesex lying west of a line described as commencing at the northeast corner of the township of McGillivray and following the east boundary of the said township and of the townships of Williams East, Lobo and Delaware to the south boundary of the said county.

MUSKOKA-ONTARIO consisting of the territorial district of Muskoka and that part of the county of Ontario lying north of a line described as commencing at the southwest corner of the township of Uxbridge and following the south boundary of the said township and the westerly and northerly boundaries of the township of Reach, to the east boundary of the said county.

NIPISSING consisting of that part of the territorial district of Nipissing bounded on the west and south by the western and southern boundaries of the said district and the south boundary of the township of Sproule, on the north by a line described as commencing on the west

boundary of the said district at the northwest corner of the township of Crerar, and thence following the north boundary of the said township, the north and east boundaries of the township of Gibbons, the north boundary of the townships of Field, Grant, Charlton, Blyth, Merrick, Mulock, French, 28 East and Antoine, to the east boundary of the said district, on the east by the east boundary of the said district and by a line described as commencing at the northeast corner of the township of Papineau and thence following the east boundary of the said township and of the townships of Boyd, Lister, Freswick, Bower and Sproule to the southeast corner thereof, together with that part of the territorial district of Sudbury lying east and south of a line described as commencing in the east boundary of the said district at the northeast corner of the township of Ratter, and running west to the northwest corner of the township of McKim and south to the south boundary of the said district.

NORFOLK consisting of the county of Norfolk and that part of the county of Elgin included in the townships of Bayham and Malahide.

NORTHUMBERLAND consisting of the county of Northumberland, except the township of South Monaghan.

ONTARIO consisting of that part of the county of Ontario included in the townships of Pickering, Whitby (East and West), Reach, and Scugog.

OTTAWA consisting of the city of Ottawa, excepting Rideau Ward and that part of the city lying west of a line described as commencing at the intersection of the Rideau Canal with the line of the Canadian Pacific Railway, and following the said line of railway, Somerset Street, Bayswater Avenue, Bayview Road and Mason Street, to the Ottawa River, which shall return two members.

OXFORD NORTH consisting of that part of the county of Oxford included in the townships of Nissouri East, Zorra (West and East), Blandford and Blenheim, together with the city of Woodstock, and that part only of the village of Tavistock lying in the township of Zorra East.

OXFORD SOUTH consisting of that part of the county of Oxford lying south of a line described as commencing at the northwest corner of the township of Oxford North, and following the north boundary of the townships of Oxford (North and West), the south boundary of the city of Woodstock, and the north boundary of the township of Oxford East to the east boundary of the said county.

PARKDALE consisting of that part of the city of Toronto bounded on the south by Humber Bay, on the east by Atlantic Avenue, the projections thereof southerly and northerly and Dovercourt Road, on the north by Bloor Street, and on the west by a line commencing at the intersection of Bloor Street with Indian Road and following Indian Road, Howard Park Avenue, Sunnyside Avenue, and the projection thereof southerly to Humber Bay.

PARRY SOUND consisting of the territorial district of Parry Sound.

PEEL consisting of the county of Peel.

PERTH NORTH consisting of that part of the county of Perth lying north of a line described as commencing at the southeast corner of the township of Easthope North and following the southerly boundary of the said township, of the city of Stratford and of the townships of Ellice and Elma, to the west boundary of the said county.

PERTH SOUTH consisting of that part of the county of Perth lying south of a line described as commencing at the northwest corner of the township of Logan, and following the north and east boundaries of the said township, the north boundary of the townships of Fullerton, and Downie, the south boundary of the city of Stratford and the north boundary of the township of Easthope South to the east boundary of the said county, and including only that part of Tavistock as lies in the township of Easthope South.

PETERBOROUGH WEST consisting of that part of the county of Peterborough included in the townships of Galway, Cavendish, Harvey, Ennismore, Smith, Douro, Otanabey and North Monaghan, and that part of the county of Northumberland included in the township of South Monaghan, together with the city of Peterborough.

PORT ARTHUR-THUNDER BAY consisting of those parts of the territorial districts of Kenora and Thunder Bay lying east and north of a line described as commencing at the intersection of the fifth meridian, passing between the townships of Melgund and Revell, with the north boundary of the district of Kenora, thence following the said meridian southerly to a point five miles north of its intersection with the line of the Canadian Pacific Railway, thence running southeasterly parallel to and five miles northerly from the said line of railway to a point five

miles north of the said station of Poland, thence southerly to Poland and continuing along the said railway to the intersection of the projection westerly of the north boundary of the township of Forbes, thence along the said north boundary, the west and south boundaries of the townships of Ware and McIntyre, the projection easterly of the south boundary of the township of McIntyre and the eighty-ninth meridian to the southern boundary of Canada, together with those parts of the territorial district of Algoma included the village of Hornepayne and lying west of a line described as commencing at the intersection of the west boundary of the said district with the base line of the twenty-third range of townships, and thence running east along the said base line and northerly along the west boundary of township thirty, and its projection due north to the south boundary of the township of McCoig, thence east along the said south boundary and due north along the eastern boundary of the said township and its projection northerly to the north boundary of the said territorial district.

PRESCOTT consisting of the County of Prescott.

PRINCE EDWARD-LENNOX consisting of the county of Prince Edward and that part of the county of Lennox and Addington included in the townships of Adolphustown, Amherst Island, Fredericksburg (North and South) and Richmond.

RENFREW NORTH consisting of that part of the county of Renfrew lying north and east of a line described as commencing at the southeast corner of the township of Ross and following the southerly and westerly boundaries of the said township and of the townships of Bromley, Wilberforce, Algona (North and South), and Fraser, together with that part of the territorial district of Nipissing lying east of a line described as commencing at the northwest corner of the township of Cameron, and following the westerly boundary of the said township and the townships of Deacon, Anglin, Dickson and Preston, and the northerly boundary of the township of Airy to the west boundary of the said district.

RENFREW SOUTH consisting of that part of the county of Renfrew lying south of a line described as commencing at the northeast corner of the township of Richards, and following the east boundary of the said township and of the townships of Haggarty and Brudenell, and the north boundary of the townships of Sebastopol, Grattan, Admaston and Horton, to the east boundary of the said county, and including only so much of the village of Eganville as lies in the township of Grattan.

RUSSELL consisting of the county of Russell, and that part of the county of Carleton included in the townships of Gloucester and Osgoode and in Rideau ward of the city of Ottawa.

SIMCOE EAST consisting of that part of the county of Simcoe lying north of a line described as commencing at the southwest corner of the township of Tiny, and following the south boundary of the said township, the west and south boundaries of the township of Medonte and the west boundary of the township of Orillia South to Lake Simcoe.

SIMCOE NORTH consisting of that part of the county of Simcoe included in the townships of Nottawasaga, Sunnydale, Vespra, Oro and Flos.

STORMONT consisting of the county of Stormont.

TIMISKAMING NORTH consisting of that part of the territorial district of Timiskaming lying north of a line described as commencing on the east boundary of the said district at the southeast corner of the township of Pontiac, and following the southern boundary of the row of townships of which Pontiac is the most easterly to the southwest corner of the township of Keefer on the west boundary of the said district, together with that part of the territorial district of Algoma lying north of a line described as commencing on the east boundary of the said district at the northeast corner of the township of Stanley and running east to the southwest corner of the township of Caithness, north to the south boundary of the township of Shetland, west to the southwest corner of the township of Angemark, north to the southeast corner of the township of McMillan and west to the east boundary of the electoral district of Port Arthur and Thunder Bay.

TIMISKAMING SOUTH consisting of that part of the territorial district of Timiskaming lying south of a line described as commencing on the west boundary of the said district at the northwest corner of the township of Hillary, thence following the northern boundary of the row of townships of which Hillary is the most westerly, to the northeast corner of the township of Ossian on the east boundary of the said district, together with that part of the territorial district of Nipissing lying north of a line described as commencing on the west boundary of the said district at the southwest corner of the township of Dana, and running thence due west to the northeast corner of the township of Gibbons, thence south to the southeast corner of the said township, and thence east to the southeast corner of the township of Eddy on the east boundary of the said district and that part of the territorial district

of Sudbury lying north and east of a line described as commencing at the southeast corner of the township of Henry and running west to the southwest corner of the township of Blezard and north to the north boundary of the said district.

TORONTO EAST consisting of that part of the city of Toronto bounded by a line described as follows: Commencing at the intersection of the northern boundary of the said city with Pape Avenue, and following Pape Avenue, Danforth Avenue, Greenwood Avenue, Queen Street, Knox Street, and the projection southerly of Knox Street to Lake Ontario, thence continuing along the shore of the said Lake through the eastern channel and Toronto Harbour to the Don River, and following the Don River upwards to the Rosedale Valley Road, thence following the line of the Canadian National Railway lying west of the Don River to the northern boundary of the city and the said northern boundary to the place of commencement.

TORONTO EAST CENTRE consisting of that part of the city of Toronto bounded on the north by Bloor Street, on the south by the Don River and Toronto Harbour, on the east by the Don River and the line of the Canadian National Railway to the west threof, and on the west by a line commencing at the intersection of Bloor Street and Avenue Road, and thence following Avenue Road, Queen's Park Crescent, University Avenue, Dundas Street, Jarvis Street, and the projection southerly of Jarvis Street to Toronto Harbour.

TORONTO NORTHEAST consisting of that part of the city of Toronto bounded by a line described as commencing at the intersection of Bloor Street with the line of the Canadian National Railway lying west of the Don River, thence following Bloor Street and Bathurst Street to the north boundary of the city and thence following the city limits easterly, northerly and southerly, and the said line of railway southerly to the point of commencement.

TORONTO NORTHWEST consisting of that part of the city of Toronto bounded on the south by Bloor Street, on the east by Bathurst Street, on the north by the city limits, and on the west by a line commencing at the intersection of the said limits with the line of the Northern Division of the Canadian National Railway, thence following the said line of railway, the main line of the Canadian Pacific Railway eastward and Lansdowne Avenue southward to Bloor Street.

TORONTO-SCARBOROUGH consisting of that part of the city of Toronto lying east of a line described as commencing at the intersection of Pape Avenue with the

northern boundary of the said city and thence following Pape Avenue, Danforth Avenue, Greenwood Avenue, Queen Street, Knox Street and its projection southerly to the south boundary of the said city.

TORONTO SOUTH consisting of that part of the city of Toronto bounded on the north by Dundas Street, on the east by Jarvis Street, on the south by Toronto Harbour, the Western Channel and Humber Bay, and on the west by Atlantic Avenue, the projections thereof northerly and southerly and Dovercourt Road, together with all that part of Toronto Island lying between the eastern and western channels.

TORONTO WEST CENTRE consisting of that part of the city of Toronto bounded on the north by Bloor Street, on the west by Dovercourt Road, on the south by Dundas Street, and on the east by a line described as commencing at the intersection of Bloor Street and Avenue Road and following Avenue Road, Queen's Park Crescent and University Avenue to Dundas Street.

VICTORIA consisting of the county of Victoria and the provisional county of Haliburton.

WATERLOO NORTH consisting of the townships of Wellesley and Woolwich, and that part of the township of Waterloo lying north of a line described as commencing at the southwest corner of Lot Forty-Six and following the southerly boundaries of the said Lot and of Lots Forty-Seven, Forty-Eight, Fifty, Fifty-One and Fifty-Three, the projection of the boundary of the last mentioned Lot, the centre line of the Grand River upstream, the projection of the boundary between Lots One Hundred and Thirteen and One Hundred and Fourteen, and the said boundary, the westerly and northerly boundaries of Lot One Hundred and Seven, and the northerly boundary of Lots One Hundred and Six, Eighty-Four and Ninety-Six, to the east boundary of the said township.

WATERLOO SOUTH consisting of the townships of Wilmot and North Dumfries and that part of the township of Waterloo lying south of the electoral district of Waterloo North, as hereinbefore described.

WELLAND consisting of the county of Welland.

WELLINGTON NORTH consisting of that part of the county of Wellington lying north of a line described as commencing at the southeast corner of the township of Garafraxa West and following the southerly and westerly boundaries of the said township and the southerly boundary of the township of Peel, to the south boundary of the said county.

WELLINGTON SOUTH consisting of that part of the county of Wellington lying south of a line described as commencing at the northwest corner of the township of Pilkington and following the north boundary of the said township, the north and east boundaries of the township of Nichol and the north boundary of the townships of Eramosa and Erin to the east boundary of the said county.

WENTWORTH consisting of the county of Wentworth excepting that part of the city of Hamilton lying west of Paradise Road and north and east of Coate's Paradise and also that part lying east of Ottawa Street.

YORK NORTH consisting of all that part of the county of York lying north of the southerly boundary of the townships of Vaughan and Markham.

YORK SOUTH consisting of all that part of the county of York lying east of Yonge Street, south of the southerly boundary of the township of Markham and outside the city of Toronto.

YORK WEST consisting of that part of the county of York lying west of Yonge Street south of the south boundary of the township of Vaughan and outside the city of Toronto.

QUEBEC.

There shall be in the Province of Quebec, outside of the Island of Montreal, fifty-two electoral districts named and described as follows, each of which shall return one member:–

ARGENTEUIL consisting of the County of Argenteuil.

BAGOT consisting of the County of Bagot.

BEAUCE consisting of the County of Beauce, except such part thereof as is included in the municipalities of Metgermette North (St. Zacharie) and Metgermette North (North part) together with that part of the County of Frontenac included in the municipalities of St. Gédéon de Marlow, Risborough (Marlow and Risborough), Gayhurst, Gayhurst Southeast, Ditchfield and Spalding, St. Augustin de Woburn, St. Méthode-d'Adstock, Lambton, Lambton village, St. Evariste de Forsyth, Courcelles, St. Hilaire de Dorset, St. Hubert, St. Sébastien and St. Ludger, and that portion of the County of Dorchester included in that part of the municipality of St. Benjamin lying in the seigniories of Rigaud-Vaudreuil and Aubin-Delisle.

BEAUHARNOIS consisting of the County of Beauharnois including the City of Valleyfield.

BELLECHASSE consisting of the County of Bellechasse, except that part of the municipality of Honfleur lying in the seigniories of Lauzon and Joliette, that part of the municipality of Ste. Sabine lying in the townships of Langevin and Ware.

BERTHIER-MASKINONGÉ consisting of the Counties of Berthier and Maskinongé.

BONAVENTURE consisting of the County of Bonaventure.

CHAMBLY-VERCHÈRES consisting of the Counties of Chambly and Verchères including the Cities of Longueuil and St. Lambert.

CHAMPLAIN consisting of that portion of the County of Champlain lying west of the County of Portneuf and of the projection northwesterly of the eastern boundary of the township of Lejeune.

CHARLEVOIX-SAGUENAY consisting of the Counties of Charlevoix East, Charlevoix West and Saguenay, l'Isle-aux-Coudres, the territories of Ashuanipi and New Quebec, the Island of Anticosti and the County of Montmorency

No. 1, excepting such part thereof as is included in the municipalities of St. Jean de Boischatel, L'Ange Gardien and Ste. Brigitte de Laval.

CHÂTEAUGUAY-HUNTINGDON consisting of the Counties of Châteauguay and Huntingdon.

CHICOUTIMI consisting of the County of Chicoutimi.

COMPTON consisting of the County of Compton; so much of the County of Stanstead as is included in that part of the municipality of St. Herménégilde lying in the township of Hereford; that part of the County of Sherbrooke included in the municipalities of Compton (township and village) and Waterville, and that part of the County of Frontenac included in the municipalities of Marston South, Ste. Cécile de Whitton, Chesham, Winslow South, Clinton, St. Léon de Marston, Winslow North and the town of Mégantic.

DORCHESTER consisting of the County of Dorchester, except that part of the municipality of St. Benjamin lying in the seigniories of Rigaud-Vaudreuil and Aubin-Delisle, together with that part of the County of Beauce included in the municipalities of Metgermette North (St. Zacharie) amd Metgermette North (North part), that portion of the County of Bellechasse included in that part of the municipality of Honfleur lying in the seigniories of Lauzon and Joliette and that part of the municipality of Ste. Sabine lying in the townships of Langevin and Ware.

DRUMMOND-ARTHABASKA consisting of the Counties of Arthabaska and Drummond, except that part of the municipality of St. Edmond lying in the township of Upton.

GASPÉ consisting of the Counties of Gaspé East and Gaspé West and the Magdalen Islands.

HULL consisting of that part of the County of Hull included in the City of Hull and in the municipalities or townships of Pointe Gatineau, Templeton East, Templeton West, Templeton North and the East part of Templeton East, together with that part of the County of Papineau included in the municipalities or townships of L'Ange Gardien, Buckingham, Buckingham Southeast, Buckingham West, Derry (but not Mulgrave), Portland East, Portland West, Bowman, Villeneuve and the town of Buckingham, and that part of the County of Labelle included in the municipalities or townships of Bigelow, Wells, McGill, Wabassee and Dudley.

JOLIETTE consisting of the County of Joliette including the City of Joliette.

KAMOURASKA consisting of the County of Kamouraska, together with that portion of the County of Témiscouata included in that part of the parish of Notre Dame du Portage formerly forming part of the parish of St. André.

LABELLE consisting of all those parts of the Counties of Labelle and Papineau not included in the electoral districts of Hull and Wright.

LAKE ST. JOHN consisting of the Counties of Lake St. John East and Lake St. John West.

LAPRAIRIE-NAPIERVILLE consisting of the Counties of Laprairie and Napierville.

L'ASSOMPTION-MONTCALM consisting of the Counties of Montcalm and L'Assomption.

LAVAL-TWO MOUNTAINS consisting of the Counties of Laval and Two Mountains.

LÉVIS consisting of the County of Lévis including the City of Lévis.

L'ISLET consisting of the County of L'Islet.

LOTBINIÈRE consisting of the County of Lotbinière.

MATANE consisting of the Counties of Matane and Matapédia.

MÉGANTIC consisting of the County of Mégantic.

MISSISQUOI-BROME consisting of the Counties of Missisquoi and Brome.

MONTMAGNY consisting of the County of Montmagny and the Ile-aux-Grues and adjoining islands.

NICOLET consisting of the County of Nicolet.

PONTIAC consisting of the Counties of Pontiac, Temiskaming and Abitibi.

PORTNEUF consisting of that portion of the County of Champlain not included in the electoral district of Champlain, and the County of Portneuf, except so much thereof as is included in the municipalities of St. Augustin, Pointe aux Trembles (Neuville), Donnacona and Les Ecureuils.

QUEBEC-MONTMORENCY consisting of the County of Quebec, except such part thereof as is included in the municipalities of Sillery, Petite Rivière, Ste. Foye, and St. Félix, and the city of Quebec, together with that part of the County of Montmorency included in the municipalities of St. Jean de Boischatel, L'Ange Gardien and Ste. Brigitte de Laval, and the Island of Orléans.

QUEBEC EAST consisting of all that portion of the city of Quebec lying north of the St. Charles river, together with that part of the city lying south of the St. Charles river and bounded on the west and north by the river, on the east by a line drawn from the river southwards along St. Roch Street and its projection southerly to its intersection with the north side of Des Glacis street, thence easterly along the edge of the hill to the fortifications, and thence southerly along the fortifications to St. John street, on the south by St. John street to its intersection with De Salaberry street and on the east by a line following DeSalaberry street to Boulevard Langelier and thence along Boulevard Langelier to Commissioners street, thence easterly along Commissioners street to St. Anselm street and along St. Anselm street to the St. Charles river.

QUEBEC SOUTH consisting of all that portion of the City of Quebec lying south and east of a line described as commencing at the northwest corner of the said city and drawn along the Ste. Foye Road and St. John street to the eastern boundary of the electoral district of Quebec East, thence north along the said eastern boundary to the St. Charles River, together with that part of the County of Quebec included in the parish of Sillery.

QUEBEC WEST consisting of all that part of the City of Quebec not included in the electoral districts of Quebec East and Quebec South, together with that part of the County of Quebec included in the municipalities of Petite Rivière, Ste. Foye and St. Félix, the town of Quebec West and that part of the County of Portneuf included in the municipalities of St. Augustin, Pointe aux Trembles (Neuville), Donnaconna and Les Ecureuils.

RICHELIEU consisting of the County of Richelieu including the City of Sorel.

RICHMOND-WOLFE consisting of the Counties of Richmond and Wolfe.

RIMOUSKI consisting of the County of Rimouski.

ST. HYACINTHE-ROUVILLE consisting of the Counties of St. Hyacinthe and Rouville, including the City of St. Hyacinthe.

ST. JOHNS-IBERVILLE consisting of the Counties of St. Johns and Iberville, including the City of St. Johns.

SHEFFORD consisting of the County of Shefford, including the City of Granby.

SHERBROOKE consisting of the County of Sherbrooke including the City of Sherbrooke, but excepting such part of the said county as is included in the municipalities of Waterville and Compton (township and village).

STANSTEAD consisting of the County of Stanstead except so much thereof as is included in that part of the municipality of St. Herménégilde lying in the township of Hereford.

TÉMISCOUATA consisting of the County of Témiscouata, except that part of the municipality of Notre Dame du Portage formerly forming part of the Parish of St. André.

TERREBONNE consisting of the County of Terrebonne.

THREE RIVERS-ST. MAURICE consisting of the Cities of Three Rivers and Shawinigan Falls and the County of St. Maurice.

VAUDREUIL-SOULANGES consisting of the Counties of Vaudreuil and Soulanges.

WRIGHT consisting of that part of the County of Hull not included in the electoral district of Hull, together with that part of the County of Labelle included in the township of Blake.

YAMASKA consisting of the County of Yamaska, together with that portion of the County of Drummond included in that part of the municipality of St. Edmond lying in the township of Upton.

Island of Montreal

There shall be in that part of the Province of Quebec, included in the island of Montreal, thirteen electoral districts, named and described as follows, each of which shall return one member:—

CARTIER consisting of that part of the City of Montreal bounded by a line starting from the intersection of the centre of Craig Street and St. Lawrence Boulevard, thence following the centre of St. Lawrence Boulevard to the centre of Duluth Avenue, thence following the centre of Duluth Avenue to the centre of Esplanade Avenue, thence following the centre of Esplanade Avenue to the centre of Mount Royal Avenue, thence following the centre of Mount Royal Avenue to the centre of St. Denis Street, thence following the centre of St. Denis Street to the centre of Craig Street, thence following the centre of Craig Street to the point of departure.

HOCHELAGA consisting of that part of the City of Montreal bounded by a line starting from the intersection of the centre of Mount Royal Avenue and De La Roche Street, thence following the centre of Mount Royal Avenue to the centre of Papineau Avenue, thence following the centre of Papineau Avenue to the centre of Rosemont Boulevard, thence following the centre of Rosemont Boulevard to the centre of Iberville Street, thence following the centre of Iberville Street to the centre of the Canadian Pacific Railway track, thence following the centre of the Canadian Pacific Railway track to the centre of Nolan Street, thence following the centre of Nolan Street to the centre of Bourbonnière Avenue, thence following the centre of Bourbonnière Avenue and its extension to the bank of the St. Lawrence River ,thence following the said bank to the centre of the extension of Frontenac Street ,thence following the centre of the extension of Frontenac Street and the centre of the said street to the centre of Rachel Street, thence following the centre of Rachel Street and the northern boundary of Lafontaine Park to the centre of De La Roche Street, thence following the centre of De La Roche Street to the point of departure.

JACQUES CARTIER consisting of that part of the city of Montreal lying west of Crémazie Boulevard and south of a line commencing on the bank of Rivière des Prairies opposite the centre of Ste. Claire Avenue and following the centre of said avenue and the southern boundary of the Seminary of St. Sulpice's domain to the intersection of Crèmazie Boulevard; that part of the city of Montreal

bounded by a line commencing at the intersection of Sherbrooke Street with the northern boundary of the town of Montreal West, thence following the centre of Sherbrooke Street to the centre of Grand Boulevard, thence following the centre of Grand Boulevard to the centre of Western Avenue, thence following the centre of Western Avenue to the centre of Clifton Avenue, thence following the centre of Clifton Avenue to the centre of St. James Street, thence following the centre of St. James Street to the centre of St. Rémi Street, thence following the centre of St. Rémi Street to the centre of Côte St. Paul Road, thence following the centre of Côte St. Paul Road and its extension to the centre of the Lachine Canal, thence following the centre of the Lachine Canal to the extension of Church Avenue, thence following the centre of the extension of Church Avenue and the centre of the said avenue to the western limit of the city of Verdun, thence following the said limit of the city of Verdun, to the southern limits of the city of Montreal, thence following the southern limits of the city of Montreal to the point of departure; that part of the city of Verdun lying south of Chruch Avenue and its extension to the St. Lawrence River and all that part of the Island of Montreal lying south of the city of Montreal together with Ile Dorval and Ile Bizard, but excepting the towns of Mount Royal, Hampstead and Montreal West.

LAURIER-OUTREMONT consisting of that part of the city of Montreal bounded by a line starting from the intersection of the centre of Mount Royal Avenue with the north-eastern boundary of the city of Outremont, thence following the centre of Mount Royal Avenue to the centre of Henri Julien Avenue, thence following the centre of Henri Julien Avenue to the centre of Mozart Street, thence following the centre of Mozart Street to the centre of Drolet Street, thence following the centre of Drolet Street to the centre of the extension of Isabeau Street, thence following the centre of the extension of Isabeau Street to the centre of St. Lawrence Boulevard, thence following the centre of St. Lawrence Boulevard to the centre of Baby Street, thence following the centre of Baby Street and the extension thereof to the centre of the Canadian Pacific Railway track, thence following the centre of the Canadian Pacific Railway track to the centre of Atlantic Avenue, thence following the centre of Atlantic Avenue and its extension to the northern limit of the city of Outremont, thence following the northeastern limit of the said city of Outremont to the point of departure, together with the said city of Outremont.

MAISONNEUVE consisting of all that portion of the Island of Montreal lying north of a line starting at the

intersection of Rivière des Prairies and the centre of the extension of Ste. Claire Avenue, thence following the centre of Ste. Claire Avenue and the southern boundary of the Seminary of St. Sulpice's domain to Crémazie Boulevard, thence following the centre of Crémazie Boulevard to the centre of St. Hubert Street, thence following the centre of St. Hubert Street to the centre of Côte St. Michel road, thence following the centre of Côte St. Michel Road to the northwestern limit of the city of Montreal, thence following the northeastern limit of the city of Montreal to the line forming the northwestern limit of the said city, thence following the extension of the said line in a southerly direction to the centre of Iberville Street, thence following the centre of Iberville Street to the centre of the Canadian Pacific Railway track, thence following the centre of the Canadian Pacific Railway track to the centre of Nolan Street, thence following the centre of Nolan Street to the centre of Bourbonnière Avenue, thence following the centre of Bourbonnière Avenue and the extension of the centre of the said avenue to the St. Lawrence River.

MOUNT ROYAL consisting of that part of the City of Montreal lying east, south and west of a line starting at the intersection of Crémazie Boulevard and the northern limit of the Town of Mount Royal, thence following the centre of Crémazie Boulevard to the centre of the Canadian Pacific Railway track, thence following the centre of the Canadian Pacific Railway track to the centre of Atlantic Avenue, thence following the centre of Atlantic Avenue and its extension to the northern limit of the City of Outremont, thence following the western, southern and eastern limits of the said city to their intersection with the limits of Mount Royal Park at Mount Royal Avenue, thence following the limits of Mount Royal Park to the intersection of Pine Avenue and Cedar Avenue, thence following the centre of Cedar Avenue to Elm avenue and the centre of Elm Avenue to the limits of the City of Westmount, thence following the northern, western and southern limits of the city of Westmount and the extension of the southern limit of the said city to the centre of St. James Street, thence following the centre of St. James Street to the centre of Clifton Avenue, thence following the centre of Clifton Avenue to the centre of Western Avenue, thence following the centre of Western Avenue to the centre of Grand Boulevard, thence following the centre of Grand Boulevard to the centre of Sherbrooke Street, thence following the centre of Sherbrooke Street to the northern boundary of Montreal West, together with the City of Westmount and the towns of Montreal West, Hampstead and Mount Royal.

ST. ANN consisting of that part of the City of Montreal and that part of the City of Verdun bounded by a line starting from the intersection of Craig Street and St. Gabriel Street, thence following the centre of St. Gabriel Street and the extension of said street to the bank of the St. Lawrence River, thence following the bank of the St. Lawrence River to the extension of the centre of Church Avenue, thence following the centre of the extension of Church Avenue and the centre of the said avenue to the centre of the Lachine Canal, thence following the centre of the Lachine Canal to the centre of the extension of Fulford Street, thence following the centre of the extension of Fulford Street to the centre of Notre Dame Street, thence following the centre of Notre Dame Street to the centre of McGill Street, thence following the centre of McGill Street to the centre of Craig Street, thence following the centre of Craig Street to the point of departure.

ST ANTOINE consisting of that part of the City of Montreal bounded by a line starting from the intersection of Elm Avenue and the northeastern limit of the city of Westmount, thence following the said northeastern limit of the said city to the intersection of Atwater Avenue and St. Antoine Street, thence following the centre of St. Antoine Street to the centre of Dominion Street, thence following the centre of Dominion Street to the centre of Notre Dame Street, thence following the centre of Notre Dame Street to the centre of McGill Street, thence following the centre of McGill Street to the centre of Craig Street, thence following the centre of Craig Street to St. Antoine Street and following the centre of St. Antoine Street to the centre of Mountain Street, thence following the centre of Mountain Street to Redpath Street and the centre of Redpath Street and its extension to the limits of Mount Royal Park, thence following the limits of Mount Royal Park to the intersection of Pine Avenue and Cedar Avenue, thence following the centre of Cedar Avenue to Elm Avenue and the centre of Elm Avenue to the point of departure.

ST. DENIS consisting of that part of the city of Montreal bounded by a line starting from the intersection of Mount Royal Avenue and Papineau Avenue, thence following the centre of Papineau Avenue to the centre of Rosemont Boulevard, thence following the centre of Rosemont Boulevard to the centre of Iberville Street, thence following the centre of Iberville Street to the extension of the line forming the northwestern limit of the city of Montreal, thence following the extension of the said line to its intersection with the northeastern limit of the said city, thence following the northeastern limit of the said city of Montreal to the

centre of Côte St. Michel Road, thence following the centre of Côte St. Michel Road to the centre of St. Hubert Street, thence following the centre of St. Hubert Street to the centre of Crémazie Boulevard, thence following the centre of Crémazie Boulevard to the centre of the Canadian Pacific Railway tracks, thence following the centre of the Canadian Pacific Railway tracks to the centre of the extension of Baby Street, thence following the centre of the extension of Baby Street and the centre of the said street to the centre of St. Lawrence Boulevard, thence following the centre of St. Lawrence Boulevard to the centre of Isabeau Street, thence following the centre of Isabeau Street to the centre of Drolet Street, thence following the centre of Drolet Street to the centre of Mozart Street, thence following the centre of Mozart Street to the centre of Henri-Julien Avenue, thence following the centre of Henri-Julien Avenue to the centre of Mount Royal Avenue, thence following the centre of Mount Royal Avenue to the point of departure.

ST. HENRI consisting of that part of the city of Montreal starting at the intersection of the southern boundary of the city of Westmount with the extension of St. Rémi Street, thence following the extension of St. Rémi Street and the centre of the said street to the centre of Côte St. Paul Road, thence following the centre of Côte St. Paul Road and its extension to the centre of the Lachine Canal, thence following the centre of the Lachine Canal to the centre of the extension of Fulford Street, thence following the centre of the extension of Fulford Street to the centre of Notre Dame Street, thence following the centre of Notre Dame Street to the centre of Dominion Street, thence following the centre of Dominion Street to the centre of St. Antoine Street, thence following the centre of St. Antoine Street to Atwater Avenue, at its intersection with the north eastern limit of the city of Westmount, thence following the eastern limit of the city of Westmount to the point of departure.

ST. JAMES consisting of that part of the city of Montreal bounded by a line starting at the intersection of Craig Street and St. Gabriel Street, thence following the centre of St. Gabriel Street and the centre of the extension of the said Street to the bank of the St. Lawrence River, thence following the bank of the St. Lawrence River to the centre of the extension of Visitation Street, thence following the centre of the extension of Visitation Street and the centre of the said street to the centre of Sherbrooke Street, thence following Sherbrooke Street to Cherrier Street and the centre of Cherrier Street to the southern limit of Lafontaine Park, thence following the said limit of Lafontaine Park and the western limit of the said Park to its intersection

with the centre of De La Roche Street, thence following the centre of De La Roche Street to the centre of Mount Royal Avenue, thence following the centre of Mount Royal Avenue to the centre of St. Denis Street, thence following the centre of St. Denis Street to the centre of Craig Street and thence following the centre of Craig Street to the point of departure, together with St. Helen's Island, Ile Ronde and Ile Verte.

ST. LAWRENCE-ST. GEORGE consisting of that portion of the city of Montreal bounded by a line starting at the intersection of the centre of Craig Street and St. Lawrence Boulevard, thence following the centre of St. Lawrence Boulevard to the centre of Duluth Avenue, thence following the centre of Duluth Avenue to the limits of Mount Royal Park, thence following the limits of Mount Royal Park to the extension of Redpath Street, thence following the centre of the extension of Redpath Street and the centre of the said street to Mountain Street and the centre of Mountain Street to the centre of St. Antoine Street, thence following the centre of St. Antoine Street to Craig Street, and thence following the centre of Craig Street to the point of departure.

ST. MARY consisting of that part of the city of Montreal bounded by a line starting at the intersection of Cherrier Street and the southern boundary of Lafontaine Park, thence following the said boundary of Lafontaine Park and the western boundary of the said park to its intersection with Papineau Avenue at Rachel Street, thence following the centre of Rachel Street to the centre of Frontenac Street, thence following the centre of Frontenac Street and its extension to the bank of the St. Lawrence River, thence following the bank of the St. Lawrence River to the centre of the extension of Visitation Street, thence following the centre of the extension of Visitation Street and the centre of the said street to the centre of Sherbrooke Street, thence following Sherbrooke Street to Cherrier Street and the centre of Cherrier Street to the point of departure.

NOVA SCOTIA

There shall be in the Province of Nova Scotia thirteen electoral districts, named and described as follows, each of which, unless otherwise expressly stated, shall return one member:—

1. ANTIGONISH-GUYSBOROUGH consisting of the Counties of Antigonish and Guysborough.

2. CAPE BRETON NORTH-VICTORIA consisting of the County of Victoria and that portion of the County of Cape Breton contained in the districts of Boisdale, Boularderie, East Bay (North), French Vale, George's River, Grand Narrows and Little Bras d'Or and including the towns of North Sydney and Sydney Mines.

3. CAPE BRETON SOUTH consisting of that part of the County of Cape Breton not included in the electoral district of Cape Breton North-Victoria and lying north of a line described as commencing in Mira Bay and following the Mira River and Mira Lake to Marion Bridge, the Mira Road to its intersection with the Morley Road, the said Morley Road to its intersection, immediately south of Portage East Bay, with the main road between St. Peters and Sydney, the said main road to the intersection of the road leading to East Bay and Gillisville and the said road to the waters of East Bay.

4. COLCHESTER consisting of the County of Colchester.

5. CUMBERLAND consisting of the County of Cumberland.

6. DIGBY-ANNAPOLIS consisting of the Counties of Digby and Annapolis.

7. HALIFAX consisting of the City of Halifax and the County of Halifax, which shall return two members.

8. HANTS-KINGS consisting of the Counties of Hants and Kings.

9. INVERNESS consisting of the County of Inverness.

10. PICTOU consisting of the County of Pictou.

11. QUEENS-LUNENBURG consisting of the Counties of Queens and Lunenburg.

12. RICHMOND-WEST CAPE BRETON consisting of the County of Richmond and that part of the County of Cape Breton lying east of East Bay and south of the electoral district of Cape Breton South as above described.

13. SHELBURNE-YARMOUTH consisting of the Counties of Shelburne and Yarmouth.

NEW BRUNSWICK

There shall be in the Province of New Brunswick ten electoral districts, named and described as follows, each of which, unless otherwise expressly stated, shall return one member:—

1. CHARLOTTE consisting of the County of Charlotte.

2. GLOUCESTER consisting of the County of Gloucester.

3. KENT consisting of the County of Kent.

4. NORTHUMBERLAND consisting of the County of Northumberland.

5. RESTIGOUCHE-MADAWASKA consisting of the Counties of Restigouche and Madawaska.

6. ROYAL consisting of the Counties of Kings and Queens.

7. ST. JOHN-ALBERT consisting of the City of St. John and the Counties of St. John and Albert, which shall return two members.

8. VICTORIA-CARLETON consisting of the Counties of Victoria and Carleton.

9. WESTMORLAND consisting of the County of Westmorland.

10. YORK-SUNBURY consisting of the Counties of York and Sunbury.

PRINCE EDWARD ISLAND.

There shall be in the Province of Prince Edward Island three electoral districts, named and described as follows, each of which, unless otherwise expressly stated, shall return one member:—

KINGS consisting of the County of Kings.

PRINCE consisting of the County of Prince.

QUEENS consisting of the County of Queens, which shall return two members.

MANITOBA

In the following descriptions, "range" and "township" refer to the ranges and townships in accordance with the Dominion lands system of surveys, and include the extension thereof in accordance with the said system.

There shall be in the province of Manitoba seventeen electoral districts, named and described as follows, each of which shall elect and return one member:—

1. BRANDON consisting of townships seven (7) to twelve (12) inclusive in ranges eighteen (18) to twenty-nine (29) inclusive west of the first principal meridian.

2. DAUPHIN consisting of townships twenty-three (23) to thirty-one (31) inclusive in ranges eleven (11) to twenty-nine (29) inclusive, and so much of townships twenty-three (23) to twenty-six (26) inclusive in range ten (10) west of the first principal meridian as lie west of Lake Manitoba, together with the islands in Lake Manitoba west of range eleven (11).

3. LISGAR consisting of townships one (1) to four (4) inclusive in ranges one (1) to fourteen (14) inclusive, and township five (5) in ranges one (1) and two (2) all west of the first principal meridian.

4. MACDONALD consisting of townships six (6) to nine (9) inclusive in range one (1); townships six (6) to ten (10) inclusive in range two (2); townships five (5) to ten (10) inclusive in ranges three (3) to thirteen (13) inclusive; townships five (5) to nine (9) inclusive in range fourteen (14); townships seven (7) to nine (9) inclusive in ranges fifteen (15) to seventeen (17) inclusive, all west of the first principal meridian, together with townships eight (8) and nine (9) whole or fractional in ranges one (1) to three (3) inclusive east of the principal meridian, and west of the Red River, not including river lots.

5. MARQUETTE consisting of townships thirteen (13) to twenty-two (22) inclusive in ranges eighteen (18) to twenty-nine (29) inclusive, west of the first principal meridian.

6. NEEPAWA consisting of township ten (10) in ranges fourteen (14) to seventeen (17) inclusive, and such portions of townships eleven (11) to twenty-two (22) inclusive in ranges ten (10) to seventeen (17) inclusive, and of townships eighteen (18) to twenty (20) inclusive in range nine (9) as lie west of Lake Manitoba, all the said townships and ranges being west of the first principal meridian.

7. NELSON consisting of all that portion of the province bounded on the south by the electoral districts of Dauphin, Selkirk and Springfield as herein defined.

8. PORTAGE LA PRAIRIE consisting of townships eleven (11) and twelve (12) in range two (2); townships ten (10) to twelve (12) inclusive in range one (1); townships eleven (11) to seventeen (17) inclusive in ranges three (3) to nine (9) inclusive; so much of townships eighteen (18) to thirty-one (31) inclusive in ranges three (3) to ten (10) inclusive as lie east of Lake Manitoba; and so much of townships thirty-two (32) to forty-seven (47) inclusive in ranges three (3) to eleven (11) inclusive as lie south and west of the west shore of Lake Winnipeg, all the said ranges being west of the first principal meridian; and so much of townships ten (10) to twelve (12) inclusive in ranges one (1) to three (3) inclusive east of the said meridian and of the lots on the Assiniboine River as are not included in the electoral districts of Winnipeg North and Winnipeg South Centre, as hereafter described.

9. PROVENCHER consisting of townships one (1) to seven (7) inclusive in ranges one (1) to seventeen (17) inclusive east of the first principal meridian, together with all the river lots on the Red River south of the north boundary of township seven (7).

10. SELKIRK consisting of townships thirteen (13) to thirty-six (36) inclusive in ranges one (1) and two (2) west of the first principal meridian; so much of townships thirteen (13) to thirty-five (35) inclusive in ranges one (1) to seven (7) inclusive east of the said meridian as lie west of the Red River and of Lake Winnipeg, together with all the islands in the said lake, and the river lots on the west bank of the Red River north of the electoral district of Winnipeg North as hereafter defined.

11. SPRINGFIELD consisting of such portions of townships eight (8) to forty-four (44) inclusive in ranges four (4) to seventeen (17) inclusive east of the first principal meridian as lie east of the Red River and of Lake Winnipeg, and the river lots contiguous thereto lying east of the Red River, excepting thereout the area included in the electoral district of St. Boniface as hereafter defined.

12. SOURIS consisting of townships one (1) to six (6) inclusive in ranges fifteen (15) to twenty-nine (29) inclusive west of the first principal meridian.

13. ST. BONIFACE consisting of the city of St. Boniface; all that part of the city of Winnipeg lying east of the Red River; such and so much of the river lots on both banks of the Red River as lie north of the north line of the seventh

ownship and south of the electoral district of Winnipeg South as hereafter described; such and so much of the river lots on the east bank of the Red River as lie north of the city of St. Boniface and east and south of the Birds' Hill Road (the two-mile road) and the Springfield Road; those portions of township eleven (11) in ranges four (4) and five (5) east of the first principal meridian as lie south of the said roads, and such portions of townships eight (8) to ten (10) inclusive in ranges three (3) to eight (8) inclusive east of the said meridian as lie east of the Red River.

14. WINNIPEG NORTH consisting of those portions of sections fourteen (14), twenty-three (23), and twenty-four (24) in township eleven (11) in range two (2) east of the first principal meridian, and of the village of Brooklands as lie north of the main line of the Canadian Pacific Railway, and all that part of the city of Winnipeg west of the Red River lying north of the said main line.

15. WINNIPEG NORTH CENTRE consisting of all that part of the city of Winnipeg west of the Red River bounded on the north by the main line of the Canadian Pacific Railway and on the south by a line described as commencing at the intersection of Sargent Avenue, with the west boundary of the city and following Sargent Avenue, Balmoral Street, Notre Dame Avenue, Portage Avenue, Main Street and Notre Dame Avenue to the left bank of the Red River, together with those portions of sections eleven (11), fourteen (14) and twenty-three (23) in township eleven (11) in range two (2) east of the first principal meridian and of the village of Brooklands lying south of the said main line of the Canadian Pacific Railway, and such and so much of the river lots on the north bank of the Assiniboine River as lie east of the west boundary of lot one (1) in the parish of St. James, west of the city of Winnipeg and north of the line of the southwestern branch of the said railway.

16. WINNIPEG SOUTH consisting of all that part of the city of Winnipeg on the west side of the Red River lying south of the Assiniboine River together with that part of the town of Tuxedo lying north of the Canadian National Railway, the river lots fronting on the west bank of the Red River south of the city of Winnipeg and north of the south boundary of lot one hundred and twenty-three (123) in the Parish of St. Norbert; and such and so much of the river lots on the east bank of the Red River as lie north of the south boundary of river lot one hundred and twenty-five (125) in the said parish, west of the Seine River and south of the city of St. Boniface.

17. WINNIPEG SOUTH CENTRE consisting of all that part of the city of Winnipeg west of the Red River lying between the north boundary of the electoral district of Winnipeg South and the south boundary of the electoral district of Winnipeg North Centre as above described, together with such and so much of the river lots on the north bank of the Assiniboine River as lie east of Sturgeon Creek and the west boundary of lot one (1) in the Parish of St. James west of the city of Winnipeg, and south of the line of the southwestern branch of the Canadian Pacific Railway.

BRITISH COLUMBIA

There shall be in the Province of British Columbia fourteen electoral districts, named and described as follows, each of which shall return one member:—

BURRARD consisting of all that part of the city of Vancouver lying south and east of a line described as follows: Commencing at the intersection of the centre line of Nanaimo street with the south bank of Burrard inlet; thence south along the said centre line of Nanaimo street to the centre line of Sixth Avenue; thence westerly along the said centre line of Sixth Avenue to the west boundary of Glen drive; thence northerly along the said west boundary a distance of one thousand feet; thence following the centre line of the reclaimed area of False creek to False creek; thence following the centre line of False creek to the westerly side of Granville bridge; thence southerly along the said bridge to the southerly bank of False creek; thence northerly and westerly along the said bank and the bank of English Bay to the intersection of the latter with the centre line of Alma road.

CARIBOO consisting of the territory bounded as follows: Commencing at the northeast corner of British Columbia; thence southerly along the east boundary of British Columbia to the north boundary of Kootenay Land District; thence westerly and southerly along the north and west boundaries of Kootenay Land District to a point due east of a point in Shuswap Lake two miles northeast of the mouth of Salmon river; thence due west to the bank of Shuswap lake; thence southwesterly along the said bank to the mouth of Salmon river; thence southerly along centre line of Salmon river to a point opposite the eastern boundary of Kamloops Land District at the point of intersection with the railway belt; thence southerly in a straight line to the above point and southerly along the said east boundary of Kamloops Land District to the point of intersection with Deep creek; thence westerly following the centre line of Deep creek, Link, Osprey and Chain lakes, and Five-mile creek to a point due east of the northwest corner of Lot 45, Yale District; thence due west to the said northwest corner of Lot 45; thence due north to a point due east of the north end of Otter lake; thence west to the north end of Otter lake and continuing west on the production of this line to a point of intersection with the east boundary of Fraser Valley electoral district hereinafter described; thence following the north boundaries of Fraser Valley and Vancouver North electoral districts

as hereinafter described to the east boundary of Skeena electoral district; thence following the east boundary of Skeena electoral district as hereinafter described to the north boundary of British Columbia; thence following the north boundary of British Columbia to the point of commencement.

COMOX-ALBERNI consisting of that part of Vancouver Island north of a line described as follows: Commencing on the east coast of Vancouver Island at the northeast corner of Mountain district; thence westerly along the northern boundary of the said district and of Dunsmuir district to the east boundary of Alberni district; thence southerly along the east boundary of the said district to the northeasterly boundary of Barclay district; thence southeasterly along the said boundary of Barclay district to the middle point of Nitinat river; thence following the centre line of the said river and Nitinat Lake and the mouth of the said Nitinat Lake to the west coast of Vancouver Island; together with all the islands lying west of the portion of Vancouver Island above described and Hope Island, Nigei Island, the island lying between these two, and all the islands lying south and west of a line described as commencing in Johnstone Strait opposite the Nodales Channel, thence easterly and southerly following the centre line of the Nodales, Cardero, Calm and Lewis channels, the eastern side of the channel between Fernando, Savary, Harwood and Texada Islands on the west and the mainland on the east to Scotch Fir point, thence to and along the centre line of Malaspina Strait and across the Strait of Georgia, through the Middle Channel and Departure Bay to the southeastern corner of the portion of Vancouver Island above described.

FRASER VALLEY consisting of the territory bounded as follows: Commencing at the point in the south boundary of British Columbia where it intersects the one hundred and twenty-first meridian; thence north on the said meridian to a point due west of the north end of Otter Lake; thence due west from this point to a point on the north bank of Fraser River about one mile northeast of the village of Yale; thence following a straight line northwesterly to a point on the north boundary of Yale Land Recording Division lying ten miles west of Fraser River; thence westerly along the said north boundary and the north boundary of the New Westminster Land Recording Division to a point due north of the most northerly point of the North Arm of Burrard Inlet; thence due south to the said point; thence southerly along the eastern bank of the said North Arm and easterly along the bank of Burrard Inlet to a point opposite to the east boundary of the municipality of

Burnaby; thence south to and along the said east boundary and the boundary of New Westminster electoral district hereinafter described, to the south boundary of British Columbia; thence east along the said south boundary to the point of commencement.

KOOTENAY EAST consisting of the territory bounded as follows: Commencing at the southeast corner of the Province of British Columbia; thence northwesterly along the eastern boundary to the north boundary of Kootenay Land District; thence westerly along the north boundary of the said land district to its intersection with Canoe river; thence following the centre line of the said river to the Columbia river, thence southerly following the height of land dividing the waters flowing to the east and to the west to the southerly boundary of British Columbia; thence east along the said southerly boundary to the point of commencement.

KOOTENAY WEST consisting of the territory bounded as follows: Commencing at the intersection of the west boundary of Kootenay Land District with the southern boundary of British Columbia; thence northerly following the said boundary to the northwestern corner of the said land district; thence easterly along the northern boundary of the said land district to its intersection with Canoe river; thence following the centre line of the said river to the Columbia river; thence southerly following the height of land dividing the waters flowing to the east and to the west to the southerly boundary of British Columbia; thence westerly along the said boundary to the point of commencement.

NANAIMO consisting of that part of Vancouver Island lying south of the electoral district of Comox-Alberni as above described, excepting thereout the city of Victoria; together with islands lying off the said part of Vancouver Island and south of the southern boundary of the electoral districts of Comox-Alberni and Vancouver North as above and hereafter described.

NEW WESTMINSTER consisting of all that part of the Province of British Columbia lying west of the east boundary of the municipality of Langley and south of the north bank of the Fraser River and of the north arm thereof, except Crescent Island, Douglas Island and Tree Island, together with the city of New Westminster, the municipality of Burnaby and the territory lying between the said city and the said municipality.

SKEENA consisting of the territory bounded as follows: Commencing at the northwest corner of the province of British Columbia; thence east along the north boundary of

the said province to its intersection with the one hundred and twenty-eighth meridian; thence south along said meridian to its intersection with the fifty-seventh parallel of latitude; thence east along the said parallel to its intersection with the one hundred and twenty-fourth meridian; thence south along said meridian to its intersection with the fifty-fifth parallel of latitude; thence west along the said parallel to its intersection with the one hundred and twenty-fifth meridian; thence south along the said meridian to its intersection with the fifty-first parallel of latitude; thence west along the said parallel to its intersection with the west boundary of the province; thence northerly along the said west boundary of the province (including the islands along the mainland and the Queen Charlotte Islands) to the point of commencement.

VANCOUVER CENTRE consisting of that part of the city of Vancouver and Stanley Park bounded as follows: Commencing at the intersection of the centre line of Nanaimo street with the south bank of Burrard inlet; thence south along the said centre line of Nanaimo street to the centre line of Sixth Avenue; thence westerly along the said centre line of Sixth Avenue to the west boundary of Glen drive; thence northerly along the said west boundary of Glen drive a distance of one thousand feet; thence following the centre line through the reclaimed area of False creek to False creek; thence following the centre line of False creek to the westerly side of Granville bridge; thence following the said bridge to the northerly bank of False creek; thence following the said bank and the bank of Burrard inlet westerly, northerly and easterly to the point of commencement; and in addition shall include Deadman Island in Burrard inlet.

VANCOUVER NORTH consisting of the territory bounded as follows: Commencing at the intersection of the one hundred and twenty-fourth meridian with the fifty-first parallel of latitude; thence due west along the said parallel to the intersection thereof with the one hundred and twenty-eighth meridian; thence south along the said meridian to the north boundary of the electoral district of Comox-Alberni as above described; thence southeasterly along the said boundary to a point in the Strait of Georgia just outside the Middle Channel; thence easterly across the Strait of Georgia to the centre line of Burrard inlet; thence easterly and northerly along the said centre line of Burrard inlet to the west boundary of the electoral district of Fraser Valley as above described; thence northerly along the said west boundary of the said electoral district to the northwest corner thereof; thence northeasterly to the northwest corner of Lillooet Lake; and thence following the height of land

between the Lillooet River and the Birkenhead River to latitude fifty degrees twenty-five minutes north; thence due west to the one hundred and twenty-fourth meridian; thence north along the said meridian to the point of commencement.

VANCOUVER SOUTH consisting of the municipalities of South Vancouver and Point Grey.

VICTORIA consisting of the city of Victoria.

YALE consisting of the territory bounded as follows: Commencing at the intersection of the south boundary of the Province of British Columbia with the one hundred and twenty-first meridian; thence north along the said meridian to a point due west of the north end of Otter Lake; thence following the south boundary of the electoral district of Cariboo as above described to its intersection with the west boundary of the electoral district of Kootenay West as above described; thence following the said west boundary to its intersection with the south boundary of British Columbia; thence following the said south boundary to the point of commencement.

SASKATCHEWAN.

In the following descriptions, where "townships", "ranges", "boundaries", and "meridians" are referred to, these expressions mean the townships, ranges, boundaries and meridians in accordance with the Dominion lands system of surveys and include the extension thereof in accordance with the said system; also the bank of a river is referred to as the right or left bank, according as it is to the right or to the left, looking down the stream.

There shall be in the Province of Saskatchewan twenty-one electoral districts named and described as follows, each of which shall elect and return one member:—

1. ASSINIBOIA consisting of townships one (1) to eleven (11) inclusive in ranges thirty (30) to thirty-four (34) inclusive west of the principal meridian and of townships one (1) to eleven (11) inclusive in ranges one (1) to ten (10) inclusive west of the second meridian.

2. NORTH BATTLEFORD consisting of that portion of the Province of Saskatchewan lying north of North Saskatchewan river included in ranges eight (8) to twenty-eight (28) inclusive west of the third meridian, together with those portions of townships thirty-nine (39), forty (40) and forty-one (41) in range seven (7) west of the third meridian lying west of North Saskatchewan river.

3. SOUTH BATTLEFORD consisting of townships thirty-four (34) to forty-two (42) inclusive in ranges seventeen (17) to twenty-nine (29) inclusive west of the third meridian, those portions of townships forty-three (43) to fifty-three (53) inclusive in ranges fifteen (15) to twenty-eight (28) inclusive west of the third meridian lying south of North Saskatchewan river, and extending to the left bank of the said river together with the Musquito Indian Reserve.

4. HUMBOLDT consisting of townships thirty-two (32) to forty-one (41) inclusive in ranges seventeen (17) to twenty-nine (29) inclusive west of the second meridian, townships thirty-two (32) to thirty-six (36) inclusive in range one (1) west of the third meridian and those portions of townships thirty-seven (37) to forty-one (41) inclusive in ranges one (1) and two (2) west of the third meridian lying south of South Saskatchewan river and extending to the left bank thereof.

5. KINDERSLEY consisting of those portions of townships twenty (20) to thirty-three (33) inclusive in ranges seventeen (17) to twenty-nine (29) inclusive west of the

third meridian lying north of Red Deer river to its point of confluence with South Saskatchewan river and north of the said South Saskatchewan river downstream from the said point of confluence; those portions of townships nineteen (19) to twenty-seven (27) inclusive in ranges ten (10) to sixteen (16) inclusive west of the third meridian lying to the north of South Saskatchewan river, and of those portions of townships twenty (20) to twenty-seven (27) inclusive in ranges five (5) to nine (9) inclusive west of the third meridian lying to the north and west of South Saskatchewan river.

6. LAST MOUNTAIN consisting of townships twenty-nine (29), thirty (30) and thirty-one (31) in ranges eleven (11) to twenty-three (23) inclusive west of the second meridian, those portions of townships twenty-five (25) to twenty-eight (28) inclusive in ranges eleven (11) to twenty-four (24) inclusive west of the second meridian lying east of the centre line of Last Mountain Lake, and those portions of townships twenty (20) to twenty-four (24) inclusive in ranges sixteen (16) to twenty-four (24) inclusive west of the second meridian lying north of the centre line of Last Mountain lake, the centre line of the Saskatoon to Regina Branch of the Canadian Pacific Railway right-of-way from its point of intersection with the said centre line of Last Mountain lake southeasterly to its intersection with Qu'Appelle river and of the said Qu'Appelle river downstream from said intersection.

7. LONG LAKE consisting of those portions of townships twenty-two (22) to thirty-one (31) inclusive in ranges one (1) to seven (7) inclusive west of the third meridian and lying east of Qu'Appelle river, Eyebrow lake and the continuation of flow of Aitkow Creek and South Saskatchewan river and extending to the left banks of the said South Saskatchewan river and Aitkow Creek, those portions of townships sixteen (16) to twenty-three (23) inclusive in ranges twenty-one (21), twenty-two (22) and twenty-three (23) west of the second meridian lying south of the centre line of Last Mountain lake, the centre line of the Saskatoon to Regina Branch of the Canadian Pacific Railway right-of-way and the left bank of Qu'Appelle river; of those portions of townships nineteen (19) to twenty-eight (28) inclusive in ranges twenty-four (24) to twenty-nine (29) inclusive west of the second meridian lying west of the centre line of Last Mountain lake and north of Qu'Appelle river and the centre line of Buffalo Pound lake, and townships twenty-nine (29), thirty (30) and thirty-one (31) in ranges twenty-four (24) to twenty-nine (29) inclusive west of the second meridian.

8. MACKENZIE consisting of township thirty-one (31) in ranges thirty (30) to thirty-three (33) inclusive, west of the principal meridian and in ranges one (1) to ten (10) inclusive, west of the second meridian, and of townships thirty-two (32) to forty-one (41) inclusive, in ranges thirty (30) to thirty-three (33) inclusive, west of the principal meridian, and in ranges one (1) to sixteen (16) inclusive, west of the second meridian.

9. MAPLE CREEK consisting of townships one (1) to twelve (12) inclusive, in ranges ten (10) to thirty (30) inclusive, and of townships thirteen (13) to seventeen (17) inclusive, in ranges eighteen (18) to thirty (30) inclusive, all west of the third meridian.

10. MELFORT consisting of the area lying north and east of a line described as commencing at the intersection of the east boundary of the Province with the south boundary of township forty-two (42), following the said south boundary to the west boundary of range twenty-five (25), west of the second meridian, and the said west boundary, the South Saskatchewan River downwards, the North Saskatchewan River upwards, and the west boundary of range twenty-three (23) to the north boundary of the Province.

11. MELVILLE consisting of those portions of townships seventeen (17) to twenty-four (24) inclusive, in ranges thirty (30) to thirty-three (33) inclusive, west of the principal meridian and in ranges one (1) to fifteen (15) inclusive, west of the second meridian lying to the north of Qu'Appelle river, together with the whole of the Pasqua Indian Reserve.

12. MOOSE JAW consisting of townships eleven (11) to fifteen (15) inclusive, in ranges twenty-two (22) to thirty (30) inclusive, west of the second meridian; those portions of townships sixteen (16) to twenty-two (22) inclusive, in ranges twenty-four (24) to thirty (30) inclusive, west of the second meridian lying to the south of Qu'Appelle river and Buffalo Pound lake and extending to the left bank of the aforesaid river and to the centre line of the said Buffalo Pound lake, and of those portions of townships fifteen (15) to twenty-four (24) inclusive, in ranges one (1) to four (4) inclusive, west of the third meridian lying to the south and west of Aitkow creek, Qu'Appelle river and Eyebrow lake and extending to the left bank of said Qu'Appelle river.

13. PRINCE ALBERT consisting of that portion of the Province of Saskatchewan lying north of the north boundary of township forty-one (41) in ranges twenty-six (26) to twenty-eight (28) inclusive, west of the second meridian and in ranges one (1) to seven (7) inclusive, west of the third meridian, and that portion of the said Province in ranges twenty-four (24) and twenty-five (25) west of the

second meridian lying north of South Saskatchewan river, together with those portions of townships forty-eight (48) and forty-nine (49) in ranges twenty-two (22) and twenty-three (23) west of the second meridian lying between South Saskatchewan river and North Saskatchewan river and extending to the left bank of the said North Saskatchewan river.

14. QU'APPELLE consisting of those portions of townships twelve (12) to nineteen (19) inclusive, in ranges thirty (30) to thirty-four (34) inclusive, west of the principal meridian and in ranges one (1) to ten (10) inclusive, west of the second meridian, and of townships seventeen (17) to twenty-one (21) inclusive, in ranges eleven (11) to sixteen (16) inclusive, west of the second meridian lying to the south of Qu'Appelle river and extending to the left bank thereof, but not including the Muscowpetung Indian Reserve (No. 80).

15. REGINA consisting of those portions of townships sixteen (16) to twenty-one (21) inclusive, in ranges seventeen (17) to twenty (20) inclusive, west of the second meridian lying south of Qu'Appelle river and extending to the left bank thereof, together with the Muscowpetung Indian Reserve (No. 80).

16. ROSETOWN consisting of those portions of townships twenty-eight (28) to forty-two (42) inclusive, in ranges eight (8) to sixteen (16) inclusive, west of the third meridian lying to the south of North Saskatchewan river and extending to the left bank thereof; of those portions of townships thirty-one (31) to thirty-four (34) inclusive, in ranges six (6) and seven (7) west of the third meridian lying to the west of South Saskatchewan river, and of those portions of townships thirty-five (35) to forty-one (41) inclusive, in range seven (7) west of the third meridian, lying east of North Saskatchewan river and extending to the left bank thereof, but not including the Rosetown Indian Reserve (No. 108).

17. SASKATOON consisting of those portions of townships thirty-two (32) to thirty-four (34) inclusive, in ranges two (2) to six (6) inclusive, lying east of South Saskatchewan river and extending to the left bank thereof; townships thirty-five (35) and thirty-six (36) in ranges two (2) to six (6) inclusive; townships thirty-seven (37) to forty-one (41) inclusive, in ranges three (3) to six (6) inclusive, and of those portions of townships forty (40) and forty-one (41) in range two (2) lying west of South Saskatchewan river, all the said townships being west of the third meridian, together with Indian Reserve 94.

18. SWIFT CURRENT consisting of townships thirteen (13) and fourteen (14) in ranges ten (10) to seventeen (17)

inclusive, west of the third meridian, townships fifteen (15), sixteen (16) and seventeen (17) in ranges five (5) to seventeen (17) inclusive, west of the third meridian, and those portions of townships eighteen (18) to twenty-five (25) inclusive, in ranges five (5) to thirty (30) inclusive, west of the third meridian lying south of Red Deer river, South Saskatchewan river and Aitkow creek and extending to the left banks thereof.

19. WEYBURN consisting of townships one (1) to sixteen (16) inclusive, in ranges eleven (11) to sixteen (16) inclusive, and townships one (1) to fifteen (15) inclusive, in ranges seventeen (17) to twenty-one (21) inclusive, west of the second meridian, together with Indian Reserve 76.

20. WILLOW BUNCH consisting of townships one (1) to ten (10) inclusive, in ranges twenty-two (22) to thirty (30) inclusive, west of the second meridian and of townships one (1) to fourteen (14) inclusive, in ranges one (1) to nine (9) inclusive west of the third meridian.

21. YORKTON consisting of townships twenty-five (25) to thirty (30) inclusive, in ranges thirty (30) to thirty-three (33) inclusive, west of the principal meridian, and in ranges one (1) to ten (10) inclusive, west of the second meridian, together with Indian Reserve 64.

ALBERTA.

In the following descriptions where "townships," "ranges," "boundaries" and "meridians" are referred to, these expressions mean the townships, ranges, boundaries and meridians in accordance with the Dominion Lands system of surveys, and include the extension thereof in accordance with the said system; also the bank of a river is referred to as the right or left bank, according as it is to the right or to the left, looking down the stream.

There shall be in the Province of Alberta sixteen electoral districts named and described as follows, each of which shall elect and return one member:—

1. ACADIA consisting of those portions of townships thirty (30) to thirty-six (36) inclusive, in ranges one (1) to twenty-two (22) inclusive, west of the fourth meridian lying to the east of Red Deer river, and of those portions of townships twenty-one (21) to twenty-nine (29) inclusive, in ranges one (1) to eighteen (18) inclusive, west of the fourth meridian lying to the north of Red Deer river.

2. ATHABASKA consisting of those portions of townships fifty-three (53) to fifty-six (56) inclusive, in ranges one (1) to twelve (12) inclusive, and of townships fifty-seven (57) and fifty-eight (58) in ranges one (1) to twenty-four (24) inclusive, lying north of the North Saskatchewan river, and of townships fifty-nine (59) to sixty-four (64) inclusive, in ranges one (1) to twenty-five (25) inclusive, all west of the fourth meridian, together with that portion of the Province of Alberta situated between the fourth and the fifth meridians and lying north of the north boundary of township sixty-four (64).

3. BATTLE RIVER consisting of townships thirty-seven (37) to forty-eight (48) inclusive, in ranges one (1) to ten (10) inclusive, west of the fourth meridian, together with those portions of townships forty-nine (49) to fifty-six (56) inclusive, in ranges one (1) to eleven (11) inclusive, west of the fourth meridian lying to the south of North Saskatchewan river and extending to the left bank thereof.

4. BOW RIVER consisting of townships thirteen (13) to twenty-two (22) inclusive, in ranges seventeen (17) to twenty-four (24) inclusive, west of the fourth meridian; those portions of townships twenty-three (23) to thirty (30) inclusive, in ranges seventeen (17) to twenty-seven (27) inclusive, west of the fourth meridian lying to the south and west of Red Deer river, and extending to the left bank thereof, together with those portions of townships twenty-eight (28) and twenty-nine (29) in ranges nineteen (19),

twenty (20) and twenty-one (21) west of the fourth meridian lying north of Red Deer river.

5. CALGARY EAST consisting of those portions of townships twenty-three (23) to thirty (30) inclusive, in ranges twenty-eight (28) and twenty-nine (29) west of the fourth meridian lying east of Bow river; of townships twenty-six (26) to thirty (30) inclusive, in ranges one (1) and two (2) west of the fifth meridian, township twenty-five (25) in range one (1) west of the fifth meridian; that portion of township twenty-four (24) in range one (1) west of the fifth meridian, being a part of the city of Calgary, lying north of the centre line of the Canadian Pacific Railway's main line right-of-way and east of Bow river, together with that portion of township twenty-three (23) in range one (1) west of the fifth meridian also lying east of the said Bow river.

6. CALGARY WEST consisting of those portions of townships twenty-three (23) to thirty (30) inclusive, lying west of the east boundary of range three (3) west of the fifth meridian; townships twenty-four (24) and twenty-five (25) in range two (2) west of the fifth meridian, the Sarcee Indian Reserve 145; that portion of township twenty-three (23) in range twenty-nine (29) west of the fourth meridian and in range one (1) west of the fifth meridian lying west of Bow river and extending to the left bank thereof, and that portion of township twenty-four (24) in range one (1) west of the fifth meridian, being a part of the city of Calgary, lying to the south and west of a line which may be described as follows: Commencing at the intersection of the west boundary of township twenty-four (24) in range one (1) west of the fifth meridian with the centre line of the Canadian Pacific Railway main line right-of-way; thence easterly along the said centre line to its intersection with the left bank of Bow river; thence downstream along the said left bank of Bow river to the south boundary of the said township.

7. CAMROSE consisting of townships thirty-seven (37) to forty-eight (48) inclusive, in ranges eleven (11) to twenty-one (21) inclusive, west of the fourth meridian; townships forty (40) and forty-one (41) in range twenty-two (22) west of the fourth meridian, and of those portions of townships thirty-seven (37), thirty-eight (38) and thirty-nine (39) in range twenty-two (22) west of the fourth meridian lying to the east and north of Red Deer river.

8. EDMONTON EAST consisting of those portions of township fifty-three (53) to fifty-five (55) inclusive, in ranges twenty-two (22) to twenty-four (24) inclusive, west of the fourth meridian lying north of North Saskatchewan

river and outside of the boundaries of the city of Edmonton; together with that portion of the said city of Edmonton lying to the east of a line which may be described as follows: Commencing at the intersection of the south boundary of the city of Edmonton with the centre line of the Calgary and Edmonton branch of the Canadian Pacific Railway right-of-way; thence northerly along the said centre line of the said Canadian Pacific Railway right-of-way to Whyte Avenue, thence westerly to the east boundary of the street lying immediately west of the said right-of-way, thence northerly along the said east boundary to the intersection of Saskatchewan Avenue, thence easterly along the north boundary of Saskatchewan Avenue to the east boundary of Riverside Park, thence northerly along the said boundary to the left bank of North Saskatchewan river; thence along the said left bank of the said North Saskatchewan river to its point of intersection with the projection southerly of the centre line of 101st street; thence northerly along the said projection of the said centre line of said 101st street and the said centre line of said 101st street to the northerly boundary of the city of Edmonton.

9. EDMONTON WEST consisting of those portions of townships fifty (50) to fifty-eight (58) inclusive, in ranges twenty-five (25) to twenty-eight (28) inclusive, west of the fourth meridian and in ranges one (1) and two (2) west of the fifth meridian lying north of North Saskatchewan river, together with that portion of the city of Edmonton lying west of a line which may be described as follows: Commencing at the intersection of the south boundary of the city of Edmonton with the centre line of the Calgary and Edmonton Branch of the Canadian Pacific Railway right-of-way; thence northerly along the said centre line of the said Canadian Pacific Railway right-of-way to Whyte Avenue, thence westerly to the east boundary of the street lying immediately west of the said right-of-way, thence northerly along the said east boundary to the intersection of Saskatchewan Avenue, thence easterly along the north boundary of Saskatchewan Avenue to the east boundary of Riverside Park, thence northerly along the said boundary to the left bank of North Saskatchewan river; thence along the said left bank of the said North Saskatchewan river to its point of intersection with the projection southerly of the centre line of 101st street; thence northerly along the said projection of the said centre line of said 101st street and the said centre line of said 101st street to the northerly boundary of the city of Edmonton.

10. LETHBRIDGE consisting of townships one (1) to ten (10) inclusive, in ranges thirteen (13) to twenty-four (24), inclusive, west of the fourth meridian, except that

part of township seven (7) in range twenty-four (24) lying west of the Belly River; those portions of township twelve (12) in ranges twelve (12) and thirteen (13) and township eleven (11) in range thirteen (13) lying west of Bow river and south of South Saskatchewan river and extending to the left banks thereof; townships eleven (11) and twelve (12) in ranges fourteen (14) to twenty-four (24) inclusive; townships one (1) and two (2) in ranges twenty-five (25) to thirty (30) inclusive; those portions of townships three (3) and four (4) in ranges twenty-five (25) to twenty-eight (28) inclusive, lying east of Belly river and extending to the left bank thereof, together with the Blood Indian Reserve, all the afore-mentioned townships being west of the fourth meridian.

11. MACLEOD consisting of townships one (1) to twenty-two (22) inclusive, extending westerly from the fifth meridian to the west boundary of the Province of Alberta; those portions of townships three (3) to twenty-two (22) inclusive, in ranges twenty-five (25) to thirty (30) inclusive, west of the fourth meridian lying west and north of Belly river, together with that portion of township seven (7) in range twenty-four (24) west of the fourth meridian lying west of the said Belly river.

12. MEDICINE HAT consisting of townships one (1) to eleven (11) inclusive, in ranges one (1) to twelve (12) inclusive, west of the fourth meridian; that portion of township eleven (11) in range thirteen (13) lying east of Bow river and north of South Saskatchewan river; those portions of township twelve (12) in ranges one (1) to thirteen (13) inclusive, lying east of Bow river, and those portions of townships thirteen (13) to twenty-six (26) inclusive, in ranges one (1) to sixteen (16) inclusive, lying south of Red Deer river and extending to the left bank thereof, all the said townships being west of the fourth meridian.

13. PEACE RIVER consisting of townships forty-one (41) to fifty-eight (58) inclusive, from the east boundary of range nineteen (19) west of the fifth meridian to the west boundary of the Province of Alberta; those portions of townships forty-two (42) to fifty-eight (58) inclusive, in ranges three (3) to eighteen (18) inclusive, west of the fifth meridian lying north of Blackstone and Brazeau rivers and of North Saskatchewan river easterly from its confluence with the said Brazeau river; townships fifty-nine (59) to sixty-four (64) inclusive, in ranges twenty-six (26) and twenty-seven (27) west of the fourth meridian, together with that portion of the Province of Alberta lying north of the north boundary of township fifty-eight (58) and westerly

from the fifth meridian to the west boundary of the said Province of Alberta.

14. RED DEER consisting of townships thirty-one (31) to thirty-nine (39) inclusive, in ranges twenty-three (23) to twenty-nine (29) inclusive, west of the fourth meridian, and in ranges one (1) and two (2) west of the fifth meridian; those portions of townships thirty-one (31) to thirty-nine (39) inclusive, in ranges twenty-one (21) and twenty-two (22) west of the fourth meridian lying west of the Red Deer river and extending to the left bank thereof, together with all of townships thirty-one (31) to forty (40) inclusive lying west of the east boundary of range three (3) west of the fifth meridian.

15. VEGREVILLE consisting of townships forty-nine (49) to fifty-three (53) inclusive, in ranges twelve (12) to twenty-one (21) inclusive, west of the fourth meridian, together with those portions of townships fifty-four (54) to fifty-eight (58) inclusive, in ranges twelve (12) to twenty-three (23) inclusive, west of the fourth meridian, lying south of North Saskatchewan river and extending to the left bank thereof.

16. WETASKIWIN consisting of townships forty (40) and forty-one (41) in ranges twenty-three (23) to twenty-eight (28) inclusive, west of the fourth meridian and ranges one (1) and two (2) west of the fifth meridian, township forty-one (41) in ranges three (3) to eighteen (18) inclusive, west of the fifth meridian, and those portions of townships forty-two (42) to fifty-five (55) inclusive, in ranges twenty-two (22) to twenty-eight (28) inclusive, west of the fourth meridian, and ranges one (1) to eighteen (18) inclusive, west of the fifth meridian lying south of Blackstone river upstream from its point of confluence with Brazeau river and south of the said Brazeau river and North Saskatchewan river downstream from the said point of confluence, and extending to the left banks thereof, excepting that area contained within the boundaries of the city of Edmonton.

YUKON TERRITORY.

The Yukon Territory as bounded or described in the schedule to the Yukon Act, chapter sixty-three of the Revised Statutes of Canada, 1906, shall form and constitute the electoral district of Yukon, and shall return one member.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 2.

An Act to readjust the Representation in the House of Commons

AS PASSED BY THE HOUSE OF COMMONS, 16th JULY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74750 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to readjust the Representation in the House of Commons

R.S., c. 5; 1907, c. 41; 1914, c. 51; 1915, c. 19; 1919, c. 6.

WHEREAS the results of the census of 1921 necessitate a readjustment of the representation in the House of Commons, pursuant to the provisions of *The British North America Act, 1867*, and the other statutes in that behalf: 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 Representation Act, 1924*.

Number of Members.

2. The House of Commons shall consist of two hundred and forty-five members, of whom eighty-two shall be elected for the province of Ontario, sixty-five for the province of Quebec, fourteen for the province of Nova Scotia, eleven for the province of New Brunswick, seventeen for the province of Manitoba, fourteen for the province of British Columbia, four for the province of Prince Edward Island, twenty-one for the province of Saskatchewan, sixteen for the province of Alberta, and one for the Yukon Territory.

Division into electoral districts.

3. The said provinces and territory respectively shall, for the purposes of the election of members to serve in the House of Commons, be divided into electoral districts, and be represented as provided in the schedule to this Act.

Construction of schedule.

4. The whole of that part of the said schedule relating to any province shall be read together, and shall, so far as possible, be construed as including the whole of such province in some one or other of the electoral districts therein described, the description of each electoral district being accordingly construed as intended, unless the contrary is

Doubtful cases decided by Chief Electoral Officer.

expressed, to include the whole of the contained area, whether particularly mentioned or not, and to include also any area partly surrounded by the areas expressly described which appears to have been intended to be included. In any doubtful case the Chief Electoral Officer shall finally determine of what electoral district, if any, any area not expressly referred to was intended to form part, and shall, within the first fifteen days after the session of Parliament next following any such determination, report the same, with the reasons therefor, to the Speaker of the House of Commons.

Report to Speaker.

Interpretation.

5. Wherever in the said schedule any word or expression is used to denote the name of any territorial division, such word or expression shall, unless the context otherwise requires, be construed as indicating such territorial division as it exists and is bounded at the date of the passing of this Act.

Incorrect description.

6. Wherever in the said schedule a municipality or place is wrongfully referred to as a city, or a town, or a village, but there is within the territorial limits of the electoral district, in the description of which the reference occurs, a municipality or place of the same name which is a city, or a town, or a village, but is not of the class,—city, town or village, as the case may be,—specified in the schedule, the reference shall be taken to be to that municipality or place.

Commencement of Act.

7. This Act shall take effect only upon the dissolution of the present Parliament.

SCHEDULE.

ONTARIO.

There shall be in the Province of Ontario eighty-one electoral districts, named and described as follows, each of which, unless otherwise expressly stated, shall return one member:—

ALGOMA EAST consisting of the territorial district of Manitoulin and those parts of the territorial districts of Algoma and Sudbury bounded on the south by Lake Huron and the said district of Manitoulin, and on the west by a line described as commencing on the south boundary of Canada at the intersection (east of St. Joseph's Island in Lake Huron) of the projection southerly of the east boundary of the township of Plummer Additional and running north to and along the east boundary of the said township and of the line of townships lying north thereof to the south boundary of the twenty-first range of townships, east along the said south boundary to a point directly south of the southeast corner of the township of Lackner, and north to and along the east boundary of the said township and of the line of townships lying north thereof to the south boundary of the township of Kapuskasing; and bounded on the east and north by a line described as commencing on the south boundary of the said district of Sudbury at the southeast corner of the territorial district of Manitoulin and running north to the north boundary of the said district of Sudbury, and west and north along the said boundary and the south boundary of the townships of Lougheed and Kapuskasing to the north end of the west boundary as above described.

ALGOMA WEST consisting of those parts of the territorial districts of Algoma and Sudbury bounded on the south by the southerly boundary of the said district of Algoma; on the east by the east boundary of the said district and of the electoral district of Algoma East as above described, and on the west and north by a line described as commencing at the intersection of the west boundary of the territorial district of Algoma with the base line of the twenty-third range of townships and running east along the said base line, north along the east boundary of township thirty and its projection due north, thence east along the south boundary of the township of McCoig to the southeast corner of the township of McMillan, thence south to the northwest corner of the township of Dowsley, thence east along the north boundary of the Township of Dowsley to the northeastern boundary of the township of Ebbs, thence south along the east boundary of the township of Ebbs to the northwestern boundary of the township of

Doherty, thence east along the northern boundary of the township of Doherty to the northeastern boundary of the township of Shanley but not including the village of Horne Payne.

BRANT consisting of that part of the county of Brant included in the townships of Burford, South Dumfries, Onondaga, Tuscarora and that part of the township of Brantford lying east of the Grand River including that part of the city of Brantford not included in the electoral district of Brantford City.

BRANTFORD CITY consisting of the City of Brantford as it existed in 1914 and in that part of the county of Brant included in the township of Oakland and in that part of the township of Brantford lying south and west of the Grand River.

BRUCE NORTH consisting of all that part of the county of Bruce lying north of a line described as commencing at the southwest corner of the township of Kincardine, and following the southerly and easterly boundaries of the said township and the townships of Bruce, Saugeen and Arran to the east boundary of the said county.

BRUCE SOUTH consisting of that part of the county of Bruce lying south of a line described as commencing at the northwest corner of the township of Huron and following the north and west boundaries of the said township and of the townships of Kinloss, Greenock and Elderslie to the east boundary of the said county.

CARLETON consisting of the county of Carleton, excepting the townships of Gloucester and Osgoode and that part of the city of Ottawa lying east of a line described as commencing at the intersection of the Rideau Canal with the line of the Canadian Pacific Railway, and following the said line of railway, Somerset Street, Bayswater Avenue, Bayview Road, and Mason Street to the south bank of the Ottawa River.

DUFFERIN-SIMCOE consisting of the county of Dufferin and that part of the county of Simcoe lying south of the north boundary of the townships of Tossorontio, Essa and Innisfil.

DURHAM consisting of the county of Durham.

ELGIN WEST consisting of the county of Elgin, excepting the townships of Malahide and Bayham, and including the city of St. Thomas.

ESSEX EAST consisting of that part of the county of Essex included in the towns of Ford City and Walkerville and the villages of Riverside, Tecumseh and in the townships of Maidstone, Rochester and Tilbury (North and West), together with that part of the county of Kent included in the town of Tilbury.

ESSEX SOUTH consisting of that part of the county of Essex included in the townships of Anderdon, Malden, Sandwich South, Colchester (North and South), Gosfield (North and South), Mersea and Pelee Island, together with that part of the village of Wheatley lying in the county of Kent.

ESSEX WEST consisting of the city of Windsor, the town of Sandwich and that part of the county of Essex included in the townships of Sandwich (East and West) but not including the towns of Ford City and Walkerville, or the villages of Riverside, Tecumseh and St. Clair Shores.

FORT WILLIAM consisting of those parts of the territorial districts of Rainy River, Kenora and Thunder Bay bounded on the south by the southern boundary of Canada, and on the west, north and east by a line described as commencing on the said southern boundary at the intersection of the fifth meridian passing between the townships of Melgund and Revell, thence north along the said meridian to a point five miles north of the Canadian Pacific Railway, thence southeast parallel to and at a distance of five miles northerly from the said line of railway to a point five miles due north of the station of Poland, south to the said railway and continuing along the same to the intersection of the projection westerly to the north boundary of the township of Forbes, thence along the north and east boundaries of the said township, the north and east boundaries of the townships of Conmee and Oliver, and the north boundary of the townships of Paipoonge and Neebing, and their projection easterly to the eighty-ninth meridian, thence along the said meridian to the southern boundary of Canada.

FRONTENAC-ADDINGTON consisting of the county of Frontenac, except the city of Kingston and the village of Portsmouth, together with all that part of the county of Lennox and Addington lying east and north of a line described as commencing at the northwest corner of the township of Camden and following the westerly and southerly boundaries of the said township and of the township of Ernestown to the east boundary of the said county.

GLENGARRY consisting of the county of Glengarry.

GRENVILLE-DUNDAS consisting of the counties of Grenville and Dundas.

GREY NORTH consisting of that part of the county of Grey lying north of a line described as commencing at the southwest corner of the township of Derby and following the south boundary of the said township and the township of Sydenham, the west and south boundaries of the township of Euphrasia and the south boundary of the township of Collingwood to the east boundary of the said county.

GREY SOUTHEAST consisting of that part of the county of Grey lying south of a line described as commencing at the northwest corner of the township of Sullivan and following the north boundary of the said township, the north and east boundaries of the township of Holland and the north boundary of the townships of Artemesia and Osprey to the east boundary of the said county.

HALDIMAND consisting of the county of Haldimand.

HALTON consisting of the county of Halton.

HAMILTON EAST consisting of that part of the city of Hamilton lying east of Wellington Street and west of Ottawa Street.

HAMILTON WEST consisting of that part of the city of Hamilton lying west of Wellington Street, east of Paradise Road, and north of Coate's Paradise.

HASTINGS-PETERBOROUGH consisting of that part of the county of Peterborough lying east of a line described as commencing at the northwest corner of the township of Anstruther and following the west boundary of the said township and of the townships of Burleigh, Dummer and Asphodel to the south boundary of the said county, together with that part of the county of Hastings lying north of a line described as commencing at the southwest corner of the township of Rawdon and following the south boundary of the said township, the south and east boundaries of the township of Huntingdon and the south boundary of the townships of Madoc and Elzevir to the east boundary of the said county.

HASTINGS SOUTH consisting of that part of the county of Hastings included in the townships of Hungerford, Tyendinaga, Thurlow and Sydney, and including the city of Belleville and towns of Trenton and Deseronto.

HURON NORTH consisting of that part of the county of Huron lying north of a line described as commencing at the southwest corner of the town of Goderich and following the south boundary of the said town and of the townships of Colborne, Wawanosh (East and West), Morris and Grey, to the east boundary of the said county.

HURON SOUTH consisting of that part of the county of Huron lying south of a line described as commencing at the southwest corner of the town of Goderich, and following the south boundary of the said town, the north and west boundaries of the township of Goderich, and the west and north boundaries of the township of Hullett, and the north boundary of the township of McKillop, to the east boundary of the said county.

KENORA-RAINY RIVER consisting of those parts of the territorial districts of Kenora and Rainy River lying west of the fifth meridian passing between the townships of Melgund and Revell.

KENT consisting of that part of the county of Kent lying west or south of a line described as commencing at the northeast corner of the Gore of Chatham, and following the east boundary of the said Gore, the north and east boundaries of the township of Chatham and the river Thames to the east boundary of the said county, but excluding the town of Tilbury and the village of Wheatley.

KINGSTON CITY consisting of the city of Kingston and the village of Portsmouth.

LAMBTON EAST consisting of that part of the county of Lambton included in the townships of Bosanquet, Warwick, Inniskillen, Brooke, Dawn and Euphemia, together with that part of the county of Kent included in the townships of Zone and Camden.

LAMBTON WEST consisting of that part of the county of Lambton included in the townships of Plympton, Sarnia, Moore and Sombra (including Walpole Island, St. Anne's Island and the other islands at the mouth of River St. Clair), and the city of Sarnia.

LANARK consisting of the county of Lanark.

LEEDS consisting of the county of Leeds.

LINCOLN consisting of the county of Lincoln.

LONDON consisting of that part of the city of London lying west of a line described as commencing at the intersection of Adelaide Street with the north boundary of the said city and following Adelaide Street and Oxford Street to the northeast corner of Wolsley Barracks area, thence following the easterly boundary of the barrack area and its projection southerly to the intersection of the projection of the south side of Central Avenue to the south side of Middleton Avenue, thence following the said projection and the south side of the said street easterly to its intersection with the west side of Glasgow Street, thence following the said west side of Glasgow Street and its projection southerly to the north side of Lorne Avenue, thence following the said north side of Lorne Avenue and its projection easterly to Burbrook Place, thence following Burbrook Place southerly to Dundas Street and Dundas Street easterly to its intersection with the projection northerly of Swinyard Street, thence southerly

along the said projection, the said street and its projection southerly to Pine Street, thence westerly and southerly along Pine Street, Elm Street, Trafalgar Street, Adelaide Street and its projection southerly to the centre line of the south branch of the River Thames, thence along the said centre line downstream to its intersection with the projection northerly of Beverly Street, thence southerly along the said projection and Wellington Street south to the south boundary of the said city.

MIDDLESEX EAST consisting of that part of the county of Middlesex lying east of a line described as commencing at the northwest corner of the township of Biddulph and following the west boundary of the said township and of the townships of London and Westminster to the south boundary of the said county, together with that part of the city of London not included in the electoral district of London as hereinbefore described.

MIDDLESEX WEST consisting of that part of the county of Middlesex lying west of a line described as commencing at the northeast corner of the township of McGillivray and following the east boundary of the said township and of the townships of Williams East, Lobo and Delaware to the south boundary of the said county.

MUSKOKA-ONTARIO consisting of the territorial district of Muskoka and that part of the county of Ontario lying north of a line described as commencing at the southwest corner of the township of Uxbridge and following the south boundary of the said township and the westerly and northerly boundaries of the township of Reach, to the east boundary of the said county.

NIPISSING consisting of that part of the territorial district of Nipissing bounded on the west and south by the western and southern boundaries of the said district and the south boundary of the township of Sproule, on the north by a line described as commencing on the west boundary of the said district at the northwest corner of the township of Crerar, and thence following the north boundary of the said township, the north and east boundaries of the township of Gibbons, the north boundary of the townships of Field, Grant, Charlton, Blyth, Merrick, Mulock, French, 28 East and Antoine, to the east boundary of the said district, on the east by the east boundary of the said district and by a line described as commencing at the northeast corner of the township of Papineau and thence following the east boundary of the said township and of the townships of Boyd, Lister, Freswick, Bower and Sproule to the southeast corner thereof, together with

that part of the territorial district of Sudbury lying east and south of a line described as commencing in the east boundary of the said district at the northeast corner of the township of Ratter, and running west to the northwest corner of the township of McKim and south to the south boundary of the said district.

NORFOLK consisting of the county of Norfolk and that part of the county of Elgin included in the townships of Bayham and Malahide.

NORTHUMBERLAND consisting of the county of Northumberland, except the township of South Monaghan.

ONTARIO consisting of that part of the county of Ontario included in the townships of Pickering, Whitby (East and West), Reach, and Scugog, and the city of Oshawa.

OTTAWA consisting of the city of Ottawa, excepting Rideau Ward and that part of the city lying west of a line described as commencing at the intersection of the Rideau Canal with the line of the Canadian Pacific Railway, and following the said line of railway, Somerset Street, Bayswater Avenue, Bayview Road and Mason Street, to the Ottawa River, which shall return two members.

OXFORD NORTH consisting of that part of the county of Oxford included in the townships of Nissouri East, Zorra (West and East), Blandford and Blenheim, together with the city of Woodstock, and that part only of the village of Tavistock lying in the township of Zorra East.

OXFORD SOUTH consisting of that part of the county of Oxford lying south of a line described as commencing at the northwest corner of the township of Oxford North, and following the north boundary of the townships of Oxford (North and West), the south boundary of the city of Woodstock, and the north boundary of the township of Oxford East to the east boundary of the said county.

PARKDALE consisting of that part of the city of Toronto bounded on the south by Humber Bay, on the east by Atlantic Avenue, the projections thereof southerly and northerly and Dovercourt Road, on the north by Bloor Street, and on the west by a line commencing at the intersection of Bloor Street with Indian Road and following Indian Road, Howard Park Avenue, Sunnyside Avenue, and the projection thereof southerly to Humber Bay.

PARRY SOUND consisting of the territorial district of Parry Sound.

PEEL consisting of the county of Peel.

PERTH NORTH consisting of that part of the county of Perth lying north of a line described as commencing at the southeast corner of the township of Easthope North and following the southerly boundary of the said township, of the city of Stratford and of the townships of Ellice and Elma, to the west boundary of the said county.

PERTH SOUTH consisting of that part of the county of Perth lying south of a line described as commencing at the northwest corner of the township of Logan, and following the north and east boundaries of the said township, the north boundary of the townships of Fullerton, and Downie, the south boundary of the city of Stratford and the north boundary of the township of Easthope South to the east boundary of the said county, and including only that part of Tavistock as lies in the township of Easthope South.

PETERBOROUGH WEST consisting of that part of the county of Peterborough included in the townships of Galway, Cavendish, Harvey, Ennismore, Smith, Douro, Otanabee and North Monaghan, and that part of the county of Northumberland included in the township of South Monaghan, together with the city of Peterborough.

PORT ARTHUR-THUNDER BAY consisting of those parts of the territorial districts of Kenora and Thunder Bay lying east and north of a line described as commencing at the intersection of the fifth meridian, passing between the townships of Melgund and Revell, with the north boundary of the district of Kenora, thence following the said meridian southerly to a point five miles north of its intersection with the line of the Canadian Pacific Railway, thence running southeasterly parallel to and five miles northerly from the said line of railway to a point five miles north of the said station of Poland, thence southerly to Poland and continuing along the said railway to the intersection of the projection westerly of the north boundary of the township of Forbes, thence along the said north boundary, the west and south boundaries of the townships of Ware and McIntyre, the projection easterly of the south boundary of the township of McIntyre and the eighty-ninth meridian to the southern boundary of Canada, together with those parts of the territorial district of Algoma included the village of Hornepayne and lying west of a line described as commencing at the intersection of the west boundary of the said district with the base line of the twenty-third range of townships, and thence running

east along the said base line and northerly along the west boundary of township thirty, and its projection due north to the south boundary of the township of McCoig, thence east along the said south boundary and due north along the eastern boundary of the said township and its projection northerly to the north boundary of the said territorial district.

PRESCOTT consisting of the County of Prescott.

PRINCE EDWARD-LENNOX consisting of the county of Prince Edward and that part of the county of Lennox and Addington included in the townships of Adolphustown, Amherst Island, Fredericksburg (North and South) and Richmond.

RENFREW NORTH consisting of that part of the county of Renfrew lying north and east of a line described as commencing at the southeast corner of the township of Ross and following the southerly and westerly boundaries of the said township and of the townships of Bromley, Wilberforce, Algona (North and South), and Fraser, together with that part of the territorial district of Nipissing lying east of a line described as commencing at the northwest corner of the township of Cameron, and following the westerly boundary of the said township and the townships of Deacon, Anglin, Dickson and Preston, and the northerly boundary of the township of Airy to the west boundary of the said district.

RENFREW SOUTH consisting of that part of the county of Renfrew lying south of a line described as commencing at the northeast corner of the township of Richards, and following the east boundary of the said township and of the townships of Haggarty and Brudenell, and the north boundary of the townships of Sebastopol, Grattan, Admaston and Horton, to the east boundary of the said county, and including only so much of the village of Eganville as lies in the township of Grattan.

RUSSELL consisting of the county of Russell, and that part of the county of Carleton included in the townships of Gloucester and Osgoode and in Rideau ward of the city of Ottawa.

SIMCOE EAST consisting of that part of the county of Simcoe lying north of a line described as commencing at the southwest corner of the township of Tiny, and following the south boundary of the said township, the west and south boundaries of the township of Medonte and the west boundary of the township of Orillia South to Lake Simcoe.

SIMCOE NORTH consisting of that part of the county of Simcoe included in the townships of Nottawasaga, Sunnydale, Vespra, Oro and Flos.

STORMONT consisting of the county of Stormont.

TIMISKAMING NORTH consisting of that part of the territorial district of Timiskaming lying north of a line described as commencing on the east boundary of the said district at the southeast corner of the township of Pontiac, and following the southern boundary of the row of townships of which Pontiac is the most easterly to the southwest corner of the township of Keefer on the west boundary of the said district, together with that part of the territorial district of Algoma lying north of a line described as commencing on the east boundary of the said district at the northeast corner of the township of Shanley and running west to the southwest corner of the township of Caithness, north to the south boundary of the township of Shetland, west to the southwest corner of the township of Angemark, north to the southeast corner of the township of McMillan and west to the east boundary of the electoral district of Port Arthur and Thunder Bay.

TIMISKAMING SOUTH consisting of that part of the territorial district of Timiskaming lying south of a line described as commencing on the west boundary of the said district at the northwest corner of the township of Hillary, thence following the northern boundary of the row of townships of which Hillary is the most westerly, to the northeast corner of the township of Ossian on the east boundary of the said district, together with that part of the territorial district of Nipissing lying north of a line described as commencing on the west boundary of the said district at the southwest corner of the township of Dana, and running thence due east to the northeast corner of the township of Gibbons, thence south to the southeast corner of the said township, and thence east to the southeast corner of the township of Eddy on the east boundary of the said district and that part of the territorial district of Sudbury lying north and east of a line described as commencing at the southeast corner of the township of Henry and running west to the southwest corner of the township of Blezard and north to the north boundary of the said district.

TORONTO EAST consisting of that part of the city of Toronto bounded by a line described as follows: Commencing at the intersection of the northern boundary of the said city with Pape Avenue, and following Pape Avenue, Danforth Avenue, Greenwood Avenue, Queen Street, Knox Street, and the projection southerly of Knox Street to Lake

Ontario, thence continuing along the shore of the said Lake through the eastern channel and Toronto Harbour to the Don River, and following the Don River upwards to the Rosedale Valley Road, thence following the line of the Canadian National Railway lying west of the Don River to the northern boundary of the city and the said northern boundary to the place of commencement.

TORONTO EAST CENTRE consisting of that part of the city of Toronto bounded on the north by Bloor Street, on the south by the Don River and Toronto Harbour, on the east by the Don River and the line of the Canadian National Railway to the west threof, and on the west by a line commencing at the intersection of Bloor Street and Avenue Road, and thence following Avenue Road, Queen's Park Crescent, University Avenue, Dundas Street, Jarvis Street, and the projection southerly of Jarvis Street to Toronto Harbour.

TORONTO-HIGH PARK consisting of all that part of the city of Toronto lying west of a line described as commencing on the south boundary of the said city at the intersection of the projection southerly of Sunnyside Avenue, and thence following the said projection, Sunnyside Avenue, Howard Park Avenue, Indian Road, Bloor Street and Lansdowne Avenue, to its intersection with the line of the Canadian Pacific Railway and the said line to its intersection with the northern division of the Canadian National Railway, thence along the said last mentioned line to the north boundary of the said city.

TORONTO NORTHEAST consisting of that part of the city of Toronto bounded by a line described as commencing at the intersection of Bloor Street with the line of the Canadian National Railway lying west of the Don River, thence following Bloor Street and Bathurst Street to the north boundary of the city and thence following the city limits easterly, northerly and southerly, and the said line of railway southerly to the point of commencement.

TORONTO NORTHWEST consisting of that part of the city of Toronto bounded on the south by Bloor Street, on the east by Bathurst Street, on the north by the city limits, and on the west by a line commencing at the intersection of the said limits with the line of the Northern Division of the Canadian National Railway, thence following the said line of railway, the main line of the Canadian Pacific Railway eastward and Lansdowne Avenue southward to Bloor Street.

TORONTO-SCARBOROUGH consisting of that part of the city of Toronto lying east of a line described as commencing at the intersection of Pape Avenue with the

northern boundary of the said city and thence following Pape Avenue, Danforth Avenue, Greenwood Avenue, Queen Street, Knox Street and its projection southerly to the south boundary of the said city.

TORONTO SOUTH consisting of that part of the city of Toronto bounded on the north by Dundas Street, on the east by Jarvis Street, on the south by Toronto Harbour, the Western Channel and Humber Bay, and on the west by Atlantic Avenue, the projections thereof northerly and southerly and Dovercourt Road, together with all that part of Toronto Island lying between the eastern and western channels.

TORONTO WEST CENTRE consisting of that part of the city of Toronto bounded on the north by Bloor Street, on the west by Dovercourt Road, on the south by Dundas Street, and on the east by a line described as commencing at the intersection of Bloor Street and Avenue Road and following Avenue Road, Queen's Park Crescent and University Avenue to Dundas Street.

VICTORIA consisting of the county of Victoria and the provisional county of Haliburton.

WATERLOO NORTH consisting of the townships of Wellesley and Woolwich, and that part of the township of Waterloo lying north of a line described as commencing at the southwest corner of Lot Forty-Six and following the southerly boundaries of the said Lot and of Lots Forty-Seven, Forty-Eight, Fifty, Fifty-One and Fifty-Three, the projection of the boundary of the last mentioned Lot, the centre line of the Grand River upstream, the projection of the boundary between Lots One Hundred and Thirteen and One Hundred and Fourteen, and the said boundary, the westerly and northerly boundaries of Lot One Hundred and Seven, and the northerly boundary of Lots One Hundred and Six, Eighty-Four and Ninety-Six, to the east boundary of the said township.

WATERLOO SOUTH consisting of the townships of Wilmot and North Dumfries and that part of the township of Waterloo lying south of the electoral district of Waterloo North, as hereinbefore described.

WELLAND consisting of the county of Welland.

WELLINGTON NORTH consisting of that part of the county of Wellington lying north of a line described as commencing at the southeast corner of the township of Garafraxa West and following the southerly and westerly boundaries of the said township and the southerly boundary of the township of Peel, to the south boundary of the said county.

WELLINGTON SOUTH consisting of that part of the county of Wellington lying south of a line described as commencing at the northwest corner of the township of Pilkington and following the north boundary of the said township, the north and east boundaries of the township of Nichol and the north boundary of the townships of Eramosa and Erin to the east boundary of the said county.

WENTWORTH consisting of the county of Wentworth and that part of the city of Hamilton not included in the electoral districts of Hamilton East and Hamilton West.

YORK NORTH consisting of all that part of the county of York lying north of the southerly boundary of the townships of Vaughan and Markham.

YORK SOUTH consisting of all that part of the county of York lying east of Yonge Street, south of the southerly boundary of the township of Markham and outside the city of Toronto.

YORK WEST consisting of that part of the county of York lying west of Yonge Street south of the south boundary of the township of Vaughan and outside the city of Toronto.

QUEBEC.

There shall be in the Province of Quebec, outside of the Island of Montreal, fifty-two electoral districts named and described as follows, each of which shall return one member:–

ARGENTEUIL consisting of the County of Argenteuil.

BAGOT consisting of the County of Bagot.

BEAUCE consisting of the County of Beauce, except such part thereof as is included in the municipalities of Metgermette North (St. Zacharie) and Metgermette North (North part) together with that part of the County of Frontenac included in the municipalities of St. Gédéon de Marlow, Risborough (Marlow and Risborough), Gayhurst, Gayhurst Southeast, Ditchfield and Spalding, St. Augustin de Woburn, St. Méthode-d'Adstock, Lambton, Lambton village, St. Evariste de Forsyth, Courcelles, St. Hilaire de Dorset, St. Hubert, St. Sébastien and St. Ludger, and that portion of the County of Dorchester included in that part of the municipality of St. Benjamin lying in the seigniories of Rigaud-Vaudreuil and Aubin-Delisle.

BEAUHARNOIS consisting of the County of Beauharnois including the City of Valleyfield.

BELLECHASSE consisting of the County of Bellechasse, except that part of the municipality of Honfleur lying in the seigniories of Lauzon and Joliette, that part of the municipality of Ste. Sabine lying in the townships of Langevin and Ware.

BERTHIER-MASKINONGÉ consisting of the Counties of Berthier and Maskinongé.

BONAVENTURE consisting of the County of Bonaventure.

CHAMBLY-VERCHÈRES consisting of the Counties of Chambly and Verchères including the Cities of Longueuil and St. Lambert.

CHAMPLAIN consisting of that portion of the County of Champlain lying west of the County of Portneuf and of the projection northwesterly of the eastern boundary of the township of Lejeune.

CHARLEVOIX-SAGUENAY consisting of the Counties of Charlevoix East, Charlevoix West and Saguenay, l'Isle-aux-Coudres, the territories of Ashuanipi and New Quebec, the Island of Anticosti and the County of Montmorency

No. 1, excepting such part thereof as is included in the municipalities of St. Jean de Boischatel, L'Ange Gardien and Ste. Brigitte de Laval.

CHÂTEAUGUAY-HUNTINGDON consisting of the Counties of Châteauguay and Huntingdon.

CHICOUTIMI consisting of the County of Chicoutimi.

COMPTON consisting of the County of Compton; so much of the County of Stanstead as is included in that part of the municipality of St. Herménégilde lying in the township of Hereford; that part of the County of Sherbrooke included in the municipalities of Compton (township and village) and Waterville, and that part of the County of Frontenac included in the municipalities of Marston South, Ste. Cécile de Whitton, Chesham, Winslow South, Clinton, St. Léon de Marston, Winslow North and the town of Mégantic.

DORCHESTER consisting of the County of Dorchester, except that part of the municipality of St. Benjamin lying in the seigniories of Rigaud-Vaudreuil and Aubin-Delisle, together with that part of the County of Beauce included in the municipalities of Metgermette North (St. Zacharie) amd Metgermette North (North part), that portion of the County of Bellechasse included in that part of the municipality of Honfleur lying in the seigniories of Lauzon and Joliette and that part of the municipality of Ste. Sabine lying in the townships of Langevin and Ware.

DRUMMOND-ARTHABASKA consisting of the Counties of Arthabaska and Drummond, except that part of the municipality of St. Edmond lying in the township of Upton.

GASPÉ consisting of the Counties of Gaspé East and Gaspé West and the Magdalen Islands.

HULL consisting of that part of the County of Hull included in the City of Hull and in the municipalities or townships of Pointe Gatineau, Templeton East, Templeton West, Templeton North and the East part of Templeton East, together with that part of the County of Papineau included in the municipalities or townships of L'Ange Gardien, Buckingham, Buckingham Southeast, Buckingham West, Derry (but not Mulgrave), Portland East, Portland West, Bowman, Villeneuve and the town of Buckingham, and that part of the County of Labelle included in the municipalities or townships of Bigelow, Wells, McGill, Wabassee and Dudley.

JOLIETTE consisting of the County of Joliette including the City of Joliette.

KAMOURASKA consisting of the County of Kamouraska, together with that portion of the County of Témiscouata included in that part of the parish of Notre Dame du Portage formerly forming part of the parish of St. André.

LABELLE consisting of all those parts of the Counties of Labelle and Papineau not included in the electoral districts of Hull and Wright.

LAKE ST. JOHN consisting of the Counties of Lake St. John East and Lake St. John West.

LAPRAIRIE-NAPIERVILLE consisting of the Counties of Laprairie and Napierville.

L'ASSOMPTION-MONTCALM consisting of the Counties of Montcalm and L'Assomption.

LAVAL-TWO MOUNTAINS consisting of the Counties of Laval and Two Mountains.

LÉVIS consisting of the County of Lévis including the City of Lévis.

L'ISLET consisting of the County of L'Islet.

LOTBINIÈRE consisting of the County of Lotbinière.

MATANE consisting of the Counties of Matane and Matapédia.

MÉGANTIC consisting of the County of Mégantic.

MISSISQUOI-BROME consisting of the Counties of Missisquoi and Brome.

MONTMAGNY consisting of the County of Montmagny and the Ile-aux-Grues and adjoining islands.

NICOLET consisting of the County of Nicolet.

PONTIAC consisting of the Counties of Pontiac, Temiskaming and Abitibi.

PORTNEUF consisting of that portion of the County of Champlain not included in the electoral district of Champlain, and the County of Portneuf, except so much thereof as is included in the municipalities of St. Augustin, Pointe aux Trembles (Neuville), Donnacona and Les Ecureuils.

QUEBEC-MONTMORENCY consisting of the County of Quebec, except such part thereof as is included in the municipalities of Sillery, Petite Rivière, Ste. Foye, and St. Félix, and the city of Quebec, together with that part of the County of Montmorency included in the municipalities of St. Jean de Boischatel, L'Ange Gardien and Ste. Brigitte de Laval, and the Island of Orléans.

QUEBEC EAST consisting of all that portion of the city of Quebec lying north of the St. Charles river, together with that part of the city lying south of the St. Charles river and bounded on the west and north by the river, on the east by a line drawn from the river southwards along St. Roch Street and its projection southerly to its intersection with the north side of Des Glacis street, thence easterly along the edge of the hill to the fortifications, and thence southerly along the fortifications to St. John street, on the south by St. John street to its intersection with De Salaberry street and on the east by a line following DeSalaberry street to Boulevard Langelier and thence along Boulevard Langelier to Commissioners street, thence easterly along Commissioners street to St. Anselm street and along St. Anselm street to the St. Charles river.

QUEBEC SOUTH consisting of all that portion of the City of Quebec lying south and east of a line described as commencing at the northwest corner of the said city and drawn along the Ste. Foye Road and St. John street to the eastern boundary of the electoral district of Quebec East, thence north along the said eastern boundary to the St. Charles River, together with that part of the County of Quebec included in the parish of Sillery.

QUEBEC WEST consisting of all that part of the City of Quebec not included in the electoral districts of Quebec East and Quebec South, together with that part of the County of Quebec included in the municipalities of Petite Rivière, Ste. Foye and St. Félix, the town of Quebec West and that part of the County of Portneuf included in the municipalities of St. Augustin, Pointe aux Trembles (Neuville), Donnaconna and Les Ecureuils.

RICHELIEU consisting of the County of Richelieu including the City of Sorel.

RICHMOND-WOLFE consisting of the Counties of Richmond and Wolfe.

RIMOUSKI consisting of the County of Rimouski.

ST. HYACINTHE-ROUVILLE consisting of the Counties of St. Hyacinthe and Rouville, including the City of St. Hyacinthe.

ST. JOHNS-IBERVILLE consisting of the Counties of St. Johns and Iberville, including the City of St. Johns.

SHEFFORD consisting of the County of Shefford, including the City of Granby.

SHERBROOKE consisting of the County of Sherbrooke including the City of Sherbrooke, but excepting such part of the said county as is included in the municipalities of Waterville and Compton (township and village).

STANSTEAD consisting of the County of Stanstead except so much thereof as is included in that part of the municipality of St. Herménégilde lying in the township of Hereford.

TÉMISCOUATA consisting of the County of Témiscouata, except that part of the municipality of Notre Dame du Portage formerly forming part of the Parish of St. André.

TERREBONNE consisting of the County of Terrebonne.

THREE RIVERS-ST. MAURICE consisting of the Cities of Three Rivers and Shawinigan Falls and the County of St. Maurice.

VAUDREUIL-SOULANGES consisting of the Counties of Vaudreuil and Soulanges.

WRIGHT consisting of that part of the County of Hull not included in the electoral district of Hull, together with that part of the County of Labelle included in the township of Blake.

YAMASKA consisting of the County of Yamaska, together with that portion of the County of Drummond included in that part of the municipality of St. Edmond lying in the township of Upton.

Island of Montreal

There shall be in that part of the Province of Quebec, included in the island of Montreal, thirteen electoral districts, named and described as follows, each of which shall return one member:—

CARTIER consisting of that part of the City of Montreal bounded by a line starting from the intersection of the centre of Craig Street and St. Lawrence Boulevard, thence following the centre of St. Lawrence Boulevard to the centre of Duluth Avenue, thence following the centre of Duluth Avenue to the centre of Esplanade Avenue, thence following the centre of Esplanade Avenue to the centre of Mount Royal Avenue, thence following the centre of Mount Royal Avenue to the centre of St. Denis Street, thence following the centre of St. Denis Street to the centre of Craig Street, thence following the centre of Craig Street to the point of departure.

HOCHELAGA consisting of that part of the City of Montreal bounded by a line starting from the intersection of the centre of Mount Royal Avenue and De La Roche Street, thence following the centre of Mount Royal Avenue to the centre of Papineau Avenue, thence following the centre of Papineau Avenue to the centre of Rosemont Boulevard, thence following the centre of Rosemont Boulevard to the centre of Iberville Street, thence following the centre of Iberville Street to the centre of the Canadian Pacific Railway track, thence following the centre of the Canadian Pacific Railway track to the centre of Nolan Street, thence following the centre of Nolan Street to the centre of Bourbonnière Avenue, thence following the centre of Bourbonnière Avenue and its extension to the bank of the St. Lawrence River ,thence following the said bank to the centre of the extension of Frontenac Street ,thence following the centre of the extension of Frontenac Street and the centre of the said street to the centre of Rachel Street, thence following the centre of Rachel Street and the northern boundary of Lafontaine Park to the centre of De La Roche Street, thence following the centre of De La Roche Street to the point of departure.

JACQUES CARTIER consisting of that part of the city of Montreal lying west of Crémazie Boulevard and south of a line commencing on the bank of Rivière des Prairies opposite the centre of Ste. Claire Avenue and following the centre of said avenue and the southern boundary of the Seminary of St. Sulpice's domain to the intersection of Crèmazie Boulevard; that part of the city of Montreal

bounded by a line commencing at the intersection of Sherbrooke Street with the northern boundary of the town of Montreal West, thence following the centre of Sherbrooke Street to the centre of Grand Boulevard, thence following the centre of Grand Boulevard to the centre of Western Avenue, thence following the centre of Western Avenue to the centre of Clifton Avenue, thence following the centre of Clifton Avenue to the centre of St. James Street, thence following the centre of St. James Street to the centre of St. Rémi Street, thence following the centre of St. Rémi Street to the centre of Côte St. Paul Road, thence following the centre of Côte St. Paul Road and its extension to the centre of the Lachine Canal, thence following the centre of the Lachine Canal to the extension of Church Avenue, thence following the centre of the extension of Church Avenue and the centre of the said avenue to the western limit of the city of Verdun, thence following the said limit of the city of Verdun, to the southern limits of the city of Montreal, thence following the southern limits of the city of Montreal to the point of departure; that part of the city of Verdun lying south of Chruch Avenue and its extension to the St. Lawrence River and all that part of the Island of Montreal lying south of the city of Montreal together with Ile Dorval and Ile Bizard, but excepting the towns of Mount Royal, Hampstead and Montreal West.

LAURIER-OUTREMONT consisting of that part of the city of Montreal bounded by a line starting from the intersection of the centre of Mount Royal Avenue with the north-eastern boundary of the city of Outremont, thence following the centre of Mount Royal Avenue to the centre of Henri Julien Avenue, thence following the centre of Henri Julien Avenue to the centre of Mozart Street, thence following the centre of Mozart Street to the centre of Drolet Street, thence following the centre of Drolet Street to the centre of the extension of Isabeau Street, thence following the centre of the extension of Isabeau Street to the centre of St. Lawrence Boulevard, thence following the centre of St. Lawrence Boulevard to the centre of Baby Street, thence following the centre of Baby Street and the extension thereof to the centre of the Canadian Pacific Railway track, thence following the centre of the Canadian Pacific Railway track to the centre of Atlantic Avenue, thence following the centre of Atlantic Avenue and its extension to the northern limit of the city of Outremont, thence following the northeastern limit of the said city of Outremont to the point of departure, together with the said city of Outremont.

MAISONNEUVE consisting of all that portion of the Island of Montreal lying north of a line starting at the

intersection of Rivière des Prairies and the centre of the extension of Ste. Claire Avenue, thence following the centre of Ste. Claire Avenue and the southern boundary of the Seminary of St. Sulpice's domain to Crémazie Boulevard, thence following the centre of Crémazie Boulevard to the centre of St. Hubert Street, thence following the centre of St. Hubert Street to the centre of Côte St. Michel road, thence following the centre of Côte St. Michel Road to the northwestern limit of the city of Montreal, thence following the northeastern limit of the city of Montreal to the line forming the northwestern limit of the said city, thence following the extension of the said line in a southerly direction to the centre of Iberville Street, thence following the centre of Iberville Street to the centre of the Canadian Pacific Railway track, thence following the centre of the Canadian Pacific Railway track to the centre of Nolan Street, thence following the centre of Nolan Street to the centre of Bourbonnière Avenue, thence following the centre of Bourbonnière Avenue and the extension of the centre of the said avenue to the St. Lawrence River.

MOUNT ROYAL consisting of that part of the City of Montreal lying east, south and west of a line starting at the intersection of Crémazie Boulevard and the northern limit of the Town of Mount Royal, thence following the centre of Crémazie Boulevard to the centre of the Canadian Pacific Railway track, thence following the centre of the Canadian Pacific Railway track to the centre of Atlantic Avenue, thence following the centre of Atlantic Avenue and its extension to the northern limit of the City of Outremont, thence following the western, southern and eastern limits of the said city to their intersection with the limits of Mount Royal Park at Mount Royal Avenue, thence following the limits of Mount Royal Park to the intersection of Pine Avenue and Cedar Avenue, thence following the centre of Cedar Avenue to Elm avenue and the centre of Elm Avenue to the limits of the City of Westmount, thence following the northern, western and southern limits of the city of Westmount and the extension of the southern limit of the said city to the centre of St. James Street, thence following the centre of St. James Street to the centre of Clifton Avenue, thence following the centre of Clifton Avenue to the centre of Western Avenue, thence following the centre of Western Avenue to the centre of Grand Boulevard, thence following the centre of Grand Boulevard to the centre of Sherbrooke Street, thence following the centre of Sherbrooke Street to the northern boundary of Montreal West, together with the City of Westmount and the towns of Montreal West, Hampstead and Mount Royal.

ST. ANN consisting of that part of the City of Montreal and that part of the City of Verdun bounded by a line starting from the intersection of Craig Street and St. Gabriel Street, thence following the centre of St. Gabriel Street and the extension of said street to the bank of the St. Lawrence River, thence following the bank of the St. Lawrence River to the extension of the centre of Church Avenue, thence following the centre of the extension of Church Avenue and the centre of the said avenue to the centre of the Lachine Canal, thence following the centre of the Lachine Canal to the centre of the extension of Fulford Street, thence following the centre of the extension of Fulford Street to the centre of Notre Dame Street, thence following the centre of Notre Dame Street to the centre of McGill Street, thence following the centre of McGill Street to the centre of Craig Street, thence following the centre of Craig Street to the point of departure.

ST ANTOINE consisting of that part of the City of Montreal bounded by a line starting from the intersection of Elm Avenue and the northeastern limit of the city of Westmount, thence following the said northeastern limit of the said city to the intersection of Atwater Avenue and St. Antoine Street, thence following the centre of St. Antoine Street to the centre of Dominion Street, thence following the centre of Dominion Street to the centre of Notre Dame Street, thence following the centre of Notre Dame Street to the centre of McGill Street, thence following the centre of McGill Street to the centre of Craig Street, thence following the centre of Craig Street to St. Antoine Street and following the centre of St. Antoine Street to the centre of Mountain Street, thence following the centre of Mountain Street and its extension to the limits of Mount Royal Park, thence following the limits of Mount Royal Park to the intersection of Pine Avenue and Cedar Avenue, thence following the centre of Cedar Avenue to Elm Avenue and the centre of Elm Avenue to the point of departure.

ST. DENIS consisting of that part of the city of Montreal bounded by a line starting from the intersection of Mount Royal Avenue and Papineau Avenue, thence following the centre of Papineau Avenue to the centre of Rosemont Boulevard, thence following the centre of Rosemont Boulevard to the centre of Iberville Street, thence following the centre of Iberville Street to the extension of the line forming the northwestern limit of the city of Montreal, thence following the extension of the said line to its intersection with the northeastern limit of the said city, thence following the northeastern limit of the said city of Montreal to the

centre of Côte St. Michel Road, thence following the centre of Côte St. Michel Road to the centre of St. Hubert Street, thence following the centre of St. Hubert Street to the centre of Crémazie Boulevard, thence following the centre of Crémazie Boulevard to the centre of the Canadian Pacific Railway tracks, thence following the centre of the Canadian Pacific Railway tracks to the centre of the extension of Baby Street, thence following the centre of the extension of Baby Street and the centre of the said street to the centre of St. Lawrence Boulevard, thence following the centre of St. Lawrence Boulevard to the centre of Isabeau Street, thence following the centre of Isabeau Street to the centre of Drolet Street, thence following the centre of Drolet Street to the centre of Mozart Street, thence following the centre of Mozart Street to the centre of Henri-Julien Avenue, thence following the centre of Henri-Julien Avenue to the centre of Mount Royal Avenue, thence following the centre of Mount Royal Avenue to the point of departure.

ST. HENRI consisting of that part of the city of Montreal starting at the intersection of the southern boundary of the city of Westmount with the extension of St. Rémi Street, thence following the extension of St. Rémi Street and the centre of the said street to the centre of Côte St. Paul Road, thence following the centre of Côte St. Paul Road and its extension to the centre of the Lachine Canal, thence following the centre of the Lachine Canal to the centre of the extension of Fulford Street, thence following the centre of the extension of Fulford Street to the centre of Notre Dame Street, thence following the centre of Notre Dame Street to the centre of Dominion Street, thence following the centre of Dominion Street to the centre of St. Antoine Street, thence following the centre of St. Antoine Street to Atwater Avenue, at its intersection with the north eastern limit of the city of Westmount, thence following the eastern limit of the city of Westmount to the point of departure.

ST. JAMES consisting of that part of the city of Montreal bounded by a line starting at the intersection of Craig Street and St. Gabriel Street, thence following the centre of St. Gabriel Street and the centre of the extension of the said Street to the bank of the St. Lawrence River, thence following the bank of the St. Lawrence River to the centre of the extension of Visitation Street, thence following the centre of the extension of Visitation Street and the centre of the said street to the centre of Sherbrooke Street, thence following Sherbrooke Street to Cherrier Street and the centre of Cherrier Street to the southern limit of Lafontaine Park, thence following the said limit of Lafontaine Park and the western limit of the said Park to its intersection

with the centre of De La Roche Street, thence following the centre of De La Roche Street to the centre of Mount Royal Avenue, thence following the centre of Mount Royal Avenue to the centre of St. Denis Street, thence following the centre of St. Denis Street to the centre of Craig Street and thence following the centre of Craig Street to the point of departure, together with St. Helen's Island, Ile Ronde and Ile Verte.

ST. LAWRENCE-ST. GEORGE consisting of that portion of the city of Montreal bounded by a line starting at the intersection of the centre of Craig Street and St. Lawrence Boulevard, thence following the centre of St. Lawrence Boulevard to the centre of Duluth Avenue, thence following the centre of Duluth Avenue to the limits of Mount Royal Park, thence following the limits of Mount Royal Park to the centre of the extension of Mountain Street, thence following the centre of the extension of Mountain Street and the centre of the said street to the centre of St. Antoine Street, thence following the centre of St. Antoine Street to Craig Street, and thence following the centre of Craig Street to the point of departure.

ST. MARY consisting of that part of the city of Montreal bounded by a line starting at the intersection of Cherrier Street and the southern boundary of Lafontaine Park, thence following the said boundary of Lafontaine Park and the western boundary of the said park to its intersection with Papineau Avenue at Rachel Street, thence following the centre of Rachel Street to the centre of Frontenac Street, thence following the centre of Frontenac Street and its extension to the bank of the St. Lawrence River, thence following the bank of the St. Lawrence River to the centre of the extension of Visitation Street, thence following the centre of the extension of Visitation Street and the centre of the said street to the centre of Sherbrooke Street, thence following Sherbrooke Street to Cherrier Street and the centre of Cherrier Street to the point of departure.

NOVA SCOTIA

There shall be in the Province of Nova Scotia thirteen electoral districts, named and described as follows, each of which, unless otherwise expressly stated, shall return one member:—

1. ANTIGONISH-GUYSBOROUGH consisting of the Counties of Antigonish and Guysborough.

2. CAPE BRETON NORTH-VICTORIA consisting of the County of Victoria and that portion of the County of Cape Breton contained in the districts of Boisdale, Boularderie, East Bay (North), French Vale, George's River, Grand Narrows and Little Bras d'Or and including the towns of North Sydney and Sydney Mines.

3. CAPE BRETON SOUTH consisting of that part of the County of Cape Breton not included in the electoral district of Cape Breton North-Victoria and lying north of a line described as commencing in Mira Bay and following the Mira River and Mira Lake to Marion Bridge, the Mira Road to its intersection with the Morley Road, the said Morley Road to its intersection, immediately south of Portage East Bay, with the main road between St. Peters and Sydney, the said main road to the intersection of the road leading to East Bay and Gillisville and the said road to the waters of East Bay.

4. COLCHESTER consisting of the County of Colchester.

5. CUMBERLAND consisting of the County of Cumberland.

6. DIGBY-ANNAPOLIS consisting of the Counties of Digby and Annapolis.

7. HALIFAX consisting of the City of Halifax and the County of Halifax, which shall return two members.

8. HANTS-KINGS consisting of the Counties of Hants and Kings.

9. INVERNESS consisting of the County of Inverness.

10. PICTOU consisting of the County of Pictou.

11. QUEENS-LUNENBURG consisting of the Counties of Queens and Lunenburg.

12. RICHMOND-WEST CAPE BRETON consisting of the County of Richmond and that part of the County of Cape Breton lying east of East Bay and south of the electoral district of Cape Breton South as above described.

13. SHELBURNE-YARMOUTH consisting of the Counties of Shelburne and Yarmouth.

NEW BRUNSWICK

There shall be in the Province of New Brunswick ten electoral districts, named and described as follows, each of which, unless otherwise expressly stated, shall return one member:—

1. CHARLOTTE consisting of the County of Charlotte.

2. GLOUCESTER consisting of the County of Gloucester.

3. KENT consisting of the County of Kent.

4. NORTHUMBERLAND consisting of the County of Northumberland.

5. RESTIGOUCHE-MADAWASKA consisting of the Counties of Restigouche and Madawaska.

6. ROYAL consisting of the Counties of Kings and Queens.

7. ST. JOHN-ALBERT consisting of the City of St. John and the Counties of St. John and Albert, which shall return two members.

8. VICTORIA-CARLETON consisting of the Counties of Victoria and Carleton.

9. WESTMORLAND consisting of the County of Westmorland.

10. YORK-SUNBURY consisting of the Counties of York and Sunbury.

PRINCE EDWARD ISLAND.

There shall be in the Province of Prince Edward Island three electoral districts, named and described as follows, each of which, unless otherwise expressly stated, shall return one member:—

KINGS consisting of the County of Kings.

PRINCE consisting of the County of Prince.

QUEENS consisting of the County of Queens, which shall return two members.

MANITOBA

In the following descriptions, "range" and "township" refer to the ranges and townships in accordance with the Dominion lands system of surveys, and include the extension thereof in accordance with the said system.

There shall be in the province of Manitoba seventeen electoral districts, named and described as follows, each of which shall elect and return one member:—

1. BRANDON consisting of townships seven (7) to twelve (12) inclusive in ranges eighteen (18) to twenty-nine (29) inclusive west of the first principal meridian.

2. DAUPHIN consisting of townships twenty-three (23) to thirty-one (31) inclusive in ranges eleven (11) to twenty-nine (29) inclusive, and so much of townships twenty-three (23) to twenty-six (26) inclusive in range ten (10) west of the first principal meridian as lie west of Lake Manitoba, together with the islands in Lake Manitoba west of range eleven (11).

3. LISGAR consisting of townships one (1) to four (4) inclusive in ranges one (1) to fourteen (14) inclusive, and township five (5) in ranges one (1) and two (2) all west of the first principal meridian.

4. MACDONALD consisting of townships six (6) to nine (9) inclusive in range one (1); townships six (6) to ten (10) inclusive in range two (2); townships five (5) to ten (10) inclusive in ranges three (3) to thirteen (13) inclusive; townships five (5) to nine (9) inclusive in range fourteen (14); townships seven (7) to nine (9) inclusive in ranges fifteen (15) to seventeen (17) inclusive, all west of the first principal meridian, together with townships eight (8) and nine (9) whole or fractional in ranges one (1) to three (3) inclusive east of the principal meridian, and west of the Red River, not including river lots.

5. MARQUETTE consisting of townships thirteen (13) to twenty-two (22) inclusive in ranges eighteen (18) to twenty-nine (29) inclusive, west of the first principal meridian.

6. NEEPAWA consisting of township ten (10) in ranges fourteen (14) to seventeen (17) inclusive, and such portions of townships eleven (11) to twenty-two (22) inclusive in ranges ten (10) to seventeen (17) inclusive, and of townships eighteen (18) to twenty (20) inclusive in range nine (9) as lie west of Lake Manitoba, all the said townships and ranges being west of the first principal meridian.

7. NELSON consisting of all that portion of the province bounded on the south by the electoral districts of Dauphin, Selkirk and Springfield as herein defined.

8. PORTAGE LA PRAIRIE consisting of townships eleven (11) and twelve (12) in range two (2); townships ten (10) to twelve (12) inclusive in range one (1); townships eleven (11) to seventeen (17) inclusive in ranges three (3) to nine (9) inclusive; so much of townships eighteen (18) to thirty-one (31) inclusive in ranges three (3) to ten (10) inclusive as lie east of Lake Manitoba; and so much of townships thirty-two (32) to forty-seven (47) inclusive in ranges three (3) to eleven (11) inclusive as lie south and west of the west shore of Lake Winnipeg, all the said ranges being west of the first principal meridian; and so much of townships ten (10) to twelve (12) inclusive in ranges one (1) to three (3) inclusive east of the said meridian and of the lots on the Assiniboine River as are not included in the electoral districts of Winnipeg North and Winnipeg South Centre, as hereafter described.

9. PROVENCHER consisting of townships one (1) to seven (7) inclusive in ranges one (1) to seventeen (17) inclusive east of the first principal meridian, together with all the river lots on the Red River south of the north boundary of township seven (7).

10. SELKIRK consisting of townships thirteen (13) to thirty-six (36) inclusive in ranges one (1) and two (2) west of the first principal meridian; so much of townships thirteen (13) to thirty-five (35) inclusive in ranges one (1) to seven (7) inclusive east of the said meridian as lie west of the Red River and of Lake Winnipeg, together with all the islands in the said lake, and the river lots on the west bank of the Red River north of the electoral district of Winnipeg North as hereafter defined.

11. SPRINGFIELD consisting of such portions of townships eight (8) to forty-four (44) inclusive in ranges four (4) to seventeen (17) inclusive east of the first principal meridian as lie east of the Red River and of Lake Winnipeg, and the river lots contiguous thereto lying east of the Red River, excepting thereout the area included in the electoral district of St. Boniface as hereafter defined.

12. SOURIS consisting of townships one (1) to six (6) inclusive in ranges fifteen (15) to twenty-nine (29) inclusive west of the first principal meridian.

13. ST. BONIFACE consisting of the city of St. Boniface; all that part of the city of Winnipeg lying east of the Red River; such and so much of the river lots on both banks of the Red River as lie north of the north line of the seventh

ownship and south of the electoral district of Winnipeg South as hereafter described; such and so much of the river lots on the east bank of the Red River as lie north of the city of St. Boniface and east and south of the Birds' Hill Road (the two-mile road) and the Springfield Road; those portions of township eleven (11) in range four (4) east of the first principal meridian as lie south of the said roads, and such portions of townships eight (8) to ten (10) inclusive in ranges three (3) to eight (8) inclusive east of the said meridian as lie east of the Red River.

14. WINNIPEG NORTH consisting of those portions of sections fourteen (14), twenty-three (23), and twenty-four (24) in township eleven (11) in range two (2) east of the first principal meridian, and of the village of Brooklands as lie north of the main line of the Canadian Pacific Railway, and all that part of the city of Winnipeg west of the Red River lying north of the said main line.

15. WINNIPEG NORTH CENTRE consisting of all that part of the city of Winnipeg west of the Red River bounded on the north by the main line of the Canadian Pacific Railway and on the south by a line described as commencing at the intersection of Sargent Avenue, with the west boundary of the city and following Sargent Avenue, Balmoral Street, Notre Dame Avenue, Portage Avenue, Main Street and Notre Dame Avenue to the left bank of the Red River, together with those portions of sections eleven (11), fourteen (14) and twenty-three (23) in township eleven (11) in range two (2) east of the first principal meridian and of the village of Brooklands lying south of the said main line of the Canadian Pacific Railway, and such and so much of the river lots on the north bank of the Assiniboine River as lie east of the west boundary of lot one (1) in the parish of St. James, west of the city of Winnipeg and north of the line of the southwestern branch of the said railway.

16. WINNIPEG SOUTH consisting of all that part of the city of Winnipeg on the west side of the Red River lying south of the Assiniboine River together with that part of the town of Tuxedo lying north of the Canadian National Railway, the river lots fronting on the west bank of the Red River south of the city of Winnipeg and north of the south boundary of lot one hundred and twenty-three (123) in the Parish of St. Norbert; and such and so much of the river lots on the east bank of the Red River as lie north of the south boundary of river lot one hundred and twenty-five (125) in the said parish, west of the Seine River and south of the city of St. Boniface.

17. WINNIPEG SOUTH CENTRE consisting of all that part of the city of Winnipeg west of the Red River lying between the north boundary of the electoral district of Winnipeg South and the south boundary of the electoral district of Winnipeg North Centre as above described, together with such and so much of the river lots on the north bank of the Assiniboine River as lie east of Sturgeon Creek and the west boundary of lot one (1) in the Parish of St. James west of the city of Winnipeg, and south of the line of the southwestern branch of the Canadian Pacific Railway.

BRITISH COLUMBIA

There shall be in the Province of British Columbia fourteen electoral districts, named and described as follows, each of which shall return one member:—

CARIBOO consisting of the territory bounded as follows: Commencing at the northeast corner of British Columbia; thence southerly along the east boundary of British Columbia to the north boundary of Kootenay Land District; thence westerly and southerly along the north and west boundaries of Kootenay Land District to a point due east of a point in Shuswap Lake two miles northeast of the mouth of Salmon river; thence due west to the bank of Shuswap lake; thence southwesterly along the said bank to the mouth of Salmon river; thence southerly along centre line of Salmon river to a point opposite the eastern boundary of Kamloops Land District at the point of intersection with the railway belt; thence southerly in a straight line to the above point and southerly along the said east boundary of Kamloops Land District to the point of intersection with Deep creek; thence westerly following the centre line of Deep creek, Link, Osprey and Chain lakes, and Five-mile creek to a point due east of the northwest corner of Lot 45, Yale District; thence due west to the said northwest corner of Lot 45; thence due north to a point due east of the north end of Otter lake; thence west to the north end of Otter lake and continuing west on the production of this line to a point of intersection with the east boundary of Fraser Valley electoral district hereinafter described; thence following the north boundaries of Fraser Valley and Vancouver North electoral districts as hereinafter described to the east boundary of Skeena electoral district; thence following the east boundary of Skeena electoral district as hereinafter described to the north boundary of British Columbia; thence following the north boundary of British Columbia to the point of commencement.

COMOX-ALBERNI consisting of that part of Vancouver Island north of a line described as follows: Commencing on the east coast of Vancouver Island at the northeast corner of Mountain district; thence westerly along the northern boundary of the said district and of Dunsmuir district to the east boundary of Alberni district; thence southerly along the east boundary of the said district to the northeasterly boundary of Barclay district; thence southeasterly along the said boundary of Barclay district to the middle point of Nitinat river; thence following the centre line of the said river and Nitinat Lake and the

mouth of the said Nitinat Lake to the west coast of Vancouver Island; together with all the islands lying west of the portion of Vancouver Island above described and Hope Island, Nigei Island, the island lying between these two, and all the islands lying south and west of a line described as commencing in Johnstone Strait opposite the Nodales Channel, thence easterly and southerly following the centre line of the Nodales, Cardero, Calm and Lewis channels, the eastern side of the channel between Fernando, Savary, Harwood and Texada Islands on the west and the mainland on the east to Scotch Fir point, thence to and along the centre line of Malaspina Strait and across the Strait of Georgia, through the Middle Channel and Departure Bay to the southeastern corner of the portion of Vancouver Island above described.

FRASER VALLEY consisting of the territory bounded as follows: Commencing at the point in the south boundary of British Columbia where it intersects the one hundred and twenty-first meridian; thence north on the said meridian to a point due west of the north end of Otter Lake; thence due west from this point to a point on the north bank of Fraser River about one mile northeast of the village of Yale; thence following a straight line northwesterly to a point on the north boundary of Yale Land Recording Division lying ten miles west of Fraser River; thence westerly along the said north boundary and the north boundary of the New Westminster Land Recording Division to a point due north of the most northerly point of the North Arm of Burrard Inlet; thence due south to the said point; thence southerly along the eastern bank of the said North Arm and easterly along the bank of Burrard Inlet to a point opposite to the east boundary of the municipality of Burnaby; thence south to and along the said east boundary and the boundary of New Westminster electoral district hereinafter described, to the south boundary of British Columbia; thence east along the said south boundary to the point of commencement.

KOOTENAY EAST consisting of the territory bounded as follows: Commencing at the southeast corner of the Province of British Columbia; thence northwesterly along the eastern boundary to the north boundary of Kootenay Land District; thence westerly along the north boundary of the said land district to its intersection with Canoe river; thence following the centre line of the said river to the Columbia river, thence southerly following the height of land dividing the waters flowing to the east and to the west to the southerly boundary of British Columbia; thence east along the said southerly boundary to the point of commencement.

KOOTENAY WEST consisting of the territory bounded as follows: Commencing at the intersection of the west boundary of Kootenay Land District with the southern boundary of British Columbia; thence northerly following the said boundary to the northwestern corner of the said land district; thence easterly along the northern boundary of the said land district to its intersection with Canoe river; thence following the centre line of the said river to the Columbia river; thence southerly following the height of land dividing the waters flowing to the east and to the west to the southerly boundary of British Columbia; thence westerly along the said boundary to the point of commencement.

NANAIMO consisting of that part of Vancouver Island lying south of the electoral district of Comox-Alberni as above described, excepting thereout the city of Victoria; together with islands lying off the said part of Vancouver Island and south of the southern boundary of the electoral districts of Comox-Alberni and Vancouver North as above and hereafter described.

NEW WESTMINSTER consisting of all that part of the Province of British Columbia lying west of the east boundary of the municipality of Langley and south of the north bank of the Fraser River and of the north arm thereof, except Crescent Island, Douglas Island and Tree Island, together with the city of New Westminster, the municipality of Burnaby and the territory lying between the said city and the said municipality.

SKEENA consisting of the territory bounded as follows: Commencing at the northwest corner of the province of British Columbia; thence east along the north boundary of the said province to its intersection with the one hundred and twenty-eighth meridian; thence south along said meridian to its intersection with the fifty-seventh parallel of latitude; thence east along the said parallel to its intersection with the one hundred and twenty-fourth meridian; thence south along said meridian to its intersection with the fifty-fifth parallel of latitude; thence west along the said parallel to its intersection with the one hundred and twenty-fifth meridian; thence south along the said meridian to its intersection with the fifty-first parallel of latitude; thence west along the said parallel to its intersection with the west boundary of the province; thence northerly along the said west boundary of the province (including the islands along the mainland and the Queen Charlotte Islands) to the point of commencement.

VANCOUVER-BURRARD consisting of all that part of the city of Vancouver lying south and east of a line described as follows: Commencing at the intersection of the centre line

of Nanaimo street with the south bank of Burrard inlet; thence south along the said centre line of Nanaimo street to the centre line of Sixth Avenue; thence westerly along the said centre line of Sixth Avenue to the west boundary of Glen drive; thence northerly along the said west boundary a distance of one thousand feet; thence following the centre line of the reclaimed area of False creek to False creek; thence following the centre line of False creek to the westerly side of Granville bridge; thence southerly along the said bridge to the southerly bank of False creek; thence northerly and westerly along the said bank and the bank of English Bay to the intersection of the latter with the centre line of Alma road.

VANCOUVER CENTRE consisting of that part of the city of Vancouver and Stanley Park bounded as follows: Commencing at the intersection of the centre line of Nanaimo street with the south bank of Burrard inlet; thence south along the said centre line of Nanaimo street to the centre line of Sixth Avenue; thence westerly along the said centre line of Sixth Avenue to the west boundary of Glen drive; thence northerly along the said west boundary of Glen drive a distance of one thousand feet; thence following the centre line through the reclaimed area of False creek to False creek; thence following the centre line of False creek to the westerly side of Granville bridge; thence following the said bridge to the northerly bank of False creek; thence following the said bank and the bank of Burrard inlet westerly, northerly and easterly to the point of commencement; and in addition shall include Deadman Island in Burrard inlet.

VANCOUVER NORTH consisting of the territory bounded as follows: Commencing at the intersection of the one hundred and twenty-fourth meridian with the fifty-first parallel of latitude; thence due west along the said parallel to the intersection thereof with the one hundred and twenty-eighth meridian; thence south along the said meridian to the north boundary of the electoral district of Comox-Alberni as above described; thence southeasterly along the said boundary to a point in the Strait of Georgia just outside the Middle Channel; thence easterly across the Strait of Georgia to the centre line of Burrard inlet; thence easterly and northerly along the said centre line of Burrard inlet to the west boundary of the electoral district of Fraser Valley as above described; thence northerly along the said west boundary of the said electoral district to the northwest corner thereof; thence northeasterly to the northwest corner of Lillooet Lake; and thence following the height of land between the Lillooet River and the Birkenhead River to latitude fifty degrees twenty-five minutes north; thence due

west to the one hundred and twenty-fourth meridian; thence north along the said meridian to the point of commencement.

VANCOUVER SOUTH consisting of the municipalities of South Vancouver and Point Grey.

VICTORIA consisting of the city of Victoria.

YALE consisting of the territory bounded as follows: Commencing at the intersection of the south boundary of the Province of British Columbia with the one hundred and twenty-first meridian; thence north along the said meridian to a point due west of the north end of Otter Lake; thence following the south boundary of the electoral district of Cariboo as above described to its intersection with the west boundary of the electoral district of Kootenay West as above described; thence following the said west boundary to its intersection with the south boundary of British Columbia; thence following the said south boundary to the point of commencement.

SASKATCHEWAN.

In the following descriptions, where "townships", "ranges", "boundaries", and "meridians" are referred to, these expressions mean the townships, ranges, boundaries and meridians in accordance with the Dominion lands system of surveys and include the extension thereof in accordance with the said system; also the bank of a river is referred to as the right or left bank, according as it is to the right or to the left, looking down the stream.

There shall be in the Province of Saskatchewan twenty-one electoral districts named and described as follows, each of which shall elect and return one member:—

1. ASSINIBOIA consisting of townships one (1) to eleven (11) inclusive in ranges thirty (30) to thirty-four (34) inclusive west of the principal meridian and of townships one (1) to eleven (11) inclusive in ranges one (1) to ten (10) inclusive west of the second meridian.

2. NORTH BATTLEFORD consisting of that portion of the Province of Saskatchewan lying north of North Saskatchewan river included in ranges eight (8) to twenty-eight (28) inclusive west of the third meridian, together with those portions of townships thirty-nine (39), forty (40) and forty-one (41) in range seven (7) west of the third meridian lying west of North Saskatchewan river.

3. SOUTH BATTLEFORD consisting of townships thirty-four (34) to forty-two (42) inclusive in ranges seventeen (17) to twenty-nine (29) inclusive west of the third meridian, those portions of townships forty-three (43) to fifty-three (53) inclusive in ranges fifteen (15) to twenty-eight (28) inclusive west of the third meridian lying south of North Saskatchewan river, and extending to the left bank of the said river together with the Musquito Indian Reserve.

4. HUMBOLDT consisting of townships thirty-two (32) to forty-one (41) inclusive in ranges seventeen (17) to twenty-nine (29) inclusive west of the second meridian, townships thirty-two (32) to thirty-six (36) inclusive in range one (1) west of the third meridian and those portions of townships thirty-seven (37) to forty-one (41) inclusive in ranges one (1) and two (2) west of the third meridian lying south of South Saskatchewan river and extending to the left bank thereof.

5. KINDERSLEY consisting of those portions of townships twenty (20) to thirty-three (33) inclusive in ranges seventeen (17) to twenty-nine (29) inclusive west of the

third meridian lying north of Red Deer river to its point of confluence with South Saskatchewan river and north of the said South Saskatchewan river downstream from the said point of confluence; those portions of townships nineteen (19) to twenty-seven (27) inclusive in ranges ten (10) to sixteen (16) inclusive west of the third meridian lying to the north of South Saskatchewan river, and of those portions of townships twenty (20) to twenty-seven (27) inclusive in ranges five (5) to nine (9) inclusive west of the third meridian lying to the north and west of South Saskatchewan river.

6. LAST MOUNTAIN consisting of townships twenty-nine (29), thirty (30) and thirty-one (31) in ranges eleven (11) to twenty-three (23) inclusive west of the second meridian, those portions of townships twenty-five (25) to twenty-eight (28) inclusive in ranges eleven (11) to twenty-four (24) inclusive west of the second meridian lying east of the centre line of Last Mountain Lake, and those portions of townships twenty (20) to twenty-four (24) inclusive in ranges sixteen (16) to twenty-four (24) inclusive west of the second meridian lying north of the centre line of Last Mountain lake, the centre line of the Saskatoon to Regina Branch of the Canadian Pacific Railway right-of-way from its point of intersection with the said centre line of Last Mountain lake southeasterly to its intersection with Qu'Appelle river and of the said Qu'Appelle river downstream from said intersection.

7. LONG LAKE consisting of those portions of townships twenty-two (22) to thirty-one (31) inclusive in ranges one (1) to seven (7) inclusive west of the third meridian and lying east of Qu'Appelle river, Eyebrow lake and the continuation of flow of Aiktow Creek and South Saskatchewan river and extending to the left banks of the said South Saskatchewan river and Aiktow Creek, those portions of townships sixteen (16) to twenty-three (23) inclusive in ranges twenty-one (21), twenty-two (22) and twenty-three (23) west of the second meridian lying south of the centre line of Last Mountain lake, the centre line of the Saskatoon to Regina Branch of the Canadian Pacific Railway right-of-way and the left bank of Qu'Appelle river; of those portions of townships nineteen (19) to twenty-eight (28) inclusive in ranges twenty-four (24) to twenty-nine (29) inclusive west of the second meridian lying west of the centre line of Last Mountain lake and north of Qu'Appelle river and the centre line of Buffalo Pound lake, and townships twenty-nine (29), thirty (30) and thirty-one (31) in ranges twenty-four (24) to twenty-nine (29) inclusive west of the second meridian.

8. MACKENZIE consisting of township thirty-one (31) in ranges thirty (30) to thirty-three (33) inclusive, west of the principal meridian and in ranges one (1) to ten (10) inclusive, west of the second meridian, and of townships thirty-two (32) to forty-one (41) inclusive, in ranges thirty (30) to thirty-three (33) inclusive, west of the principal meridian, and in ranges one (1) to sixteen (16) inclusive, west of the second meridian.

9. MAPLE CREEK consisting of townships one (1) to twelve (12) inclusive, in ranges ten (10) to thirty (30) inclusive, and of townships thirteen (13) to seventeen (17) inclusive, in ranges eighteen (18) to thirty (30) inclusive, all west of the third meridian.

10. MELFORT consisting of the area lying north and east of a line described as commencing at the intersection of the east boundary of the Province with the south boundary of township forty-two (42), following the said south boundary to the west boundary of range twenty-five (25), west of the second meridian, and the said west boundary, the South Saskatchewan River downwards, the North Saskatchewan River upwards, and the west boundary of range twenty-three (23) to the north boundary of the Province.

11. MELVILLE consisting of those portions of townships seventeen (17) to twenty-four (24) inclusive, in ranges thirty (30) to thirty-three (33) inclusive, west of the principal meridian and in ranges one (1) to fifteen (15) inclusive, west of the second meridian lying to the north of Qu'Appelle river.

12. MOOSE JAW consisting of townships eleven (11) to fifteen (15) inclusive, in ranges twenty-two (22) to thirty (30) inclusive, west of the second meridian; those portions of townships sixteen (16) to twenty-two (22) inclusive, in ranges twenty-four (24) to thirty (30) inclusive, west of the second meridian lying to the south of Qu'Appelle river and Buffalo Pound lake and extending to the left bank of the aforesaid river and to the centre line of the said Buffalo Pound lake, and of those portions of townships fifteen (15) to twenty-four (24) inclusive, in ranges one (1) to four (4) inclusive, west of the third meridian lying to the south and west of Aiktow creek, Qu'Appelle river and Eyebrow lake and extending to the left bank of said Qu'Appelle river.

13. PRINCE ALBERT consisting of that portion of the Province of Saskatchewan lying north of the north boundary of township forty-one (41) in ranges twenty-six (26) to twenty-eight (28) inclusive, west of the second meridian and in ranges one (1) to seven (7) inclusive, west of the third meridian, and that portion of the said Province in ranges twenty-four (24) and twenty-five (25) west of the

second meridian lying north of South Saskatchewan river, together with those portions of townships forty-eight (48) and forty-nine (49) in ranges twenty-two (22) and twenty-three (23) west of the second meridian lying between South Saskatchewan river and North Saskatchewan river and extending to the left bank of the said North Saskatchewan river.

14. QU'APPELLE consisting of those portions of townships twelve (12) to nineteen (19) inclusive, in ranges thirty (30) to thirty-four (34) inclusive, west of the principal meridian and in ranges one (1) to ten (10) inclusive, west of the second meridian, and of townships seventeen (17) to twenty-one (21) inclusive, in ranges eleven (11) to sixteen (16) inclusive, west of the second meridian lying to the south of Qu'Appelle river and extending to the left bank thereof, but not including the Muscowpetung Indian Reserve (No. 80), together with the whole of Pasqua Indian Reserve.

15. REGINA consisting of those portions of townships sixteen (16) to twenty-one (21) inclusive, in ranges seventeen (17) to twenty (20) inclusive, west of the second meridian lying south of Qu'Appelle river and extending to the left bank thereof, together with the Muscowpetung Indian Reserve (No. 80).

16. ROSETOWN consisting of those portions of townships twenty-eight (28) to forty-two (42) inclusive, in ranges eight (8) to sixteen (16) inclusive, west of the third meridian lying to the south of North Saskatchewan river and extending to the left bank thereof; of those portions of townships thirty-one (31) to thirty-four (34) inclusive, in ranges six (6) and seven (7) west of the third meridian lying to the west of South Saskatchewan river, and of those portions of townships thirty-five (35) to forty-one (41) inclusive, in range seven (7) west of the third meridian, lying east of North Saskatchewan river and extending to the left bank thereof, but not including the Rosetown Indian Reserve (No. 108).

17. SASKATOON consisting of those portions of townships thirty-two (32) to thirty-four (34) inclusive, in ranges two (2) to six (6) inclusive, lying east of South Saskatchewan river and extending to the left bank thereof; townships thirty-five (35) and thirty-six (36) in ranges two (2) to six (6) inclusive; townships thirty-seven (37) to forty-one (41) inclusive, in ranges three (3) to six (6) inclusive, and of those portions of townships forty (40) and forty-one (41) in range two (2) lying west of South Saskatchewan river, all the said townships being west of the third meridian, together with Indian Reserve 94.

18. SWIFT CURRENT consisting of townships thirteen (13) and fourteen (14) in ranges ten (10) to seventeen (17)

inclusive, west of the third meridian, townships fifteen (15), sixteen (16) and seventeen (17) in ranges five (5) to seventeen (17) inclusive, west of the third meridian, and those portions of townships eighteen (18) to twenty-five (25) inclusive, in ranges five (5) to thirty (30) inclusive, west of the third meridian lying south of Red Deer river, South Saskatchewan river and Aitkow creek and extending to the left banks thereof.

19. WEYBURN consisting of townships one (1) to sixteen (16) inclusive, in ranges eleven (11) to sixteen (16) inclusive, and townships one (1) to fifteen (15) inclusive, in ranges seventeen (17) to twenty-one (21) inclusive, west of the second meridian, together with Indian Reserve 76.

20. WILLOW BUNCH consisting of townships one (1) to ten (10) inclusive, in ranges twenty-two (22) to thirty (30) inclusive, west of the second meridian and of townships one (1) to fourteen (14) inclusive, in ranges one (1) to nine (9) inclusive west of the third meridian.

21. YORKTON consisting of townships twenty-five (25) to thirty (30) inclusive, in ranges thirty (30) to thirty-three (33) inclusive, west of the principal meridian, and in ranges one (1) to ten (10) inclusive, west of the second meridian, together with Indian Reserve 64.

ALBERTA.

In the following descriptions where "townships," "ranges," "boundaries" and "meridians" are referred to, these expressions mean the townships, ranges, boundaries and meridians in accordance with the Dominion Lands system of surveys, and include the extension thereof in accordance with the said system; also the bank of a river is referred to as the right or left bank, according as it is to the right or to the left, looking down the stream.

There shall be in the Province of Alberta sixteen electoral districts named and described as follows, each of which shall elect and return one member:—

1. ACADIA consisting of those portions of townships thirty (30) to thirty-six (36) inclusive, in ranges one (1) to twenty-two (22) inclusive, west of the fourth meridian lying to the east of Red Deer river, and of those portions of townships twenty-one (21) to twenty-nine (29) inclusive, in ranges one (1) to eighteen (18) inclusive, west of the fourth meridian lying to the north of Red Deer river.

2. ATHABASKA consisting of those portions of townships fifty-three (53) to fifty-five (55) inclusive, in ranges one (1) to twelve (12) inclusive, and of townships fifty-six (56) and fifty-seven (57) and fifty-eight (58) in ranges one (1) to twenty-four (24) inclusive, lying north of the North Saskatchewan river, and of townships fifty-nine (59) to sixty-four (64) inclusive, in ranges one (1) to twenty-five (25) inclusive, all west of the fourth meridian, together with that portion of the Province of Alberta situated between the fourth and the fifth meridians and lying north of the north boundary of township sixty-four (64).

3. BATTLE RIVER consisting of townships thirty-seven (37) to forty-eight (48) inclusive, in ranges one (1) to ten (10) inclusive, west of the fourth meridian, together with those portions of townships forty-nine (49) to fifty-six (56) inclusive, in ranges one (1) to eleven (11) inclusive, west of the fourth meridian lying to the south of North Saskatchewan river and extending to the left bank thereof.

4. BOW RIVER consisting of townships thirteen (13) to twenty-two (22) inclusive, in ranges seventeen (17) to twenty-four (24) inclusive, west of the fourth meridian; those portions of townships twenty-three (23) to thirty (30) inclusive, in ranges seventeen (17) to twenty-seven (27) inclusive, west of the fourth meridian lying to the south and west of Red Deer river, and extending to the left bank thereof, together with those portions of townships twenty-eight (28) and twenty-nine (29) in ranges nineteen (19),

twenty (20) and twenty-one (21) west of the fourth meridian lying north of Red Deer river.

5. CALGARY EAST consisting of those portions of townships twenty-three (23) to thirty (30) inclusive, in ranges twenty-eight (28) and twenty-nine (29) west of the fourth meridian lying east of Bow river; of townships twenty-six (26) to thirty (30) inclusive, in ranges one (1) and two (2) west of the fifth meridian, township twenty-five (25) in range one (1) west of the fifth meridian; that portion of township twenty-four (24) in range one (1) west of the fifth meridian, being a part of the city of Calgary, lying north of the centre line of the Canadian Pacific Railway's main line right-of-way and east of Bow river, together with that portion of township twenty-three (23) in range one (1) west of the fifth meridian also lying east of the said Bow river.

6. CALGARY WEST consisting of those portions of townships twenty-three (23) to thirty (30) inclusive, lying west of the east boundary of range three (3) west of the fifth meridian; townships twenty-four (24) and twenty-five (25) in range two (2) west of the fifth meridian, the Sarcee Indian Reserve 145; that portion of township twenty-three (23) in range twenty-nine (29) west of the fourth meridian and in range one (1) west of the fifth meridian lying west of Bow river and extending to the left bank thereof, and that portion of township twenty-four (24) in range one (1) west of the fifth meridian, being a part of the city of Calgary, lying to the south and west of a line which may be described as follows: Commencing at the intersection of the west boundary of township twenty-four (24) in range one (1) west of the fifth meridian with the centre line of the Canadian Pacific Railway main line right-of-way; thence easterly along the said centre line to its intersection with the left bank of Bow river; thence downstream along the said left bank of Bow river to the south boundary of the said township.

7. CAMROSE consisting of townships thirty-seven (37) to forty-eight (48) inclusive, in ranges eleven (11) to twenty-one (21) inclusive, west of the fourth meridian; townships forty (40) and forty-one (41) in range twenty-two (22) west of the fourth meridian, and of those portions of townships thirty-seven (37), thirty-eight (38) and thirty-nine (39) in range twenty-two (22) west of the fourth meridian lying to the east and north of Red Deer river.

8. EDMONTON EAST consisting of those portions of township fifty-three (53) to fifty-five (55) inclusive, in ranges twenty-two (22) to twenty-four (24) inclusive, west of the fourth meridian lying north of North Saskatchewan

river and outside of the boundaries of the city of Edmonton; together with that portion of the said city of Edmonton lying to the east of a line which may be described as follows: Commencing at the intersection of the south boundary of the city of Edmonton with the centre line of the Calgary and Edmonton branch of the Canadian Pacific Railway right-of-way; thence northerly along the said centre line of the said Canadian Pacific Railway right-of-way to Whyte Avenue, thence westerly to the east boundary of the street lying immediately west of the said right-of-way, thence northerly along the said east boundary to the intersection of Saskatchewan Avenue, thence easterly along the north boundary of Saskatchewan Avenue to the east boundary of Riverside Park, thence northerly along the said boundary to the left bank of North Saskatchewan river; thence along the said left bank of the said North Saskatchewan river to its point of intersection with the projection southerly of the centre line of 101st street; thence northerly along the said projection of the said centre line of said 101st street and the said centre line of said 101st street to the northerly boundary of the city of Edmonton.

9. EDMONTON WEST consisting of those portions of townships fifty (50) to fifty-eight (58) inclusive, in ranges twenty-five (25) to twenty-eight (28) inclusive, west of the fourth meridian and in ranges one (1) and two (2) west of the fifth meridian lying north of North Saskatchewan river, together with that portion of the city of Edmonton lying west of a line which may be described as follows: Commencing at the intersection of the south boundary of the city of Edmonton with the centre line of the Calgary and Edmonton Branch of the Canadian Pacific Railway right-of-way; thence northerly along the said centre line of the said Canadian Pacific Railway right-of-way to Whyte Avenue, thence westerly to the east boundary of the street lying immediately west of the said right-of-way, thence northerly along the said east boundary to the intersection of Saskatchewan Avenue, thence easterly along the north boundary of Saskatchewan Avenue to the east boundary of Riverside Park, thence northerly along the said boundary to the left bank of North Saskatchewan river; thence along the said left bank of the said North Saskatchewan river to its point of intersection with the projection southerly of the centre line of 101st street; thence northerly along the said projection of the said centre line of said 101st street and the said centre line of said 101st street to the northerly boundary of the city of Edmonton.

10. LETHBRIDGE consisting of townships one (1) to ten (10) inclusive, in ranges thirteen (13) to twenty-four (24), inclusive, west of the fourth meridian, except that

part of township seven (7) in range twenty-four (24) lying west of the Belly River; those portions of township twelve (12) in ranges twelve (12) and thirteen (13) and township eleven (11) in range thirteen (13) lying west of Bow river and south of South Saskatchewan river and extending to the left banks thereof; townships eleven (11) and twelve (12) in ranges fourteen (14) to twenty-four (24) inclusive; townships one (1) and two (2) in ranges twenty-five (25) to thirty (30) inclusive; those portions of townships three (3) and four (4) in ranges twenty-five (25) to twenty-eight (28) inclusive, lying east of Belly river and extending to the left bank thereof, together with the Blood Indian Reserve, all the afore-mentioned townships being west of the fourth meridian.

11. MACLEOD consisting of townships one (1) to twenty-two (22) inclusive, extending westerly from the fifth meridian to the west boundary of the Province of Alberta; those portions of townships three (3) to twenty-two (22) inclusive, in ranges twenty-five (25) to thirty (30) inclusive, west of the fourth meridian lying west and north of Belly river, together with that portion of township seven (7) in range twenty-four (24) west of the fourth meridian lying west of the said Belly river.

12. MEDICINE HAT consisting of townships one (1) to eleven (11) inclusive, in ranges one (1) to twelve (12) inclusive, west of the fourth meridian; that portion of township eleven (11) in range thirteen (13) lying east of Bow river and north of South Saskatchewan river; those portions of township twelve (12) in ranges one (1) to thirteen (13) inclusive, lying east of Bow river, and those portions of townships thirteen (13) to twenty-six (26) inclusive, in ranges one (1) to sixteen (16) inclusive, lying south of Red Deer river and extending to the left bank thereof, all the said townships being west of the fourth meridian.

13. PEACE RIVER consisting of townships forty-one (41) to fifty-eight (58) inclusive, from the east boundary of range nineteen (19) west of the fifth meridian to the west boundary of the Province of Alberta; those portions of townships forty-two (42) to fifty-eight (58) inclusive, in ranges three (3) to eighteen (18) inclusive, west of the fifth meridian lying north of Blackstone and Brazeau rivers and of North Saskatchewan river easterly from its confluence with the said Brazeau river; townships fifty-nine (59) to sixty-four (64) inclusive, in ranges twenty-six (26) and twenty-seven (27) west of the fourth meridian, together with that portion of the Province of Alberta lying north of the north boundary of township fifty-eight (58) and westerly

from the fifth meridian to the west boundary of the said Province of Alberta.

14. RED DEER consisting of townships thirty-one (31) to thirty-nine (39) inclusive, in ranges twenty-three (23) to twenty-nine (29) inclusive, west of the fourth meridian, and in ranges one (1) and two (2) west of the fifth meridian; those portions of townships thirty-one (31) to thirty-nine (39) inclusive, in ranges twenty-one (21) and twenty-two (22) west of the fourth meridian lying west of the Red Deer river and extending to the left bank thereof, together with all of townships thirty-one (31) to forty (40) inclusive lying west of the east boundary of range three (3) west of the fifth meridian.

15. VEGREVILLE consisting of townships forty-nine (49) to fifty-three (53) inclusive, in ranges twelve (12) to twenty-one (21) inclusive, west of the fourth meridian, together with those portions of townships fifty-four (54) to fifty-eight (58) inclusive, in ranges twelve (12) to twenty-three (23) inclusive, west of the fourth meridian, lying south of North Saskatchewan river and extending to the left bank thereof.

16. WETASKIWIN consisting of townships forty (40) and forty-one (41) in ranges twenty-three (23) to twenty-eight (28) inclusive, west of the fourth meridian and ranges one (1) and two (2) west of the fifth meridian, township forty-one (41) in ranges three (3) to eighteen (18) inclusive, west of the fifth meridian, and those portions of townships forty-two (42) to fifty-three (53) inclusive, in ranges twenty-two (22) to twenty-eight (28) inclusive, west of the fourth meridian, and ranges one (1) to eighteen (18) inclusive, west of the fifth meridian lying south of Blackstone river upstream from its point of confluence with Brazeau river and south of the said Brazeau river and North Saskatchewan river downstream from the said point of confluence, and extending to the left banks thereof, excepting that area contained within the boundaries of the city of Edmonton.

YUKON TERRITORY.

The Yukon Territory as bounded or described in the schedule to the Yukon Act, chapter sixty-three of the Revised Statutes of Canada, 1906, shall form and constitute the electoral district of Yukon, and shall return one member.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 3.

An Act to amend the Criminal Code

First reading, March 3, 1924

Mr. IRVINE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75144 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 3.

An Act to amend the Criminal Code

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. Subsection two of section seventy-four of *The Criminal Code* is repealed and the following is substituted therefor:—

Treason.

"(2) Every one who commits treason is guilty of an indictable offence and liable to imprisonment for life."

2. Section seventy-seven of the said Code is repealed and the following is substituted therefor:—

Levying war.

"**77.** Every subject or citizen of any foreign state or country at peace with His Majesty, who,—

(a) is or continues in arms against His Majesty within Canada; or,

(b) commits any act of hostility therein; or,

(c) enters Canada with intent to levy war against His Majesty, or to commit any indictable offence therein for which any person would, in Canada, be liable to imprisonment for life; and,

every subject of His Majesty who,—

(a) within Canada levies war against His Majesty in company with any of the subjects or citizens of any foreign state or country at peace with His Majesty; or,

(b) enters Canada in company with any such subjects or citizens with intent to levy war against His Majesty, or to commit any such offence therein; or,

(c) with intent to aid and assist, joins himself to any person who has entered Canada with intent to levy war against His Majesty, or to commit any such offence in Canada; is guilty of an indictable offence and liable to imprisonment for life."

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

EXPLANATORY NOTE.

The object of this legislation is to abolish capital punishment in Canada, and to provide that where for any offence any person would heretofore have been liable to suffer death, such person shall hereafter be liable to imprisonment for life.

The words "liable to imprisonment for life" in each section of the Bill are substituted for the words "liable to suffer death" in the sections repealed.

The words appear in sections 74 (2), 77 (c), 263 and 299 of the Criminal Code.

Murder.

"**263.** Every one who commits murder is guilty of an indictable offence and shall, on conviction thereof, be sentenced to imprisonment for life."

4. Section two hundred and ninety-nine of the said Code is repealed and the following is substituted therefor:—

Rape.

"**299.** Every one who commits rape is guilty of an indictable offence and liable to imprisonment for life."

Capital punishment abolished.

5. No person shall hereafter be sentenced in Canada to suffer death, and where for any offence any person would heretofore be liable to suffer death such person shall hereafter be liable to imprisonment for life.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 4.

An Act to amend The Patent Act (French Version).

First reading, March 6, 1924.

THE MINISTER OF TRADE AND COMMERCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74653 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend The Patent Act (French Version).

1923, c. 23.

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

Inventions for which foreign patents have been taken out.

Inventions déjà brevetées à l'étranger.

1. Section eight of the French version of *The Patent Act*, chapter twenty-three of the statutes of 1923, is repealed, and the following is substituted therefor:—

"**8.** (1) Tout inventeur qui préfère obtenir un brevet pour son invention dans un pays étranger avant de la faire breveter en Canada, peut prendre un brevet en Canada, s'il dépose la demande dans le cours d'une année de la date la plus éloignée à laquelle une demande de brevet pour l'invention a été déposée dans un pays étranger, ou à compter de l'adoption de la présente loi si aucun brevet n'a été émis pour l'invention sur une demande étrangère pour plus d'un an.

Effet de la demande de brevet à l'étranger, si elle est faite au Canada.

"(2) La demande d'un brevet pour une invention, déposée au Canada par toute personne qui a auparavant déposé régulièrement une demande de brevet pour la même invention, dans un pays étranger qui par traité, convention ou législation procure un privilège identique aux citoyens du Canada, a la même force et le même effet qu'aurait la même demande, si elle avait été déposée au Canada à la date à laquelle la demande de brevet pour la même invention a été en premier lieu déposée dans ledit pays étranger, pourvu que la demande dans ce pays soit déposée au cours des douze mois de la date la plus éloignée à laquelle toute pareille demande a été déposée à l'étranger ou de l'adoption de la présente loi. Mais il n'est accordé aucun brevet sur une demande de brevet pour une invention qui a été brevetée ou décrite dans un brevet ou une publication imprimée dans ce pays ou dans un pays étranger, plus de deux ans avant la date du dépôt réel de la demande au Canada, ou qui a été d'un usage public ou en vente au Canada pendant plus de deux ans avant ce dépôt."

Limite de deux ans après publication ou usage public ou vente.

Commencement of Act.

2. This Act shall be deemed to have come into force on the first day of September, 1923.

EXPLANATORY NOTES.

1. The English version of this section reads as follows:—

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 from the passing of this Act if no patent has been issued on a foreign application for the invention for more than one year.

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 which by treaty, convention or law affords similar privilege to citizens of Canada, 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 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 patent or 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.

The French version is amended by substituting the words "d'une année" for the words "deux années" in the fourth line of subsection one, and the word "éloignée" for the word "rapprochée" in the fifth line, and by substituting the word "éloignée" for the word "rapprochée" in the eleventh line of subsection two, to make the two versions agree.

2. The Act came into force on the 1st September, 1923, by proclamation published in the Canada Gazette of the 7th July, 1923.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 4.

An Act to amend The Patent Act (French Version).

AS PASSED BY THE HOUSE OF COMMONS,
25th MARCH, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74758 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend The Patent Act (French Version).

1923, c. 23.

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

Inventions for which foreign patents have been taken out.

Inventions déjà brevetées à l'étranger.

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Effet de la demande de brevet à l'étranger, si elle est faite au Canada.

"(2) La demande d'un brevet pour une invention, déposée au Canada par toute personne qui a auparavant déposé régulièrement une demande de brevet pour la même invention, dans un pays étranger qui par traité, convention ou législation procure un privilège identique aux citoyens du Canada, a la même force et le même effet qu'aurait la même demande, si elle avait été déposée au Canada à la date à laquelle la demande de brevet pour la même invention a été en premier lieu déposée dans ledit pays étranger, pourvu que la demande dans ce pays soit déposée au cours des douze mois de la date la plus éloignée à laquelle toute pareille demande a été déposée à l'étranger ou de l'adoption de la présente loi. Mais il n'est accordé aucun brevet sur une demande de brevet pour une invention qui a été brevetée ou décrite dans un brevet ou une publication imprimée dans ce pays ou dans un pays étranger, plus de deux ans avant la date du dépôt réel de la demande au Canada, ou qui a été d'un usage public ou en vente au Canada pendant plus de deux ans avant ce dépôt."

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Commencement of Act.

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EXPLANATORY NOTES.

1. The English version of this section reads as follows:—

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 from the passing of this Act if no patent has been issued on a foreign application for the invention for more than one year.

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 which by treaty, convention or law affords similar privilege to citizens of Canada, 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 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 patent or 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.

The French version is amended by substituting the words "d'une année" for the words "deux années" in the fourth line of subsection one, and the word "éloignée" for the word "rapprochée" in the fifth line, and by substituting the word "éloignée" for the word "rapprochée" in the eleventh line of subsection two, to make the two versions agree.

2. The Act came into force on the 1st September, 1923, by proclamation published in the Canada Gazette of the 7th July, 1923.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 5.

An Act to amend the Criminal Code.

First reading, March 12, 1924.

Mr. KENNEDY
(West Edmonton).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75560 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Criminal Code.

R.S., c. 146; 1921, c. 25.

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

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

Rights saved and continued.

(2) Any offences in violation of the provisions of the section repealed by subsection one of this section, and committed between the fourth day of June, nineteen hundred and twenty-one, and the date of the coming into force of this Act, shall be dealt with as if this Act had not been passed.

Explanatory Notes.

1. The section repealed reads as follows:—

"**20.** Paragraph (*a*) of section eleven hundred and forty of the said Act is amended by adding thereto the following subparagraph:— Prosecution not to be taken after three years from offence.

"(iv) Any offence relating to or arising out of the location of land which was paid for in whole or in part by scrip or was granted upon certificates issued to half-breeds in connection with the extinguishment of Indian title."

The effect of the above section amending the Criminal Code was that no prosecution for an offence against the Code, or action for penalties or forfeiture, should be commenced after the expiration of three years from the time of its commission, if such offence related to or arose out of the location of land which was paid for in whole or in part by scrip or was granted upon certificates issued to half-breeds in connection with the extinguishment of Indian title.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 5.

An Act to amend the Criminal Code.

AS PASSED BY THE HOUSE OF COMMONS, 19th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75646 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Criminal Code.

R.S., c. 146; 1921, c. 25.

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

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

Rights saved and continued.

(2) Any offence relating to or arising out of the location of land which was paid for in whole or in part by scrip or was granted upon certificates issued to half-breeds in connection with the extinguishment of Indian title may be prosecuted as if the said section twenty of chapter twenty-five of the statutes of 1921 had not been passed.

Explanatory Notes.

1. The section repealed reads as follows:—

"**20.** Paragraph (*a*) of section eleven hundred and forty of the said Act is amended by adding thereto the following subparagraph:— Prosecution not to be taken after three years from offence.

"(iv) Any offence relating to or arising out of the location of land which was paid for in whole or in part by scrip or was granted upon certificates issued to half-breeds in connection with the extinguishment of Indian title."

The effect of the above section amending the Criminal Code was that no prosecution for an offence against the Code, or action for penalties or forfeiture, should be commenced after the expiration of three years from the time of its commission, if such offence related to or arose out of the location of land which was paid for in whole or in part by scrip or was granted upon certificates issued to half-breeds in connection with the extinguishment of Indian title.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 6.

An Act respecting Quartz Mining in the Yukon Territory.

First reading, March 12, 1924.

Mr. BLACK
(Yukon).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75734 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 6.

An Act respecting Quartz Mining in the Yukon Territory.

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

Application.

Short title.

1. This Act shall be applicable only to minerals defined as such on Dominion lands, situate within the Yukon Territory and may be cited as *The Yukon Quartz Mining Act.*

INTERPRETATION.

Definitions.

"Adjoining claims."

"Cause."

"Commissioner."

"Department."

"Ditch."

"Document."

"Entry."

"Full claims."

"Gold Commissioner."

"Judgment."

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

(a) 'Adjoining claims' means those which come into contact one with the other at some point on the boundary lines, or which share a common boundary;

(b) 'Cause' includes any suit or action;

(c) 'Commissioner' means the Commissioner of the Yukon Territory or such person as shall for the time being be invested with and have the powers of the Commissioner of the Yukon Territory;

(d) 'Department' means the Department of the Interior;

(e) 'Ditch' includes flume, pipe, race, or other artificial means for conducting water by its own weight, to be used for mining purposes;

(f) 'Document' means any assignment, transfer bill of sale or other writing, which may in any way affect the title of a mineral claim;

(g) 'Entry' means not only the record of a claim in the books of the mining recorder, but also the grant which may be issued for such claim;

(h) 'Full Claim' means any mineral claim of the full size;

(i) 'Gold Commissioner' means the officer so named, appointed under the *Yukon Placer Mining Act;*

(j) 'Judgment' includes 'order' or 'decree';

Explanatory Note.

1. The object of this Bill is to consolidate and express in an Act of Parliament the laws and regulations governing quartz or lode mining in Yukon Territory. At present these regulations are contained in a large number of Orders in Council and are subject to change without notice. This causes confusion. The proposed Act entails no radical change in the law or administration. Its chief object is to settle the law and put it on a sound and intelligible basis.

The regulations as at present in force are those approved by Order in Council dated 25th May, 1917, amended by Orders in Council dated 23rd June, 1919; 25th June, 1920; 29th September, 1920; 6th January, 1921; 8th March, 1921; 4th April, 1921; 20th August, 1921; 17th December, 1921; 6th March, 1922; 5th June, 1922; 20th September, 1922; 14th February, 1924.

(i) "Gold Commissioner" is referred to in the Orders in Council, but there is no authority for such an officer in the Orders in Council and nothing to define what the term means.

"Legal post."

(k) 'Legal post' means a stake or post of any kind of sound timber of sufficient length so that when firmly planted in the ground in an upright position, not less than four feet of such post shall be above ground. The post must be of such diameter that when squared or faced for eighteen inches from the top end, each face of the squared or faced portion shall not be less than four inches in width across the face for the full eighteen inches, or if a tree of suitable size is found in position, it may be made into a post by cutting the tree off not less than four feet from the ground, and squaring and facing the upper eighteen inches, each face of the portion so squared or faced to be not less than four inches in width. Whether a post is planted or a stump of a tree made into a post, a mound of stones or earth shall be erected around the base of the post, such mound of earth or stones to be not less than three feet in diameter on the ground, and not less than eighteen inches high, cone-shaped and well constructed;

"Building stone not a mineral."

(l) 'Limestone, marble, clay, gypsum, or any building stone when mined for building purposes, shall not be considered as mineral within the meaning of this Act;

"Location line."

(m) 'Location line' means a straight line opened or indicated throughout between No. 1 and No. 2 location posts of mineral claim, and joining them;

"Mill-site."

(n) 'Mill-site' means a plot of ground located, as defined by this Act, for the purpose of erecting thereon any machinery or other works for transporting, crushing, reducing or sampling ores, or for the transmission of power for working mines;

"Mine."

(o) 'Mine' means any land in which any vein, lode, or rock in place, shall be mined for gold or other minerals, precious or base, as defined in this Act;

"Mineral."

(p) 'Mineral' means all deposits of gold, silver, platinum, iridium, or any of the platinum group of metals, mercury, lead, copper, iron, tin, zinc, nickel, aluminum, antimony, arsenic, barium, bismuth, boron, bromide, cadmium, chromium, cobalt, iodine, magnesium, molybdenum, manganese, phosphorus, plumbago, potassium, sodium, strontium, sulphur, (or any combination of the aforementioned elements with themselves or with any other elements), asbestos, emery, mica, mineral pigments, corundum and diamonds;

"Mineral claim or location."

(q) 'Mineral claim' or 'location' means a plot of ground staked out and acquired under the provisions of this Act;

"Mining district."

(r) 'Mining District' means the mining districts into which Yukon Territory is divided under authority of the *Yukon Placer Mining Act;*

"Mining property."

(s) 'Mining property' includes every mineral claim, ditch, mill-site, or water right used for mining purposes,

(r) Although mining districts are referred to in the Orders in Council there is no explanation of the meaning of the term. Under the Yukon Placer Mining Act there is authority for creating mining districts.

and all other things belonging to a mine or used in the working thereof;

"Mining recorder." *(t)* 'Mining recorder' and 'mining recorder's agent' mean respectively the agent of Dominion lands for a district or other officer appointed by the government or gold commissioner, for the particular purpose referred to;

"Minister." *(u)* 'Minister' means the Minister of the Interior of Canada;

"Record," "register," "registration." *(v)* 'Record', 'register' and 'registration' shall have the same meaning, and shall mean an entry in some official book kept for that purpose;

"Representation." Assessment." *(w)* 'Representation' or 'assessment' means the work to be done, or the payment to be made each year to entitle the owner of a claim to a certificate of work;

"Rock in place." *(x)* 'Rock in place' means all rock in place bearing valuable deposits of mineral within the meaning of these regulations;

"Saline solution," brine." *(y)* 'Saline solution' or 'brine' for the purpose of this Act means an aqueous solution of mineral salts occurring in a natural state, and containing more than one per cent of mineral salts in solution;

"Territory." *(z)* 'Territory' means the Yukon Territory;

"Vein," "lode." *(aa)* 'Vein' or 'lode',—Whenever either of these terms is used 'rock in place' shall be deemed to be included.

DUTIES OF MINING RECORDER.

Books to be kept by mining recorder. **3.** Every mining recorder shall keep the following books, to be used for quartz entries:—

(a) Record of applications;

(b) Record of leases issued;

(c) Record book; and

(d) Record of documents received.

Date of entry. **4.** Every entry made in any of the mining recorder's books shall show the date upon which such entry is made.

Inspection of books free. **5.** All books of record and documents filed shall, during office hours, be open to public inspection free of charge.

Monthly statement. **6.** A statement of the grants issued and fees collected shall be rendered to the Minister by the mining recorder at least every month, and such statement shall be accompanied by the amount collected, or, if the money has been deposited to the credit of the Receiver General by the deposit receipts.

Relocation of claims. **7.** If a mineral claim has been abandoned or forfeited by any person, the mining recorder may, in his discretion, permit such person to relocate such mineral claim or any

6. The Orders in Council required a statement to be rendered by the mining recorder, but failed to state to whom it should be made.

part thereof: Provided that such relocation shall not prejudice or interfere with the rights or interests of others.

Notice of relocation.

8. No claim shall be so relocated by or on behalf of the former holder thereof within thirty days of its being so abandoned or forfeited, nor until after notice of such abandonment or forfeiture has been posted up for at least a week in a conspicuous place on the claim and in the office of the mining recorder, nor until a statutory declaration has been filed with the mining recorder that the notice has been so posted.

Marking out space for deposit of material.

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

Power of recorder as to safety of public, etc.

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

Change of name.

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

WHERE AND BY WHOM CLAIMS MAY BE ACQUIRED.

Where and by whom claims may be acquired.

12. Every person eighteen years of age, or over, but not under, shall have the the right personally, but not through another except as provided in section forty-seven of this Act, to enter, locate, prospect, and mine upon any vacant Dominion lands in Yukon Territory, for the minerals defined in this Act, and upon all lands the right whereon so to enter, prospect and mine such minerals has been, or hereafter shall be reserved to the Crown.

Exceptions.

13. Excepting, however, any land occupied by any building, and any land falling within the curtilage of any dwelling house, and any land valuable for water-power purposes, or for the time being actually under cultivation, unless with the written consent of the owner, lessee or locatee or of the person in whom the legal estate therein is vested, and any land on which is situated any church or

9. The Order in Council provides that the mining recorder may mark out a space of ground for deposit of "leavings and deads," ambiguous words, but gives him no power to impose terms.

cemetery, and any land lawfully occupied for mining purposes, and excepting also Indian Reserves, Dominion Forest Parks and military, naval, quarantine, or other like reservation made by the Government of Canada, except as provided by section fourteen hereof.

Security and compensation.

14. No person shall enter upon for mining purposes or shall mine upon lands owned or lawfully occupied by another until he has given adequate security, to the satisfaction of the mining recorder, for any loss or damage which may be thereby caused, and persons so entering, locating, prospecting or mining upon any such lands shall make full compensation to the owner or occupant of such lands for any loss or damage so caused, such compensation, in case of dispute, to be determined by a court having jurisdiction in mining disputes.

SIZE OF CLAIMS AND NUMBER WHICH MAY BE ACQUIRED

Size of claims and priority of right.

15. Any person desiring to locate a mineral claim shall, subject to the provisions of this Act with respect to land which may be located for such purpose, enter upon the same and locate a rectangular plot of ground not exceeding one thousand, five hundred feet in length by one thousand five hundred feet in breadth. Priority of location shall be deemed to convey priority of right to claims located, but no locator shall have any prior rights unless and until he has located his claim in accordance with the provisions of this Act. Priority of right, however, shall in all cases be subject to the claim being recorded within the delays specified in this Act, and subsequently maintained in good standing. All angles shall be right angles, except in cases where a boundary line of a previously located claim is adopted as common to both locations. In defining the size of a mineral claim it shall be measured horizontally, irrespective of the inequalities of the surface of the ground.

Horizontal measurement.

Fractional mineral claims.

16. Any person of the prescribed age desiring to locate a fractional mineral claim shall, subject to the provisions of this Act with respect to land that may be located for such purpose, enter upon the same and locate any plot of ground lying between and bounded on opposite sides by previously located mineral claims and measuring less than one thousand five hundred feet in length by one thousand five hundred feet in breadth as a fractional mineral claim; such fractional mineral claim need not be rectangular in form and the angles need not necessarily be right angles, and the lines of the previously located mineral claims, whether surveyed or not, between which the fractional mineral claim is located, may be adopted as the boundaries of the fractional mineral claim.

15. The Order in Council provides that to locate a mineral claim the applicant must have discovered mineral in place. This in most cases is an impossibility, and although the form of application included an oath that mineral in place had been discovered the statement was usually untrue and was passed over. This section and the new form eliminates the perjury. By Order in Council passed February 14, 1924, appearing in *Canada Gazette* of March 15th, since this Bill was printed, the above objectionable feature has been eliminated, and the provisions of this section are in accord with said Order in Council.

Thirty days between locations.

17. Any person having located and recorded a mineral claim under the provisions of this Act shall not have the right to locate another claim in the same mining district, either in his own name or in the name of any other person, for his benefit, for a period of twenty days from the date of such location.

Iron and mica.

18. The Minister may grant a location for the mining of iron and mica, not exceeding one hundred and sixty acres in area, which shall be bounded by due north and south and east and west lines, and its breadth and length shall be equal. Provided that should any person making any application purporting to be for the purpose of mining iron or mica thus obtain possession of a valuable mineral deposit other than iron or mica, his right to such deposit shall be restricted to the area hereinbefore prescribed for other minerals, and the rest of the location in so far as such valuable deposit is concerned, shall thereupon remain in the Crown for such disposition as the Minister may direct.

Proviso.

Surface not included.

19. The grant issued for such a location shall include the right to the iron and mica only, and shall not include the surface.

Location and survey of other claims.

20. Provided also that all the requirements of this Act as to the location and survey of other claims shall govern such locations as far as they can be made to apply, and provided also that the amount to be expended each year in representation work, or to be paid in lieu thereof, shall be double the amounts prescribed in sections fifty-four and fifty-five of this Act.

Double amounts.

HOW A CLAIM SHALL BE STAKED.

Posts, location line, distances.

21. Every claim shall be marked on the ground by two legal posts firmly planted in the ground, one at each extremity of the location line, which shall be known as location post No. 1 and location post No. 2. The location line may have any bearing or direction, but must be a straight line measured horizontally between the location posts. The distance between post No. 1 and post No. 2 shall not exceed one thousand five hundred feet, but it may be less.

Inscriptions.

22. The inscriptions to be placed on these posts shall be and remain clearly and legibly marked by knife, marking iron or crayon.

Marking on location post No. 1.

23. On location post No. 1 on the side facing in the direction of location post No. 2 shall be marked, beginning near the top of the portion faced and extending downward, the following:—

(1) No. 1;
(2) The name given to the claim;
(3) The letter indicating the direction of location post No. 2—"N" for north or northerly, "S" for south or southerly, "W" for west or westerly, and "E" for east or easterly;
(4) The number of feet lying to the right and the number of feet lying to the left of the location line—"R" for right and "L" for left;
(5) The month and date of the month upon which the location was made;
(6) The year;
(7) The name of the person locating the claim.

Marking on location post No. 2.

24. On location post No. 2 shall be marked on the side of that post facing in the direction of location post No. 1, beginning near the upper end of the portion faced and extending downward, the following:—

(1) No. 2;
(2) The name given to the claim;
(3) The month and date of the month upon which the location was made;
(4) The year;
(5) The name of the person locating the claim.

Stand of locator.

25. The locator standing at location post No. 1 and facing in the direction of post No. 2 shall have the right and left of the location line to his right and left respectively.

Marking of fractional claim.

26. The markings on the location posts of a fractional claim shall be the same as those upon a claim of the full size, with the addition of the letter 'F' for fractional immediately below the name given to the claim, and below this the length of the location line in feet.

"Witness post" to be marked "W.P."

27. In case it is found impossible, owing to the presence of water or other insurmountable obstacle, to set post No. 2 in its proper position at one end of the location line, the locator may set up a 'witness post' on the location line as near as possible to where post No. 2 should have been placed, and upon this witness post he shall place, in addition to that already prescribed in this Act to be placed on post No. 2, the letters 'W.P.' and the distance in feet and the direction of the point at which post No. 2 would have been placed had it been possible to do so.

When "witness post" considered to be location post No. 2.

28. If a locator, however, marks his location by means of a witness post and it is subsequently ascertained to the satisfaction of the Gold Commissioner, that such action

was not necessary, and that it was possible at the time to set post No. 2 in its proper place on the location line, then such witness post shall be considered and dealt with as location post No. 2 of the claim and shall be regarded as the termination of the location line. Location post No. 1, however, shall not under any circumstances be marked with a witness post.

Marking by locator when claim located.

29. When the claim has been located the locator shall immediately mark out the location line joining post No. 1 with post No. 2 so that it may be distinctly seen at every point throughout its entire length. In a timbered locality the line shall be opened up throughout its length by cutting away trees and brushwood and removing obstructions, and tress and brushwood likely to obstruct a clear view of the line throughout its entire length or of the posts marking the claim shall be removed. The trees at each side of and adjoining the location line shall also be marked by placing on each tree three blazes, one blaze on each tree facing the location line and one blaze on each side of the tree in the direction of the said line. In a locality where there is neither timber nor underbrush the locator shall set legal posts or erect monuments of earth or rock, not less than eighteen inches high and three feet in diameter at the base, so that such line may be distinctly seen throughout its entire length.

Marking of trees.

Sides of mineral claim located.

30. The sides of a mineral claim located as of the full size shall be parallel to the location line of such claim, subject, however, to any claims previously located, and the ends of a mineral claim shall be at right angles to the location line, subject, however, to interference with claims already located. The location line may form one of the sides of a mineral claim, or a portion of the location may lie on either side of such line, provided, however, that the number of feet lying to the right of the location line and the number of feet lying to the left of such location line shall not altogether exceed in all one thousand five hundred feet.

Examples.

31. EXAMPLE OF INSCRIPTIONS TO BE PLACED ON POSTS.

Inscription on location post No. 1.	Inscription on location post No. 2.
No. 1	No. 2.
"Apex"	"Apex"
E.	Aug. 10,
800 R.	1916.
700 L.	B. J. Box.
Aug. 10,	
1916.	
B. J. Box.	

Inscription on witness post.
W.P.
"Apex"
Aug. 10, 1916.
B. J. Box.
200 feet.
N.

Particulars of inscriptions to be furnished by locator to recorder.

32. Particulars of all inscriptions put on No. 1 and No. 2 posts shall be furnished by the locator to the mining recorder in writing at the time the claim is recorded, and shall form a part of the record of such claim. The locator shall submit with his application a plan showing, as nearly as possible, the position of the location applied for in its relation to the prominent topographical features of the district and to the adjoining claim, or some other known point; also the position of the stakes by which the location is marked on the ground.

REMOVING OR DEFACING POSTS.

Removing or defacing posts.

33. It shall not be lawful to move post No. 1. Post No. 2 may be moved only by a Dominion land surveyor when it is found upon making a survey that the distance between post No. 1 and post No. 2 exceeds one thousand five hundred feet, in order to place post No. 2 at a distance of one thousand five hundred feet from post No. 1 on the line of location. When the distance between post No. 1 and post No. 2 is less than one thousand five hundred feet the claim shall not extend beyond post No. 2 as originally placed.

Unlawful moving or defacing.

34. It shall not be lawful for any person to move any location post or to deface or to alter in any manner the notices on the same except as in this Act provided.

Penalty.

35. Any person removing or disturbing with intent to remove any legal post, stake, picket or other mark placed under the provisions of this Act or defacing or altering in any manner the notices on any of the legal posts placed thereon under this Act, shall on summary conviction be liable to a fine not exceeding one hundred dollars and costs; and in default of payment of the fine and costs to imprisonment for any period not exceeding six months.

Moving of posts of fractional claim with permission of recorder.

36. When a fractional mineral claim has been located between previously located and unsurveyed mineral claims, and when any such previously located mineral claims are surveyed, if any of the posts of the fractional mineral claim

are found to be on the previously located mineral claims, the location of such fractional mineral claim shall not be invalid by reason of the location posts of the fractional mineral claim being on such previously located mineral claims, and the owner of such fractional mineral claim may, by obtaining the permission of the mining recorder of the district, move the posts of the fractional mineral claim and place them on the surveyed line of the adjoining previously located mineral claims.

Privilege of Dominion land surveyors.

37. Nothing in this Act, however, shall be construed to prevent Dominion land surveyors in their operations from taking up posts or other boundary marks when necessary.

RECORDING.

Delays for recording mineral claims.

38. Every person locating a mineral claim shall record the same with the mining recorder of the district within which the same is situate within fifteen days after the location thereof if located within ten miles of the office of the said recorder. One additional day shall be allowed for such record for every additional ten miles or fraction thereof. Such record shall be made in a book to be kept for the purpose in the office of the said mining recorder in which shall be inserted the name of the claim, the name of the locator, the locality, the direction and length of the line from post No. 1 to post No. 2, the date of the location, and the date of record. Such record shall be, as nearly as may be possible, in the form 'B' in the schedule of this Act, which form, duly completed and signed, shall be given by the mining recorder to the locator or his agent. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned and forfeited, without any declaration of cancellation or abandonment on the part of the Crown.

When claim is deemed abandoned.

'Emergency recorder'

39. In the event of the claim being more than one hundred miles from the recorder's office, and situated where other claims are being located, the locators, not less than five in number, are authorized to meet and appoint one of their number an 'emergency recorder', who may receive applications for claims located in accordance with the provisions of this Act.

To notify the mining recorder.

40. The emergency recorder shall, at the earliest possible date after his appointment, notify the Government mining recorder for the district in which the claims are of such appointment, and he shall deliver to such mining recorder the applications which he may have received for mineral claims and the fees which he may have collected for recording the same. The Government mining recorder shall then

Duty of recorder.

39. The Order in Council provided for same appointment of emergency recorder, but gave him no power to receive application.

40. The Order in Council did not require emergency recorder to account for fees.

grant to each person from whom the emergency recorder has accepted an application and the fee prescribed by this Act, an entry for his claim in form 'B' of this Act. The entry to date from the day the emergency recorder accepted the application and fee. If the emergency recorder fails within four months to notify the Government mining recorder of his appointment, or to deliver to him the applications received and the fees collected, entry for such claims may be refused in the discretion of the Gold Commissioner.

Date of entry.

Accompanying affidavit.

41. No mineral claim shall be recorded without the application being accompanied by an affidavit or solemn declaration made by the applicant in form 'A' of this Act, or if it be a fractional claim in the form 'A-1.' except claims for which application has been made to an 'emergency recorder'.

In case of *bona fide* diligence on part of locator.

42. Provided that failure on the part of the locator of a mineral claim to comply in every respect with the foregoing provisions shall not be deemed to invalidate such location, if upon the facts it shall appear to the satisfaction of the mining recorder that such locator has staked out such location as nearly as possible in the manner prescribed, and that there has been on his part a *bona fide* attempt to comply with all the provisions of this Act, and that the non-observance of any of the formalities hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity. The mining recorder may, however, before granting entry require the locator to immediately remedy any material defaults committed in the observance of the formalities required by this Act in respect of the location of a mineral claim, and if such defaults are not remedied within a period to be fixed by the mining recorder, and to his satisfaction, entry may be refused.

Remedying defaults in observance of formalities.

Particulars to be supplied.

43. A locator shall not be entitled to a record of a mineral claim until he shall have furnished the mining recorder with all the particulars necessary for such record.

Date of receipt of fees deemed date of application.

44. The record of a mineral claim shall be made at the office of the mining recorder of the district in which the claim is situated, but the application may be made to an agent or a sub-agent of Dominion lands to be forwarded to the mining recorder for the district in which the claim is situated. The date upon which the application and the fee may be received in the office of the mining recorder for the district in which the claim is situated, however, shall govern, and shall be considered the date of the application.

41. Order in Council permitted no exception to Forms A and A1—an emergency recorder cannot be expected to be supplied with forms.

Rights of owner of tunnel.

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

Written permission to record claim within six months.

46. Any person upon satisfying a mining recorder that he is about to undertake a *bona fide* prospecting trip to a distant part of the district, may receive written permission from the mining recorder to record a claim within said mining district at any time within a period not exceeding six months from the date upon which such written permission was given, providing said claim has been located by the applicant in accordance with the provisions of this Act.

Personal application and exception.

47. No record shall be granted for a claim which has not been staked by the applicant in person in the manner specified in this Act. Except that if any person satisfies the mining recorder that he is about to undertake a *bona fide* prospecting trip and files with the mining recorder in advance a power of attorney from not more than two persons, authorizing him to stake claims for them in consideration of their having enabled him to undertake the trip, he may stake one claim in the name of each such person.

Rights of holder of claim.

48. The holder of a mineral claim shall be entitled to all minerals to which this Act applies, the property of the Crown, which may lie within the boundaries of his claim continued vertically downwards.

Location on Sunday not invalid.

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

Chattel interest for one year.

50. The interest of the holder of a mineral claim shall, prior to the issue of a lease, be deemed to be a chattel interest, equivalent to a lease of the minerals in or under the land for one year, and thence from year to year, subject to the performance and observance of all the terms and conditions of this Act.

ABANDONMENT.

Notice of abandonment and its effect.

51. The holder of a mineral claim may at any time abandon or relinquish the same provided he has complied in every respect with the provisions of this Act, and that

47. That part of the Order in Council allowing the Minister to grant mining concessions in the North West Territories omitted is not applicable to the Yukon nor desirable.

all payments on account of rental or other liability to the Crown, due by him in connection with such claim, have been fully made. Notice in writing of his intention to abandon shall be given to the mining recorder, and from the date of the record of such notice all interest of such holder in such claim shall cease.

What holder on abandonment may take from claim.

52. When the holder of a mineral claim abandons it he shall have the right to take from the same any machinery and any personal property which he may have placed on the claim, and any ore which he may have extracted therefrom, within such time as shall be fixed by the mining recorder, provided all payments due on account of rental or other liability to the Crown in connection with the claim have been fully made.

GROUPING

Adjoining claims, not more than eight, may be on certificate worked together.

53. Adjoining claims, not exceeding eight in number, may be worked by the owners thereof in partnership upon filing a notice of their intention to so work the same with the mining recorder and upon obtaining a certificate according to form "E" of this Act. This certificate will allow the holders thereof to perform on any one or more of such claims all or any part of the work required to entitle him or them to a certificate of work for each claim so held by him or them. If such work shall not be done, or if payment shall not be made in lieu thereof as prescribed in section fifty-five of this Act, the claims shall be deemed to be vacant and abandoned without any declaration of cancellation or forfeiture on the part of the Crown.

REPRESENTATION.

Claim good for one year and yearly renewal.

54. Any person having duly located and recorded a mineral claim shall be entitled to hold it for the period of one year from the date of recording the same, and thence from year to year without the necessity for recording: Provided, however, that during each year and each succeeding year such locator shall do, or cause to be done, work on the claim itself to the value of one hundred dollars, and shall within fourteen days after the expiration of the year, satisfy the mining recorder that such work has been done, by an affidavit in form "C" of this Act, and setting out a detailed statement of such work, and shall obtain from the mining recorder a certificate in form "D" of such work having been done. Provided also that all work done outside of a mineral claim with intent to work the same shall, if such work has direct relation and be in direct proximity to the claim, be deemed, if to the satisfaction of the mining recorder, for the purpose of this section, to be work done on the claim.

Proviso as to work done outside of claim.

53. The same idea as in Order in Council more explicitly expressed.

Holding claim on payment of $100.

55. The holder of a mineral claim may, in lieu of the work required to be done by section fifty-four of this Act on a claim each year, pay to the mining recorder in whose office the claim is recorded the sum of one hundred dollars, and receive from such mining recorder a receipt for such payment. Such payment and the record thereof in any year shall relieve the person making it from the necessity of doing any work during the year in and for which and upon the claim in respect of which such payment is recorded, and he shall be entitled to a certificate from the mining recorder that such payment has been made and entitles him to hold the claim for the ensuing year.

When claim expires after 14 days.

56. If, however, the prescribed amount of work is not done during the year, or if payment is not made in lieu thereof, as provided in section fifty-five of this Act, the claim shall, at the expiration of the period of fourteen days provided for, lapse and shall forthwith be open to relocation under these regulations without any declaration of cancellation or forfeiture on the part of the Crown.

When area claimed as fractional claim is less than twenty-five acres.

57. If the recorded owner of a fractional mineral claim furnishes evidence, to the satisfaction of the mining recorder, that the area of such claim is less than twenty-five acres, the expenditure required to be incurred each year in mining operations on such fractional claim, or the payment to be made in lieu thereof, to entitle the recorded owner to a certificate of work shall be one-half that required under this Act, in respect of a full claim. If, however, upon survey, a fractional claim in connection with which such representations have been made is found to contain twenty-five acres, or more, the recorded owner thereof shall pay to the mining recorder whatever additional amount may be necessary to represent a full claim, with interest, before he shall be entitled to receive a certificate of improvements in connection with such claim.

Co-owners and their interests.

58. If two or more persons own a claim, each such person shall contribute, proportionately to his interest, to the work required to be done by section fifty-four of this Act, and in the event of its being proven to the mining recorder or the gold commissioner, after notice of hearing has been served as directed on all parties interested, that any co-owner has not done so, his interest shall become vested by order of the gold commissioner or mining recorder in the other co-owner or co-owners according to their former interests.

DISPUTES.

Priority of location to govern disputes.

59. In case of any dispute as to the location of a mineral claim the title to the claim shall be recognized according to

the priority of such location, subject to any question as to the validity of the record itself, and subject further, to the locator having complied with all the terms and conditions of this Act.

Claim presupposed perfect save in case of fraud.

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

Power of court to vest title to claim.

61. Whenever through the acts or default of any person other than the recorded owner of a mineral claim or his agent by him duly authorized, the evidence of the location or record on the ground, or the situation of a mineral claim has been destroyed, lost or effaced, or is difficult of ascertainment nevertheless effect shall be given to same as far as possible, and the court shall have power to make all necessary enquiries, directions and references in the premises, for the purpose of carrying out the object hereof, and vesting title in the first *bona fide* acquirer of the claim.

Omissions by government official.

62. No person shall suffer from any acts of omission or commission, or delays on the part of any Government official, if such can be proven.

TITLE.

Payments to be made to recorder.

63. Payment may be made to the mining recorder of the sum of five hundred dollars in lieu of representation on a claim of the ordinary size, and in the case of a claim acquired under the provisions of section eighteen of this Act payment may be made of one thousand dollars in lieu of such representation. In case payment in lieu of representation is made, the recorded owner of the claim shall comply with all other provisions of this Act, except such as have respect solely to the work required to be done on the claim.

Certificate of improvements on fulfilling requirements.

64. Whenever the lawful holder of a mineral claim shall have complied with the following requirements, to the satisfaction of the mining recorder, he shall be entitled to receive from the recorder a certificate of improvements, in form 'F', in respect of such claim, unless proceedings by a person claiming an adverse right under section sixty-nine of this Act have been taken:—

(a) Done or caused to be done work on the claim itself in developing a mine to the value of five hundred dollasr, exclusive of the cost of all houses, buildings and other like improvements, or made payment in lieu of work

as provided in section of this Act. The value of the work done, as assessed by the mining recorder, and the amount paid and accepted in lieu of work shall together be equal to at least five hundred dollars. In the case of a fractional claim, however, the work to be done or the payment to be made in lieu thereof shall be that specified in section fifty-seven of this Act. For the purposes of this section work done on a claim by a predecessor or predecessors in title shall be deemed to have been done by the person who received a transfer of such claim. The cost of the survey not to exceed one hundred dollars, may be counted as work done on the claim: Provided it has been accepted in lieu of representation work;

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

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

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

(1) The name of the claim;

(2) The name of the lawful holder thereof;

(3) His intention to apply for a certificate of improvements at the end of sixty days for the purposes of obtaining a lease;

(4) The date of the notice.

(e) Inserted a copy of such notice in a Canadian newspaper published in and circulating in the district in which the claim is situated (such paper to be approved by the mining recorder) for at least sixty days prior to such application, which insertion can be made at any time after the posting of the notice on the claim. If no newspaper is published in the district, then the notice shall appear in the Canadian newspaper published nearest to the district;

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

(g) Filed with the mining recorder an affidavit of the holder of the claim, or his duly authorized agent, in form 'H' of this Act.

(h) At the expiration of the term of the said publication, provided no action shall have been commenced and notice thereof filed with the mining recorder, he shall forward to the owner or agent the certificate of improvements issued, and to the department a copy thereof, together with the several documents referred to above, and a certificate in form 'I' of this Act showing that the notice provided by subsection *(d)* of this section, or by section seventy-nine of this Act has been posted in his office, and the plan deposited for reference therein from the date of the first appearance of the said notice in the nearest local newspaper and continuously therefrom for a period of at least sixty days, and containing the full christian and surname of the recorded owner, or of each of the recorded owners, as well as their occupations and respective interests.

(i) A certificate of improvements shall not be issued until a report has been furnished by an officer of the department, or some person satisfactory to the mining recorder, to the effect that upon inspection he was satisfied that the required expenditure in developing a mine had been actually incurred, and that a vein or lode had been found within the limits of the claim. Delay in having an inspection made after the recorded owner of a mineral claim has fully complied with the above requirements shall not render it necessary for such owner to perform further representation work, or make payment in lieu of work because of such delay.

When posting of notice may be waived by Gold Commissioner.

65. In case a claim is situated in a remote part of the country, very difficult of access, where other claims have not been recorded, and where other persons are not engaged in prospecting, and where no newspaper is published within a distance of one hundred miles, the Gold Commissioner may, in his discretion, waive posting of notice on the claim and publication of the same in a newspaper as provided in subsections *(d)* and *(e)* of section sixty-four of this Act.

Fraud only ground of impeachment.

66. A certificate of improvements when issued as aforesaid shall not be impeached in any court on any ground except that of fraud.

When work on claim not necessary.

67. After the issue and recording of such certificate of improvements, and while such certificate shall be in force but a lease not yet issued, it shall not be necessary to do any work on such claim.

When holder entitled to lease.

68. The holder of a mineral claim for which a certificate of improvements has been granted and recorded shall be entitled to a lease of such claim upon payment

65. The Order in Council limits the power to waive posting and publication to the Minister. The Gold Commissioner, being on the ground and in a position to act intelligently, is given this power.

being made within three months of the rental and fee prescribed by schedule two of this Act.

ADVERSE RIGHT.

Procedure in case of adverse rights.

69. In case any person shall claim an adverse right of any kind, either to possession of the mineral claim referred to in the application for certificate of improvements, or any part thereof, or to the minerals contained therein, he shall, within sixty days after the first publication in a newspaper, as provided by this Act, of the notice referred to in subsection *(e)* of section sixty-four or in section seventy-nine of this Act, (but not later, unless such time shall be extended by special order of the court upon cause being shown) commence legal action to determine the question of the right of possession or otherwise enforce his said claim, and shall file a copy of the writ, information, bill of complaint, or other initiatory proceeding in said action with the mining recorder of the district or mining division in which the said claim is situated within twenty days from the commencement of said action, and shall prosecute the said action with reasonable diligence to final judgment, and a failure to so commence or so to prosecute shall be deemed to be a waiver of the plaintiff's claim. After final judgment shall have been rendered in the said action, the person, or any one of the persons entitled to possession of the claim or any part thereof, may file a certified copy of the same in the office of the mining recorder. After the filing of the said judgment, and upon compliance with all the requirements of section sixty-four of this Act, such person or persons shall be entitled to the issue to him or to them of a certificate of improvements in respect of the claim or the portion thereof which he or they shall appear from the decision of the court rightly to possess.

When adverse claim affects only portion of ground.

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

ADDRESS FOR SERVICE.

Endorsations on application.

71. Every application for a mineral claim and every other application, and every transfer or assignment of a mineral claim, or of an interest therein, acquired under the provisions of this Act, shall contain, or shall have endorsed thereon, the place of residence and the post office address of the applicant, transferee or assignee, and his occupation; and no application, transfer or assignment shall be accepted or recorded unless it conforms with this provision.

WHAT ENTRY OR LEASE CONVEYS.

To what holder of mineral claim entitled.

72. The holder of a mineral claim, by entry or by lease, located on vacant Dominion lands shall be entitled to all minerals within the meaning of this Act found in veins, lodes or rock in place, and whether such minerals are found separate or in combination with each other in, upon or under the lands included in such entry or lease; together

Use of surface claim.

with the right to enter upon and use and occupy the surface of the claim, or such portion thereof and to such extent as the Minister may consider necessary, for the efficient and miner-like operation of the mines and minerals contained

Timber claims.

in the claim, but for no other purpose; including the right to cut free of dues such of the timber on the claim or such portion thereof as may be necessary for the working of the same, but not for sale or traffic, except where such timber has been granted or disposed of prior to the date of entry. The timber agent, however, may permit any person to cut and remove from the claim, timber for his own use for mining purposes, when such timber cannot otherwise be had within a reasonable distance, but no such permit shall convey the right to cut or remove timber required by the holder of the claim for his mining operations actually in progress.

Lease of whole or part of surface rights at $1 per acre per annum.

The Minister may, upon application, grant to the holder of a mineral claim, in good standing, located on vacant Dominion lands, and acquired by entry or by lease, a lease of the whole or any portion of the available surface rights of such mineral claim at a rental of one dollar an acre per annum, payable yearly in advance. The term of such surface lease shall not exceed the term of the record grant or lease issued for the minerals under this Act or former mining regulations, and shall be appurtenant to such grant:

Proviso as to termination of lease on three months' notice.

Provided that the Minister may at any time, by giving the lessee three months' notice in writing of his intention, terminate such surface lease, without compensation to the lessee for such termination or for any buildings or other improvements which he may have placed upon the location, but the lessee may be given the privilege of removing from

the location any such buildings and improvements, which may have been placed thereon by him. The lessee shall not assign, transfer or sublet the rights described in such surface lease, or any portion thereof, without the consent in writing of the Minister being first had and obtained.

When consent of Minister necessary.

Timber reserved until recorder certifies that some required in connection with mining operations.

73. The timber on a mineral claim shall, subject to the rights existing at the time of the application therefor, be reserved until the mining recorder certifies that the same is required for use in connection with mining operations actually in progress on such mineral claim, when the right to use such timber, or any portion thereof, free of dues, may be given the holder of such mineral claim by the Crown timber and land agent with the approval of the commissioner of the territory. The Commissioner, however, may authorize the timber agent to issue a permit to any person to cut and remove from such mineral claim timber required by him for his own use in mining operations when such timber cannot otherwise be obtained within a reasonable distance of the place of his mining operations.

When Commissioner may authorize timber agent to issue permit.

Effect of lease when prospecting rights reserved to Crown.

74. A lease of a mineral claim located on lands the surface rights of which have been disposed of but the right whereon to enter, prospect and mine for minerals has been reserved to the Crown, shall convey to the lessee the minerals within the meaning of these regulations found in veins or lodes, or rock in place, and whether such minerals are found separately or in combination with each other, which may be in, upon, or under the land described in the lease, but shall convey no right of entry upon such surface.

Lease conveys the minerals, but not the timber.

75. Where the mineral claim is located on land lawfully occupied under a timber license the lease shall convey the minerals within the meaning of these regulations found in veins or lodes, or rock in place, subject to the provisions of section fourteen of this Act, but shall reserve the timber.

When right to mine gold and silver reserved to the Crown.

76. A lease of a mineral claim located on lands the surface rights of which have been disposed of, but the right whereon to enter and mine gold and silver has been reserved to the Crown, shall convey to the lessee the right to the gold and silver found in veins or lodes, or rock in place, which may be in, upon, or under the land described in the lease, but shall convey no right of entry upon the surface.

Reserve to Crown right of way for works to convey water for mining operations.

77. A lease of a mineral claim issued under the provisions of this Act shall reserve to the Crown such right or rights of way and of entry as may be required under any law or regulation in that behalf now or hereafter in force in connection with the construction, maintenance and use of works for the conveyance of water for mining operations.

SURVEYS.

Survey within one year of notice from Minister.

78. The recorded owner of a mineral claim shall have a survey thereof made at his own expense by a duly qualified Dominion land surveyor under instructions from the Surveyor General within one year from the date upon which notification by the Minister of the Interior to do so may be sent to him. Such notification, however, shall not be given until the expiration of at least one year from the date upon which the claim was recorded. If the survey is not made, and if the returns of such survey are not received and approved by the Surveyor General within one year from the date of notification, the entry granted for the mineral claim shall be subject to immediate cancellation in the discretion of the Minister. The owner of a claim may, however, have such survey made at any time after obtaining record without any notification having been sent to him to do so.

If survey not made claim may be cancelled by Minister.

Cost of survey of claim in lieu of representation work.

79. The cost of a survey of a mineral claim, made in accordance with the provisions of paragraph *(c)* of section sixty-four of this Act, may be accepted in lieu of representation work on the claim for the year in which the survey is made; and the survey so made shall be accepted as definitely establishing the boundaries of the claim, provided that notice of such survey in form "J" of this Act is immediately inserted, for a period of not less than sixty days, in a newspaper published in or circulating in the district in which the claim is situated, such paper to be approved by the mining recorder, and provided further that the owner of the claim prior to the first appearance of this advertisement shall cause to be posted in a conspicuous spot on the claim, and in the office of the mining recorder for the district, a notice in the same form of his intention to advertise the survey of the claim, and also a copy of the plan of the survey prepared and certified correct, under oath, by a Dominion land surveyor, The survey shall be accepted as defining absolutely the boundaries of the claim surveyed, provided it remains unprotested during the period of publication, and provided it has been duly approved by the Surveyor General. If, however, within the time specified the survey is protested the protest shall be heard and decided upon by procedure similar to that provided for in section sixty-nine of this Act.

Publication for not less than sixty days.

Survey defining boundaries.

Proeedure.

Duties of surveyor.

80. The surveyor shall accurately define and mark the boundaries of such claim on the ground in full compliance with the instructions issued to him, and shall, on completion of survey forward to the Surveyor General at Ottawa the original field notes and plan signed and certified as accurate under oath. After a certificate of improvements has issued

in respect of any claim so surveyed, *prima facie* evidence of its location upon the ground may be given by any person who has seen and who can describe the position of such posts purporting to be marked as aforesaid.

When Dominion land surveyor may include fraction within the claim.

Proviso.

81. In case either post No. 1 or post No. 2 of a mineral claim be on the boundary line of a previously located claim, which boundary line is not at right angles to said location line, the Dominion land surveyor when making the survey may include the fraction so created within the claim which is being surveyed: Provided always that such fraction is available and open to disposal and that the claim including the fraction does not exceed in area fifty-one and sixty-five-one-hundredths acres.

Fractional claim to contain as nearly as possible all certain unoccupied ground.

82. A Dominion land surveyor when surveying a fractional mineral claim may survey such claim so that it shall contain as nearly as possible all the unoccupied ground lying between the previously located mineral claims as described in the affidavit and sketch furnished by the locator when the claim was recorded, provided that no side of a fractional claim so surveyed shall exceed one thousand five hundred feet in length, and provided also that the area of the claim as surveyed shall be less than fifty-one and sixty-five-one-hundredths acres.

Definite fixing of claim on plans of Department.

83. The surveyor shall, in the discretion of the Surveyor General, connect the survey of the claim with some known point in a previous survey, or with some other known point or boundary, so that the position of the claim may be definitely fixed on the plans of the Department.

Duty of surveyor and certificate.

84. It shall be the duty of the surveyor, before proceeding with the survey, to examine the application made for the claim and the plan which accompanied such application, and before completing the survey to ascertain by careful examination of the ground, or by all other reasonable means in his power, whether or not any other subsisting claim conflicts with the claim he is surveying, and he shall furnish with his returns of survey a certificate, duly signed by him, in the following form:—

Form of certificate.

I hereby certify that I have carefully examined the ground included in.....mineral claim surveyed by me, and have otherwise made all reasonable investigations in my power to ascertain if there was any other existing claim conflicting therewith, and I certify that I have found no trace or indication and have no knowledge or information of any such claim except as follows: (if none so state, if any give particulars.)

When posting and publication of notice sufficient.

85. Should the survey of a claim be made and advertised in the manner specified herein before the recorded owner of the claim has sufficiently complied with the regulations to admit of his applying for a certificate of improvements, then the posting and publication of notice of the survey of the claim in the manner indicated shall be accepted as satisfaction of the poting and advertising requirements of section sixty-four of this Act, but before a certificate of improvements shall be issued in connection with such a claim all the other requirements of section sixty-four shall be fully complied with.

TRANSFER OF A MINERAL CLAIM.

Conditions for validity of transfer.

86. No transfer of an entry for any mineral claim or of any interest therein, shall be effectual unless the same is in writing, signed by the transferrer, or by his agent authorized in writing, and recorded by the mining recorder; and, if signed by an agent, the authority of such agent shall be recorded before the record of such transfer. The assignment shall be in duplicate, signed by the assignor in the presence of a witness, who shall furnish proof of execution by affidavit, and when recorded the mining recorder shall return to the assignee one copy thereof with a certificate endorsed thereon that it has been recorded in his office, and retain the other copy.

Assignment in duplicate and other conditions required.

When record of entry lost, "substitutional" record supplied.

87. If the record of entry (form 'B') has been lost or destroyed, the mining recorder may, upon receipt of evidence to his satisfaction, supported by the affidavit of the recorded owner or owners, or one of them, if possible, that such is the case, and upon receipt of a fee of ten dollars issue a "substitutional" record of entry which shall be so marked, and which shall be as far as practicable a copy of the record of entry (form 'B') originally issued for such claim.

Documents of title may be recorded.

88. Any conveyance, bill of sale, mortgage or other document of title relating to a mineral claim for which entry has been granted under the provisions of this Act may be recorded with the mining recorder.

Assignments of whole or undivided interests of claim to be filed with Minister, with copy of lease.

89. After a lease of a mineral claim has been issued, assignments of the whole or of undivided interests in such claim shall be filed with the Minister, accompanied by the lessee's copy of the lease, but no such assignment shall be accepted or registered unless it is unconditional and its execution proved to the satisfaction of the Minister, and unless the law and regulations in respect of such claim have been fully complied with.

86. The Order in Council requires transfers to be under seal and unnecessary formality.

As to certificates of improvements.

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

When lease may issue to new holder of claim.

91. If a transfer shall be made to any person or company after a certificate of improvements shall have been issued, but before a lease has been prepared, upon proper proof of such transfer being made to the satisfaction of the Minister, and upon receipt of a new certificate in form 'I' of this Act, the lease may issue to the new holder of the claim.

Previous lien not invalidated by issue of lease.

92. The issue of the lease shall not invalidate any lien which may have attached to any mineral claim previous to the issuance of such lease.

ROYALTY.

Royalty reserved to and charged by Crown.

93. Such amount of royalty as shall be determined and fixed from time to time by order of the Governor in Council shall be reserved to and charged by the Crown on the sales of all minerals produced from mineral claims whether such claims are held under location, grant, entry, record, lease, certificate of title or otherwise. Such royalty shall be collected as directed by the Minister.

Rates of royalty and values placed on minerals.

The values placed on minerals and rate of royalty thereon as determined by Order in Council dated the 6th March, 1922, P.C. 447, namely, royalty at two and one-half per centum on

Gold, valued at $15 an ounce, royalty, 37½ cents an ounce;

Silver, valued at 60 cents an ounce, royalty, 15 mills an ounce;

Copper, valued at 12 cents a pound, royalty, 30 cents a hundredweight;

Zinc, valued at 4 cents a pound, royalty, 10 cents a hundredweight;

Lead, valued at 4 cents a pound, royalty, 10 cents a hundredweight;

and on all other minerals and metals two and one half per centum on the value thereof shall be and remain the rate and respective values until the same or any of them are altered by Order in Council and the exemption of certain minerals from royalty-charges shall be for the period and in accordance with the terms of orders in council relating thereto.

Exemption of certain minerals from royalty charges.

TERM OF LEASE AND RENTAL.

Twenty-one years' leases and renewals.

94. Leases of mineral claims and of iron and mica claims shall be for a term of twenty-one years, renewable

93. Power to fix values of minerals for the purpose of charging royalty thereon, to fix the rate of royalty, and to give exemptions is left in the hands of the Governor in Council, as costs of operation and market value of minerals except gold are fluctuating.

for a further term of twenty-one years, provided the lessee furnishes evidence to the satisfaction of the Minister that during the term of the lease he has complied in every respect with the conditions of such lease and with the provisions of the law and regulations, and renewable for additional periods of twenty-one years on such terms and conditions as may be prescribed by the Governor in Council.

Fees and rentals.

95. The fees and rentals to be charged and paid under this Act shall be as set out in Schedule two of this Act.

Right to claim lapses when fee and rental not duly paid.

96. In case payment of the rental and fee for the first term of twenty-one years is not made within the period of three months from the date of the certificate of improvements, or in case payment is not made of the rental for the renewal term within three months from the date upon which it becomes due, then all right to the claim or to a lease thereof, or to a renewal of such lease, shall absolutely lapse without any declaration of cancellation or forfeiture on the part of the Crown, and such claim and rights shall immediately be and become re-vested in the Crown.

Form of lease.

97. The lease shall be in such form as may be determined by the Minister, in accordance with the provisions of this Act.

ARBITRATION.

Permission of Minister necessary for entry in certain cases.

98. In case the surface rights of a mineral claim are covered by a timber license, or by a petroleum, grazing or coal mining lease, or any other form of a terminable grant the lease shall not authorize entry thereon, without the permission of the Minister being first had and obtained, and such permission shall be given subject to such conditions for the protection of the rights of such lessee or licensee as it may be considered necessary to impose.

Permission of Minister to submit case to arbitration.

99. In case the surface rights of a mineral claim have been patented, or have been disposed of by the Crown under any act or regulation which contemplates the earning of patent for such surface rights, and the holder or lessee of the mineral claim cannot make an arrangement with the owner of such surface rights, or with his agent, or the occupant thereof, for entry upon the location, or for the acquisition of such interest in the surface rights as may be necessary for the efficient and economical operation of the rights acquired under his record or lease, he may, provided the mineral rights in the land affected with access thereto and the right to use and occupy such portion of the land as may be necessary for the effectual working of the minerals therein have been reserved to the Crown in the original

97. By Order in Council it is provided that all ores and minerals mined from properties held under such orders in council must be refined and treated within Canada so as to yield refined metal or other product suitable for direct use in the arts without further treatment, in default of which the grant or lease of the property became null and void and the land open for re-location. This has been found to be ill advised and has been from time to time suspended by other orders in council. The provision is dropped from this Act.

grant of the surface rights) apply to the Minister for permission to submit the matter in dispute to arbitration. Upon receiving such permission in writing it shall be lawful for the holder or lessee to give notice to such owner, or his agent, or the occupant, to appoint an arbitrator, within a period of sixty days from the date of such notice to act with another arbitrator named by the holder or lessee, in order to determine what portion of the surface rights the holder or lessee may reasonably acquire—

Notice to appoint arbitrator within sixty days.

(a) For the efficient and economical operation of the rights and privileges granted him under his record or lease;

(b) The exact position thereof; and

(c) The amount of compensation to which the owner or occupant of the surface rights shall be entitled.

Form of notice prescribed by gold Commissioner.

Personal service.

When notice sent by registered letter.

Notice ten or twenty days.

100. The notice mentioned in this section shall be according to a form prescribed by the Gold Commissioner to be obtained upon application to the mining recorder for the district in which the land in question is situated, and shall, when practicable, be personally served on the owner of such land, or his agent, if known, or the occupant thereof, and after reasonable efforts have been made to effect personal service without success, then such notice shall be served by leaving it at or sending it by registered mail to the last-known place of abode or address of the owner, his agent or occupant, and by posting a copy of the same in the office of the mining recorder for the district in which the land in question is situate. Such notice shall be ten days if the owner or his agent resides in the district in which the land is situate, if out of the district and in the territory, twenty days, and if out of the territory, thirty days, before the expiration of the time limited in such notice. If the owner, or his agent, or the occupant of the land refuses or declines to appoint an arbitrator, or when, for any reason, no arbitrator is so appointed in the time limited therefor in the notice provided for by this section, the mining recorder for the district in which the land in question is situate shall forthwith, on being satisfied by affidavit that such notice has come to the knowledge of such owner, agent or occupant, or that such owner, agent or occupant, wilfully evades the service of such notice, or cannot be found, and that reasonable efforts have been made to effect such service, and that the notice was left at the last place of abode or known address of such owner, agent or occupant as above provided, appoint an arbitrator on his behalf.

When recorder appoints arbitrator.

Appointment of third arbitrator.

101. In case two arbitrators cannot agree upon the award to be made, they may, within a period of ten days from the date of the appointment of the second arbitrator select a third arbitrator, and when two such arbitrators

cannot agree upon a third arbitrator, the mining recorder for the district in which the land in question is situate shall forthwith select such third arbitrator.

Arbitrators to be sworn.

102. All the arbitrators appointed under the authority of this Act shall be sworn before a justice of the peace, or a commissioner for taking affidavits, to the impartial discharge of the duties assigned to them, and after due consideration of the rights of the owner and the needs of the lessee, or holder of the mineral claim, they shall decide as to the particular portion of the surface rights which the latter may reasonably acquire for the efficient and economical operation of the rights and privileges granted him under his lease, or entry, the area thereof, and the amount of compensation therefor to which the owner or occupant shall be entitled.

How valuation made.

103. In making such valuation the arbitrators shall determine the value of the land irrespective of any enhancement thereof from the existence of minerals thereunder.

Award of arbitrators final.

104. The award of any two such arbitrators made in writing shall be final, and shall be filed with the mining recorder for the district in which the land is situate within twenty days from the date of the appointment of the last arbitrator. Upon the order of the Minister the award of the arbitrators shall immediately be carried into effect.

Arbitrators' fees.

105. The arbitrators shall be entitled to be paid a per diem allowance of five dollars together with their necessary travelling and living expenses, while engaged in the arbitration, and the costs of such arbitration shall be in the discretion of the arbitrators.

ADMINISTRATION OF THE ESTATES OF DECEASED OR INSANE MINERS.

When owner of claim for which lease has not been issued dies or becomes insane.

106. If the owner of a claim for which a lease has not yet been issued, or if the owner of an interest, in such a claim dies, or is adjudged to be insane, the provisions of this Act as to forfeiture for non-performance of work, or non-payment of assessment shall not apply except as hereinafter provided, in the first case, either during his last illness or after his decease, and in the second case, either after he has been adjudged so insane, or, if it appears that the neglect or omission on account or by reason of which such claim would otherwise have been deemed to be forfeited was attributable to his insanity, then during such period prior to his having been adjudged insane as he may have been shown to have been insane.

Commissioner to limit period of exemption from Act.

107. The commissioner may limit the period during which all or any interest in any mineral claim, the property of such deceased or insane person shall be exempt from the provisions of this Act, which require annual performance of work and payment of fees, and may fix the date upon which the same shall again become subject to all the provisions of these regulations.

At termination of period fixed claim becomes subject to Act.

108. At the termination of the period fixed the claim shall become subject to all the provisions of this Act, and if such provisions are not complied with the title thereto shall be absolutely forfeited in the event of the estate of such deceased person being the sole owner of the claim, and the same shall forthwith be open for re-location without any declaration of cancellation or forfeiture on the part of the Crown. In the event, however, of such an estate being a co-owner, the interest of the estate shall upon the termination of such period of exemption *ipso facto* become vested in the other co-owners who have complied with the regulations, in proportion to their respective interests.

Extension of period.

109. The commissioner, may by order from time to time, extend the period of such exemption as the necessity of the case may in his opinion demand, provided that in the case of deceased persons the period during which such exemption shall apply shall not extend beyond three years from the date of the death of the deceased.

Public administrator to take possession of property.

110. If there is no other legal representative of the estate of any such deceased or insane person, the commissioner may cause the public administrator of such responsible officer as he may name, to take possession of such property and administer the same subject to the provisions of any ordinance in force respecting the administration of the estates of deceased or insane persons in the Territory.

Co-owner not exempt.

111. No exemption of the interest of a deceased or insane owner in any claim shall apply to or exempt any co-owner's interest from the provisions of these regulations, as to the annual performance of work and payment of fees, and the rights of such co-owners shall be continued, provided they do or cause to be done the prescribed representation work and pay the prescribed fees necessary in connection with those interests not exempted from performance of work and payment of fees.

When interest of co-owner vested in estate.

112. Where the estate of the deceased or insane person owns an interest in a claim, and the co-owners who are required to perform work and pay fees have, during the period of such exemption, failed to perform the work

required to be done thereon, the interest of such co-owners may, upon such failure being proved to the satisfaction of the mining recorder, after notice of hearing has been served upon all persons interested in the manner prescribed by him, be vested by order of the mining recorder in such estate.

Recording of assignment within two months in certain cases.

113. Any person receiving from the public administrator or other legal representative of the estate of a deceased or insane person an assignment of a claim that has been exempted from the provisions of this Act as to performance of work and payment of fees, because of the death or insanity of the owner thereof, shall record such assignment within two months from the date thereof, and after the assignment has been recorded the claim shall again become subject to all the provisions of this Act. If the assignment is not so recorded the provisions exempting such claim shall cease to apply and the claim shall, at the expiration of the said two months, become absolutely forfeited and shall be open to re-location and entry.

Forfeiture of claim.

When co-owners required to perform work and pay fees.

114. Any person receiving from the public administrator, or other legal representative of the estate of a deceased or insane person, an assignment of an interest in a claim which has been exempted from the provisions of these regulations as to performance of work and payment of fees, because of the death or insanity of the owner thereof, and on which the other co-owner or co-owners are required to perform work and pay fees, shall within two months from the date of such assignment, record the same and comply with the provisions of this Act in respect of representation from the day of the recording of such transfer. If the assignment is not so recorded, and if the Act is not otherwise complied with, the interest in question shall thereupon *ipso facto* become vested in the other co-owner or co-owners in proportion to their respective interests. If the co-owners who are required to perform work and pay fees have failed to do so, the interest of such co-owner or co-owners may, upon such failure being proved to the satisfaction of the mining recorder after notice of hearing has been served upon all persons interested, become vested in the co-owner who has acquired the interest of the estate in such claim, and who may have complied with the provisions of this Act.

When interest vested in other co-owners.

MILL SITES.

When Minister may grant lease for mill-site.

115. The Minister may, in his discretion, grant a lease of a tract of available, unoccupied and unreserved Crown land, not known to contain mineral or commercial value and not exceeding five acres in area, as a mill-site. Lands

valuable for water-power purposes shall not be open to lease for this purpose except by authority of the Governor in Council.

Marking, surveying and form of mill-site.

116. The mill-site shall be marked on the ground and surveyed in the same manner as a mineral claim, and shall be as nearly as possible in the form of a square, the boundaries being due north and south and due east and west lines. The term of the lease shall be for such period as the Minister may decide, and the rental shall be at the rate of one dollar an acre per annum, payable yearly in advance from the date of application.

Cancellation of lease for non-user.

117. In case the mill-site is not utilized as such to the satisfaction of the Minister, within three years from the date of the lease, such lease shall be subject to cancellation in the discretion of the Minister.

TUNNELS AND DRAINS.

Tunnels and drains for working of claim.

118. Any holder of a mineral claim by entry or by lease may, in the discretion of the mining recorder, obtain permission to run a drain or tunnel for drainage or any other purpose connected with the development or working of such claim or mine through any occupied or unoccupied lands, whether mineral or otherwise, upon security being first deposited or given to such mining recorder to his satisfaction for any damage that may be done thereby, and upon such other terms as he shall think expedient.

WATER RIGHTS.

Water right for mining or milling purposes.

119. The holder of a mineral claim or of any mill-site may obtain a grant to a water right of any unappropriated water for any mining or milling purposes under the provisions of the *Yukon Placer Mining Act*, or under the provisions of the regulations for the disposal of water for power purposes, according to the purpose for which the water is to be used.

MISCELLANEOUS.

Injury to claim.

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

Penalty for infraction.

116. The Orders in Council made the term of lease of mill-site concurrent with the lease of mineral claim in connection with which mill-site was applied for. This provision is dropped as a mill-site is not necessary in connection with any particular claim, but may serve a whole district or many claims as a custom mill.

This section shall not deprive any person of rights to damages.

Certain rights saved.

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

Affidavits and declarations.

122. Affidavits and declarations made under the provisions of this Act may be made before any persons duly authorized to administer an oath or declaration.

Entry and examination.

123. The Minister, Gold Commissioner, Mining Recorder or any one deputed by any of them, shall have the right to enter into or upon and examine any mineral claim or mine.

Rights of authorities saved.

124. Nothing herein contained shall be construed to limit the right of the proper authorities to lay out, from time to time, public roads across, through, along or under any ditch, mill-site, water right or mineral claim.

Pending litigation not affected.

125. Nothing herein contained shall affect any litigation pending at the time of the passage of this Act.

SCHEDULE ONE.

FORMS IN CONNECTION WITH YUKON QUARTZ MINING ACT.

FORM 'A' (Section 41)

Application for a Full Claim.

Mining District

I,....., of....., in the..... Mining District, make oath and say:—

1. On the.....day of.....,19...., I located the.....mineral claim situated (here describe the position of the claim as nearly as possible, giving the name or names of any mineral claim or claims it may join).

2. I have placed location posts No. 1 and No. 2 of the legal dimensions on the said claim with the inscription on each post prescribed by Yukon Quartz Mining Act.

A. Order in Council of March 14th, 1924, although rescinding the order in council requiring a statement on oath from applicant, omits to alter the form of application to comply with the new order. This Form "A" is in accordance with the law as it now is, and will be in the enactment of this measure.

3. I have inscribed on location post No. 1 the following words:—

4. I have inscribed on location post No. 2 the following words:—

(If a witness post has been used the particulars as to such post should be fully set out).

5. That I have marked the line between post No. 1 and post No. 2 as required by section 29 of this Act.

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

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

8. I attach hereto a plan of the location as required by section 32 of Yukon Quartz Mining Act.

Sworn and subscribed to at.....this .....day of.....19.... .....

FORM 'A-1' (Section 41)

Application for Fractional Claim.

Mining District.

I,....., of.....in the..... Mining District, make oath and say:—

1. On the.....day of.....19....., I located the fractional mineral claim..... situated.....

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

3. I have placed posts of the legal dimensions (here enumerate each of the posts placed on the ground in locating the claim) with the prescribed inscription on each post.

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

5. I have inscribed on location post No. 2 the following words:—

6. I have inscribed on my post at the intersection with the.....mineral claim the following words:—

A1. Order in Council of March 14th, 1924, although rescinding the order in council requiring a statement on oath from applicant, omits to alter the form of application to comply with the new order. This Form "A1" is in accordance with the law as it now is, and will be in the enactment of this measure.

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

7. That the length of the location line is approximately .....feet.

8. That I have marked the line between post No. 1 and post No. 2 in the manner prescribed by section 29 of Yukon Quartz Mining Act.

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

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

Sworn and subscribed to at.....this .....day of.....19....

FORM "B" (Sections 40, 87).

Record of a Mineral Claim.

Mineral Claim.

Located by.....of..... from whom I have this day received the sum of $10, being the fee prescribed by Yukon Quartz Mining Act for recording a mineral claim.

The claim is situated.....

The direction of the line from post No. 1 to post No. 2 is.....

The distance in feet is.....

(If a witness post has been used the particulars as to such post to be fully set out.)

The claim was located on the.....day of ..... 19..

Recorded this.....day of.....19..

Mining Recorder.

FORM "C" (Section 54).

Application for a Certificate of Work.

Affidavit.

I, ..., of....., in the District of.....make oath and say:—

That I have done or caused to be done work on the .....mineral claim, situate at..... in the.....Mining District, to the value of at least $100, since the.....day of.....19..

The following is a detailed statement of such work....

.....

(Set out full particulars of the work done in the twelve months in which such work is required to be done, as shown by section 54).

Sworn and subscribed to at.....this..... day of.....19..

.....

FORM "D" (Section 54).

Certificate of Work.

.....(Name of Claim)..... Mineral Claim.....

This is to certify that an affidavit setting out a detailed statement of the work done on the above claim since the .....day of..... 19.. made by ..... has this day been filed in my office, and in pursuance of the provisions of the Yukon Quartz Mining Act I do now issue this certificate of work in respect of the above claim to.....

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

Mining Recorder.

FORM "E" (Section 53).

Certificate in cases of Partnership that annual expenditure may, after recording claims, be made on any one of the claims affected by such partnership.

Mining District.

This is to certify that in accordance with the provisions of section 53 of Yukon Quartz Mining Act, the registered owners, or agents of the owners, of the following mineral claims have filed a notice of their intention to work such claims in partnership:—

dated at..... this.....day of.....19..

Mining Recorder.

FORM "F" (Section 64).

Certificate of Improvements.

Mineral Claim.

This is to certify that....., of..... in the..... Mining District, has proved to my satisfaction that he has complied with all the provisions of Yukon Quartz Mining Act, to entitle him to a certificate of improvements in respect of the.....mineral claim, situate at.....in the..... Mining District, and in pursuance of the provisions of the said Act I do now issue this certificate of improvements in respect of the above claim to.....

Dated.....

Mining Recorder.

This certificate will become void unless the prescribed rental is paid within three months from its date.

(Form may be altered to suit circumstances.)

FORM "G" (Section 64 *(d)*).

Notice.

Mineral Claim.

Situate in the..... Mining District

Where located.....

Take notice that I....., intend, sixty days from the date hereof, to apply to the mining recorder for a certificate of improvements, for the purpose of obtaining a lease of the above claim.

And further take notice that action, under section 69 of Yukon Quartz Mining Act must be commenced before the issuance of such certificate of improvements.

Dated this.....day of....., 19..

FORM "H" (Section 64 *(g)*).

Application for Certificate of Improvements.

Applicant's Affidavit.

I, ..., of..... in the..... Mining District, make oath and say:—

1. I, ... am the recorded holder and am in undisputed possession of the ..... Mineral Claim, situated at ..... in the .....Mining District.

2. I, ... have done or caused to be done work on the said claim in developing a mine to the value of at least $500, full (*) particulars whereof are hereto annexed and marked (A).

3. I, ... found mineral in place within the limits of the said claim.

4. I, ... had the claim surveyed by ..... who has made plans of the said claim.

5. I, ... placed one plan on a conspicuous part of the land embraced in such plan on the..... day of ..... 19..

6. I, ... posted a copy of the notice hereunto annexed and marked "B" at the same place as said plan is posted on the ..... day of..... 19.., and another copy in the mining recorder's office, at ..... on the ..... day of .....19.., which said notice and plan have been posted and have remained posted for at least sixty days concurrently with the publication of the said notice in the nearest local newspaper (to be named).

---

7. I,.....inserted a copy of the said notice in the.....,* a Canadian newspaper published in and circulating in the district, or in a Canadian newspaper published nearest to and circulating in the district in which the claim is situated where it first appeared on the.....day of.....19.. and was continuously published for sixty days.

8. I,.....deposited a copy of the plan in the mining recorder's office at..... on the.....day of.....19.., and it remained there for reference for sixty days concurrently with the publication of the said notice in the newspaper.

Sworn and subscribed to at.....this..... day of.....19..

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

FORM "I" (Section 64 *(h)* and 91).

Mining Recorder's Certificate.

.....Mining District.
.....Mineral Claim.

Date located.....Date recorded.....

I hereby certify that.....has published a notice of his intention to apply for a certificate of improvements (or that he has published a survey notice form "J") for sixty days in the.....newspaper from the.....day of.....19...,
a copy of which notice is attached; that during the above period a notice in accordance with the provisions of Yukon Quartz Mining Act has been posted and a copy of the plan of the said claim deposited for reference in my office; and that no notice of any action having been commenced against the issuance of a certificate of improvements, or against the acceptance of the survey as defining absolutely the boundaries of the claim, has been filed in this office.

The recorded owner of the claim at this date is.....
.....

Dated.....19..

Mining Recorder.

FORM "J" (Section 79).

Survey Notice.

.....Mineral Claim.

Situated in the.....Mining District.
Where located.....

Take notice that a survey has been made of the above mineral claim under instructions from the Surveyor General, and that at the termination of sixty days from the date of this notice the said survey shall be accepted as defining absolutely the boundaries of the said claim, unless in the meantime it is protested, as provided in section 69 of Yukon Quartz Mining Act.

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

SCHEDULE TWO.

Fees.

1.	Recording mineral claim	$ 10 00
2.	For a substitutional record	10 00
3.	Application for a lease and issue of same	10 00
4.	Recording every certificate of work	5 00
5.	For a certificate of improvements	5 00
6.	For a certificate of partnership	5 00
7.	Recording assignments, abandonments, affidavits, or any other document	2 50
	If document affects more than one claim, for each additional claim	1 00
8.	For granting period of six months within which to record	4 00
9.	For an abstract of the record of a claim:	
	For the first entry	4 00
	For each additional entry	0 50
10.	For copies of any documents recorded where same do not exceed three folios	4 00
	Where such copies exceed three folios, 30 cents per folio for every folio over three.	
11.	For recording a power of attorney to stake from one person	4 00
12.	For recording a power of attorney to stake from two persons	8 00
13.	For recording an assignment of a quartz mining lease	3 00
14.	Rental, whole or fractional mineral claim granted under lease for term of 21 years	50 00
15.	Rental for renewal term of 21 years	200 00
16.	Rental iron and mica claim as defined by Section 18	150 00
17.	Rental for renewal term of 21 years iron and mica claim	600 00

When powers of attorney to stake and permission to record within six months relate to placer mining claims also, the fees prescribed by the Placer Mining Act and Regulations shall be collected in addition to the fee prescribed by these regulations.

7. This is a reduction from a fee of $4.00. Item 7 in the Order in Council reads as follows: "Recording assignments, abandonments, affidavits or any other document, $4.00."

Under this latter one amount of $4.00 only is legally collectible. Under item 7 in this Bill a fee of $1.00 for each mineral claim affected by the document in addition to one is collectible.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 6.

An Act respecting Quartz Mining in the Yukon Territory.

AS PASSED BY THE HOUSE OF COMMONS,
17th JULY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75754 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 6.

An Act respecting Quartz Mining in the Yukon Territory.

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

Application.

Short title.

1. This Act shall be applicable only to minerals defined as such on Dominion lands, situate within the Yukon Territory and may be cited as *The Yukon Quartz Mining Act.*

INTERPRETATION.

Definitions.

"Adjoining claims."

"Cause."

"Commissioner."

"Department."

'Ditch."

"Document."

"Entry."

"Full claims."

"Gold Commissioner."

"Judgment."

"Legal post."

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

(a) 'Adjoining claims' means those which come into contact one with the other at some point on the boundary lines, or which share a common boundary;

(b) 'Cause' includes any suit or action;

(c) 'Commissioner' means the Commissioner of the Yukon Territory or such person as shall for the time being be invested with and have the powers of the Commissioner of the Yukon Territory;

(d) 'Department' means the Department of the Interior;

(e) 'Ditch' includes flume, pipe, race, or other artificial means for conducting water by its own weight, to be used for mining purposes;

(f) 'Document' means any assignment, transfer bill of sale or other writing, which may in any way affect the title of a mineral claim;

(g) 'Entry' means not only the record of a claim in the books of the mining recorder, but also the grant which may be issued for such claim;

(h) 'Full Claim' means any mineral claim of the full size;

(i) 'Gold Commissioner' means the officer so named, appointed under the *Yukon Placer Mining Act;*

(j) 'Judgment' includes 'order' or 'decree';

(k) 'Legal post' means a stake or post of any kind of sound timber of sufficient length so that when firmly planted in the ground in an upright position, not less than four feet of such post shall be above ground. The post must be of such diameter that when squared

Explanatory Note.

1. The object of this Bill is to consolidate and express in an Act of Parliament the laws and regulations governing quartz or lode mining in Yukon Territory. At present these regulations are contained in a large number of Orders in Council and are subject to change without notice. This causes confusion. The proposed Act entails no radical change in the law or administration. Its chief object is to settle the law and put it on a sound and intelligible basis.

The regulations as at present in force are those approved by Order in Council dated 25th May, 1917, amended by Orders in Council dated 23rd June, 1919; 25th June, 1920; 29th September, 1920; 6th January, 1921; 8th March, 1921; 4th April, 1921; 20th August, 1921; 17th December, 1921; 6th March, 1922; 5th June, 1922; 20th September, 1922; 14th February, 1924.

(i) "Gold Commissioner" is referred to in the Orders in Council, but there is no authority for such an officer in the Orders in Council and nothing to define what the term means.

or faced for eighteen inches from the top end, each face of the squared or faced portion shall not be less than four inches in width across the face for the full eighteen inches, or if a tree of suitable size is found in position, it may be made into a post by cutting the tree off not less than four feet from the ground, and squaring and facing the upper eighteen inches, each face of the portion so squared or faced to be not less than four inches in width. Whether a post is planted or a stump of a tree made into a post, a mound of stones or earth shall be erected around the base of the post, such mound of earth or stones to be not less than three feet in diameter on the ground, and not less than eighteen inches high, cone-shaped and well constructed;

"Building stone not a mineral."

(l) 'Limestone, marble, clay, gypsum, or any building stone when mined for building purposes, earth, ash, marl, gravel, sand, as well as any element which may, in the opinion of the Minister, form a portion of the agricultural surface of the land, shall not be considered as mineral within the meaning of this Act;

"Location line."

(m) 'Location line' means a straight line opened or indicated throughout between No. 1 and No. 2 location posts of mineral claim, and joining them;

"Mill-site."

(n) 'Mill-site' means a plot of ground located, as defined by this Act, for the purpose of erecting thereon any machinery or other works for transporting, crushing, reducing or sampling ores, or for the transmission of power for working mines;

"Mine."

(o) 'Mine' means any land in which any vein, lode, or rock in place, shall be mined for gold or other minerals, precious or base, as defined in this Act;

"Mineral."

(p) 'Mineral' means all deposits of gold, silver, platinum, iridium, or any of the platinum group of metals, mercury, lead, copper, iron, tin, zinc, nickel, aluminum, antimony, arsenic, barium, bismuth, boron, bromide, cadmium, chromium, cobalt, iodine, magnesium, molybdenum, manganese, phosphorus, plumbago, potassium, sodium, strontium, sulphur, (or any combination of the aforementioned elements with themselves or with any other elements), quartz, metallic oxides and silicates, and the ores of radium, tungsten, titanium and zirconium, asbestos, emery, mica, mineral pigments, corundum and diamonds;

"Mineral claim or location."

(q) 'Mineral claim' or 'location' means a plot of ground staked out and acquired under the provisions of this Act;

"Mining district."

(r) 'Mining District' means the mining districts into which Yukon Territory is divided under authority of the *Yukon Placer Mining Act;*

"Mining property."

(s) 'Mining property' includes every mineral claim, ditch, mill-site, or water right used for mining purposes,

(r) Although mining districts are referred to in the Orders in Council there is no explanation of the meaning of the term. Under the Yukon Placer Mining Act there is authority for creating mining districts.

and all other things belonging to a mine or used in the working thereof;

"Mining recorder." *(t)* 'Mining recorder' and 'mining recorder's agent' mean respectively the agent of Dominion lands for a district or other officer appointed by the government or gold commissioner, for the particular purpose referred to;

"Minister." *(u)* 'Minister' means the Minister of the Interior of Canada;

"Record," "register," "registration." *(v)* 'Record', 'register' and 'registration' shall have the same meaning, and shall mean an entry in some official book kept for that purpose;

"Representation." "Assessment." *(w)* 'Representation' or 'assessment' means the work to be done, or the payment to be made each year to entitle the owner of a claim to a certificate of work;

"Rock in place." *(x)* 'Rock in place' means all rock in place bearing valuable deposits of mineral within the meaning of this Act;

"Saline solution," brine." *(y)* 'Saline solution' or 'brine' for the purpose of this Act means an aqueous solution of mineral salts occurring in a natural state, and containing more than one per cent of mineral salts in solution;

"Territory." *(z)* 'Territory' means the Yukon Territory;

"Vein," "lode." *(aa)* 'Vein' or 'lode',—Whenever either of these terms is used 'rock in place' shall be deemed to be included.

DUTIES OF MINING RECORDER.

Books to be kept by mining recorder. **3.** Every mining recorder shall keep the following books, to be used for quartz entries:—

(a) Record of applications;

(b) Record of leases issued;

(c) Record book; and

(d) Record of documents received.

Date of entry. **4.** Every entry made in any of the mining recorder's books shall show the date upon which such entry is made.

Inspection of books free. **5.** All books of record and documents filed shall, during office hours, be open to public inspection free of charge.

Monthly statement. **6.** A statement of the grants issued and fees collected shall be rendered to the Minister by the mining recorder at least every month, and such statement shall be accompanied by the amount collected, or, if the money has been deposited to the credit of the Receiver General by the deposit receipts.

Relocation of claims. **7.** If a mineral claim has been abandoned or forfeited by any person, the mining recorder may, in his discretion, permit such person to relocate such mineral claim or any

6. The Orders in Council required a statement to be rendered by the mining recorder, but failed to state to whom it should be made.

part thereof: Provided that such relocation shall not prejudice or interfere with the rights or interests of others.

Notice of relocation.

8. No claim shall be so relocated by or on behalf of the former holder thereof within thirty days of its being so abandoned or forfeited, nor until after notice of such abandonment or forfeiture has been posted up for at least a week in a conspicuous place on the claim and in the office of the mining recorder, nor until a statutory declaration has been filed with the mining recorder that the notice has been so posted.

Marking out space for deposit of material.

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

Power of recorder as to safety of public, etc.

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

Change of name.

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

WHERE AND BY WHOM CLAIMS MAY BE ACQUIRED.

Where and by whom claims may be acquired.

12. Every person eighteen years of age, or over, but not under, shall have the right personally, but not through another except as provided in section forty-seven of this Act, to enter, locate, prospect, and mine upon any vacant Dominion ands in Yukon Territory, for the minerals defined in this Act, and upon all lands the right whereon so to enter, prospect and mine such minerals has been, or hereafter shall be reserved to the Crown.

Exceptions.

13. Excepting, however, any land occupied by any building, and any land falling within the curtilage of any dwelling house, and any land valuable for water-power purposes, or for the time being actually under cultivation, unless with the written consent of the owner, lessee or locatee or of the person in whom the legal estate therein is vested, and any land on which is situated any church or

9. The Order in Council provides that the mining recorder may mark out a space of ground for deposit of "leavings and deads," ambiguous words, but gives him no power to impose terms.

cemetery, and any land lawfully occupied for mining purposes, and excepting also Indian Reserves, Dominion Forest Parks and military, naval, quarantine, or other like reservation made by the Government of Canada, except as provided by section fourteen hereof.

Security and compensation.

14. No person shall enter upon for mining purposes or shall mine upon lands owned or lawfully occupied by another until he has given adequate security, to the satisfaction of the mining recorder, for any loss or damage which may be thereby caused, and persons so entering, locating, prospecting or mining upon any such lands shall make full compensation to the owner or occupant of such lands for any loss or damage so caused, such compensation, in case of dispute, to be determined by a court having jurisdiction in mining disputes.

SIZE OF CLAIMS AND NUMBER WHICH MAY BE ACQUIRED

Size of claims and priority of right.

15. Any person desiring to locate a mineral claim shall, subject to the provisions of this Act with respect to land which may be located for such purpose, enter upon the same and locate a rectangular plot of ground not exceeding one thousand, five hundred feet in length by one thousand five hundred feet in breadth. Priority of location shall be deemed to convey priority of right to claims located, but no locator shall have any prior rights unless and until he has located his claim in accordance with the provisions of this Act. Priority of right, however, shall in all cases be subject to the claim being recorded within the delays specified in this Act, and subsequently maintained in good standing. All angles shall be right angles, except in cases where a boundary line of a previously located claim is adopted as common to both locations. In defining the size of a mineral claim it shall be measured horizontally, irrespective of the inequalities of the surface of the ground.

Horizontal measurement.

Fractional mineral claims.

16. Any person of the prescribed age desiring to locate a fractional mineral claim shall, subject to the provisions of this Act with respect to land that may be located for such purpose, enter upon the same and locate any plot of ground lying between and bounded on opposite sides by previously located mineral claims and measuring less than one thousand five hundred feet in length by one thousand five hundred feet in breadth as a fractional mineral claim; such fractional mineral claim need not be rectangular in form and the angles need not necessarily be right angles, and the lines of the previously located mineral claims, whether surveyed or not, between which the fractional mineral claim is located, may be adopted as the boundaries of the fractional mineral claim.

15. The Order in Council provides that to locate a mineral claim the applicant must have discovered mineral in place. This in most cases is an impossibility, and although the form of application included an oath that mineral in place had been discovered the statement was usually untrue and was passed over. This section and the new form eliminates the perjury. By Order in Council passed February 14, 1924, appearing in *Canada Gazette* of March 15th, since this Bill was printed, the above objectionable feature has been eliminated, and the provisions of this section are in accord with said Order in Council.

Twenty days between locations.

17. Any person having located and recorded a mineral claim under the provisions of this Act shall not have the right to locate another claim in the same mining district, either in his own name or in the name of any other person, for his benefit, for a period of twenty days from the date of such location.

Iron and mica.

18. The Minister may grant a location for the mining of iron and mica, not exceeding one hundred and sixty acres in area, which shall be bounded by due north and south and east and west lines, and its breadth and length shall be equal. Provided that should any person making any application purporting to be for the purpose of mining iron or mica thus obtain possession of a valuable mineral deposit other than iron or mica, his right to such deposit shall be restricted to the area hereinbefore prescribed for other minerals, and the rest of the location in so far as such valuable deposit is concerned, shall thereupon remain in the Crown for such disposition as the Minister may direct.

Proviso.

Surface not included.

19. The grant issued for such a location shall include the right to the iron and mica only, and shall not include the surface.

Location and survey of other claims.

20. All the requirements of this Act as to the location and survey of other claims shall govern such locations as far as they can be made to apply, and provided also that the amount to be expended each year in representation work, or to be paid in lieu thereof, shall be double the amounts prescribed in sections fifty-four and fifty-five of this Act.

Double amounts.

HOW A CLAIM SHALL BE STAKED.

Posts, location line, distances.

21. Every claim shall be marked on the ground by two legal posts firmly planted in the ground, one at each extremity of the location line, which shall be known as location post No. 1 and location post No. 2. The location line may have any bearing or direction, but must be a straight line measured horizontally between the location posts. The distance between post No. 1 and post No. 2 shall not exceed one thousand five hundred feet, but it may be less.

Inscriptions.

22. The inscriptions to be placed on these posts shall be and remain clearly and legibly marked by knife, marking iron or crayon.

Marking on location post No. 1.

23. On location post No. 1 on the side facing in the direction of location post No. 2 shall be marked, beginning near the top of the portion faced and extending downward, the following:—

(1) No. 1;
(2) The name given to the claim;
(3) The letter indicating the direction of location post No. 2—"N" for north or northerly, "S" for south or southerly, "W" for west or westerly, and "E" for east or easterly;
(4) The number of feet lying to the right and the number of feet lying to the left of the location line—"R" for right and "L" for left;
(5) The month and date of the month upon which the location was made;
(6) The year;
(7) The name of the person locating the claim.

Marking on location post No. 2.

24. On location post No. 2 shall be marked on the side of that post facing in the direction of location post No. 1, beginning near the upper end of the portion faced and extending downward, the following:—

(1) No. 2;
(2) The name given to the claim;
(3) The month and date of the month upon which the location was made;
(4) The year;
(5) The name of the person locating the claim.

Stand of locator.

25. The locator standing at location post No. 1 and facing in the direction of post No. 2 shall have the right and left of the location line to his right and left respectively.

Marking of fractional claim.

26. The markings on the location posts of a fractional claim shall be the same as those upon a claim of the full size, with the addition of the letter 'F' for fractional immediately below the name given to the claim, and below this the length of the location line in feet.

"Witness post" to be marked "W.P."

27. In case it is found impossible, owing to the presence of water or other insurmountable obstacle, to set post No. 2 in its proper position at one end of the location line, the locator may set up a 'witness post' on the location line as near as possible to where post No. 2 should have been placed, and upon this witness post he shall place, in addition to that already prescribed in this Act to be placed on post No. 2, the letters 'W.P.' and the distance in feet and the direction of the point at which post No. 2 would have been placed had it been possible to do so.

When "witness post" considered to be location post No. 2.

28. If a locator marks his location by means of a witness post and it is subsequently ascertained to the satisfaction of the Gold Commissioner, that such action

was not necessary, and that it was possible at the time to set post No. 2 in its proper place on the location line, then such witness post shall be considered and dealt with as location post No. 2 of the claim and shall be regarded as the termination of the location line. Location post No. 1, however, shall not under any circumstances be marked with a witness post.

Marking by locator when claim located.

29. When the claim has been located the locator shall immediately mark out the location line joining post No. 1 with post No. 2 so that it may be distinctly seen at every point throughout its entire length. In a timbered locality the line shall be opened up throughout its length by cutting away trees and brushwood and removing obstructions, and trees and brushwood likely to obstruct a clear view of the line throughout its entire length or of the posts marking the claim shall be removed. The trees at each side of and adjoining the location line shall also be marked by placing on each tree three blazes, one blaze on each tree facing the location line and one blaze on each side of the tree in the direction of the said line. In a locality where there is neither timber nor underbrush the locator shall set legal posts or erect monuments of earth or rock, not less than eighteen inches high and three feet in diameter at the base, so that such line may be distinctly seen throughout its entire length.

Marking of trees.

Sides of mineral claim located.

30. The sides of a mineral claim located as of the full size shall be parallel to the location line of such claim, subject, however, to any claims previously located, and the ends of a mineral claim shall be at right angles to the location line, subject, however, to interference with claims already located. The location line may form one of the sides of a mineral claim, or a portion of the location may lie on either side of such line, provided, however, that the number of feet lying to the right of the location line and the number of feet lying to the left of such location line shall not altogether exceed in all one thousand five hundred feet.

Examples.

31. EXAMPLE OF INSCRIPTIONS TO BE PLACED ON POSTS.

Inscription on location post No. 1.	Inscription on location post No. 2.
No. 1	No. 2.
"Apex"	"Apex"
E.	Aug. 10,
800 R.	1916.
700 L.	B. J. Box.
Aug. 10,	
1916.	
B. J. Box.	

Inscription on witness post.
W.P.
"Apex"
Aug. 10, 1916.
B. J. Box.
200 feet.
N.

Particulars of inscriptions to be furnished by locator to recorder.

32. Particulars of all inscriptions put on No. 1 and No. 2 posts shall be furnished by the locator to the mining recorder in writing at the time the claim is recorded, and shall form a part of the record of such claim. The locator shall submit with his application a plan showing, as nearly as possible, the position of the location applied for in its relation to the prominent topographical features of the district and to the adjoining claim, or some other known point; also the position of the stakes by which the location is marked on the ground.

REMOVING OR DEFACING POSTS.

Removing or defacing posts.

33. It shall not be lawful to move post No. 1. Post No. 2 may be moved only by a Dominion land surveyor when it is found upon making a survey that the distance between post No. 1 and post No. 2 exceeds one thousand five hundred feet, in order to place post No. 2 at a distance of one thousand five hundred feet from post No. 1 on the line of location. When the distance between post No. 1 and post No. 2 is less than one thousand five hundred feet the claim shall not extend beyond post No. 2 as originally placed.

Unlawful moving or defacing.

34. It shall not be lawful for any person to move any location post or to deface or to alter in any manner the notices on the same except as in this Act provided.

Penalty.

35. Any person removing or disturbing with intent to remove any legal post, stake, picket or other mark placed under the provisions of this Act or defacing or altering in any manner the notices on any of the legal posts placed thereon under this Act, shall on summary conviction be liable to a fine not exceeding one hundred dollars and costs; and in default of payment of the fine and costs to imprisonment for any period not exceeding six months.

Moving of posts of fractional claim with permission of recorder.

36. When a fractional mineral claim has been located between previously located and unsurveyed mineral claims, and when any such previously located mineral claims are surveyed, if any of the posts of the fractional mineral claim

are found to be on the previously located mineral claims, the location of such fractional mineral claim shall not be invalid by reason of the location posts of the fractional mineral claim being on such previously located mineral claims, and the owner of such fractional mineral claim may, by obtaining the permission of the mining recorder of the district, move the posts of the fractional mineral claim and place them on the surveyed line of the adjoining previously located mineral claims.

Privilege of Dominion land surveyors.

37. Nothing in this Act shall be construed to prevent Dominion land surveyors in their operations from taking up posts or other boundary marks when necessary.

RECORDING.

Delays for recording mineral claims.

38. Every person locating a mineral claim shall record the same with the mining recorder of the district within which the same is situate within fifteen days after the location thereof if located within ten miles of the office of the said recorder. One additional day shall be allowed for such record for every additional ten miles or fraction thereof. Such record shall be made in a book to be kept for the purpose in the office of the said mining recorder in which shall be inserted the name of the claim, the name of the locator, the locality, the direction and length of the line from post No. 1 to post No. 2, the date of the location, and the date of record. Such record shall be, as nearly as may be possible, in the form 'B' in the schedule of this Act, which form, duly completed and signed, shall be given by the mining recorder to the locator or his agent. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned and forfeited, without any declaration of cancellation or abandonment on the part of the Crown.

When claim is deemed abandoned.

'Emergency recorder'

39. In the event of the claim being more than one hundred miles from the recorder's office, and situated where other claims are being located, the locators, not less than five in number, are authorized to meet and appoint one of their number an 'emergency recorder', who may receive applications for claims located in accordance with the provisions of this Act.

To notify the mining recorder.

40. The emergency recorder shall, at the earliest possible date after his appointment, notify the Government mining recorder for the district in which the claims are that such appointment has been made, and he shall deliver to such mining recorder the applications which he may have received for mineral claims and the fees which he may have collected for recording the same. The Government

Duty of recorder.

39. The Order in Council provided for same appointment of emergency recorder, but gave him no power to receive application.

40. The Order in Council did not require emergency recorder to account for fees.

mining recorder shall then grant to each person from whom the emergency recorder has accepted an application and the fee prescribed by this Act, an entry for his claim in form 'B' of this Act. The entry to date from the day the emergency recorder accepted the application and fee. If the emergency recorder fails within four months to notify the Government mining recorder of his appointment, or to deliver to him the applications received and the fees collected, entry for such claims may be refused in the discretion of the Gold Commissioner.

Date of entry.

41. No mineral claim shall be recorded without the application being accompanied by an affidavit or solemn declaration made by the applicant in form 'A' of this Act, or if it be a fractional claim in the form 'A-1.' except claims for which application has been made to an 'emergency recorder'.

Accompanying affidavit.

42. Provided that failure on the part of the locator of a mineral claim to comply in every respect with the foregoing provisions shall not be deemed to invalidate such location, if upon the facts it shall appear to the satisfaction of the mining recorder that such locator has staked out such location as nearly as possible in the manner prescribed, and that there has been on his part a *bona fide* attempt to comply with all the provisions of this Act, and that the non-observance of any of the formalities hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity. The mining recorder may, however, before granting entry require the locator to immediately remedy any material defaults committed in the observance of the formalities required by this Act in respect of the location of a mineral claim, and if such defaults are not remedied within a period to be fixed by the mining recorder, and to his satisfaction, entry may be refused.

In case of *bona fide* diligence on part of locator.

Remedying defaults in observance of formalities.

43. A locator shall not be entitled to a record of a mineral claim until he shall have furnished the mining recorder with all the particulars necessary for such record.

Particulars to be supplied.

44. The record of a mineral claim shall be made at the office of the mining recorder of the district in which the claim is situated, but the application may be made to an agent or a sub-agent of Dominion lands to be forwarded to the mining recorder for the district in which the claim is situated. The date upon which the application and the fee may be received in the office of the mining recorder for the district in which the claim is situated, however, shall govern, and shall be considered the date of the application.

Date of receipt of fees deemed date of application.

41. Order in Council permitted no exception to Forms A and A1—an emergency recorder cannot be expected to be supplied with forms.

Rights of owner of tunnel.

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

Written permission to record claim within six months.

46. Any person upon satisfying a mining recorder that he is about to undertake a *bona fide* prospecting trip to a distant part of the district, may receive written permission from the mining recorder to record a claim within said mining district at any time within a period not exceeding six months from the date upon which such written permission was given, provided said claim has been located by the applicant in accordance with the provisions of this Act.

Personal application and exception.

47. No record shall be granted for a claim which has not been staked by the applicant in person in the manner specified in this Act. Except that if any person satisfies the mining recorder that he is about to undertake a *bona fide* prospecting trip to a distant part of the district and files with the mining recorder in advance a power of attorney from not more than two persons, authorizing him to stake claims for them in consideration of their having enabled him to undertake the trip, he may stake one claim in the name of each such person.

Rights of holder of claim.

48. The holder of a mineral claim shall be entitled to all minerals to which this Act applies, which may lie within the boundaries of his claim continued vertically downwards.

Location on Sunday not invalid.

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

Chattel interest for one year.

50. The interest of the holder of a mineral claim shall, prior to the issue of a lease, be deemed to be a chattel interest, equivalent to a lease of the minerals in or under the land for one year, and thence from year to year, subject to the performance and observance of all the terms and conditions of this Act.

ABANDONMENT.

Notice of abandonment and its effect.

51. The holder of a mineral claim may at any time abandon or relinquish the same provided he has complied in every respect with the provisions of this Act, and that

47. That part of the Order in Council allowing the Minister to grant mining concessions in the North West Territories omitted is not applicable to the Yukon nor desirable.

all payments on account of rental or other liability to the Crown, due by him in connection with such claim, have been fully made. Notice in writing of his intention to abandon shall be given to the mining recorder, and from the date of the record of such notice all interest of such holder in such claim shall cease.

What holder on abandonment may take from claim.

52. When the holder of a mineral claim abandons it he shall have the right to take from the same any machinery and any personal property which he may have placed on the claim, and any ore which he may have extracted therefrom, within such time as shall be fixed by the mining recorder, provided all payments due on account of rental or other liability to the Crown in connection with the claim have been fully made.

GROUPING

Adjoining claims, not more than eight, may be on certificate worked together.

53. Adjoining claims, not exceeding eight in number, may be worked by the owners thereof in partnership upon filing a notice of their intention to so work the same with the mining recorder and upon obtaining a certificate according to form "E" of this Act. This certificate will allow the holders thereof to perform on any one or more of such claims all or any part of the work required to entitle them to a certificate of work for each claim so held by them. If such work shall not be done, or if payment shall not be made in lieu thereof as prescribed in section fifty-five of this Act, the claims shall be deemed to be vacant and abandoned without any declaration of cancellation or forfeiture on the part of the Crown.

REPRESENTATION.

Claim good for one year and yearly renewal.

54. Any person having duly located and recorded a mineral claim shall be entitled to hold it for the period of one year from the date of recording the same, and thence from year to year without the necessity for recording: Provided, however, that during each year and each succeeding year such locator shall do, or cause to be done, work on the claim itself to the value of one hundred dollars, and shall within fourteen days after the expiration of the year, satisfy the mining recorder that such work has been done, by an affidavit in form "C" of this Act, and setting out a detailed statement of such work, and shall obtain from the mining recorder a certificate in form "D" of such work having been done. Provided also that all work done outside of a mineral claim with intent to work the same shall, if such work has direct relation and be in direct proximity to the claim, be deemed, if to the satisfaction of the mining recorder, for the purpose of this section, to be work done on the claim.

Proviso as to work done outside of claim.

53. The same idea as in Order in Council more explicitly expressed.

Holding claim on payment of $100.

55. The holder of a mineral claim may, in lieu of the work required to be done by section fifty-four of this Act on a claim each year, pay to the mining recorder in whose office the claim is recorded the sum of one hundred dollars, and receive from such mining recorder a receipt for such payment. Such payment and the record thereof in any year shall relieve the person making it from the necessity of doing any work during the year in and for which and upon the claim in respect of which such payment is recorded, and he shall be entitled to a certificate from the mining recorder that such payment has been made and entitles him to hold the claim for the ensuing year.

When claim expires after 14 days.

56. If the prescribed amount of work is not done during the year, or if payment is not made in lieu thereof, as provided in section fifty-five of this Act, the claim shall, at the expiration of the period of fourteen days provided for, lapse and shall forthwith be open to relocation under this Act without any declaration of cancellation or forfeiture on the part of the Crown.

When area claimed as fractional claim is less than twenty-five acres.

57. If the recorded owner of a fractional mineral claim furnishes evidence, to the satisfaction of the mining recorder, that the area of such claim is less than twenty-five acres, the expenditure required to be incurred each year in mining operations on such fractional claim, or the payment to be made in lieu thereof, to entitle the recorded owner to a certificate of work shall be one-half that required under this Act, in respect of a full claim. If, however, upon survey, a fractional claim in connection with which such representations have been made is found to contain twenty-five acres, or more, the recorded owner thereof shall pay to the mining recorder whatever additional amount may be necessary to represent a full claim, with interest, before he shall be entitled to receive a certificate of improvements in connection with such claim.

Co-owners and their interests.

58. If two or more persons own a claim, each such person shall contribute, proportionately to his interest, to the work required to be done by section fifty-four of this Act, and in the event of its being proven to the mining recorder or the gold commissioner, after notice of hearing has been served as directed on all parties interested, that any co-owner has not done so, his interest shall become vested by order of the gold commissioner or mining recorder in the other co-owner or co-owners according to their former interests.

DISPUTES.

Priority of location to govern disputes.

59. In case of any dispute as to the location of a mineral claim the title to the claim shall be recognized according to

the priority of such location, subject to any question as to the validity of the record itself, and subject further, to the locator having complied with all the terms and conditions of this Act.

Claim presupposed perfect save in case of fraud.

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

Power of court to vest title to claim.

61. Whenever through the acts or default of any person other than the recorded owner of a mineral claim or his agent by him duly authorized, the evidence of the location or record on the ground, or the situation of a mineral claim has been destroyed, lost or effaced, or is difficult of ascertainment, nevertheless effect shall be given to same as far as possible, and the court shall have power to make all necessary enquiries, directions and references in the premises, for the purpose of carrying out the object hereof, and vesting title in the first *bona fide* acquirer of the claim.

Omissions by government official.

62. No person shall suffer from any acts of omission or commission, or delays on the part of any Government official, if such can be proven.

TITLE.

Payments to be made to recorder.

63. Payment may be made to the mining recorder of the sum of five hundred dollars in lieu of representation on a claim of the ordinary size, and in the case of a claim acquired under the provisions of section eighteen of this Act payment may be made of one thousand dollars in lieu of such representation. In case payment in lieu of representation is made, the recorded owner of the claim shall comply with all other provisions of this Act, except such as have respect solely to the work required to be done on the claim.

Certificate of improvements on fulfilling requirements.

64. Whenever the lawful holder of a mineral claim shall have complied with the following requirements, to the satisfaction of the mining recorder, he shall be entitled to receive from the recorder a certificate of improvements, in form 'F', in respect of such claim, unless proceedings by a person claiming an adverse right under section sixty-nine of this Act have been taken:—

(a) Done or caused to be done work on the claim itself in developing a mine to the value of five hundred dollars, exclusive of the cost of all houses, buildings and other like improvements, or made payment in lieu of work

as provided in section fifty-five of this Act. The value of the work done, as assessed by the mining recorder, and the amount paid and accepted in lieu of work shall together be equal to at least five hundred dollars. In the case of a fractional claim, however, the work to be done or the payment to be made in lieu thereof shall be that specified in section fifty-seven of his Act. For the purposes of this section work done on a claim by a predecessor or predecessors in title shall be deemed to have been done by the person who received a transfer of such claim. The cost of the survey not to exceed one hundred dollars, may be counted as work done on the claim: Provided it has been accepted in lieu of representation work;

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

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

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

(1) The name of the claim;

(2) The name of the lawful holder thereof;

(3) His intention to apply for a certificate of improvements at the end of sixty days for the purposes of obtaining a lease;

(4) The date of the notice.

(e) Inserted a copy of such notice in a Canadian newspaper published in and circulating in the district in which the claim is situated (such paper to be approved by the mining recorder) for at least sixty days prior to such application, which insertion can be made at any time after the posting of the notice on the claim. If no newspaper is published in the district, then the notice shall appear in the Canadian newspaper published nearest to the district;

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

(g) Filed with the mining recorder an affidavit of the holder of the claim, or his duly authorized agent, in form 'H' of this Act.

(h) At the expiration of the term of the said publication, provided no action shall have been commenced and notice thereof filed with the mining recorder, he shall forward to the owner or agent the certificate of improvements issued, and to the department a copy thereof, together with the several documents referred to above, and a certificate in form 'I' of this Act showing that the notice provided by subsection *(d)* of this section, or by section seventy-nine of this Act has been posted in his office, and the plan deposited for reference therein from the date of the first appearance of the said notice in the nearest local newspaper and continuously therefrom for a period of at least sixty days, and containing the full christian and surname of the recorded owner, or of each of the recorded owners, as well as their occupations and respective interests.

(i) A certificate of improvements shall not be issued until a report has been furnished by an officer of the department, or some person satisfactory to the mining recorder, to the effect that upon inspection he was satisfied that the required expenditure in developing a mine had been actually incurred, and that a vein or lode had been found within the limits of the claim. Delay in having an inspection made after the recorded owner of a mineral claim has fully complied with the above requirements shall not render it necessary for such owner to perform further representation work, or make payment in lieu of work because of such delay.

When posting of notice may be waived by Gold Commissioner.

65. In case a claim is situated in a remote part of the country, very difficult of access, where other claims have not been recorded, and where other persons are not engaged in prospecting, and where no newspaper is published within a distance of one hundred miles, the Gold Commissioner may, in his discretion, waive posting of notice on the claim and publication of the same in a newspaper as provided in subsections *(d)* and *(e)* of section sixty-four of this Act.

Fraud only ground of impeachment.

66. A certificate of improvements when issued as aforesaid shall not be impeached in any court on any ground except that of fraud.

When work on claim not necessary.

67. After the issue and recording of such certificate of improvements, and while such certificate shall be in force but a lease not yet issued, it shall not be necessary to do any work on such claim.

When holder entitled to lease.

68. The holder of a mineral claim for which a certificate of improvements has been granted and recorded shall be entitled to a lease of such claim upon payment

65. The Order in Council limits the power to waive posting and publication to the Minister. The Gold Commissioner, being on the ground and in a position to act intelligently, is given this power.

being made within three months of the rental and fee prescribed by schedule two of this Act.

ADVERSE RIGHT.

Procedure in case of adverse rights.

69. In case any person shall claim an adverse right of any kind, either to possession of the mineral claim referred to in the application for certificate of improvements, or any part thereof, or to the minerals contained therein, he shall, within sixty days after the first publication in a newspaper, as provided by this Act, of the notice referred to in subsection *(e)* of section sixty-four or in section seventy-nine of this Act, (but not later, unless such time shall be extended by special order of the court upon cause being shown) commence legal action to determine the question of the right of possession or otherwise enforce his said claim, and shall file a copy of the writ, information, bill of complaint, or other initiatory proceeding in said action with the mining recorder of the district or mining division in which the said claim is situated within twenty days from the commencement of said action, and shall prosecute the said action with reasonable diligence to final judgment, and a failure to so commence or so to prosecute shall be deemed to be a waiver of the plaintiff's claim. After final judgment shall have been rendered in the said action, the person, or any one of the persons entitled to possession of the claim or any part thereof, may file a certified copy of the same in the office of the mining recorder. After the filing of the said judgment, and upon compliance with all the requirements of section sixty-four of this Act, such person or persons shall be entitled to the issue to him or to them of a certificate of improvements in respect of the claim or the portion thereof which he or they shall appear from the decision of the court rightly to possess.

When adverse claim affects only portion of ground.

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

ADDRESS FOR SERVICE.

Endorsations on application.

71. Every application for a mineral claim and every other application, and every transfer or assignment of a mineral claim, or of an interest therein, acquired under the provisions of this Act, shall contain, or shall have endorsed thereon, the place of residence and the post office address of the applicant, transferee or assignee, and his occupation; and no application, transfer or assignment shall be accepted or recorded unless it conforms with this provision.

WHAT ENTRY OR LEASE CONVEYS.

To what holder of mineral claim entitled.

72. The holder of a mineral claim, by entry or by lease, located on vacant Dominion lands shall be entitled to all minerals within the meaning of this Act found in veins, lodes or rock in place, and whether such minerals are found separate or in combination with each other in, upon or under the lands included in such entry or lease; together with the right to enter upon and use and occupy the surface of the claim, or such portion thereof and to such extent as the Minister may consider necessary, for the efficient and miner-like operation of the mines and minerals contained in the claim, but for no other purpose; including the right to cut free of dues such of the timber on the claim or such portion thereof as may be necessary for the working of the same, but not for sale or traffic, except where such timber has been granted or disposed of prior to the date of entry. The timber agent, however, may permit any person to cut and remove from the claim, timber for his own use for mining purposes, when such timber cannot otherwise be had within a reasonable distance, but no such permit shall convey the right to cut or remove timber required by the holder of the claim for his mining operations actually in progress.

Use of surface claim.

Timber claims.

Lease of whole or part of surface rights at $1 per acre per annum.

The Minister may, upon application, grant to the holder of a mineral claim, in good standing, located on vacant Dominion lands, and acquired by entry or by lease, a lease of the whole or any portion of the available surface rights of such mineral claim at a rental of one dollar an acre per annum, payable yearly in advance. The term of such surface lease shall not exceed the term of the record grant or lease issued for the minerals under this Act or former mining regulations, and shall be appurtenant to such grant: Provided that the Minister may at any time, by giving the lessee three months' notice in writing of his intention, terminate such surface lease, without compensation to the lessee for such termination or for any buildings or other improvements which he may have placed upon the location, but the lessee may be given the privilege of removing from the location any such buildings and improvements, which may have been placed thereon by him. The lessee shall not assign, transfer or sublet the rights described in such

Proviso as to termination of lease on three months' notice.

When consent of Minister necessary.

surface lease, or any portion thereof, without the consent in writing of the Minister being first had and obtained.

Timber reserved until recorder certifies that some required in connection with mining operations.

73. The timber on a mineral claim shall, subject to the rights existing at the time of the application therefor, be reserved until the mining recorder certifies that the same is required for use in connection with mining operations actually in progress on such mineral claim, when the right to use such timber, or any portion thereof, free of dues, may be given the holder of such mineral claim by the Crown timber and land agent with the approval of the commissioner of the territory. The Commissioner, however, may authorize the timber agent to issue a permit to any person to cut and remove from such mineral claim timber required by him for his own use in mining operations when such timber cannot otherwise be obtained within a reasonable distance of the place of his mining operations.

When Commissioner may authorize timber agent to issue permit.

Effect of lease when prospecting rights reserved to Crown.

74. A lease of a mineral claim located on lands the surface rights of which have been disposed of but the right whereon to enter, prospect and mine for minerals has been reserved to the Crown, shall convey to the lessee the minerals within the meaning of this Act found in veins or lodes, or rock in place, and whether such minerals are found separately or in combination with each other, which may be in, upon, or under the land described in the lease, but shall convey no right of entry upon such surface.

Lease conveys the minerals, but not the timber.

75. Where the mineral claim is located on land lawfully occupied under a timber license the lease shall convey the minerals within the meaning of this Act found in veins or lodes, or rock in place, subject to the provisions of section fourteen of this Act, but shall reserve the timber.

When right to mine gold and silver reserved to the Crown.

76. A lease of a mineral claim located on lands the surface rights of which have been disposed of, but the right whereon to enter and mine gold and silver has been reserved to the Crown, shall convey to the lessee the right to the gold and silver found in veins or lodes, or rock in place, which may be in, upon, or under the land described in the lease, but shall convey no right of entry upon the surface.

Reserve to Crown right of way for works to convey water for mining operations.

77. A lease of a mineral claim issued under the provisions of this Act shall reserve to the Crown such right or rights of way and of entry as may be required under any law or regulation in that behalf now or hereafter in force in connection with the construction, maintenance and use of works for the conveyance of water for mining operations.

SURVEYS.

Survey within one year of notice from Minister.

78. The recorded owner of a mineral claim shall have a survey thereof made at his own expense by a duly qualified Dominion land surveyor under instructions from the

Surveyor General within one year from the date upon which notification by the Minister of the Interior to do so may be sent to him. Such notification, however, shall not be given until the expiration of at least one year from the date upon which the claim was recorded. If the survey is not made, and if the returns of such survey are not received and approved by the Surveyor General within one year from the date of notification, the entry granted for the mineral claim shall be subject to immediate cancellation in the discretion of the Minister. The owner of a claim may, however, have such survey made at any time after obtaining record without any notification having been sent to him to do so.

If survey not made claim may be cancelled by Minister.

Cost of survey of claim in lieu of representation work.

79. The cost of a survey of a mineral claim, made in accordance with the provisions of paragraph *(c)* of section sixty-four of this Act, may be accepted in lieu of representation work on the claim for the year in which the survey is made; and the survey so made shall be accepted as definitely establishing the boundaries of the claim, provided that notice of such survey in form "J" of this Act is immediately inserted, for a period of not less than sixty days, in a newspaper published in or circulating in the district in which the claim is situated, such paper to be approved by the mining recorder, and provided further that the owner of the claim prior to the first appearance of this advertisement shall cause to be posted in a conspicuous spot on the claim, and in the office of the mining recorder for the district, a notice in the same form of his intention to advertise the survey of the claim, and also a copy of the plan of the survey prepared and certified correct, under oath, by a Dominion land surveyor, The survey shall be accepted as defining absolutely the boundaries of the claim surveyed, provided it remains unprotested during the period of publication, and provided it has been duly approved by the Surveyor General. If, however, within the time specified the survey is protested the protest shall be heard and decided upon by procedure similar to that provided for in section sixty-nine of this Act.

Publication for not less than sixty days.

Survey defining boundaries.

Procedure.

Duties of surveyor.

80. The surveyor shall accurately define and mark the boundaries of such claim on the ground in full compliance with the instructions issued to him, and shall, in addition to other inscriptions placed on each of the posts marking the angles or corners of the claim, inscribe thereon clearly and legibly, by means of a cutting instrument, the name of the claim so surveyed, and shall, on completion of survey forward to the Surveyor General at Ottawa the original field notes and plan signed and certified as accurate under oath. After a certificate of improvements has issued

in respect of any claim so surveyed, *prima facie* evidence of its location upon the ground may be given by any person who has seen and who can describe the position of such posts purporting to be marked as aforesaid.

When Dominion land surveyor may include fraction within the claim.

81. In case either post No. 1 or post No. 2 of a mineral claim be on the boundary line of a previously located claim, which boundary line is not at right angles to said location line, the Dominion land surveyor when making the survey may include the fraction so created within the claim which is being surveyed: Provided always that such fraction is available and open to disposal and that the claim including the fraction does not exceed in area fifty-one and sixty-five-one-hundredths acres.

Proviso.

Fractional claim to contain as nearly as possible all certain unoccupied ground.

82. A Dominion land surveyor when surveying a fractional mineral claim may survey such claim so that it shall contain as nearly as possible all the unoccupied ground lying between the previously located mineral claims as described in the affidavit and sketch furnished by the locator when the claim was recorded, provided that no side of a fractional claim so surveyed shall exceed one thousand five hundred feet in length, and provided also that the area of the claim as surveyed shall be less than fifty-one and sixty-five-one-hundredths acres.

Definite fixing of claim on plans of Department.

83. The surveyor shall, in the discretion of the Surveyor General, connect the survey of the claim with some known point in a previous survey, or with some other known point or boundary, so that the position of the claim may be definitely fixed on the plans of the Department.

Duty of surveyor and certificate.

84. It shall be the duty of the surveyor, before proceeding with the survey, to examine the application made for the claim and the plan which accompanied such application, and before completing the survey to ascertain by careful examination of the ground, or by all other reasonable means in his power, whether or not any other subsisting claim conflicts with the claim he is surveying, and he shall furnish with his returns of survey a certificate, duly signed by him, in the following form:—

Form of certificate.

I hereby certify that I have carefully examined the ground included in.....mineral claim surveyed by me, and have otherwise made all reasonable investigations in my power to ascertain if there was any other existing claim conflicting therewith, and I certify that I have found no trace or indication and have no knowledge or information of any such claim except as follows: (if none so state, if any give particulars.)

When posting and publication of notice sufficient.

85. Should the survey of a claim be made and advertised in the manner specified herein before the recorded owner of the claim has sufficiently complied with the regulations to admit of his applying for a certificate of improvements, then the posting and publication of notice of the survey of the claim in the manner indicated shall be accepted as satisfaction of the poting and advertising requirements of section sixty-four of this Act, but before a certificate of improvements shall be issued in connection with such a claim all the other requirements of section sixty-four shall be fully complied with.

TRANSFER OF A MINERAL CLAIM.

Conditions for validity of transfer.

86. No transfer of an entry for any mineral claim or of any interest therein, shall be effectual unless the same is in writing, signed by the transferrer, or by his agent authorized in writing, and recorded by the mining recorder; and, if signed by an agent, the authority of such agent shall be recorded before the record of such transfer. The assignment shall be in duplicate, signed by the assignor in the presence of a witness, who shall furnish proof of execution by affidavit, and when recorded the mining recorder shall return to the assignee one copy thereof with a certificate endorsed thereon that it has been recorded in his office, and retain the other copy..

Assignment in duplicate and other conditions required.

When record of entry lost, "substitutional" record supplied.

87. If the record of entry (form 'B') has been lost or destroyed, the mining recorder may, upon receipt of evidence to his satisfaction, supported by the affidavit of the recorded owner or owners, or one of them, if possible, that such is the case, and upon receipt of a fee of ten dollars issue a "substitutional" record of entry which shall be so marked, and which shall be as far as practicable a copy of the record of entry (form 'B') originally issued for such claim.

Documents of title may be recorded.

88. Any conveyance, bill of sale, mortgage or other document of title relating to a mineral claim for which entry has been granted under the provisions of this Act may be recorded with the mining recorder.

Assignments of whole or undivided interests of claim to be filed with Minister, with copy of lease.

89. After a lease of a mineral claim has been issued, assignments of the whole or of undivided interests in such claim shall be filed with the Minister, accompanied by the lessee's copy of the lease, but no such assignment shall be accepted or registered unless it is unconditional and its execution proved to the satisfaction of the Minister, and unless the law and regulations in respect of such claim have been fully complied with.

86. The Order in Council requires transfers to be under seal and other unnecessary formalities.

As to certificates of improvements.

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

When lease may issue to new holder of claim.

91. If a transfer shall be made to any person or company after a certificate of improvements shall have been issued, but before a lease has been prepared, upon proper proof of such transfer being made to the satisfaction of the Minister, and upon receipt of a new certificate in form 'I' of this Act, the lease may issue to the new holder of the claim.

Previous lien not invalidated by issue of lease.

92. The issue of the lease shall not invalidate any lien which may have attached to any mineral claim previous to the issuance of such lease.

ROYALTY.

Royalty reserved to and charged by Crown.

93. Such amount of royalty as shall be determined and fixed from time to time by order of the Governor in Council shall be reserved to and charged by the Crown on the sales of all minerals produced from mineral claims whether such claims are held under location, grant, entry, record, lease, certificate of title or otherwise. Such royalty shall be collected as directed by the Minister.

Rates of royalty and values placed on minerals.

The values placed on minerals and rate of royalty thereon as determined by Order in Council dated the 6th March, 1922, P.C. 447, namely, royalty at two and one-half per centum on

Gold, valued at $15 an ounce, royalty, 37½ cents an ounce;
Silver, valued at 60 cents an ounce, royalty, 15 mills an ounce;
Copper, valued at 12 cents a pound, royalty, 30 cents a hundredweight;
Zinc, valued at 4 cents a pound, royalty, 10 cents a hundredweight;
Lead, valued at 4 cents a pound, royalty, 10 cents a hundredweight;

and on all other minerals and metals two and one half per centum on the value thereof shall be and remain the rate and respective values until the same or any of them are altered by Order in Council and the exemption of certain minerals from royalty-charges shall be for the period and in accordance with the terms of orders in council relating thereto.

Exemption of certain minerals from royalty charges.

TERM OF LEASE AND RENTAL.

Twenty-one years' leases and renewals.

94. Leases of mineral claims and of iron and mica claims shall be for a term of twenty-one years, renewable

93. Power to fix values of minerals for the purpose of charging royalty thereon, to fix the rate of royalty, and to give exemptions is left in the hands of the Governor in Council, as costs of operation and market value of minerals except gold are fluctuating.

for a further term of twenty-one years, provided the lessee furnishes evidence to the satisfaction of the Minister that during the term of the lease he has complied in every respect with the conditions of such lease and with the provisions of the law and regulations, and renewable for additional periods of twenty-one years on such terms and conditions as may be prescribed by the Governor in Council.

Fees and rentals.

95. The fees and rentals to be charged and paid under this Act shall be as set out in Schedule two of this Act.

Right to claim lapses when fee and rental not duly paid.

96. In case payment of the rental and fee for the first term of twenty-one years is not made within the period of three months from the date of the certificate of improvements, or in case payment is not made of the rental for the renewal term within three months from the date upon which it becomes due, then all right to the claim or to a lease thereof, or to a renewal of such lease, shall absolutely lapse without any declaration of cancellation or forfeiture on the part of the Crown, and such claim and rights shall immediately be and become re-vested in the Crown.

Form of lease.

97. The lease shall be in such form as may be determined by the Minister, in accordance with the provisions of this Act.

ARBITRATION.

Permission of Minister necessary for entry in certain cases.

98. In case the surface rights of a mineral claim are covered by a timber license, or by a petroleum, grazing or coal mining lease, or any other form of a terminable grant the lease shall not authorize entry thereon, without the permission of the Minister being first had and obtained, and such permission shall be given subject to such conditions for the protection of the rights of such lessee or licensee as it may be considered necessary to impose.

Permission of Minister to submit cases to arbitration.

99. In case the surface rights of a mineral claim have been patented, or have been disposed of by the Crown under any act or regulation which contemplates the earning of patent for such surface rights, and the holder or lessee of the mineral claim cannot make an arrangement with the owner of such surface rights, or with his agent, or the occupant thereof, for entry upon the location, or for the acquisition of such interest in the surface rights as may be necessary for the efficient and economical operation of the rights acquired under his record or lease, he may, provided the mineral rights in the land affected with access thereto and the right to use and occupy such portion of the land as may be necessary for the effectual working of the minerals therein have been reserved to the Crown in the original

97. By Order in Council it is provided that all ores and minerals mined from properties held under such orders in council must be refined and treated within Canada so as to yield refined metal or other product suitable for direct use in the arts without further treatment, in default of which the grant or lease of the property became null and void and the land open for re-location. This has been found to be ill advised and has been from time to time suspended by other orders in council. The provision is dropped from this Act.

grant of the surface rights) apply to the Minister for permission to submit the matter in dispute to arbitration. Upon receiving such permission in writing it shall be lawful for the holder or lessee to give notice to such owner, or his agent, or the occupant, to appoint an arbitrator, within a period of sixty days from the date of such notice to act with another arbitrator named by the holder or lessee, in order to determine what portion of the surface rights the holder or lessee may reasonably acquire—

Notice to appoint arbitrator within sixty days.

(a) For the efficient and economical operation of the rights and privileges granted him under his record or lease;

(b) The exact position thereof; and

(c) The amount of compensation to which the owner or occupant of the surface rights shall be entitled.

Form of notice prescribed by gold Commissioner.

Personal service.

When notice sent by registered letter.

Notice ten or twenty days.

100. The notice mentioned in this section shall be according to a form prescribed by the Gold Commissioner to be obtained upon application to the mining recorder for the district in which the land in question is situated, and shall, when practicable, be personally served on the owner of such land, or his agent, if known, or the occupant thereof, and after reasonable efforts have been made to effect personal service without success, then such notice shall be served by leaving it at or sending it by registered mail to the last-known place of abode or address of the owner, his agent or occupant, and by posting a copy of the same in the office of the mining recorder for the district in which the land in question is situate. Such notice shall be ten days if the owner or his agent resides in the district in which the land is situate, if out of the district and in the territory, twenty days, and if out of the territory, thirty days, before the expiration of the time limited in such notice. If the owner, or his agent, or the occupant of the land refuses or declines to appoint an arbitrator, or when, for any reason, no arbitrator is so appointed in the time limited therefor in the notice provided for by this section, the mining recorder for the district in which the land in question is situate shall forthwith, on being satisfied by affidavit that such notice has come to the knowledge of such owner, agent or occupant, or that such owner, agent or occupant, wilfully evades the service of such notice, or cannot be found, and that reasonable efforts have been made to effect such service, and that the notice was left at the last place of abode or known address of such owner, agent or occupant as above provided, appoint an arbitrator on his behalf.

When recorder appoints arbitrator.

Appointment of third arbitrator.

101. In case two arbitrators cannot agree upon the award to be made, they may, within a period of ten days from the date of the appointment of the second arbitrator select a third arbitrator, and when two such arbitrators

cannot agree upon a third arbitrator, the mining recorder for the district in which the land in question is situate shall forthwith select such third arbitrator.

Arbitrators to be sworn.

102. All the arbitrators appointed under the authority of this Act shall be sworn before a justice of the peace, or a commissioner for taking affidavits, to the impartial discharge of the duties assigned to them, and after due consideration of the rights of the owner and the needs of the lessee, or holder of the mineral claim, they shall decide as to the particular portion of the surface rights which the latter may reasonably acquire for the efficient and economical operation of the rights and privileges granted him under his lease, or entry, the area thereof, and the amount of compensation therefor to which the owner or occupant shall be entitled.

How valuation made.

103. In making such valuation the arbitrators shall determine the value of the land irrespective of any enhancement thereof from the existence of minerals thereunder.

Award of arbitrators final.

104. The award of any two such arbitrators made in writing shall be final, and shall be filed with the mining recorder for the district in which the land is situate within twenty days from the date of the appointment of the last arbitrator. Upon the order of the Minister the award of the arbitrators shall immediately be carried into effect.

Arbitrators' fees.

105. The arbitrators shall be entitled to be paid a per diem allowance of five dollars together with their necessary travelling and living expenses, while engaged in the arbitration, and the costs of such arbitration shall be in the discretion of the arbitrators.

ADMINISTRATION OF THE ESTATES OF DECEASED OR INSANE MINERS.

When owner of claim for which lease has not been issued dies or becomes insane.

106. If the owner of a claim for which a lease has not yet been issued, or if the owner of an interest, in such a claim dies, or is adjudged to be insane, the provisions of this Act as to forfeiture for non-performance of work, or non-payment of assessment shall not apply except as hereinafter provided, in the first case, either during his last illness or after his decease, and in the second case, either after he has been adjudged so insane, or, if it appears that the neglect or omission on account or by reason of which such claim would otherwise have been deemed to be forfeited was attributable to his insanity, then during such period prior to his having been adjudged insane as he may have been shown to have been insane.

Commissioner to limit period of exemption from Act.

107. The commissioner may limit the period during which all or any interest in any mineral claim, the property of such deceased or insane person shall be exempt from the provisions of this Act, which require annual performance of work and payment of fees, and may fix the date upon which the same shall again become subject to all the provisions of this Act.

At termination of period fixed claim becomes subject to Act.

108. At the termination of the period fixed the claim shall become subject to all the provisions of this Act, and if such provisions are not complied with the title thereto shall be absolutely forfeited in the event of the estate of such deceased person being the sole owner of the claim, and the same shall forthwith be open for re-location without any declaration of cancellation or forfeiture on the part of the Crown. In the event, however, of such an estate being a co-owner, the interest of the estate shall upon the termination of such period of exemption *ipso facto* become vested in the other co-owners who have complied with the provisions of this Act, in proportion to their respective interests.

Extension of period.

109. The commissioner, may by order from time to time, extend the period of such exemption as the necessity of the case may in his opinion demand, provided that in the case of deceased persons the period during which such exemption shall apply shall not extend beyond three years from the date of the death of the deceased.

Public administrator to take possession of property.

110. If there is no other legal representative of the estate of any such deceased or insane person, the commissioner may cause the public administrator of such responsible officer as he may name, to take possession of such property and administer the same subject to the provisions of any ordinance in force respecting the administration of the estates of deceased or insane persons in the Territory.

Co-owner not exempt.

111. No exemption of the interest of a deceased or insane owner in any claim shall apply to or exempt any co-owner's interest from the provisions of this Act, as to the annual performance of work and payment of fees, and the rights of such co-owners shall be continued, provided they do or cause to be done the prescribed representation work and pay the prescribed fees necessary in connection with those interests not exempted from performance of work and payment of fees.

When interest of co-owner vested in estate.

112. Where the estate of the deceased or insane person owns an interest in a claim, and the co-owners who are required to perform work and pay fees have, during the period of such exemption, failed to perform the work

required to be done thereon, the interest of such co-owners may, upon such failure being proved to the satisfaction of the mining recorder, after notice of hearing has been served upon all persons interested in the manner prescribed by him, be vested by order of the mining recorder in such estate.

Recording of assignment within two months in certain cases.

113. Any person receiving from the public administrator or other legal representative of the estate of a deceased or insane person an assignment of a claim that has been exempted from the provisions of this Act as to performance of work and payment of fees, because of the death or insanity of the owner thereof, shall record such assignment within two months from the date thereof, and after the assignment has been recorded the claim shall again become subject to all the provisions of this Act. If the assignment is not so recorded the provisions exempting such claim shall cease to apply and the claim shall, at the expiration of the said two months, become absolutely forfeited and shall be open to re-location and entry.

Forfeiture of claim.

When co-owners required to perform work and pay fees.

114. Any person receiving from the public administrator, or other legal representative of the estate of a deceased or insane person, an assignment of an interest in a claim which has been exempted from the provisions of this Act as to performance of work and payment of fees, because of the death or insanity of the owner thereof, and on which the other co-owner or co-owners are required to perform work and pay fees, shall within two months from the date of such assignment, record the same and comply with the provisions of this Act in respect of representation from the day of the recording of such transfer. If the assignment is not so recorded, and if the Act is not otherwise complied with, the interest in question shall thereupon *ipso facto* become vested in the other co-owner or co-owners in proportion to their respective interests. If the co-owners who are required to perform work and pay fees have failed to do so, the interest of such co-owner or co-owners may, upon such failure being proved to the satisfaction of the mining recorder after notice of hearing has been served upon all persons interested, become vested in the co-owner who has acquired the interest of the estate in such claim, and who may have complied with the provisions of this Act.

When interest vested in other co-owners.

MILL SITES.

When Minister may grant lease for mill-site.

115. The Minister may, in his discretion, grant a lease of a tract of available, unoccupied and unreserved Crown land, not known to contain mineral or commercial value and not exceeding five acres in area, as a mill-site. Lands

valuable for water-power purposes shall not be open to lease for this purpose except by authority of the Governor in Council.

Marking, surveying and form of mill-site.

116. The mill-site shall be marked on the ground and surveyed in the same manner as a mineral claim, and shall be as nearly as possible in the form of a square, the boundaries being due north and south and due east and west lines. The term of the lease shall be for such period as the Minister may decide, and the rental shall be at the rate of one dollar an acre per annum, payable yearly in advance from the date of application.

Cancellation of lease for non-user.

117. In case the mill-site is not utilized as such to the satisfaction of the Minister, within three years from the date of the lease, such lease shall be subject to cancellation in the discretion of the Minister.

TUNNELS AND DRAINS.

Tunnels and drains for working of claim.

118. Any holder of a mineral claim by entry or by lease may, in the discretion of the mining recorder, obtain permission to run a drain or tunnel for drainage or any other purpose connected with the development or working of such claim or mine through any occupied or unoccupied lands, whether mineral or otherwise, upon security being first deposited or given to such mining recorder to his satisfaction for any damage that may be done thereby, and upon such other terms as he shall think expedient.

WATER RIGHTS.

Water right for mining or milling purposes.

119. The holder of a mineral claim or of any mill-site may obtain a grant to a water right of any unappropriated water for any mining or milling purposes under the provisions of the *Yukon Placer Mining Act*, or under the provisions of the regulations for the disposal of water for power purposes, according to the purpose for which the water is to be used.

MISCELLANEOUS.

Injury to claim.

120. Any person who shall cause damage or injury to the holder of any claim other than his own by throwing earth, clay, stones or other material upon such other claim, or by causing or allowing water which may be pumped or bailed, or which may flow from his own claim to flow into or upon such other claim shall be liable to a penalty of not more than fifty dollars and costs, and in default of the payment of the fine and costs he may be imprisoned

Penalty for infraction.

116. The Orders in Council made the term of lease of mill-site concurrent with the lease of mineral claim in connection with which mill-site was applied for. This provision is dropped as a mill-site is not necessary in connection with any particular claim, but may serve a whole district or many claims as a custom mill.

for any period of not more than one month. This section shall not deprive any person of rights to damages.

Certain rights saved.

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

Affidavits and declarations.

122. Affidavits and declarations made under the provisions of this Act may be made before any persons duly authorized to administer an oath or declaration.

Entry and examination.

123. The Minister, Gold Commissioner, Mining Recorder or any one deputed by any of them, shall have the right to enter into or upon and examine any mineral claim or mine.

Rights of authorities saved.

124. Nothing herein contained shall be construed to limit the right of the proper authorities to lay out, from time to time, public roads across, through, along or under any ditch, mill-site, water right or mineral claim.

Pending litigation not affected.

125. Nothing herein contained shall affect any litigation pending at the time of the passage of this Act.

SCHEDULE ONE.

FORMS IN CONNECTION WITH YUKON QUARTZ MINING ACT.

FORM 'A' (Section 41)

Application for a Full Claim.

Mining District

I,....., of....., in the..... Mining District, make oath and say:—

1. On the.....day of.....,19...., I located the..... .....mineral claim situated (here describe the position of the claim as nearly as possible, giving the name or names of any mineral claim or claims it may join).

2. I have placed location posts No. 1 and No. 2 of the legal dimensions on the said claim with the inscription on each post prescribed by Yukon Quartz Mining Act.

A. Order in Council of March 14th, 1924, although rescinding the order in council requiring a statement on oath from applicant, omits to alter the form of application to comply with the new order. This Form "A" is in accordance with the law as it now is, and will be in the enactment of this measure.

3. I have inscribed on location post No. 1 the following words:—

4. I have inscribed on location post No. 2 the following words:—

(If a witness post has been used the particulars as to such post should be fully set out).

5. That I have marked the line between post No. 1 and post No. 2 as required by section 29 of this Act.

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

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

8. I attach hereto a plan of the location as required by section 32 of Yukon Quartz Mining Act.

Sworn and subscribed to at.....this .....day of.....19.... .....

FORM 'A-1' (Section 41)

Application for Fractional Claim.

Mining District.

I,....., of.....in the..... Mining District, make oath and say:—

1. On the.....day of.....19...., I located the fractional mineral claim..... situated.....

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

3. I have placed posts of the legal dimensions (here enumerate each of the posts placed on the ground in locating the claim) with the prescribed inscription on each post.

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

5. I have inscribed on location post No. 2 the following words:—

6. I have inscribed on my post at the intersection with the.....mineral claim the following words:—

A1. Order in Council of March 14th, 1924, although rescinding the order in council requiring a statement on oath from applicant, omits to alter the form of application to comply with the new order. This Form "A1" is in accordance with the law as it now is, and will be in the enactment of this measure.

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

7. That the length of the location line is approximately .....feet.

8. That I have marked the line between post No. 1 and post No. 2 in the manner prescribed by section 29 of Yukon Quartz Mining Act.

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

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

Sworn and subscribed to at.....this .....day of.....19....

FORM "B" (Sections 40, 87).

Record of a Mineral Claim.

Mineral Claim.

Located by.....of..... from whom I have this day received the sum of $10, being the fee prescribed by Yukon Quartz Mining Act for recording a mineral claim.

The claim is situated.....

The direction of the line from post No. 1 to post No. 2 is.....

The distance in feet is.....

(If a witness post has been used the particulars as to such post to be fully set out.)

The claim was located on the.....day of ..... 19..

Recorded this.....day of.....19..

Mining Recorder.

FORM "C" (Section 54).

Application for a Certificate of Work.

Affidavit.

I, ..., of....., in the District of.....make oath and say:—

That I have done or caused to be done work on the .....mineral claim, situate at..... in the.....Mining District, to the value of at least $100, since the.....day of.....19..

The following is a detailed statement of such work....

.....

(Set out full particulars of the work done in the twelve months in which such work is required to be done, as shown by section 54).

Sworn and subscribed to at.....this..... day of.....19..

.....

FORM "D" (Section 54).

Certificate of Work.

.....(Name of Claim)..... Mineral Claim.....

This is to certify that an affidavit setting out a detailed statement of the work done on the above claim since the .....day of..... 19.. made by ..... has this day been filed in my office, and in pursuance of the provisions of the Yukon Quartz Mining Act I do now issue this certificate of work in respect of the above claim to.....

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

Mining Recorder.

FORM "E" (Section 53).

Certificate in cases of Partnership that annual expenditure may, after recording claims, be made on any one of the claims affected by such partnership.

Mining District.

This is to certify that in accordance with the provisions of section 53 of Yukon Quartz Mining Act, the registered owners, or agents of the owners, of the following mineral claims have filed a notice of their intention to work such claims in partnership:—

dated at..... this.....day of.....19..

Mining Recorder.

FORM "F" (Section 64).

Certificate of Improvements.

Mineral Claim.

This is to certify that....., of..... in the..... Mining District, has proved to my satisfaction that he has complied with all the provisions of Yukon Quartz Mining Act, to entitle him to a certificate of improvements in respect of the.....mineral claim, situate at.....in the..... Mining District, and in pursuance of the provisions of the said Act I do now issue this certificate of improvements in respect of the above claim to.....

Dated.....

Mining Recorder.

This certificate will become void unless the prescribed rental is paid within three months from its date.
(Form may be altered to suit circumstances.)

FORM "G" (Section 64 *(d)*).

Notice.

Mineral Claim.

Situate in the..... Mining District
Where located.....
Take notice that I.....,
intend, sixty days from the date hereof, to apply to the mining recorder for a certificate of improvements, for the purpose of obtaining a lease of the above claim.

And further take notice that action, under section 69 of Yukon Quartz Mining Act must be commenced before the issuance of such certificate of improvements.

Dated this.....day of....., 19..

FORM "H" (Section 64 *(g)*).

Application for Certificate of Improvements.

Applicant's Affidavit.

I, ..., of..... in the..... Mining District, make oath and say:—

1. I, ... am the recorded holder and am in undisputed possession of the..... Mineral Claim, situated at ..... in the .....Mining District.

2. I, ... have done or caused to be done work on the said claim in developing a mine to the value of at least $500, full (*) particulars whereof are hereto annexed and marked (A).

3. I, ... found mineral in place within the limits of the said claim.

4. I, ... had the claim surveyed by ..... who has made plans of the said claim.

5. I, ... placed one plan on a conspicuous part of the land embraced in such plan on the..... day of ..... 19..

6. I, ... posted a copy of the notice hereunto annexed and marked "B" at the same place as said plan is posted on the ..... day of..... 19.., and another copy in the mining recorder's office, at ..... on the ..... day of .....19.., which said notice and plan have been posted and have remained posted for at least sixty days concurrently with the publication of the said notice in the nearest local newspaper (to be named).

---

7. I,.....inserted a copy of the said notice in the....., a Canadian newspaper published in and circulating in the district, or in a Canadian newspaper published nearest to and circulating in the district in which the claim is situated where it first appeared on the.....day of.....19.. and was continuously published for sixty days.

8. I,.....deposited a copy of the plan in the mining recorder's office at..... on the.....day of.....19.., and it remained there for reference for sixty days concurrently with the publication of the said notice in the newspaper.

Sworn and subscribed to at.....this..... day of.....19..

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

FORM "I" (Section 64 *(h)* and 91).

Mining Recorder's Certificate.

.....Mining District.
.....Mineral Claim.

Date located.....Date recorded.....

I hereby certify that.....has published a notice of his intention to apply for a certificate of improvements (or that he has published a survey notice form "J") for sixty days in the.....newspaper from the.....day of.....19...., a copy of which notice is attached; that during the above period a notice in accordance with the provisions of Yukon Quartz Mining Act has been posted and a copy of the plan of the said claim deposited for reference in my office; and that no notice of any action having been commenced against the issuance of a certificate of improvements, or against the acceptance of the survey as defining absolutely the boundaries of the claim, has been filed in this office.

The recorded owner of the claim at this date is.....
.....

Dated.....19..

Mining Recorder.

FORM "J" (Section 79).

Survey Notice.

.....Mineral Claim.

Situated in the.....Mining District.
Where located.....

Take notice that a survey has been made of the above mineral claim under instructions from the Surveyor General, and that at the termination of sixty days from the date of this notice the said survey shall be accepted as defining absolutely the boundaries of the said claim, unless in the meantime it is protested, as provided in section 69 of Yukon Quartz Mining Act.

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

SCHEDULE TWO.

Fees.

1.	Recording mineral claim	$ 10 00
2.	For a substitutional record	10 00
3.	Application for a lease and issue of same	10 00
4.	Recording every certificate of work	5 00
5.	For a certificate of improvements	5 00
6.	For a certificate of partnership	5 00
7.	Recording assignments, abandonments, affidavits, or any other document	2 50
	If document affects more than one claim, for each additional claim	1 00
8.	For granting period of six months within which to record	4 00
9.	For an abstract of the record of a claim:	
	For the first entry	4 00
	For each additional entry	0 50
10.	For copies of any documents recorded where same do not exceed three folios	4 00
	Where such copies exceed three folios, 30 cents per folio for every folio over three.	
11.	For recording a power of attorney to stake from one person	4 00
12.	For recording a power of attorney to stake from two persons	8 00
13.	For recording an assignment of a quartz mining lease	3 00
14.	Rental, whole or fractional mineral claim granted under lease for term of 21 years	50 00
15.	Rental for renewal term of 21 years	200 00
16.	Rental iron and mica claim as defined by Section 18	150 00
17.	Rental for renewal term of 21 years iron and mica claim	600 00

When powers of attorney to stake and permission to record within six months relate to placer mining claims also, the fees prescribed by the Placer Mining Act and Regulations shall be collected in addition to the fee prescribed by these regulations.

7. This is a reduction from a fee of $4.00. Item 7 in the Order in Council reads as follows: "Recording assignments, abandonments, affidavits or any other document, $4.00."

Under this latter one amount of $4.00 only is legally collectible. Under item 7 in this Bill a fee of $1.00 for each mineral claim affected by the document in addition to one is collectible.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 7.

An Act to amend The Industrial Disputes Investigation Act, 1907.

First reading, March 12, 1924.

THE MINISTER OF LABOUR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75309 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 7.

An Act to amend The Industrial Disputes Investigation Act, 1907.

1907, c. 20; 1910, c. 29; 1918, c. 27; 1920, c. 29.

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

1. Subparagraph *(b)* of paragraph two of section fifteen of *The Industrial Disputes Investigation Act, 1907*, as enacted by section two of chapter twenty-nine of the statutes of 1910, is repealed, and the following is substituted therefor:—

Statutory declaration to accompany application for appointment of Board.

1910, c. 29.

Declaration by officers of trade union.

"*(b)* A statutory declaration setting forth that, failing an adjustment of the dispute or a reference thereof by the Minister to a Board, to the best of the knowledge and belief of the declarant a lockout or strike will be declared, and (except where the application is made by an employer in consequence of an intended change in wages or hours proposed by the said employer) that the necessary authority to declare such lockout or strike has been obtained; or, where a dispute directly affects employees in more than one province and such employees are members of a trade union having a general committee authorized to carry on negotiations in disputes between employers and employees and so recognized by the employer, a statutory declaration by the chairman or president and by the secretary of such committee setting forth that, failing an adjustment of the dispute or a reference thereof by the Minister to a Board, to the best of the knowledge and belief of the declarants a strike will be declared, that the dispute has been the subject of negotiations between the committee of the employees and the employer, or that it has been impossible to secure conference or to enter into negotiations, that all efforts to obtain a satisfactory settlement have failed, and that there is no reasonable hope of securing a settlement by further effort or negotiations."

Explanatory Notes.

The amendments to the Industrial Disputes Investigation Act here proposed do not introduce any new features into the present statute, but are intended simply to make clearer at one or two points what has been, since its enactment, regarded as the obvious intention.

[No alterations are made except the addition of the new words in italics.]

1. The first part of subparagraph *(b)* is unchanged. The latter part is amended as follows:—

"..... failing an adjustment of the dispute or a reference thereof by the Minister to a Board to the best of the knowledge and belief of the declarants a strike will be declared, that the dispute has been the subject of negotiations between the committee *of the employees* and the employer, *or that it has been impossible to secure conference or to enter into negotiations*, that all efforts to obtain a satisfactory settlement have failed, and that there is no reasonable hope of securing a settlement by further *effort or* negotiations."

2. Section fifty-seven of the said Act, as amended by section five of chapter twenty-nine of the statutes of 1910, and as further amended by section five of chapter twenty-nine of the statutes of 1920, is repealed, and the following is substituted therefor:—

Relation of parties to remain unchanged pending proceedings before a Board.

"**57.** Employers and employees shall give at least thirty days' notice of an intended or desired change affecting conditions of employment with respect to wages or hours; and in the event of such intended or desired change resulting in a dispute, it shall be unlawful for the employer to make effective a proposed change in wages or hours or for the employees to go on strike, 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; the application for the appointment of a Board shall be made by the employers or employees proposing the change in wages or in hours; neither of those parties shall alter the conditions of employment with respect to wages or hours, or on account of the dispute do or be concerned in doing directly or indirectly, anything in the nature of a lockout or strike, or a suspension or discontinuance of employment or work, but the relationship of employer and employee shall continue uninterrupted by the dispute, or anything arising out of the dispute; but if, in the opinion of the Board, either party uses this or any other provision of this Act for the purpose of unjustly maintaining a given condition of affairs through delay, and the Board so reports to the Minister, such party shall be guilty of an offence, and liable to the same penalties as are imposed for a violation of the next preceding section."

1920, c. 29.

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

Penalty for causing lockout or change in wages or hours.

"**58.** Any employer declaring or causing a lockout or making effective a change in wages or hours contrary to the provisions of this Act shall be liable to a fine of not less than one hundred dollars, nor more than one thousand dollars for each day or part of a day that such lockout or change exists."

2. The first twelve lines of section 57 are amended as follows. The rest of the section is not changed.

"SEC. 57.—Employers and employees shall give at least thirty days' notice of an intended *or desired* change affecting conditions of employment with respect to wages or hours; and in the event of such intended *or desired* change resulting in a dispute, *it shall be unlawful for the employer to make effective a proposed change in wages or hours or for the employees to go on strike,* 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; *the application for the appointment of a Board shall be made by the employers or employees proposing the change in wages or hours;* neither of those parties shall alter the conditions, etc."

3. The changes in section 58 are as follows:—

"SEC. 58.—Any employer declaring or causing a lockout *or making effective a change in wages or hours* contrary to the provisions of this Act shall be liable to a fine of not less than one hundred dollars, nor more than one thousand dollars for each day or part of a day that such lockout *or change* exists."

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 7.

An Act to amend The Industrial Disputes Investigation Act, 1907.

AS PASSED BY THE HOUSE OF COMMONS, 28th MARCH, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75364 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 7.

An Act to amend The Industrial Disputes Investigation Act, 1907.

1907, c. 20; 1910, c. 29; 1918, c. 27; 1920, c. 29.

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

1. Subparagraph *(b)* of paragraph two of section fifteen of *The Industrial Disputes Investigation Act, 1907*, as enacted by section two of chapter twenty-nine of the statutes of 1910, is repealed, and the following is substituted therefor:—

Statutory declaration to accompany application for appointment of Board.

1910, c. 29.

Declaration by officers of trade union.

"*(b)* A statutory declaration setting forth that, failing an adjustment of the dispute or a reference thereof by the Minister to a Board, to the best of the knowledge and belief of the declarant a lockout or strike will be declared, and (except where the application is made by an employer in consequence of an intended change in wages or hours proposed by the said employer) that the necessary authority to declare such lockout or strike has been obtained; or, where a dispute directly affects employees in more than one province and such employees are members of a trade union having a general committee authorized to carry on negotiations in disputes between employers and employees and so recognized by the employer, a statutory declaration by the chairman or president and by the secretary of such committee setting forth that, failing an adjustment of the dispute or a reference thereof by the Minister to a Board, to the best of the knowledge and belief of the declarants a strike will be declared, that the dispute has been the subject of negotiations between the committee of the employees and the employer, or that it has been impossible to secure conference or to enter into negotiations, that all efforts to obtain a satisfactory settlement have failed, and that there is no reasonable hope of securing a settlement by further effort or negotiations."

Explanatory Notes.

The amendments to the Industrial Disputes Investigation Act here proposed do not introduce any new features into the present statute, but are intended simply to make clearer at one or two points what has been, since its enactment, regarded as the obvious intention.

[No alterations are made except the addition of the new words in italics.]

1. The first part of subparagraph *(b)* is unchanged. The latter part is amended as follows:—

"... . failing an adjustment of the dispute or a reference thereof by the Minister to a Board to the best of the knowledge and belief of the declarants a strike will be declared, that the dispute has been the subject of negotiations between the committee *of the employees* and the employer, *or that it has been impossible to secure conference or to enter into negotiations*, that all efforts to obtain a satisfactory settlement have failed, and that there is no reasonable hope of securing a settlement by further *effort or* negotiations."

2. Section fifty-seven of the said Act, as amended by section five of chapter twenty-nine of the statutes of 1910, and as further amended by section five of chapter twenty-nine of the statutes of 1920, is repealed, and the following is substituted therefor:—

Relation of parties to remain unchanged pending proceedings before a Board.

"**57.** Employers and employees shall give at least thirty days' notice of an intended or desired change affecting conditions of employment with respect to wages or hours; and in the event of such intended or desired change resulting in a dispute, it shall be unlawful for the employer to make effective a proposed change in wages or hours or for the employees to go on strike, 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; the application for the appointment of a Board shall be made by the employers or employees proposing the change in wages or in hours; neither of those parties shall alter the conditions of employment with respect to wages or hours, or on account of the dispute do or be concerned in doing directly or indirectly, anything in the nature of a lockout or strike, or a suspension or discontinuance of employment or work, but the relationship of employer and employee shall continue uninterrupted by the dispute, or anything arising out of the dispute; but if, in the opinion of the Board, either party uses this or any other provision of this Act for the purpose of unjustly maintaining a given condition of affairs through delay, and the Board so reports to the Minister, such party shall be guilty of an offence, and liable to the same penalties as are imposed for a violation of the next preceding section."

1920, c. 29.

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

Penalty for causing lockout or change in wages or hours.

"**58.** Any employer declaring or causing a lockout or making effective a change in wages or hours contrary to the provisions of this Act shall be liable to a fine of not less than one hundred dollars, nor more than one thousand dollars for each day or part of a day that such lockout or change exists."

2. The first twelve lines of section 57 are amended as follows. The rest of the section is not changed.

"SEC. 57.—Employers and employees shall give at least thirty days' notice of an intended *or desired* change affecting conditions of employment with respect to wages or hours; and in the event of such intended *or desired* change resulting in a dispute, *it shall be unlawful for the employer to make effective a proposed change in wages or hours or for the employees to go on strike,* 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; *the application for the appointment of a Board shall be made by the employers or employees proposing the change in wages or hours;* neither of those parties shall alter the conditions, etc."

3. The changes in section 58 are as follows:—

"SEC. 58.—Any employer declaring or causing a lockout *or making effective a change in wages or hours* contrary to the provisions of this Act shall be liable to a fine of not less than one hundred dollars, nor more than one thousand dollars for each day or part of a day that such lockout *or change* exists."

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 8.

An Act to change the name of The Travellers Life Assurance Company of Canada to "Montreal Life Insurance Company."

First reading, March 18, 1924.

(PRIVATE BILL)

MR. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74381 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to change the name of The Travellers Life Assurance Company of Canada to "Montreal Life Insurance Company."

1908, c. 165.

WHEREAS The Travellers Life Assurance Company of Canada has by its petition prayed for the passing of an Act to change the name of the said Company to "Montreal Life Insurance Company," and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Name changed.

Existing rights saved.

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

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 8.

An Act to change the name of The Travellers Life Assurance Company of Canada to "Montreal Life Insurance Company."

AS PASSED BY THE HOUSE OF COMMONS, 6th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74768 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to change the name of The Travellers Life Assurance Company of Canada to "Montreal Life Insurance Company."

1908, c. 165.

WHEREAS The Travellers Life Assurance Company of Canada has by its petition prayed for the passing of an Act to change the name of the said Company to "Montreal Life Insurance Company," and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Name changed.

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

Existing rights saved.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 9.

An Act respecting The T. Eaton General Insurance Company.

First reading, March 18, 1924.

(PRIVATE BILL)

MR. SHEARD.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74380 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act respecting The T. Eaton General Insurance Company.

1920, c. 89; 1922, c. 69.

WHEREAS The T. Eaton General Insurance Company has by its petition prayed that an Act may be passed extending the time during which the Minister of Finance may grant to the said Company the license to carry on business, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time.

1. Notwithstanding anything in section seventy-four of *The Insurance Act, 1917*, or in the Act incorporating The T. Eaton General Insurance Company, chapter eighty-nine of the statutes of 1920, or in an Act respecting The T. Eaton General Insurance Company, chapter sixty-nine of the statutes of 1922, the said chapter eighty-nine of the statutes of 1920 shall be deemed not to have expired and ceased to be in force after the tenth day of May, 1924, but to have continued and to be in force for all purposes thereof whatsoever until the eleventh day of May, 1926, and the Minister of Finance may at any time not later than the tenth day of May, 1926, and subject to all other provisions of *The Insurance Act, 1917*, grant to the said Company the license to carry on business.

1917, c. 29.

Limitation.

2. If the Company has not obtained the said license before the eleventh day of May, 1926, the said chapter eighty-nine of the statutes of 1920 shall then expire and cease to be in force thereafter except for the sole purpose of winding up the Company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 9.

An Act respecting The T. Eaton General Insurance Company.

AS PASSED BY THE HOUSE OF COMMONS, 9th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74769 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act respecting The T. Eaton General Insurance Company.

1920, c. 89; 1922, c. 69.

WHEREAS The T. Eaton General Insurance Company has by its petition prayed that an Act may be passed extending the time during which the Minister of Finance may grant to the said Company the license to carry on business, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time.

1. Notwithstanding anything in section seventy-four of *The Insurance Act, 1917*, or in the Act incorporating The T. Eaton General Insurance Company, chapter eighty-nine of the statutes of 1920, or in an Act respecting The T. Eaton General Insurance Company, chapter sixty-nine of the statutes of 1922, the said chapter eighty-nine of the statutes of 1920 shall be deemed not to have expired and ceased to be in force after the tenth day of May, 1924, but to have continued and to be in force for all purposes thereof whatsoever until the eleventh day of May, 1926, and the Minister of Finance may at any time not later than the tenth day of May, 1926, and subject to all other provisions of *The Insurance Act, 1917*, grant to the said Company the license to carry on business.

1917, c. 29.

Limitation.

2. If the Company has not obtained the said license before the eleventh day of May, 1926, the said chapter eighty-nine of the statutes of 1920 shall then expire and cease to be in force thereafter except for the sole purpose of winding up the Company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 10.

An Act to confirm an Agreement between The Ottawa Electric Railway Company and the City of Ottawa.

First reading, March 18, 1924.

(PRIVATE BILL)

MR. CHEVRIER.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75391 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 10.

An Act to confirm an Agreement between The Ottawa Electric Railway Company and the City of Ottawa.

Preamble.

1892, c. 53; 1894, c. 86; 1899, c. 82; 1903, c. 171.

WHEREAS The Ottawa Electric Railway Company (hereinafter called "the Company") was incorporated by an Act of Parliament of Canada, chapter eighty-six of the statutes of 1894, and by its petition has represented that the Company has entered into an agreement set out in the Schedule to this Act with the Corporation of the City of Ottawa (hereinafter called "the Corporation"), dated the twenty-fifth day of January, 1924, to build certain track extensions and new lines of street railway during a period of five years, and to establish fares for the transportation of passengers on the Company's system, and for other purposes; and whereas the Company has prayed that the said agreement be ratified and confirmed, and that the said parties be empowered and authorized to carry out their respective obligations and to exercise their respective privileges thereunder, 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:—

Agreement ratified and confirmed.

1. The agreement set out in the Schedule to this Act, dated the twenty-fifth day of January, 1924, between the Company and the Corporation is ratified and confirmed, and the parties thereto are hereby empowered and authorized to carry out their respective obligations and to exercise their respective privileges thereunder.

Rates not to be altered before 13th August, 1928.

2. Notwithstanding the provisions of *The Railway Act, 1919*, and amendments thereto, the rates of fares on The Ottawa Electric Railway Company's transportation system, as established by the said agreement, shall not be altered before the thirteenth day of August, 1928, either by the parties thereto or by the Board of Railway Commissioners for Canada, and thereafter any alteration in such fares shall be governed by the terms and conditions of the said agreement.

SCHEDULE.

AGREEMENT dated the 25th day of January, 1924, between the Corporation of the City of Ottawa, hereinafter called the "City", of the first part, and the Ottawa Electric Railway Company, hereinafter called the "Company", of the second part.

Witnesseth that the parties hereto have agreed as follows: —

1. In this Agreement, unless the context shall otherwise require, the words,

(a) "Board" or "Board of Railway Commissioners" shall mean and include the Board of Railway Commissioners for Canada, and any other body subject to Federal jurisdiction that may at any time hereafter have either in whole or in part the powers of such Board.

(b) "Five year period" shall mean each successive period of five years reckoned from and after August 13th, 1923.

(c) "School child" shall mean a child certified in writing to the Company to be under the age of fourteen years by a teacher in a public, or a separate school, or in a collegiate institute, or in such private schools as may be recognized by the Company and to be in attendance at such school.

(d) "Transportation system" shall mean any system for the operation of electric cars, either on metal tracks or without tracks, or for the operation of motor busses by gasolene, electricity or other power, except the force of animals, and any system for the operation of vehicles for the carriage of passengers, but shall not include vehicles chartered for special trips, such as cabs and taxi-cabs.

(e) "Track" shall have the meaning defined by clause 52 of the Agreement dated June 28th, 1893.

2. All written Agreements, By-laws and Statutes governing the relations between the parties hereto, and the powers of the Company, in so far as they are in force and effect on January 1st, 1924, shall remain in full force and effect, except in so far as they are, or may become, inconsistent with or altered by, or under, the terms of this Agreement.

3. *(a)* The Company shall build all those certain track extensions and new lines of street railway (referred to on pages 28 to 33 inclusive of the printed report of R. M. Feustel, dated September, 1922, annexed hereto as Schedule "B"), described in Schedule "A" hereto, in accordance with the terms of said Schedule "A".

(b) The Company will also carry out in the years specified in such report the recommendations contained therein as to matters other than track extensions and additions, which recommendations are contained in Schedule "B" hereto.

(c) Whenever and so often as the City shall, during any five year period, propose that the Company shall extend the lines of its transportation system, the City shall notify the

Company not later than Eighteen (18) months before the expiration of the current five year period of such desire, and upon failure of the parties to agree within two (2) months after such notice, the question whether such work shall be done shall be forthwith submitted to a Board of Three (3) arbitrators for arbitration, under *The Arbitration Act* (Ontario) as it now stands. The award of any such Board of Arbitration shall be null and void, unless it is made at least one year before the expiration of the said current five year period, notwithstanding the provisions of any Act to the contrary.

(d) The Company shall not be obliged to make any extensions, or to add to its equipment, after receiving notice from the City of its intention to purchase under the Agreement dated June 28th, 1893, now in force between the parties.

(e) In the event of the Company being prevented by the act of God, strikes, the King's enemies or other like cause beyond its control, from completing any of the works which under this Agreement the Company undertakes to construct, or which it may hereafter agree or be directed to construct within such respective periods of time as are now or may hereafter be fixed for such purpose, the Company will provide during such delay, other suitable means of transportation for the district to be served by such proposed additional or extended lines.

4. *(a)* Five cents for adults and for children over 51 inches in height; three cents for children under 51 inches in height; and twenty trips for fifty cents for school children; (which last mentioned tickets shall be good only between the hours of 7 a.m. and 5 p.m.) shall be the fares for the transportation of passengers from one point to another on the Company's transportation system within the areas hereinafter in this clause described, except between the hours of twelve o'clock midnight and six a.m., during which time not more than ten cents shall be the fare for all passengers.

(b) Notwithstanding any provision of the Railway Act (Canada) 1919, or of any subsequent Act amending the same, or of any order in council made thereunder, the above fares shall not be altered until the 13th day of August, 1928, and then only if such alteration is permitted in accordance with clause 9 hereof and only while such alteration remains in force.

(c) The fares specified in sub-clause *(a)* of this clause shall be in force (1) on the Company's transportation system now or hereafter constructed or operated within the present limits of the City and (2) on that part of the Company's existing lines outside the limits of the City that runs to Cloverdale Avenue in Rockcliffe Park, and (3) upon such lines as are now or as may hereafter be constructed into the

Central Experimental Farm, and (4) on the present lines of the Company in the province of Quebec and as far as, but not including, Main Street in the City of Hull.

5. During the term of this Agreement and of the said Agreement of June 28th, 1893, and of any extensions or renewals thereof, the City shall grant the Company exemption from taxation and all other municipal rates on its franchises, tracks, rolling stock and other personal property used in and about the working of the transportation system, also on the income of the Company from the working of the said transportation system. But this shall not apply to the real estate of the Company. This exemption shall apply to the tax known as Business Tax, it being the intention of the parties hereto that the Company shall under this supplementary agreement, have the same exemption from taxation as it had during the first thirty years of the Agreement of June 28th, 1893.

6. Regulation 11 of the Schedule attached to the Agreement dated June 28th, 1893, is hereby cancelled and declared to be no longer binding upon the Company. The Company may own and operate within the territory and on the lines referred to in sub-clause *(c)* of clause 4 hereof, such numbers of cars operated by one employee, as shall not exceed forty per cent. of the number of cars in operation on such part of the Company's transportation system from time to time. The introduction or the use of such cars upon the said System shall not cause any employee of the Company to lose his position or seniority with the Company. Employees operating such cars shall be paid at the rate of five cents per hour in excess of the wage rate current for motormen and conductors of like seniority from time to time.

7. The Company may operate its transportation system on Sundays within the limits of the City, as such limits may be from time to time, and the fares payable on Sundays shall be the same as those from time to time payable on week-days.

8. *(a)* The Company shall have and may exercise during the term of this Agreement, and of the said Agreement of June 28th, 1893, and of any extension and renewal thereof, an exclusive franchise to construct, complete, maintain and operate within the limits of the City, as such limits may be from time to time, a transportation system, on the Company's present lines and any extensions or additions thereto, it being the intention of the parties hereto that the Company shall not be subject to competition in its business of transporting passengers whether such competition be in the nature of motor busses or otherwise.

(b) The City will not oppose applications by the Company for privileges to be exercised beyond the limits of the City as such limits may be from time to time.

(c) The Company will not object to the operation, within the limits of the City, as such limits may be from time to

time, of motor busses running between any point within one-quarter mile of the City Hall and towns and villages whether incorporated or unincorporated outside the said limits, but no such motor bus shall convey passengers from one point within the said City limits to another point therein.

(d) The City shall pass such by-laws as the Company may request and as it lawfully may, to enable the Company to enforce the provisions of sub-clauses *(a)* and *(c)* of this clause, but the City shall not be obliged to enforce such provisions.

(e) Notwithstanding anything contained in this clause, during any and all times that the Company is prevented from regularly operating its lines for more than one day, the City may authorize the operation during such time of motor busses or other vehicles as public carriers.

(f) Nothing herein shall affect the right which any railway or other company may have, on January 1st, 1924, to operate a steam or an electric railway, wholly or in part, within the City limits and to carry passengers or freight, but, except in the case of a steam railway, the City shall not renew or extend any such right upon its expiration.

(g) The franchise or right given by sub-clause *(a)* of this clause shall include the right to construct, maintain and operate such equipment and other things as are, or may become, usual or necessary in connection with a transportation system; subject, however, to the provisions of any by-law of the City now or hereafter passed respecting the zoning or the location of buildings.

9. *(a)* Should the Company consider that the revenue to be derived from the operation of the part of its transportation system within the City limits, as they may be from time to time, and from the other lines mentioned in sub-clause *(c)* of clause 4 hereof (hereinafter in this clause called "the said part"), will be insufficient to provide during the five year period next succeeding the five year period then current, for the following items, viz., the cost of operating the said part and such portion of the cost of operating works in connection with the Company's transportation system as is properly chargeable to the said part, and of maintaining and keeping up the same in an efficient condition, and of making proper provision for their depreciation, renewal and replacement, and for a just and reasonable return to the Company on the capital investment in the said part and on such portion of the capital investment in the said works as is properly chargeable to the said part, as such capital investments may be from time to time, the Company may notify the City in writing not later than one year before the end of any five year period, that it cannot profitably continue, after such period, the tariff of fares then in effect on the said part, and shall submit therewith a tariff of fares, and the tariff of fares to be effective during

the next five year period shall thereupon be open for discussion between the parties hereto.

(b) Should no satisfactory adjustment be effected within one month after such notification, the Company may, at any time thereafter, apply to the Board of Railway Commissioners for authority to charge such an increased tariff of fares on the said part of the said system, during the next five year period, as will produce a sum sufficient to provide in such period for the said items.

(c) Should the revenue to be derived from the operation of the said part appear likely to be more than sufficient, in the opinion of the City expressed by resolution, to provide during the five year period next succeeding the five year period then current, for the said items, then the City may notify the Company in writing, one year before the end of any five year period, that it considers the fares excessive, and if no satisfactory adjustment of the matter is made within one month after such notification, the City may apply to the Board for such a decrease in fares upon the said part during the next five year period, as will allow a revenue not more than sufficient to provide for the said items.

(d) Whenever notice has been served by the Company or by the Corporation under clause 9 of this Agreement, any accountant or engineer instructed by the Corporation by a resolution shall have full right of access to the books, records, documents, vouchers and balance sheets of the Company, and shall have full right to examine the same, and to take extracts therefrom.

(e) The parties hereto shall accept the judgment or order of the Board made on any application under this clause, as final and binding, and shall not appeal therefrom.

(f) In the event of the Company making an application under this clause, and the City thereafter serving notice upon the Company of its intention to purchase the Company's property, as provided by clause 4 *(b)* of the Agreement dated June 28th, 1893, it shall be a sufficient compliance with the last mentioned clause if the City shall give the Company six months' notice of such intention.

10. Clause 49 of the said Agreement dated June 28th, 1893, is hereby cancelled and declared to be no longer binding on the Company.

11. In the event of it becoming necessary to build or rebuild, strengthen or extend any bridge, viaduct or subway, in order that any of the lines of railway, which the Company by this Agreement undertakes, or may be required, to construct and operate, shall be constructed and operated under or over the same, if the parties hereto cannot agree as to the proportions in which the cost of building, rebuilding or extending such bridge, viaduct or subway shall be borne between the City and the Comapny, or as between the City

and the Company and any other Company liable to contribute thereto, either party may apply to the Board for an order fixing and apportioning such cost, and the Company will pay such proportion of such cost as may be determined by such Board. The part of such work which the Company is ordered to pay for or to maintain shall be deemed to be a work in connection with the Company's system.

12. If the Corporation shall lay down or relay any pavement upon any street or part of street within such period of time as shall elapse, in any case, between the time when the City shall have first proposed or agreed to an extension of the tracks of the Company upon such street or part of a street, and the expiration of the period of time within which the Company has agreed to lay down the same, and if the laying or relaying of such pavement shall have the effect of increasing the cost which the Company would otherwise be put to in laying down its tracks and works thereon, such increase in the cost thereof shall be borne by the Corporation.

13. The parties hereto agree to join in applying to the Parliament of the Dominion of Canada and to the Legislature of the Province of Ontario for legislation confirming and ratifying this Agreement, and declaring the same to be valid, legal and binding upon the parties hereto (the expense of such legislation to be borne by the Company).

14. If any permission, approval, confirmation, or other thing necessary in order to make effective and valid the powers granted to the Company by this Agreement shall not be obtained by the City, then this Agreement shall not be binding, and the parties shall be restored to their rights and legal positions as they existed immediately prior to the execution of this Agreement, without having any claim for damages arising out of the failure to obtain such thing.

15. The Company may at the request of the City, to be expressed by by-law, substitute other streets or parts thereof for the purpose of reaching the objective points of the extensions referred to in Schedule "A".

16. Any Board of Arbitration appointed under Clause 4 of the said Agreement dated June 28th, 1893, shall consist of three arbitrators, and the constitution and procedure of such Board of Arbitrators shall be governed by *The Arbitration Act* (Ontario) as it now stands.

17. This Agreement and all the terms and conditions of the said Agreement of June 28th, 1893, not inconsistent herewith, or altered hereby, shall be binding upon the City and upon the Company, its successors and assigns, and upon any Company which may be now or shall hereafter operate the transportation system or any part or parts of the said system, authorized by either of the said Agreements.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Seals attested to by their respective proper officers in that behalf.

THE CORPORATION OF THE CITY OF OTTAWA
HENRY WATTERS,
Mayor.
NORMAN H. H. LETT,
Clerk..

THE OTTAWA ELECTRIC RAILWAY COMPANY
T. AHEARN,
President.
G. L. SNELLING,
Secretary-Treasurer.

SCHEDULE "A".

TO BE ATTACHED TO AND FORM PART OF AGREEMENT ENTERED INTO BETWEEN THE CORPORATION OF THE CITY OF OTTAWA AND THE OTTAWA ELECTRIC RAILWAY ON

TRACK EXTENSIONS.

No. 1. Double track on Laurier Ave. from Nicholas St. to Elgin St. Single track curve connecting west bound track on Queen St. with north bound track on Elgin St.

No. 2. A double track line by way of Pretoria Avenue Bridge and Hawthorne Ave. to Main St. in Ottawa East and along Main St. to Clegg St., with a single track loop on Clegg, Glenora and Herridge Sts.; such line to connect either with the Bank St. line by a single track by way of Pretoria Ave. or the present terminus of the Elgin St. line.

No. 3. A double track line on Bronson Ave. from Gladstone Ave. south to Findlay Ave., and a single track loop on Findlay, Muriel and Centre Streets.

No. 4. Single track on Cobourg St. from the car barn north to connect with the existing loop at the corner of Cobourg and Murray Streets.

No. 5. Double tracks on Queen Street, from Bank to Lyon Streets and on Lyon Street from Queen to Gladstone Avenue.

No. 6. Double tracks on Rideau St. from Charlotte St. to Cummings Bridge and on the Montreal Road from Cummings Bridge to a point near its junction with Church Street.

No. 7. Double tracks on Beechwood Avenue from Crichton Street to Springfield Road, with a single track loop on Beechwood Avenue, Butternut Terrace, Maple Lane and Springfield Road.

No. 8. A single track line on Ruskin Avenue from Holland Avenue past the new civic hospital to Fairmont Avenue and on Fairmont Avenue to Wellington Street.

A single track on Fairmont Avenue from its junction with Ruskin across Carling Avenue to join the existing Experimental Farm line.

No. 9. Double tracks on Wellington Street from Preston Street to the junction of Wellington and Somerset Streets at Garland's corner.

No. 10. Double tracks on Nicholas Street from Laurier Avenue to a point near the south corner of Varsity Oval and east of Templeton Street to Marlborough Avenue terminating in a small single track loop.

No. 11. Double tracks on Main Street, Ottawa East, from Clegg to a point near the Rideau River then bearing slightly west terminating in a small single track loop.

No. 12. Double tracks on Bank Street from Grove Street south and across Billings Bridge on to the Bank Street Road to a point where it is proposed that a passenger railway station may be built some time in the future.

TIME OF CONSTRUCTION.

The above extensions to be constructed by The Ottawa Electric Railway Company as follows: —

No. 1. Within a year after agreement is signed, providing that the sidewalk on Laurier Avenue is set back by the City to allow double track construction.

No. 2. Within a year after written notice from the City is received by the Company declaring which of the alternative routes mentioned in item No. 2 of track extensions, the City desires to have used, until such extension is completed the Company will provide a bus service along the proposed route with fare and transfer privileges as on the other parts of the Company's system within the City limits.

No. 3. Within a year after agreement is signed, providing the City extends Muriel Street south from Centre to Findlay Avenue. Pending the removal of the cross town steam railway tracks at Bronson Avenue, this line to be connected by Powell Avenue with the existing tracks on Bell Street.

No. 4. Within a year after agreement is signed.

No. 5. Within two years after agreement is signed.

No. 6. Within two years after agreement is signed, provided the Company has been given proper and acceptable authority to construct that part of the said extension which lies outside the City of Ottawa.

No. 7. Within two years after agreement is signed, contingent upon permission being obtained from the proper authorities for that part of the extension which lies outside the City of Ottawa.

No. 8. Within three years after agreement is signed, providing the City extends Ruskin Avenue east from Holland Avenue to Fairmont Avenue.

No. 9. Within three years after agreement is signed, providing the Wellington Street viaduct is reconstructed.

No. 10. Within four years after agreement is signed, providing the City extends Templeton Street west to Nicholas through the south corner of the Varsity Oval.

No. 11. To be submitted to arbitration before a Board of three arbitrators, to be appointed as provided, and exercising the powers as conferred by the Arbitration Act (Ontario), to determine whether this extension is necessary or not, and also contingent on the City constructing a street through the Rideau Market Gardens.

No. 12. To be submitted to a Board of three arbitrators to be appointed as provided, and exercising the powers conferred by the Arbitration Act (Ontario), to determine the necessity for this extension, and also contingent upon permission being obtained from the proper authorities for that part of the extension which lies outside the City of Ottawa.

SCHEDULE "B"

TO AN AGREEMENT MADE BETWEEN THE CORPORATION OF THE CITY OF OTTAWA AND THE OTTAWA ELECTRIC RAILWAY COMPANY, AND DATED THE 25TH DAY OF JANUARY, 1924.

OTTAWA ELECTRIC RAILWAY COMPANY

PROPOSED TRACK AND SERVICE EXTENSIONS.

At the close of the year of 1893 the Ottawa Electric Railway system consisted of slightly more than 26 miles; this mileage may therefore be considered as the length of the original electric railway. From 1894 to 1913 inclusive, a period of twenty years, the net additions and extensions to the system amounted to a little more than 30 miles, averaging one and one-half miles per year. Owing to the World War and since that time to the imminent expiration of the franchise, the total extensions since 1913 have amounted to only one mile.

Had normal conditions existed and extensions progressed at the rate of one and one-half miles per year, the system in 1922 would have amounted to 70 miles instead of approximately 58 miles as of to-day. In other words the system is 12 miles behind its past program of growth.

While the growth of the system has been retarded the population of the City has continued to increase, resulting in an increase in revenue passengers per year per mile of track from 423,300 in 1913 to 656,700 in 1921. The effect of this increase is an unusual congestion of cars in the centre of the City, especially on Sparks and Bank Streets, during the rush hours. This congestion so delays the service on all lines as to materially affect the travel of nearly all patrons of the system.

Steps should be taken so that the system may gradually catch up on its normal program of growth, building additions and extensions, over say a five year period, at a rate which will bring the system mileage to approximately what it would have been under normal and uninterrupted growth.

A study has been made of the City and its suburbs to determine the needs for extensions. This study indicates that there should be built, during the next five years, approximately 18 miles of new lines and that about one mile of the present system should be abandoned and removed, making a net addition of 17 miles. The system total would thus become, say in 1927, about 75 miles or approximately 3 miles less than it would be if the average growth shown for 20 years prior to 1914 had continued to and including 1927.

In order to keep from over-burdening the electric railway company in the matter of these extensions, they have been divided into five groups; one group to be built each year. The problem of determining which extension shall be built first is more or less simplified if the needs of the greatest number of patrons is given greatest weight.

EXTENSIONS DURING FIRST YEAR.

The first extension to be built should be a double track on Laurier Avenue, from Nicholas Street to Elgin Street, and the connection of the west bound track on Queen Street with the north bound track on Elgin Street. This construction will permit more nearly equal division of east and west traffic between Sparks and Queen Streets, and thus very materially reduce congestion in the center of the town.

In order to build a double track on Laurier Avenue as mentioned, it will be necessary for the City to consider Laurier Avenue between Elgin Street and the approach of the bridge over the canal, making the street the same width from curb to curb, as at present on the bridge. This can

best be done on the north side of the avenue, thus keeping the curbs in line with those on the bridge. This work will not necessitate the purchase of any property.

Under conditions existing in 1922, it is possible to operate cars on Queen Street, between Bank and Elgin Streets, east bound only, so that Queen Street carries about 22% of the normal service and 23% of the rush-hour service while Sparks Street must handle all west bound cars and is therefore very badly congested. The construction of the Laurier Avenue extension and connection of west bound track on Queen Street will permit Queen Street to carry 44% of both normal and rush-hour service, effecting a very material relief to Sparks Street.

The second extension should be double track on Elgin Street from Argyle Avenue south, then east over the canal to Main Street and south to Clegg Street with a single track loop on Clegg Street, Glenora Avenue and Herridge Street. This extension will care for some 3,000 people living in what is known as Ottawa East.

The third should be double track on Bronson Avenue from Gladstone Avenue south to Findlay Street and a single track loop on Findlay, Muriel and Centre Streets. To build this loop it will be necessary for the City to open Muriel Street through from Centre Street to Findlay Street. It is recommended that the present grade crossing on Bronson Avenue with the railroad tracks be used until such time as the City decides to build a viaduct.

The present tracks on Gladstone and Bell Streets from Bronson Avenue to the end of the line at Powell Avenue should be removed. The wooden bridge over the railroad tracks will soon need rebuilding for as it exists to-day, it is inadequate for the purpose and of an expensive type of bridge to maintain. The present patrons of the Bell Street line may be well served by the Bronson Avenue line and especially so if the City cuts through Flora Street from Bronson Avenue to Bell Street and Dolly Varden from Bell to Bronson Avenue. The opening of these streets is quite necessary for the proper expansion of the city, regardless of street car service.

To complete the construction for the first year of the proposed program, a single track should be built on Cobourg Street from the car house north to connect with the present track on Cobourg Street at Murray Street. This short connection will materially increase the flexibility of the operation of the northeastern portion of the system.

The construction recommended for the first year is about 4.5 miles or a net addition of about 4 miles of track at an estimated cost of $174,380.

The company has been operating 113 cars in the evening rush period during the summer months of 1922. To continue operating the same number of cars during the winter

of 1922-1923, will allow only eight cars as reserve equipment —a condition which will practically demand a curtailment of the present service. In order to give proper service at the peak of travel, both now and after the construction proposed for the first year, the company needs 15 additional cars, which will cost approximately $270,000.

The company is already handicapped by lack of car house space and facilities. To properly care for the cars to be purchased under this program of extensions it will be necessary to build either a new house or a large addition to one of the present car houses, costing about $100,000.

The total cost of new track, cars and car house will be $544,380.

Relief of congestion in the central district by the construction of Laurier Avenue extension will entail a slight re-routing of cars. The same will be true, to a minor degree, in each of the following years of this program; more particularly with regard to extension of suburban lines. The inevitable confusion due to re-routing in a small city where patrons are accustomed to a program of service unchanged for many years, may be materially lessened by use of illuminated signs on the front and sides of all cars. New cars should be purchased equipped with these signs and steps taken to equip all old cars, particularly those to be used on lines which are being in any way changed as to route.

EXTENSIONS DURING SECOND YEAR.

At the present time Bank Street, between Albert and Queen Streets, has the greatest amount of street car traffic of any street in the city. The proposed program aims to relieve this in the second year of construction, by building double track on Queen Street between Bank and Lyon Streets and on Lyon Street from Queen Street to Gladstone Avenue, and operating all Bronson Avenue–Elgin Street cars on this new track. Special work should be installed on this extension at the intersection of Lyon and Somerset Streets, so that some of the rush-hour service from Somerset Street may be diverted north on Lyon Street, thus making further relief to Bank Street during the rush-hour period.

This extension, and that on Laurier Avenue, will effect a marked improvement in the service through the central district of the city.

The sections known as Lindenlea and Eastview should be the next to receive car service. Extensions into these districts will also serve both Beechwood and Notre Dame Cemeteries and, while travel to cemeteries is more or less confined to Sundays and holidays —and that during summer months —and would show little or no profit, it must be considered as a service which in some degree is due certain

of those patrons who use other lines six days of the week. It is not intended that these two extensions should be built to the gates of the cemeteries, but by serving the population in these districts the lines will pass to within very short walking distances of the cemeteries.

The line into Eastview is of course outside the city limits and outside the franchise power of the City of Ottawa, but Eastview is practically a suburb of Ottawa and has a population of nearly 6,000. It is believed that a double track extension from the corner of Charlotte and Rideau Streets over Cummings Bridge and east on Montreal Road to a point near the junction of Main Street and Montreal Road, will be a profitable investment for the railway company. In fact it seems so evident that the company will desire to build this extension, that it has been included for the purpose of this study, in the second year of construction.

The line to Lindenlea is recommended as double track from the junction of Beechwood Avenue and Crichton Street northeast on Beechwood Avenue to Springfield Road. From this point, owing to the narrowness of the streets, it is recommended that single track be built on Beechwood Avenue, Butternut Terrace, Maple Lane and Springfield Road, back to join the double track on Beechwood Avenue. With this construction a very satisfactory service may be rendered by operating in one direction around this Lindenlea loop; the direction to be that indicated by the order in which the streets are named above, in other words, North on Butternut Terrace and South on Springfield Road.

The construction just outlined for the second year amounts to approximately 6 miles and would cost about $217,710. In addition to the track construction there will be needed about ten additional passenger cars, one large double truck snow sweeper and a snow plough. This rolling stock will cost about $132,000. The increase in service —car miles operated —will also demand additional substation equipment, costing approximately $20,000. The total capital expenditures for this second year will be $369,710.

EXTENSIONS DURING THE THIRD YEAR.

The first two years of this construction program will relieve the congestion in the centre of the city and place extensions into three districts having no service at the present time; districts already well populated yet having room for large growth, will be greatly enhanced by the new lines.

A large municipal hospital is now under construction just north of Carling Avenue and about 1,000 feet west of Fairmont Avenue. Undoubtedly the City of Ottawa will build a continuation of Ruskin Street from Holland Avenue to Fairmont Avenue as this new street would be about the

same distance from the hospital as is Carling Avenue. This continuation of Ruskin Street will not only give another easy means of reaching the new hospital but will open new and desirable territory for the construction of new dwellings.

Fairmont Avenue betweenWellington Street and Bethany Road is now well built up but south of Bethany Road there are comparatively few houses, however, many new ones are under construction and the section is rapidly building up.

It is recommended, as part of the Third Year construction, to build a double track line from Wellington Street south on Fairmont Avenue to and across Carling Avenue into the property of the Experimental Farm; then west on the property of the Farm and connect with the present line where it turns south toward the Farm buildings. The extension of Ruskin Street should be double tracked from Holland Avenue to Fairmont Avenue, with proper special work at the junction with Fairmont Avenue to permit cars from the Experimental Farm to "wye" at this point. At present Fairmont Avenue passes under the tracks of the Grand Trunk Railway; this railway being carried over the avenue on a timber trestle. To make this subway usable for the street cars —in fact properly serviceable for vehicular traffic —the Grand Trunk Railway tracks should be carried across the avenue on a steel beam bridge.

The present tracks on Holland Avenue from Ruskin Street south and across Carling Avenue and east on the Experimental Farm property to the point where the line turns south, should be removed.

There is still much doubt as to the possibility of the removal or elevation of the railroad tracks crossing Wellington Street between Champagne and Breeze Hill Avenues, but it is thought possible that this question may be decided before the commencement of the third year of construction on this program. Assuming this question to have been decided, it is recommended that double track be built on Wellington Street from Preston Street to Somerset Street.

Service on the extensions to be built during the third year will necessitate the purchase of seven new double truck passenger cars and one double truck snow sweeper. The cost of these cars and the track construction —a little less than four miles of track and a net addition of 3.3 miles — would be approximately $300,160.

EXTENSIONS DURING THE FOURTH YEAR.

The district south of that commonly known as "Sandy Hill" is the next requiring additional service. A study of this section plainly indicates that there will be little growth south of Templeton Street under present car service. Also there is ample room for development north of Templeton Street. It is believed there will be some material growth

before the fourth year of construction is commenced and that there will be a demand for increased service to this section; also that such service would be profitable and would hasten the development of the section. Therefore, it is recommended, during the fourth year of the construction, that a double track line be built south on Nicholas Street from Laurier Avenue to a point near the south corner of what is known as the "Varsity Oval". This extreme southern corner of the play ground is not used and should be purchased for the continuance of Templeton Street, at a slight angle to its present line, from King Edward Avenue to Nicholas Street. Double track construction should be continued from Nicholas Street upon Templeton Street, thence continued to Marlborough Avenue, at which point cars should be turned on a small loop.

Attention should be called to the grades in the Sandy Hill section. It was only after careful study that the route just outlined was determined upon as containing not only the easiest grades but also the only ones safe for operation, and still provide a route which would properly serve this district.

It is a well known fact that street railway lines induce the building up of districts which they serve. Bearing this in mind it is believed that during the fourth year of this program it will be found expedient to extend the line in Ottawa East. While a half mile south on Main Street might reach the limit of the new settlement at this future date it is recommended that during this construction period a double track extension be built south on Main Street from Clegg Street to a point near the Rideau River, then bearing slightly west continue until it reaches the edge of the present settlement and there building a small single track loop.

The 2.75 miles of extensions recommended and ten new cars would make the fourth year construction cost approximately $209,440.

EXTENSIONS DURING FIFTH YEAR.

There is now, and has been for some time past, more or less agitation for removal and relocation of railroad tracks in and about the City of Ottawa. Among these plans is one for a line which would have a passenger station, known as Ottawa South, on the south side of the Rideau River, near the Bank Street bridge. Such a station would certainly demand street car service to the centre of the town. Whether this change will be made by the beginning of the fifth year of this program is considered immaterial for it is believed that the increase in population and business along the southern end of Bank Street and immediately across the river, will warrant a double track extension on Bank Street from Grove Street, south and across the bridge over the

Rideau River. This extension of about one mile and five new cars would cost about $94,000.

The total cost of new construction, new cars, equipment and car house on this five years' program is estimated at $1,517,690.

Track extensions are shown for each year of this program upon a map which also shows the distribution of population of the City of Ottawa and municipality of Eastview.

DENSITY OF CAR TRAFFIC.

Car flow diagrams have been prepared showing graphically the cars per hour in each direction on all streets in the central district of the city during present normal service and present rush-hour service. There are also car flow diagrams showing both normal and rush-hour service after completion of the proposed program of construction. A comparison of these diagrams will clearly show that, even with a 17% increase in service through the central district after completion of the proposed construction, there is much less congestion than under the present method of operation.

OPERATING EXPENSES AND TAXES.

The estimates of operating expenses for each year of this proposed program of construction were based upon the actual experience of the company—the greatest consideration being given to the total operating expenses and expenses per car mile for the year of 1921. However the employees of the company accepted a reduction of 12 per cent in wage rates effective July 1, 1922, which reduction will decrease the operating expenses per car mile since that date.

Fluctuations in labour rates and costs of materials during the next five years will probably be slight, so the costs per mile for 1921, adjusted by the reduction in labour rates, have been used to estimate the operating expenses for each year of this program.

Taxes have been estimated upon the 1922 basis of taxation—mileage basis for track, valuation for real and personal property and net income for income tax.

OPERATING REVENUE.

The past history of the company shows a steady increase in the riding habit of the patrons of the company, until in 1921 it reached the point of 336 rides per capita per annum. Past history would of course indicate a further steady increase but it is believed that the peak has been reached.

Based upon the assumption of 330 rides per capita per annum and the indicated normal growth of the city, the passenger revenue has been estimated for each year of this program allowing for the continuance of the "Limited" and "Sunday" reduced rate ticket.

The increase in population and distribution of density of population is well indicated by the four maps showing graphically the density of the population for the years 1890, 1900, 1910 and 1920.

About ten per cent of the revenue passengers used "Limited" or "Sunday" tickets, the abolition of which tickets would effect an increase in revenue varying from $70,000 in the first year to $80,000 in the fifth year.

THE CORPORATION OF THE CITY OF OTTAWA,

HENRY WATTERS,
Mayor.
NORMAN H. H. LETT,
City Clerk.

THE OTTAWA ELECTRIC RAILWAY COMPANY,

T. AHEARN,
President.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 10.

An Act to confirm an Agreement between The Ottawa Electric Railway Company and the City of Ottawa.

AS PASSED BY THE HOUSE OF COMMONS, 25th APRIL, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75412 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 10.

An Act to confirm an Agreement between The Ottawa Electric Railway Company and the City of Ottawa.

eamble.

WHEREAS The Ottawa Electric Railway Company (hereinafter called "the Company") was incorporated by an Act of Parliament of Canada, chapter eighty-six of the statutes of 1894, and by its petition has represented that the Company has entered into an agreement set out in the Schedule to this Act with the Corporation of the City of Ottawa (hereinafter called "the Corporation"), dated the twenty-fifth day of January, 1924, to build certain track extensions and new lines of street railway during a period of five years, and to establish fares for the transportation of passengers on the Company's system, and for other purposes; and whereas the Company has prayed that the said agreement be ratified and confirmed, and that the said parties be empowered and authorized to carry out their respective obligations and to exercise their respective privileges thereunder, 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: —

92, c. 53; 94, c. 86; 99, c. 82; 03, c. 171.

greement tified and nfirmed.

1. The agreement set out in the Schedule to this Act, dated the twenty-fifth day of January, 1924, between the Company and the Corporation is ratified and confirmed, and the parties thereto are hereby empowered and authorized to carry out their respective obligations and to exercise their respective privileges thereunder.

ates not to altered fore 13th ugust, 1928.

2. Notwithstanding the provisions of *The Railway Act, 1919*, and amendments thereto, the rates of fares on The Ottawa Electric Railway Company's transportation system, as established by the said agreement, shall not be altered before the thirteenth day of August, 1928, either by the parties thereto or by the Board of Railway Commissioners for Canada, and thereafter any alteration in such fares shall be governed by the terms and conditions of the said agreement.

SCHEDULE.

AGREEMENT dated the 25th day of January, 1924, between the Corporation of the City of Ottawa, hereinafter called the "City", of the first part, and the Ottawa Electric Railway Company, hereinafter called the "Company", of the second part.

Witnesseth that the parties hereto have agreed as follows: —

1. In this Agreement, unless the context shall otherwise require, the words,

(a) "Board" or "Board of Railway Commissioners" shall mean and include the Board of Railway Commissioners for Canada, and any other body subject to Federal jurisdiction that may at any time hereafter have either in whole or in part the powers of such Board.

(b) "Five year period" shall mean each successive period of five years reckoned from and after August 13th, 1923.

(c) "School child" shall mean a child certified in writing to the Company to be under the age of fourteen years by a teacher in a public, or a separate school, or in a collegiate institute, or in such private schools as may be recognized by the Company and to be in attendance at such school.

(d) "Transportation system" shall mean any system for the operation of electric cars, either on metal tracks or without tracks, or for the operation of motor busses by gasolene, electricity or other power, except the force of animals, and any system for the operation of vehicles for the carriage of passengers, but shall not include vehicles chartered for special trips, such as cabs and taxi-cabs.

(e) "Track" shall have the meaning defined by clause 52 of the Agreement dated June 28th, 1893.

2. All written Agreements, By-laws and Statutes governing the relations between the parties hereto, and the powers of the Company, in so far as they are in force and effect on January 1st, 1924, shall remain in full force and effect, except in so far as they are, or may become, inconsistent with or altered by, or under, the terms of this Agreement.

3. *(a)* The Company shall build all those certain track extensions and new lines of street railway (referred to on pages 28 to 33 inclusive of the printed report of R. M. Feustel, dated September, 1922, annexed hereto as Schedule "B"), described in Schedule "A" hereto, in accordance with the terms of said Schedule "A".

(b) The Company will also carry out in the years specified in such report the recommendations contained therein as to matters other than track extensions and additions, which recommendations are contained in Schedule "B" hereto.

(c) Whenever and so often as the City shall, during any five year period, propose that the Company shall extend the lines of its transportation system, the City shall notify the

Company not later than Eighteen (18) months before the expiration of the current five year period of such desire, and upon failure of the parties to agree within two (2) months after such notice, the question whether such work shall be done shall be forthwith submitted to a Board of Three (3) arbitrators for arbitration, under *The Arbitration Act* (Ontario) as it now stands. The award of any such Board of Arbitration shall be null and void, unless it is made at least one year before the expiration of the said current five year period, notwithstanding the provisions of any Act to the contrary.

(d) The Company shall not be obliged to make any extensions, or to add to its equipment, after receiving notice from the City of its intention to purchase under the Agreement dated June 28th, 1893, now in force between the parties.

(e) In the event of the Company being prevented by the act of God, strikes, the King's enemies or other like cause beyond its control, from completing any of the works which under this Agreement the Company undertakes to construct, or which it may hereafter agree or be directed to construct within such respective periods of time as are now or may hereafter be fixed for such purpose, the Company will provide during such delay, other suitable means of transportation for the district to be served by such proposed additional or extended lines.

4. *(a)* Five cents for adults and for children over 51 inches in height; three cents for children under 51 inches in height; and twenty trips for fifty cents for school children; (which last mentioned tickets shall be good only between the hours of 7 a.m. and 5 p.m.) shall be the fares for the transportation of passengers from one point to another on the Company's transportation system within the areas hereinafter in this clause described, except between the hours of twelve o'clock midnight and six a.m., during which time not more than ten cents shall be the fare for all passengers.

(b) Notwithstanding any provision of the Railway Act (Canada) 1919, or of any subsequent Act amending the same, or of any order in council made thereunder, the above fares shall not be altered until the 13th day of August, 1928, and then only if such alteration is permitted in accordance with clause 9 hereof and only while such alteration remains in force.

(c) The fares specified in sub-clause *(a)* of this clause shall be in force (1) on the Company's transportation system now or hereafter constructed or operated within the present limits of the City and (2) on that part of the Company's existing lines outside the limits of the City that runs to Cloverdale Avenue in Rockcliffe Park, and (3) upon such lines as are now or as may hereafter be constructed into the

Central Experimental Farm, and (4) on the present lines of the Company in the province of Quebec and as far as, but not including, Main Street in the City of Hull.

5. During the term of this Agreement and of the said Agreement of June 28th, 1893, and of any extensions or renewals thereof, the City shall grant the Company exemption from taxation and all other municipal rates on its franchises, tracks, rolling stock and other personal property used in and about the working of the transportation system, also on the income of the Company from the working of the said transportation system. But this shall not apply to the real estate of the Company. This exemption shall apply to the tax known as Business Tax, it being the intention of the parties hereto that the Company shall under this supplementary agreement, have the same exemption from taxation as it had during the first thirty years of the Agreement of June 28th, 1893.

6. Regulation 11 of the Schedule attached to the Agreement dated June 28th, 1893, is hereby cancelled and declared to be no longer binding upon the Company. The Company may own and operate within the territory and on the lines referred to in sub-clause *(c)* of clause 4 hereof, such numbers of cars operated by one employee, as shall not exceed forty per cent. of the number of cars in operation on such part of the Company's transportation system from time to time. The introduction or the use of such cars upon the said System shall not cause any employee of the Company to lose his position or seniority with the Company. Employees operating such cars shall be paid at the rate of five cents per hour in excess of the wage rate current for motormen and conductors of like seniority from time to time.

7. The Company may operate its transportation system on Sundays within the limits of the City, as such limits may be from time to time, and the fares payable on Sundays shall be the same as those from time to time payable on week-days.

8. *(a)* The Company shall have and may exercise during the term of this Agreement, and of the said Agreement of June 28th, 1893, and of any extension and renewal thereof, an exclusive franchise to construct, complete, maintain and operate within the limits of the City, as such limits may be from time to time, a transportation system, on the Company's present lines and any extensions or additions thereto, it being the intention of the parties hereto that the Company shall not be subject to competition in its business of transporting passengers whether such competition be in the nature of motor busses or otherwise.

(b) The City will not oppose applications by the Company for privileges to be exercised beyond the limits of the City as such limits may be from time to time.

(c) The Company will not object to the operation, within the limits of the City, as such limits may be from time to

time, of motor busses running between any point within one-quarter mile of the City Hall and towns and villages whether incorporated or unincorporated outside the said limits, but no such motor bus shall convey passengers from one point within the said City limits to another point therein.

(d) The City shall pass such by-laws as the Company may request and as it lawfully may, to enable the Company to enforce the provisions of sub-clauses *(a)* and *(c)* of this clause, but the City shall not be obliged to enforce such provisions.

(e) Notwithstanding anything contained in this clause, during any and all times that the Company is prevented from regularly operating its lines for more than one day, the City may authorize the operation during such time of motor busses or other vehicles as public carriers.

(f) Nothing herein shall affect the right which any railway or other company may have, on January 1st, 1924, to operate a steam or an electric railway, wholly or in part, within the City limits and to carry passengers or freight, but, except in the case of a steam railway, the City shall not renew or extend any such right upon its expiration.

(g) The franchise or right given by sub-clause *(a)* of this clause shall include the right to construct, maintain and operate such equipment and other things as are, or may become, usual or necessary in connection with a transportation system; subject, however, to the provisions of any by-law of the City now or hereafter passed respecting the zoning or the location of buildings.

9. *(a)* Should the Company consider that the revenue to be derived from the operation of the part of its transportation system within the City limits, as they may be from time to time, and from the other lines mentioned in sub-clause *(c)* of clause 4 hereof (hereinafter in this clause called "the said part"), will be insufficient to provide during the five year period next succeeding the five year period then current, for the following items, viz., the cost of operating the said part and such portion of the cost of operating works in connection with the Company's transportation system as is properly chargeable to the said part, and of maintaining and keeping up the same in an efficient condition, and of making proper provision for their depreciation, renewal and replacement, and for a just and reasonable return to the Company on the capital investment in the said part and on such portion of the capital investment in the said works as is properly chargeable to the said part, as such capital investments may be from time to time, the Company may notify the City in writing not later than one year before the end of any five year period, that it cannot profitably continue, after such period, the tariff of fares then in effect on the said part, and shall submit therewith a tariff of fares, and the tariff of fares to be effective during

the next five year period shall thereupon be open for discussion between the parties hereto.

(b) Should no satisfactory adjustment be effected within one month after such notification, the Company may, at any time thereafter, apply to the Board of Railway Commissioners for authority to charge such an increased tariff of fares on the said part of the said system, during the next five year period, as will produce a sum sufficient to provide in such period for the said items.

(c) Should the revenue to be derived from the operation of the said part appear likely to be more than sufficient, in the opinion of the City expressed by resolution, to provide during the five year period next succeeding the five year period then current, for the said items, then the City may notify the Company in writing, one year before the end of any five year period, that it considers the fares excessive, and if no satisfactory adjustment of the matter is made within one month after such notification, the City may apply to the Board for such a decrease in fares upon the said part during the next five year period, as will allow a revenue not more than sufficient to provide for the said items.

(d) Whenever notice has been served by the Company or by the Corporation under clause 9 of this Agreement, any accountant or engineer instructed by the Corporation by a resolution shall have full right of access to the books, records, documents, vouchers and balance sheets of the Company, and shall have full right to examine the same, and to take extracts therefrom.

(e) The parties hereto shall accept the judgment or order of the Board made on any application under this clause, as final and binding, and shall not appeal therefrom.

(f) In the event of the Company making an application under this clause, and the City thereafter serving notice upon the Company of its intention to purchase the Company's property, as provided by clause 4 *(b)* of the Agreement dated June 28th, 1893, it shall be a sufficient compliance with the last mentioned clause if the City shall give the Company six months' notice of such intention.

10. Clause 49 of the said Agreement dated June 28th, 1893, is hereby cancelled and declared to be no longer binding on the Company.

11. In the event of it becoming necessary to build or rebuild, strengthen or extend any bridge, viaduct or subway, in order that any of the lines of railway, which the Company by this Agreement undertakes, or may be required, to construct and operate, shall be constructed and operated under or over the same, if the parties hereto cannot agree as to the proportions in which the cost of building, rebuilding or extending such bridge, viaduct or subway shall be borne between the City and the Company, or as between the City

and the Company and any other Company liable to contribute thereto, either party may apply to the Board for an order fixing and apportioning such cost, and the Company will pay such proportion of such cost as may be determined by such Board. The part of such work which the Company is ordered to pay for or to maintain shall be deemed to be a work in connection with the Company's system.

12. If the Corporation shall lay down or relay any pavement upon any street or part of street within such period of time as shall elapse, in any case, between the time when the City shall have first proposed or agreed to an extension of the tracks of the Company upon such street or part of a street, and the expiration of the period of time within which the Company has agreed to lay down the same, and if the laying or relaying of such pavement shall have the effect of increasing the cost which the Company would otherwise be put to in laying down its tracks and works thereon, such increase in the cost thereof shall be borne by the Corporation.

13. The parties hereto agree to join in applying to the Parliament of the Dominion of Canada and to the Legislature of the Province of Ontario for legislation confirming and ratifying this Agreement, and declaring the same to be valid, legal and binding upon the parties hereto (the expense of such legislation to be borne by the Company).

14. If any permission, approval, confirmation, or other thing necessary in order to make effective and valid the powers granted to the Company by this Agreement shall not be obtained by the City, then this Agreement shall not be binding, and the parties shall be restored to their rights and legal positions as they existed immediately prior to the execution of this Agreement, without having any claim for damages arising out of the failure to obtain such thing.

15. The Company may at the request of the City, to be expressed by by-law, substitute other streets or parts thereof for the purpose of reaching the objective points of the extensions referred to in Schedule "A".

16. Any Board of Arbitration appointed under Clause 4 of the said Agreement dated June 28th, 1893, shall consist of three arbitrators, and the constitution and procedure of such Board of Arbitrators shall be governed by *The Arbitration Act* (Ontario) as it now stands.

17. This Agreement and all the terms and conditions of the said Agreement of June 28th, 1893, not inconsistent herewith, or altered hereby, shall be binding upon the City and upon the Company, its successors and assigns, and upon any Company which may be now or shall hereafter operate the transportation system or any part or parts of the said system, authorized by either of the said Agreements.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Seals attested to by their respective proper officers in that behalf.

THE CORPORATION OF THE CITY OF OTTAWA
HENRY WATTERS,
Mayor.
NORMAN H. H. LETT,
Clerk.

THE OTTAWA ELECTRIC RAILWAY COMPANY
T. AHEARN,
President.
G. L. SNELLING,
Secretary-Treasurer.

———

SCHEDULE "A".

TO BE ATTACHED TO AND FORM PART OF AGREEMENT ENTERED INTO BETWEEN THE CORPORATION OF THE CITY OF OTTAWA AND THE OTTAWA ELECTRIC RAILWAY ON

TRACK EXTENSIONS.

No. 1. Double track on Laurier Ave. from Nicholas St. to Elgin St. Single track curve connecting west bound track on Queen St. with north bound track on Elgin St.

No. 2. A double track line by way of Pretoria Avenue Bridge and Hawthorne Ave. to Main St. in Ottawa East and along Main St. to Clegg St., with a single track loop on Clegg, Glenora and Herridge Sts.; such line to connect either with the Bank St. line by a single track by way of Pretoria Ave. or the present terminus of the Elgin St. line.

No. 3. A double track line on Bronson Ave. from Gladstone Ave. south to Findlay Ave., and a single track loop on Findlay, Muriel and Centre Streets.

No. 4. Single track on Cobourg St. from the car barn north to connect with the existing loop at the corner of Cobourg and Murray Streets.

No. 5. Double tracks on Queen Street, from Bank to Lyon Streets and on Lyon Street from Queen to Gladstone Avenue.

No. 6. Double tracks on Rideau St. from Charlotte St. to Cummings Bridge and on the Montreal Road from Cummings Bridge to a point near its junction with Church Street.

No. 7. Double tracks on Beechwood Avenue from Crichton Street to Springfield Road, with a single track loop on Beechwood Avenue, Butternut Terrace, Maple Lane and Springfield Road.

No. 8. A single track line on Ruskin Avenue from Holland Avenue past the new civic hospital to Fairmont Avenue and on Fairmont Avenue to Wellington Street.

A single track on Fairmont Avenue from its junction with Ruskin across Carling Avenue to join the existing Experimental Farm line.

No. 9. Double tracks on Wellington Street from Preston Street to the junction of Wellington and Somerset Streets at Garland's corner.

No. 10. Double tracks on Nicholas Street from Laurier Avenue to a point near the south corner of Varsity Oval and east of Templeton Street to Marlborough Avenue terminating in a small single track loop.

No. 11. Double tracks on Main Street, Ottawa East, from Clegg to a point near the Rideau River then bearing slightly west terminating in a small single track loop.

No. 12. Double tracks on Bank Street from Grove Street south and across Billings Bridge on to the Bank Street Road to a point where it is proposed that a passenger railway station may be built some time in the future.

TIME OF CONSTRUCTION.

The above extensions to be constructed by The Ottawa Electric Railway Company as follows: —

No. 1. Within a year after agreement is signed, providing that the sidewalk on Laurier Avenue is set back by the City to allow double track construction.

No. 2. Within a year after written notice from the City is received by the Company declaring which of the alternative routes mentioned in item No. 2 of track extensions, the City desires to have used, until such extension is completed the Company will provide a bus service along the proposed route with fare and transfer privileges as on the other parts of the Company's system within the City limits.

No. 3. Within a year after agreement is signed, providing the City extends Muriel Street south from Centre to Findlay Avenue. Pending the removal of the cross town steam railway tracks at Bronson Avenue, this line to be connected by Powell Avenue with the existing tracks on Bell Street.

No. 4. Within a year after agreement is signed.

No. 5. Within two years after agreement is signed.

No. 6. Within two years after agreement is signed, provided the Company has been given proper and acceptable authority to construct that part of the said extension which lies outside the City of Ottawa.

No. 7. Within two years after agreement is signed, contingent upon permission being obtained from the proper authorities for that part of the extension which lies outside the City of Ottawa.

No. 8. Within three years after agreement is signed, providing the City extends Ruskin Avenue east from Holland Avenue to Fairmont Avenue.

No. 9. Within three years after agreement is signed, providing the Wellington Street viaduct is reconstructed.

No. 10. Within four years after agreement is signed, providing the City extends Templeton Street west to Nicholas through the south corner of the Varsity Oval.

No. 11. To be submitted to arbitration before a Board of three arbitrators, to be appointed as provided, and exercising the powers as conferred by the Arbitration Act (Ontario), to determine whether this extension is necessary or not, and also contingent on the City constructing a street through the Rideau Market Gardens.

No. 12. To be submitted to a Board of three arbitrators to be appointed as provided, and exercising the powers conferred by the Arbitration Act (Ontario), to determine the necessity for this extension, and also contingent upon permission being obtained from the proper authorities for that part of the extension which lies outside the City of Ottawa.

SCHEDULE "B"

TO AN AGREEMENT MADE BETWEEN THE CORPORATION OF THE CITY OF OTTAWA AND THE OTTAWA ELECTRIC RAILWAY COMPANY, AND DATED THE 25TH DAY OF JANUARY, 1924.

OTTAWA ELECTRIC RAILWAY COMPANY

PROPOSED TRACK AND SERVICE EXTENSIONS.

At the close of the year of 1893 the Ottawa Electric Railway system consisted of slightly more than 26 miles; this mileage may therefore be considered as the length of the original electric railway. From 1894 to 1913 inclusive, a period of twenty years, the net additions and extensions to the system amounted to a little more than 30 miles, averaging one and one-half miles per year. Owing to the World War and since that time to the imminent expiration of the franchise, the total extensions since 1913 have amounted to only one mile.

Had normal conditions existed and extensions progressed at the rate of one and one-half miles per year, the system in 1922 would have amounted to 70 miles instead of approximately 58 miles as of to-day. In other words the system is 12 miles behind its past program of growth.

While the growth of the system has been retarded the population of the City has continued to increase, resulting in an increase in revenue passengers per year per mile of track from 423,300 in 1913 to 656,700 in 1921. The effect of this increase is an unusual congestion of cars in the centre of the City, especially on Sparks and Bank Streets, during the rush hours. This congestion so delays the service on all lines as to materially affect the travel of nearly all patrons of the system.

Steps should be taken so that the system may gradually catch up on its normal program of growth, building additions and extensions, over say a five year period, at a rate which will bring the system mileage to approximately what it would have been under normal and uninterrupted growth.

A study has been made of the City and its suburbs to determine the needs for extensions. This study indicates that there should be built, during the next five years, approximately 18 miles of new lines and that about one mile of the present system should be abandoned and removed, making a net addition of 17 miles. The system total would thus become, say in 1927, about 75 miles or approximately 3 miles less than it would be if the average growth shown for 20 years prior to 1914 had continued to and including 1927.

In order to keep from over-burdening the electric railway company in the matter of these extensions, they have been divided into five groups; one group to be built each year. The problem of determining which extension shall be built first is more or less simplified if the needs of the greatest number of patrons is given greatest weight.

EXTENSIONS DURING FIRST YEAR.

The first extension to be built should be a double track on Laurier Avenue, from Nicholas Street to Elgin Street, and the connection of the west bound track on Queen Street with the north bound track on Elgin Street. This construction will permit more nearly equal division of east and west traffic between Sparks and Queen Streets, and thus very materially reduce congestion in the center of the town.

In order to build a double track on Laurier Avenue as mentioned, it will be necessary for the City to consider Laurier Avenue between Elgin Street and the approach of the bridge over the canal, making the street the same width from curb to curb, as at present on the bridge. This can

best be done on the north side of the avenue, thus keeping the curbs in line with those on the bridge. This work will not necessitate the purchase of any property.

Under conditions existing in 1922, it is possible to operate cars on Queen Street, between Bank and Elgin Streets, east bound only, so that Queen Street carries about 22% of the normal service and 23% of the rush-hour service while Sparks Street must handle all west bound cars and is therefore very badly congested. The construction of the Laurier Avenue extension and connection of west bound track on Queen Street will permit Queen Street to carry 44% of both normal and rush-hour service, effecting a very material relief to Sparks Street.

The second extension should be double track on Elgin Street from Argyle Avenue south, then east over the canal to Main Street and south to Clegg Street with a single track loop on Clegg Street, Glenora Avenue and Herridge Street. This extension will care for some 3,000 people living in what is known as Ottawa East.

The third should be double track on Bronson Avenue from Gladstone Avenue south to Findlay Street and a single track loop on Findlay, Muriel and Centre Streets. To build this loop it will be necessary for the City to open Muriel Street through from Centre Street to Findlay Street. It is recommended that the present grade crossing on Bronson Avenue with the railroad tracks be used until such time as the City decides to build a viaduct.

The present tracks on Gladstone and Bell Streets from Bronson Avenue to the end of the line at Powell Avenue should be removed. The wooden bridge over the railroad tracks will soon need rebuilding for as it exists to-day, it is inadequate for the purpose and of an expensive type of bridge to maintain. The present patrons of the Bell Street line may be well served by the Bronson Avenue line and especially so if the City cuts through Flora Street from Bronson Avenue to Bell Street and Dolly Varden from Bell to Bronson Avenue. The opening of these streets is quite necessary for the proper expansion of the city, regardless of street car service.

To complete the construction for the first year of the proposed program, a single track should be built on Cobourg Street from the car house north to connect with the present track on Cobourg Street at Murray Street. This short connection will materially increase the flexibility of the operation of the northeastern portion of the system.

The construction recommended for the first year is about 4.5 miles or a net addition of about 4 miles of track at an estimated cost of $174,380.

The company has been operating 113 cars in the evening rush period during the summer months of 1922. To continue operating the same number of cars during the winter

of 1922-1923, will allow only eight cars as reserve equipment —a condition which will practically demand a curtailment of the present service. In order to give proper service at the peak of travel, both now and after the construction proposed for the first year, the company needs 15 additional cars, which will cost approximately $270,000.

The company is already handicapped by lack of car house space and facilities. To properly care for the cars to be purchased under this program of extensions it will be necessary to build either a new house or a large addition to one of the present car houses, costing about $100,000.

The total cost of new track, cars and car house will be $544,380.

Relief of congestion in the central district by the construction of Laurier Avenue extension will entail a slight re-routing of cars. The same will be true, to a minor degree, in each of the following years of this program; more particularly with regard to extension of suburban lines. The inevitable confusion due to re-routing in a small city where patrons are accustomed to a program of service unchanged for many years, may be materially lessened by use of illuminated signs on the front and sides of all cars. New cars should be purchased equipped with these signs and steps taken to equip all old cars, particularly those to be used on lines which are being in any way changed as to route.

EXTENSIONS DURING SECOND YEAR.

At the present time Bank Street, between Albert and Queen Streets, has the greatest amount of street car traffic of any street in the city. The proposed program aims to relieve this in the second year of construction, by building double track on Queen Street between Bank and Lyon Streets and on Lyon Street from Queen Street to Gladstone Avenue, and operating all Bronson Avenue–Elgin Street cars on this new track. Special work should be installed on this extension at the intersection of Lyon and Somerset Streets, so that some of the rush-hour service from Somerset Street may be diverted north on Lyon Street, thus making further relief to Bank Street during the rush-hour period.

This extension, and that on Laurier Avenue, will effect a marked improvement in the service through the central district of the city.

The sections known as Lindenlea and Eastview should be the next to receive car service. Extensions into these districts will also serve both Beechwood and Notre Dame Cemeteries and, while travel to cemeteries is more or less confined to Sundays and holidays —and that during summer months —and would show little or no profit, it must be considered as a service which in some degree is due certain

of those patrons who use other lines six days of the week. It is not intended that these two extensions should be built to the gates of the cemeteries, but by serving the population in these districts the lines will pass to within very short walking distances of the cemeteries.

The line into Eastview is of course outside the city limits and outside the franchise power of the City of Ottawa, but Eastview is practically a suburb of Ottawa and has a population of nearly 6,000. It is believed that a double track extension from the corner of Charlotte and Rideau Streets over Cummings Bridge and east on Montreal Road to a point near the junction of Main Street and Montreal Road, will be a profitable investment for the railway company. In fact it seems so evident that the company will desire to build this extension, that it has been included for the purpose of this study, in the second year of construction.

The line to Lindenlea is recommended as double track from the junction of Beechwood Avenue and Crichton Street northeast on Beechwood Avenue to Springfield Road. From this point, owing to the narrowness of the streets, it is recommended that single track be built on Beechwood Avenue, Butternut Terrace, Maple Lane and Springfield Road, back to join the double track on Beechwood Avenue. With this construction a very satisfactory service may be rendered by operating in one direction around this Lindenlea loop; the direction to be that indicated by the order in which the streets are named above, in other words, North on Butternut Terrace and South on Springfield Road.

The construction just outlined for the second year amounts to approximately 6 miles and would cost about $217,710. In addition to the track construction there will be needed about ten additional passenger cars, one large double truck snow sweeper and a snow plough. This rolling stock will cost about $132,000. The increase in service—car miles operated—will also demand additional substation equipment, costing approximately $20,000. The total capital expenditures for this second year will be $369,710.

EXTENSIONS DURING THE THIRD YEAR.

The first two years of this construction program will relieve the congestion in the centre of the city and place extensions into three districts having no service at the present time; districts already well populated yet having room for large growth, will be greatly enhanced by the new lines.

A large municipal hospital is now under construction just north of Carling Avenue and about 1,000 feet west of Fairmont Avenue. Undoubtedly the City of Ottawa will build a continuation of Ruskin Street from Holland Avenue to Fairmont Avenue as this new street would be about the

same distance from the hospital as is Carling Avenue. This continuation of Ruskin Street will not only give another easy means of reaching the new hospital but will open new and desirable territory for the construction of new dwellings.

Fairmont Avenue betweenWellington Street and Bethany Road is now well built up but south of Bethany Road there are comparatively few houses, however, many new ones are under construction and the section is rapidly building up.

It is recommended, as part of the Third Year construction, to build a double track line from Wellington Street south on Fairmont Avenue to and across Carling Avenue into the property of the Experimental Farm; then west on the property of the Farm and connect with the present line where it turns south toward the Farm buildings. The extension of Ruskin Street should be double tracked from Holland Avenue to Fairmont Avenue, with proper special work at the junction with Fairmont Avenue to permit cars from the Experimental Farm to "wye" at this point. At present Fairmont Avenue passes under the tracks of the Grand Trunk Railway; this railway being carried over the avenue on a timber trestle. To make this subway usable for the street cars —in fact properly serviceable for vehicular traffic —the Grand Trunk Railway tracks should be carried across the avenue on a steel beam bridge.

The present tracks on Holland Avenue from Ruskin Street south and across Carling Avenue and east on the Experimental Farm property to the point where the line turns south, should be removed.

There is still much doubt as to the possibility of the removal or elevation of the railroad tracks crossing Wellington Street between Champagne and Breeze Hill Avenues, but it is thought possible that this question may be decided before the commencement of the third year of construction on this program. Assuming this question to have been decided, it is recommended that double track be built on Wellington Street from Preston Street to Somerset Street.

Service on the extensions to be built during the third year will necessitate the purchase of seven new double truck passenger cars and one double truck snow sweeper. The cost of these cars and the track construction —a little less than four miles of track and a net addition of 3.3 miles — would be approximately $300,160.

EXTENSIONS DURING THE FOURTH YEAR.

The district south of that commonly known as "Sandy Hill" is the next requiring additional service. A study of this section plainly indicates that there will be little growth south of Templeton Street under present car service. Also there is ample room for development north of Templeton Street. It is believed there will be some material growth

before the fourth year of construction is commenced and that there will be a demand for increased service to this section; also that such service would be profitable and would hasten the development of the section. Therefore, it is recommended, during the fourth year of the construction, that a double track line be built south on Nicholas Street from Laurier Avenue to a point near the south corner of what is known as the "Varsity Oval". This extreme southern corner of the play ground is not used and should be purchased for the continuance of Templeton Street, at a slight angle to its present line, from King Edward Avenue to Nicholas Street. Double track construction should be continued from Nicholas Street upon Templeton Street, thence continued to Marlborough Avenue, at which point cars should be turned on a small loop.

Attention should be called to the grades in the Sandy Hill section. It was only after careful study that the route just outlined was determined upon as containing not only the easiest grades but also the only ones safe for operation, and still provide a route which would properly serve this district.

It is a well known fact that street railway lines induce the building up of districts which they serve. Bearing this in mind it is believed that during the fourth year of this program it will be found expedient to extend the line in Ottawa East. While a half mile south on Main Street might reach the limit of the new settlement at this future date it is recommended that during this construction period a double track extension be built south on Main Street from Clegg Street to a point near the Rideau River, then bearing slightly west continue until it reaches the edge of the present settlement and there building a small single track loop.

The 2.75 miles of extensions recommended and ten new cars would make the fourth year construction cost approximately $209,440.

EXTENSIONS DURING FIFTH YEAR.

There is now, and has been for some time past, more or less agitation for removal and relocation of railroad tracks in and about the City of Ottawa. Among these plans is one for a line which would have a passenger station, known as Ottawa South, on the south side of the Rideau River, near the Bank Street bridge. Such a station would certainly demand street car service to the centre of the town. Whether this change will be made by the beginning of the fifth year of this program is considered immaterial for it is believed that the increase in population and business along the southern end of Bank Street and immediately across the river, will warrant a double track extension on Bank Street from Grove Street, south and across the bridge over the

Rideau River. This extension of about one mile and five new cars would cost about $94,000.

The total cost of new construction, new cars, equipment and car house on this five years' program is estimated at $1,517,690.

Track extensions are shown for each year of this program upon a map which also shows the distribution of population of the City of Ottawa and municipality of Eastview.

DENSITY OF CAR TRAFFIC.

Car flow diagrams have been prepared showing graphically the cars per hour in each direction on all streets in the central district of the city during present normal service and present rush-hour service. There are also car flow diagrams showing both normal and rush-hour service after completion of the proposed program of construction. A comparison of these diagrams will clearly show that, even with a 17% increase in service through the central district after completion of the proposed construction, there is much less congestion than under the present method of operation.

OPERATING EXPENSES AND TAXES.

The estimates of operating expenses for each year of this proposed program of construction were based upon the actual experience of the company—the greatest consideration being given to the total operating expenses and expenses per car mile for the year of 1921. However the employees of the company accepted a reduction of 12 per cent in wage rates effective July 1, 1922, which reduction will decrease the operating expenses per car mile since that date.

Fluctuations in labour rates and costs of materials during the next five years will probably be slight, so the costs per mile for 1921, adjusted by the reduction in labour rates, have been used to estimate the operating expenses for each year of this program.

Taxes have been estimated upon the 1922 basis of taxation—mileage basis for track, valuation for real and personal property and net income for income tax.

OPERATING REVENUE.

The past history of the company shows a steady increase in the riding habit of the patrons of the company, until in 1921 it reached the point of 336 rides per capita per annum. Past history would of course indicate a further steady increase but it is believed that the peak has been reached.

Based upon the assumption of 330 rides per capita per annum and the indicated normal growth of the city, the passenger revenue has been estimated for each year of this program allowing for the continuance of the "Limited" and "Sunday" reduced rate ticket.

The increase in population and distribution of density of population is well indicated by the four maps showing graphically the density of the population for the years 1890, 1900, 1910 and 1920.

About ten per cent of the revenue passengers used "Limited" or "Sunday" tickets, the abolition of which tickets would effect an increase in revenue varying from $70,000 in the first year to $80,000 in the fifth year.

THE CORPORATION OF THE CITY OF OTTAWA,

HENRY WATTERS,
Mayor.
NORMAN H. H. LETT,
City Clerk.

THE OTTAWA ELECTRIC RAILWAY COMPANY,

T. AHEARN,
President.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 11.

An Act to amend The Railway Act, 1919.

First reading, March 18, 1924.

Mr. CHURCH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

75668

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to amend The Railway Act, 1919.

1919, c. 68.

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

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

Special passenger tariffs for exhibitions, fairs, holiday seasons, etc., to be established.

"(4) Special passenger tariffs specifying a lower toll or tolls to be charged by the company for passengers going to and returning from places where exhibitions, fairs, games or meetings of any kind are being held, and special passenger tariffs specifying a lower toll or tolls to be charged during holiday seasons shall be established under the provisions of this Act, and if any company fails to establish such special passenger tariffs for such purposes or if the toll or tolls in any such proposed tariff are deemed by the Board to be too large, the Board shall have power to prescribe the toll or tolls that shall be charged. The Board shall also have power to prescribe the conditions under which and the period or periods during which such special tariff shall apply or be in force."

Powers of Board.

Explanatory Note.

1. The object of the amendment is to restore the special rate that applied prior to the war in regard to tickets purchased on such special occasions as Thanksgiving Day and certain other holidays, and for the purpose of attendance at the fall fairs conventions and sporting events as are held throughout Canada. Before the war, single fares or a fare and a third were charged, instead of the full return fare, to persons attending various functions of this character on certain days and special occasions and conventions of different kinds held in the spring of the year by farmers' and other organizations. In connection with sporting events, such as soccer, lacrosse, football and hockey and other games, there was also a cut rate for week ends. If the old special rate that obtained for these events prior to the war were restored, there would be a large increase in the earnings of the railways from this class of traffic.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 12.

An Act to amend the Penitentiaries Act.

First reading, March 20, 1924.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74313 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act to amend the Penitentiaries Act.

R.S., c. 147; 1918, c. 36; 1920, c. 61; 1922, c. 3.

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

1. The *Penitentiaries Act*, chapter one hundred and forty-seven of the Revised Statutes of Canada, 1906, is amended by inserting the following heading and section immediately after section forty-three thereof:—

"PREVENTION OF ESCAPE.

Power of Warden and officers to prevent escape and to effect arrest and re-capture of escaping convict.

"**43A.** (1) In every case for the prevention of escape of any convict in a penitentiary, and for the arrest and re-capture of any such convict who has escaped from a penitentiary, the Warden or other officers of the penitentiary shall have the same duty, and shall have and may exercise the same power, right and authority and means as if such convict had been convicted of, and were under imprisonment for, felony, or for an offence which was felony at common law.

"(2) In no case shall the Warden or other officers be deemed to have less power, right or authority for the purpose of preventing an escape, or for the arrest and re-capture of any escaped or escaping convict, no matter for what offence such convict may have been committed to the penitentiary, than a peace officer would have for the purpose of arresting a person charged under a warrant duly issued for the arrest of such person for a crime which is felony or was felony at common law, and of which he is guilty."

EXPLANATORY NOTES.

1. By Section 14 of the Criminal Code the distinction between felony and misdemeanour is abolished.

Some penitentiary convicts are convicted of offences which were felony at common law, others for offences which were misdemeanours. Peace officers at common law were justified to resort in case of necessity to means for arresting or preventing the escape of felons which would not be justified in the case of misdemeanants. The penitentiary guards are armed and directed to shoot in order to prevent escape or for the re-capture of prisoners where the escape or re-capture cannot be prevented or effected without resorting to this extreme measure; but generally speaking the guard does not know, or he may not know, the nature of the offence for which the escaping or escaped convict is sentenced, and this Bill is drafted for the removal of doubt as to the officer's authority.

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

Where convict to be confined pending determination of his appeal.

"(2) A convict shall not be conveyed to the penitentiary pending any appeal against his conviction or sentence, nor until after the expiration of the time limited for such appeal, but, subject to the provisions of the *Criminal Code* for admitting an appellant to bail pending the determination of his appeal, shall be confined in any gaol or other place of confinement wherein he may be lawfully kept after sentence while awaiting removal to the penitentiary.

Time limit deemed to expire on notice of election not to appeal.

"(3) If a convict elect not to appeal he may at any time before the expiration of the time limited for appeal give notice in writing of such election to the convicting magistrate or to the proper officer of the court in which he was convicted, and thereupon the time limited for appeal shall be deemed to have expired.

Period of confinement not to be computed as time served.

"(4) Any period during which a convict is detained in the gaol or other place of confinement pursuant to the authority of this section shall not be computed as time served in the execution of his sentence."

2. When the amendments to the Criminal Code relating to appeals were enacted at the last session of Parliament, no provision was made with regard to the custody of the convict during the period allowed for appeal and thereafter until the appeal should be disposed of. The purpose of these amendments is to provide that in cases where the convict is sentenced to the penitentiary he shall not be committed to the penitentiary until after the expiration of the time limited for appeal, or until the appeal is determined.

The penitentiary is a place of detention for the punishment of prisoners in the execution of sentences imposed, and it is impracticable, and would conflict with the discipline of the institution, to provide special or exceptional privileges for convicts whose convictions are subject to appeal.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 12.

An Act to amend the Penitentiaries Act.

AS PASSED BY THE HOUSE OF COMMONS, 28th MARCH, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74762 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act to amend the Penitentiaries Act.

R.S., c. 147; 1918, c. 36; 1920, c. 61; 1922, c. 3.

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

1. The *Penitentiaries Act*, chapter one hundred and forty-seven of the Revised Statutes of Canada, 1906, is amended by inserting the following heading and section immediately after section forty-three thereof:—

"PREVENTION OF ESCAPE.

Power of Warden and officers to prevent escape and to effect arrest and re-capture of escaping convict.

"**43A.** (1) In every case for the prevention of escape of any convict in a penitentiary, and for the arrest and re-capture of any such convict who has escaped from a penitentiary, the Warden or other officers of the penitentiary shall have the same duty, and shall have and may exercise the same power, right and authority and means as if such convict had been convicted of, and were under imprisonment for, felony, or for an offence which was felony at common law.

"(2) In no case shall the Warden or other officers be deemed to have less power, right or authority for the purpose of preventing an escape, or for the arrest and re-capture of any escaped or escaping convict, no matter for what offence such convict may have been committed to the penitentiary, than a peace officer would have for the purpose of arresting a person charged under a warrant duly issued for the arrest of such person for a crime which is felony or was felony at common law, and of which he is guilty."

EXPLANATORY NOTES.

1. By Section 14 of the Criminal Code the distinction between felony and misdemeanour is abolished.

Some penitentiary convicts are convicted of offences which were felony at common law, others for offences which were misdemeanours. Peace officers at common law were justified to resort in case of necessity to means for arresting or preventing the escape of felons which would not be justified in the case of misdemeanants. The penitentiary guards are armed and directed to shoot in order to prevent escape or for the re-capture of prisoners where the escape or re-capture cannot be prevented or effected without resorting to this extreme measure; but generally speaking the guard does not know, or he may not know, the nature of the offence for which the escaping or escaped convict is sentenced, and this Bill is drafted for the removal of doubt as to the officer's authority.

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

Where convict to be confined pending determination of his appeal.

"(2) A convict shall not be conveyed to the penitentiary pending any appeal against his conviction or sentence, nor until after the expiration of the time limited for such appeal, but, subject to the provisions of the *Criminal Code* for admitting an appellant to bail pending the determination of his appeal, shall be confined in any gaol or other place of confinement wherein he may be lawfully kept after sentence while awaiting removal to the penitentiary.

Time limit deemed to expire on notice of election not to appeal.

"(3) If a convict elect not to appeal he may at any time before the expiration of the time limited for appeal give notice in writing of such election to the convicting magistrate or to the proper officer of the court in which he was convicted, and thereupon the time limited for appeal shall be deemed to have expired.

Period of confinement not to be computed as time served.

"(4) Any period during which a convict is detained in the gaol or other place of confinement pursuant to the authority of this section shall not be computed as time served in the execution of his sentence."

3. When the amendments to the Criminal Code relating to appeals were enacted at the last session of Parliament, no provision was made with regard to the custody of the convict during the period allowed for appeal and thereafter until the appeal should be disposed of. The purpose of these amendments is to provide that in cases where the convict is sentenced to the penitentiary he shall not be committed to the penitentiary until after the expiration of the time limited for appeal, or until the appeal is determined.

The penitentiary is a place of detention for the punishment of prisoners in the execution of sentences imposed, and it is impracticable, and would conflict with the discipline of the institution, to provide special or exceptional privileges for convicts whose convictions are subject to appeal.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 13.

An Act to amend The Fruit Act (French Version).

First reading, March 20, 1924.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

75491

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act to amend The Fruit Act (French Version).

1923, c. 15.

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

Grades for fruit in closed packages.

1. Paragraph *(b)* of subsection one of section three of the French version of *The Fruit Act*, chapter fifteen of the statutes of 1923, is repealed, and the following is substituted therefor:—

"*(b)* «N° 2», qui ne doit comprendre que des spécimens triés à la main, de grosseur au moins presque moyenne et de bonne couleur pour la variété, sains et exempts dans une proportion de pas moins de quatre-vingt-cinq pour cent, de tavelures, de piqûres de vers, de meurtrissures et autres défauts, sans rebuts et convenablement emballés;"

Explanatory Note.

1. The English version of this paragraph reads as follows:—

"*(b)* "No. 2" which shall include only handpicked specimens of not less than nearly medium size and some colour for the variety, sound and not less than eighty-five per cent free from scab, worm-holes, bruises, and other defects, no culls and properly packed;"

The French version is amended by substituting the words "quatre-vingt-cinq" for the words "quatre-vingt" in the fourth line of the paragraph, to make the two versions agree.

13.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 13.

An Act to amend The Fruit Act (French Version).

AS PASSED BY THE HOUSE OF COMMONS,
25th MARCH, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

75648

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act to amend The Fruit Act (French Version).

1923, c. 15.

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

Grades for fruit in closed packages.

1. Paragraph *(b)* of subsection one of section three of the French version of *The Fruit Act*, chapter fifteen of the statutes of 1923, is repealed, and the following is substituted therefor:—

"*(b)* «N° 2», qui ne doit comprendre que des spécimens triés à la main, de grosseur au moins presque moyenne et de bonne couleur pour la variété, sains et exempts dans une proportion de pas moins de quatre-vingt-cinq pour cent, de tavelures, de piqûres de vers, de meurtrissures et autres défauts, sans rebuts et convenablement emballés;"

Explanatory Note.

1. The English version of this paragraph reads as follows:—

"*(b)* "No. 2" which shall include only handpicked specimens of not less than nearly medium size and some colour for the variety, sound and not less than eighty-five per cent free from scab, worm-holes, bruises, and other defects, no culls and properly packed;"

The French version is amended by substituting the words "quatre-vingt-cinq" for the words "quatre-vingt" in the fourth line of the paragraph, to make the two versions agree.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 14.

An Act to incorporate The Roman Catholic Episcopal Corporation of Prince Rupert.

First reading, March 21, 1924.

(PRIVATE BILL)

Mr. STORK.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74178 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act to incorporate The Roman Catholic Episcopal Corporation of Prince Rupert.

WHEREAS a petition has been presented praying that the Right Reverend Emil Marie Bunoz, the present Bishop of the Roman Catholic Diocese of Prince Rupert and his successors, being vicars apostolic of the vicariate apostolic of Prince Rupert and the Yukon Territory, in communion with the Church of Rome, be incorporated under the name of "The Roman Catholic Episcopal Corporation of Prince Rupert", with the powers 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:—

Incorporation.

1. The Right Reverend Emil Marie Bunoz, and his successors being Vicars Apostolic of the Vicariate Apostolic of Prince Rupert and the Yukon Territory in communion with the Church of Rome are incorporated under the name of "The Roman Catholic Episcopal Corporation of Prince Rupert", hereinafter called "the Corporation".

Corporate name.

Head office.

2. The head office of the Corporation shall be at Prince Rupert, in the Province of British Columbia or at such other place in British Columbia or the Yukon Territory as may be appointed by the Corporation.

Power to make by-laws.

3. The Corporation may, from time to time, make by-laws not contrary to law, for,—

(a) 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 an executive committee and of special committees, from time to time for the purposes of the Corporation, and for the calling of meetings of such committees;

(d) generally for the carrying out of the objects and purposes of the Corporation.

Power to acquire and hold real and personal estate.

4. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest 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.

Holding securities.

(2) 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.

Limit of value.

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

Limit of time for holding unused real estate.

(4) Any 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 not 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, but at or before the expiration of such period the same shall be sold or otherwise disposed of or alienated so that the Corporation shall no longer retain any interest or estate therein except by way of security.

Extension of time.

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

Fifteen years limit.

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

Forfeiture.

(7) Any real or immovable property as aforesaid not required by the Corporation for its own use, held by the Corporation for a longer period than authorized by the

foregoing provisions of this section shall be forfeited to His Majesty for the use of the Dominion of Canada.

Investment in and disposal of real property.

5. 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.

Mortmain.

6. 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 mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.

Transfer of property held in trust.

7. 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 use 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.

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

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) limit or increase the amount to be borrowed;

(c) make, draw, accept, endorse or become party to promissory notes and bills of exchange; every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Corporation and countersigned by the proper party thereto authorized by the said by-laws, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;

(d) 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.

Investment of funds.

10. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities.

Substitutes for Vicar Apostolic in certain cases.

11. In case the Vicar Apostolic, for the time being, of the said Vicariate is, by reason of absence, or from sickness, infirmity or any other cause, incapable or incapacitated to perform his duties in the said Vicariate, then his coadjutor, or the person or persons administering the Vicariate for the time being, shall during such absence, sickness, infirmity or incapacity, have the same powers as are, by this Act, conferred upon the said Vicar Apostolic.

Application to diocese when erected.

12. Whenever the said Vicariate, or any part thereof, is erected into a diocese, the incorporation hereby created shall thereupon apply to such diocese; and the bishop thereof, and his successors, for the time being, in communion with the Church of Rome, shall be deemed to be and to constitute the Roman Catholic Episcopal Corporation of Prince Rupert, being the Corporation, created by this Act, and shall have and possess, under the said corporate name, all the powers, rights and privileges, and be subject to the same restrictions and limitations in respect thereof as are contained in this Act.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 14.

An Act to incorporate The Roman Catholic Episcopal Corporation of Prince Rupert.

AS PASSED BY THE HOUSE OF COMMONS, 29th APRIL, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74767 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act to incorporate The Roman Catholic Episcopal Corporation of Prince Rupert.

WHEREAS a petition has been presented praying that the Right Reverend Emil Marie Bunoz, and his successors, being vicars apostolic of the vicariate apostolic of Prince Rupert and the Yukon Territory, in communion with the Church of Rome, be incorporated under the name of "The Roman Catholic Episcopal Corporation of Prince Rupert", with the powers 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:—

Incorporation.

1. The Right Reverend Emil Marie Bunoz, and his successors being Vicars Apostolic of the Vicariate Apostolic of Prince Rupert and the Yukon Territory in communion with the Church of Rome are incorporated under the name of "The Roman Catholic Episcopal Corporation of Prince Rupert", hereinafter called "the Corporation".

Corporate name.

Head office.

2. The head office of the Corporation shall be at Prince Rupert, in the Province of British Columbia or at such other place in British Columbia or the Yukon Territory as may be appointed by the Corporation.

Power to make by-laws.

3. The Corporation may, from time to time, make by-laws not contrary to law, for,—

(a) 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 an executive committee and of special committees, from time to time for the purposes of the Corporation, and for the calling of meetings of such committees;

(d) generally for the carrying out of the objects and purposes of the Corporation.

Power to acquire and hold real and personal estate.

4. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, whatsoever, and any or every estate or interest 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.

Holding securities.

(2) 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.

Limit of value.

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

Limit of time for holding unused real estate.

(4) Any 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 not 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, but at or before the expiration of such period the same shall be sold or otherwise disposed of or alienated so that the Corporation shall no longer retain any interest or estate therein except by way of security.

Extension of time.

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

Fifteen years limit.

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

Forfeiture.

(7) Any real or immovable property as aforesaid not required by the Corporation for its own use, held by the Corporation for a longer period than authorized by the

foregoing provisions of this section shall be forfeited to His Majesty for the use of the Dominion of Canada.

Investment in and disposal of real property.

5. 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, hypothecs, charges 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, hypothecs, charges or assignments either wholly or partly.

Mortmain.

6. 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 mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.

Transfer of property held in trust.

7. 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 use 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.

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

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) limit or increase the amount to be borrowed;

(c) make, draw, accept, endorse or become party to promissory notes and bills of exchange; every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Corporation and countersigned by the proper party thereto authorized by the said by-laws, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;

(d) 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.

Investment of funds.

10. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities.

Substitutes for Vicar Apostolic in certain cases.

11. In case the Vicar Apostolic, for the time being, of the said Vicariate is, by reason of absence, or from sickness, infirmity or any other cause, incapable or incapacitated to perform his duties in the said Vicariate, then his coadjutor, or the person or persons administering the Vicariate for the time being, shall during such absence, sickness, infirmity or incapacity, have the same powers as are, by this Act, conferred upon the said Vicar Apostolic.

Application to diocese when erected.

12. Whenever the said Vicariate, or any part thereof, is erected into a diocese, the incorporation hereby created shall thereupon apply to such diocese; and the bishop thereof, and his successors, for the time being, in communion with the Church of Rome, shall be deemed to be and to constitute the Roman Catholic Episcopal Corporation of Prince Rupert, being the Corporation, created by this Act, and shall have and possess, under the said corporate name, all the powers, rights and privileges, and be subject to the same restrictions and limitations in respect thereof as are contained in this Act.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 15.

An Act respecting The Canada Southern Railway Company.

First reading, March 21, 1924.

(PRIVATE BILL)

Sir HENRY DRAYTON.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74448 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act respecting The Canada Southern Railway Company.

WHEREAS The Canada Southern Railway Company has by agreement dated the fifteenth day of August, 1903, approved by the Governor in Council, leased its railway to The Michigan Central Railroad Company, and The Canada Southern Railway Company and The Michigan Central Railroad Company have by agreement dated the twenty-ninth day of December, 1903, approved by the Governor in Council, granted to the Pere Marquette Railroad Company the use of a certain portion of the railway of the Canada Southern Railway Company, in said agreement described, both said agreements having been ratified and confirmed and declared to be valid and binding upon the parties thereto by an Act of the Parliament of Canada, passed in the fourth year of the reign of His Majesty, Edward VII, chapter fifty-five, entitled *An Act respecting the Canada Southern Railway Company*, assented to the eighteenth day of July, 1904; and whereas the Canada Southern Railway Company and The Michigan Central Railroad Company have by their petition prayed that an Act be passed authorizing The Michigan Central Railroad Company to enter into an agreement with any other railroad company for conveying, assigning, transferring or sub-letting the right, title, interest and estate which it has in and to the railway and undertaking of The Canada Southern Railway Company; and whereas 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:—

1904, c. 55.

Short title.

1. This Act may be cited as *The Canada Southern Railway Company Act, 1924.*

Power to sell, lease or dispose of railway and undertaking to any other railroad.

2. The Michigan Central Railroad Company may enter into an agreement with any other railway company, whether within the legislative authority of the Parliament of Canada or not, for conveying, assigning, transferring or

sub-letting to such company, its successors or assigns, in whole or in part, the right, title, interest and estate of whatsoever description which it now has or may have in possession, reversion or otherwise, in the railway, undertaking, franchises and privileges of The Canada Southern Railway Company, under and by virtue of the said agreement bearing date the fifteenth day of August, 1903, and as well the right, title, interest and estate which it now has or may have in possession, reversion or otherwise, under and by virtue of the said agreement dated the twenty-ninth day of December, 1903, subject to the obligations imposed by the said agreements or either of them; provided, however, that such agreement herein authorized shall be approved by the shareholders of each company party thereto, and by the Governor in Council, in the manner and form as prescribed by *The Railway Act, 1919*, in respect of agreements for sale, lease and amalgamation of railroads.

Supplementary powers.

3. The Michigan Central Railroad Company and The Canada Southern Railway Company are authorized to do whatever is necessary to carry out and give full effect to such agreement.

Application of Railway Act, and Special Act.

4. *The Railway Act, 1919*, and its amendments, and the provisions of any Special Act now in effect relating to The Canada Southern Railway Company and The Michigan Central Railroad Company, shall apply to the exercise by such purchaser, assignee, grantee or sub-lessee, its successors and assigns of any powers conferred upon it by any agreements made under the authority of this Act.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 15.

An Act respecting The Canada Southern Railway Company.

AS PASSED BY THE HOUSE OF COMMONS,
2nd MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74761 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act respecting The Canada Southern Railway Company.

WHEREAS The Canada Southern Railway Company has by agreement dated the fifteenth day of August, 1903, approved by the Governor in Council, leased its railway to The Michigan Central Railroad Company, and The Canada Southern Railway Company and The Michigan Central Railroad Company have by agreement dated the twenty-ninth day of December, 1903, approved by the Governor in Council, granted to the Pere Marquette Railroad Company the use of a certain portion of the railway of the Canada Southern Railway Company, in said agreement described, both said agreements having been ratified and confirmed and declared to be valid and binding upon the parties thereto by an Act of the Parliament of Canada, passed in the fourth year of the reign of His Majesty, Edward VII, chapter fifty-five, entitled *An Act respecting the Canada Southern Railway Company*, assented to the eighteenth day of July, 1904; and whereas the Canada Southern Railway Company and The Michigan Central Railroad Company have by their petition prayed that an Act be passed authorizing The Michigan Central Railroad Company to enter into an agreement with any other railroad company for conveying, assigning, transferring or sub-letting the right, title, interest and estate which it has in and to the railway and undertaking of The Canada Southern Railway Company; and whereas 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:—

1904, c. 55.

Short title.

1. This Act may be cited as *The Canada Southern Railway Company Act, 1924.*

Power to sell, lease or dispose of railway and undertaking to any other railroad.

2. The Michigan Central Railroad Company may enter into an agreement with any other railway company, whether within the legislative authority of the Parliament of Canada or not, for conveying, assigning, transferring or

sub-letting to such company, its successors or assigns, in whole or in part, the right, title, interest and estate of whatsoever description which it now has or may have in possession, reversion or otherwise, in the railway, undertaking, franchises and privileges of The Canada Southern Railway Company, under and by virtue of the said agreement bearing date the fifteenth day of August, 1903, and as well the right, title, interest and estate which it now has or may have in possession, reversion or otherwise, under and by virtue of the said agreement dated the twenty-ninth day of December, 1903, subject to the obligations imposed by the said agreements or either of them; provided, however, that such agreement herein authorized shall be approved by the shareholders of each company party thereto, and by the Governor in Council, in the manner and form as prescribed by *The Railway Act, 1919*, in respect of agreements for sale, lease and amalgamation of railroads.

Supplementary powers.

3. The Michigan Central Railroad Company and The Canada Southern Railway Company are authorized to do whatever is necessary to carry out and give full effect to such agreement.

Application of Railway Act, and Special Act.

4. *The Railway Act, 1919*, and its amendments, and the provisions of any Special Act now in effect relating to The Canada Southern Railway Company and The Michigan Central Railroad Company, shall apply to the exercise by such purchaser, assignee, grantee or sub-lessee, its successors and assigns of any powers conferred upon it by any agreements made under the authority of this Act.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 16.

An Act respecting The Detroit River Tunnel Company.

First reading, March 21, 1924.

(PRIVATE BILL)

Sir HENRY DRAYTON.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74446 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 16.

An Act respecting The Detroit River Tunnel Company.

Preamble.

1888, c. 93.

1895, c. 71.

WHEREAS pursuant to the provisions of an Act of the Parliament of Canada passed in the fifty-first year of the reign of Her Majesty, Queen Victoria, chapter ninety-three, entitled *An Act to incorporate the Canada and Michigan Tunnel Company*, the name of which corporation was by an Act of the Parliament of Canada of the fifty-eighth and fifty-ninth year of the reign of Her Majesty, Queen Victoria, chapter seventy-one, changed to *The Canada and Michigan Bridge and Tunnel Company*, the said The Canada and Michigan Bridge and Tunnel Company was amalgamated with the Michigan and Canada Bridge and Tunnel Company, a corporation existing under the laws of the State of Michigan, one of the United States of America, and formed a new corporation under the name of "The Detroit River Tunnel Company", which amalgamation agreement was duly approved and filed in the office of the Secretary of State for Canada, on the twenty-third day of August, 1905; and whereas pursuant to the provisions of said first mentioned Act, The Detroit River Tunnel Company by indenture of lease bearing date the nineteenth day of December, 1906, and amendments thereto, leased its whole undertaking to The Michigan Central Railroad Company; and whereas The Detroit River Tunnel Company and The Michigan Central Railroad Company have by their petition prayed that an Act be passed authorizing The Michigan Central Railroad Company to enter into an agreement with any other railroad company for conveying, assigning, transferring or sub-letting the right, title, interest and estate which it has in the undertaking, works and plant of The Detroit River Tunnel Company; and whereas 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 Detroit River Tunnel Company Act, 1924.*

Power to sell, lease or dispose of works and undertakings to any other railroad.

2. The Michigan Central Railroad Company may enter into an agreement with any other railroad company, whether within the legislative authority of the Parliament of Canada or not, for the conveying, assigning, transferring or sub-letting to such company, its successors or assigns, in whole or in part, the right, title, interest and estate which it now has or may have in the undertaking, works and plant, franchises, powers and privileges of The Detroit River Tunnel Company now in possession of and operated by The Michigan Central Railroad Company under lease bearing date the nineteenth day of December, 1906, and amendments thereto, together with the surveys, plans, works, rolling stock, machinery, plant, materials and other property used and enjoyed therewith subject to the obligations imposed by said agreement; provided, however, that such conveyance, assignment, transfer or sub-lease shall be approved by the shareholders of each company party thereto, and by the Governor in Council, in manner and form as required by *The Railway Act, 1919*, in respect of agreements for sale, lease and amalgamation of railroads.

1919, c. 68.

Supplementary powers.

3. The Michigan Central Railroad Company and The Detroit River Tunnel Company are authorized to do whatever is necessary to carry out and give full effect to such agreement.

Application of Railway Act, and Special Act.

4. *The Railway Act, 1919*, and its amendments, and the provisions of any Special Act now in effect relating to The Detroit River Tunnel Company and The Michigan Central Railroad Company, shall apply to the exercise by such purchaser, assignee, grantee or sub-lessee, its successors and assigns, of any powers conferred upon it by any agreements made under the authority of this Act.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 16.

An Act respecting The Detroit River Tunnel Company.

AS PASSED BY THE HOUSE OF COMMONS,
2nd MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74760 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 16.

An Act respecting The Detroit River Tunnel Company.

Preamble.

1888, c. 93.

1895, c. 71.

WHEREAS pursuant to the provisions of an Act of the Parliament of Canada passed in the fifty-first year of the reign of Her Majesty, Queen Victoria, chapter ninety-three, entitled *An Act to incorporate the Canada and Michigan Tunnel Company*, the name of which corporation was by an Act of the Parliament of Canada of the fifty-eighth and fifty-ninth year of the reign of Her Majesty, Queen Victoria, chapter seventy-one, changed to *The Canada and Michigan Bridge and Tunnel Company*, the said The Canada and Michigan Bridge and Tunnel Company was amalgamated with the Michigan and Canada Bridge and Tunnel Company, a corporation existing under the laws of the State of Michigan, one of the United States of America, and formed a new corporation under the name of "The Detroit River Tunnel Company", which amalgamation agreement was duly approved and filed in the office of the Secretary of State for Canada, on the twenty-third day of August, 1905; and whereas pursuant to the provisions of said first mentioned Act, The Detroit River Tunnel Company by indenture of lease bearing date the nineteenth day of December, 1906, and amendments thereto, leased its whole undertaking to The Michigan Central Railroad Company; and whereas The Detroit River Tunnel Company and The Michigan Central Railroad Company have by their petition prayed that an Act be passed authorizing The Michigan Central Railroad Company to enter into an agreement with any other railroad company for conveying, assigning, transferring or sub-letting the right, title, interest and estate which it has in the undertaking, works and plant of The Detroit River Tunnel Company; and whereas 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 Detroit River Tunnel Company Act, 1924.*

Power to sell, lease or dispose of works and undertakings to any other railroad.

2. The Michigan Central Railroad Company may enter into an agreement with any other railroad company, whether within the legislative authority of the Parliament of Canada or not, for the conveying, assigning, transferring or sub-letting to such company, its successors or assigns, in whole or in part, the right, title, interest and estate which it now has or may have in the undertaking, works and plant, franchises, powers and privileges of The Detroit River Tunnel Company now in possession of and operated by The Michigan Central Railroad Company under lease bearing date the nineteenth day of December, 1906, and amendments thereto, together with the surveys, plans, works, rolling stock, machinery, plant, materials and other property used and enjoyed therewith subject to the obligations imposed by said agreement; provided, however, that such conveyance, assignment, transfer or sub-lease shall be approved by the shareholders of each company party thereto, and by the Governor in Council, in manner and form as required by *The Railway Act, 1919*, in respect of agreements for sale, lease and amalgamation of railroads.

1919, c. 68.

Supplementary powers.

3. The Michigan Central Railroad Company and The Detroit River Tunnel Company are authorized to do whatever is necessary to carry out and give full effect to such agreement.

Application of Railway Act, and Special Act.

4. *The Railway Act, 1919*, and its amendments, and the provisions of any Special Act now in effect relating to The Detroit River Tunnel Company and The Michigan Central Railroad Company, shall apply to the exercise by such purchaser, assignee, grantee or sub-lessee, its successors and assigns, of any powers conferred upon it by any agreements made under the authority of this Act.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

First reading, March 21, 1924.

(PRIVATE BILL.)

Mr. CLARK.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74985 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

Preamble.

1894, c. 103; 1898, c. 109; 1900, c. 106; 1902, c. 79; 1904, c. 98; 1906, c. 128; 1908, c. 130; 1910, c. 130; 1912, c. 123; 1913, c. 154; 1915, c. 76; 1918, c. 72; 1921, c. 66.

WHEREAS The Montreal, Ottawa and Georgian Bay Canal Company has by its petition prayed that the time for the commencement and completion of its canal and works may be further extended, 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 commencement and completion.

1. The Montreal, Ottawa and Georgian Bay Canal Company, hereinafter called "the Company", may commence the construction of its canals, or any of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and twenty-seven, and may complete the said canals and put them in operation before the first day of May, one thousand nine hundred and thirty-three, and subject to the provisions of this Act may, in connection with such construction and operation, exercise all the powers granted to the Company by chapter one hundred and three of the statutes of 1894 and amendments thereto; and if such construction is not commenced and such expenditure is not so made, or if the said canals are not completed and put in operation within the said periods respectively, the powers granted to the Company by Parliament shall cease and be null and void as respects so much of the said canals and works as then remains uncompleted.

1894, c. 103.

Repeal.

2. Section one of chapter sixty-six of the statutes of 1921 is repealed.

Provisional directors.

3. Section two of chapter seventy-two of the statutes of 1918 is repealed, and the following is substituted therefor:—

EXPLANATORY NOTES.

2. The section repealed is that which granted extension of time in 1921.

3. The section repealed reads as follows:—

"**2.** William Cameron Edwards, William Hutchison, Napoleon Antoine Belcourt and Johnston Edgerly, all of the city of Ottawa; James B. Klock, of Klock's Mills, and Gerald V. White, of the town of Pembroke, all in the province of Ontario, shall be the provisional directors of the Company."

"**2.** James B. Klock of Klock's Mills, Gerald V. White of the town of Pembroke, and Napoleon Antoine Belcourt and George W. Volckman, of the city of Ottawa, all in the province of Ontario, shall be provisional directors of the Company."

Rights of Government to take over works, preserved.

4. Nothing in this Act shall affect or impair the rights of the Government of Canada under or by virtue of the provisions of the section substituted by section five of chapter one hundred and twenty-eight of the statutes of 1906 for section forty-three of chapter one hundred and three of the statutes of 1894.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

AS PASSED BY THE HOUSE OF COMMONS, 9th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74753 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

Preamble.

1894, c. 103; 1898, c. 109; 1900, c. 106; 1902, c. 79; 1904, c. 98; 1906, c. 128; 1908, c. 130; 1910, c. 130; 1912, c. 123; 1913, c. 154; 1915, c. 76; 1918, c. 72; 1921, c. 66.

WHEREAS The Montreal, Ottawa and Georgian Bay Canal Company has by its petition prayed that the time for the commencement and completion of its canal and works may be further extended, 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 commencement and completion.

1. The Montreal, Ottawa and Georgian Bay Canal Company, hereinafter called "the Company", may commence the construction of its canals, or any of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and twenty-seven, and may complete the said canals and put them in operation before the first day of May, one thousand nine hundred and thirty-three, and subject to the provisions of this Act may, in connection with such construction and operation, exercise all the powers granted to the Company by chapter one hundred and three of the statutes of 1894 and amendments thereto; and if such construction is not commenced and such expenditure is not so made, or if the said canals are not completed and put in operation within the said periods respectively, the powers granted to the Company by Parliament shall cease and be null and void as respects so much of the said canals and works as then remains uncompleted.

1894, c. 103.

Repeal.

2. Section one of chapter sixty-six of the statutes of 1921 is repealed.

Provisional directors.

3. Section two of chapter seventy-two of the statutes of 1918 is repealed, and the following is substituted therefor:—

EXPLANATORY NOTES.

2. The section repealed is that which granted extension of time in 1921.

3. The section repealed reads as follows:—

"**2.** William Cameron Edwards, William Hutchison, Napoleon Antoine Belcourt and Johnston Edgerly, all of the city of Ottawa; James B. Klock, of Klock's Mills, and Gerald V. White, of the town of Pembroke, all in the province of Ontario, shall be the provisional directors of the Company."

"**2.** Joseph Narcisse Dupuis of the city of Montreal, in the province of Quebec, merchant, James B. Klock of Klock's Mills, Gerald V. White of the town of Pembroke, and Napoleon Antoine Belcourt and George W. Volckman, of the city of Ottawa, all in the province of Ontario, shall be provisional directors of the Company."

Rights of Government to take over works, preserved.

4. Nothing in this Act shall affect or impair the rights of the Government of Canada under or by virtue of the provisions of the section substituted by section five of chapter one hundred and twenty-eight of the statutes of 1906 for section forty-three of chapter one hundred and three of the statutes of 1894.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 18.

An Act respecting a certain patent of The Fleischmann Company.

First reading, March 21, 1924.

(PRIVATE BILL).

Mr. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74654 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act respecting a certain patent of The Fleischmann Company.

Preamble.

WHEREAS The Fleischmann Company, a corporation organized and existing under and by virtue of the laws of the State of Ohio, one of the United States of America, and having an office and place of business at 711 Washington Street, in the city, county and State of New York, one of the United States of America, has by its petition represented that it is the owner of patent number two hundred and six thousand, seven hundred and fifty-three, issued under the seal of the *Patent Office* of Canada on the twenty-first day of December, 1920, for certain new and useful improvements in the manufacture of compressed yeast, said patent being granted to the said The Fleischmann Company as the assignee of the alleged inventor, one Norman Stanley Harrison of Leeds, England, formerly of Peekskill in the said State of New York; and whereas the said The Fleischmann Company filed in the *Patent Office* of Canada an application for a reissue of said patent on the twenty-fourth day of July, 1923, bearing serial number two hundred and seventy-nine thousand one hundred and thirty-nine, and the said application for reissue and accompanying papers set forth that the invention covered by the said original patent number two hundred and six thousand seven hundred and fifty-three, instead of being solely invented by the said Norman Stanley Harrison, was a joint invention of the said Norman Stanley Harrison and one Martin Nilsson of Peekskill in the State of New York aforesaid; and whereas the Commissioner of Patents has by letter dated the seventh day of December, 1923, advised the attorneys for the applicant that he is without power under *The Patent Act* to grant the reissue as applied for; and whereas the said The Fleischmann Company has prayed that an Act may be passed authorizing the Commissioner of Patents to grant a reissue of the said patent, and it is expedient to grant the prayer of the said petition:

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

Commissioner may grant a reissue of patent upon petition, oath, specification and declaration.

1. Notwithstanding anything contained in *The Patent Act* or in the patent referred to in the preamble, the Commissioner of Patents may within three months after the passing of this Act, grant a reissue patent to the said The Fleischmann Company upon their said application, serial number two hundred and seventy-nine thousand one hundred and thirty-nine, which said application recites that the invention covered thereby was a joint invention of Norman Stanley Harrison and Martin Nilsson, and the patent granted upon the said application shall be of as full force and effect as if the application for the original patent number two hundred and six thousand seven hundred and fifty-three had been made by the said Norman Stanley Harrison and Martin Nilsson, and as if the said Norman Stanley Harrison and Martin Nilsson instead of the said Norman Stanley Harrison alone had been alleged to be the inventors of the subject-matter of said patent in the original petition and oath therefor, and the Commissioner of Patents may grant a reissue of the said patent upon a petition, oath and specification executed by the said The Fleischmann Company and containing a declaration that the said invention was jointly made by the said Norman Stanley Harrison and Martin Nilsson.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 18.

An Act respecting a certain patent of The Fleischmann Company.

AS PASSED BY THE HOUSE OF COMMONS, 10th JUNE, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74757 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act respecting a certain patent of The Fleischmann Company.

Preamble.

WHEREAS The Fleischmann Company, a corporation organized and existing under and by virtue of the laws of the State of Ohio, one of the United States of America, and having an office and place of business at 711 Washington Street, in the city, county and State of New York, one of the United States of America, has by its petition represented that it is the owner of patent number two hundred and six thousand, seven hundred and fifty-three, issued under the seal of the *Patent Office* of Canada on the twenty-first day of December, 1920, for certain new and useful improvements in the manufacture of compressed yeast, said patent being granted to the said The Fleischmann Company as the assignee of the alleged inventor, one Norman Stanley Harrison of Leeds, England, formerly of Peekskill in the said State of New York; and whereas the said The Fleischmann Company filed in the *Patent Office* of Canada an application for a reissue of said patent on the twenty-fourth day of July, 1923, bearing serial number two hundred and seventy-nine thousand one hundred and thirty-nine, and the said application for reissue and accompanying papers set forth that the invention covered by the said original patent number two hundred and six thousand seven hundred and fifty-three, instead of being solely invented by the said Norman Stanley Harrison, was a joint invention of the said Norman Stanley Harrison and one Martin Nilsson of Peekskill in the State of New York aforesaid; and whereas the Commissioner of Patents has by letter dated the seventh day of December, 1923, advised the attorneys for the applicant that he is without power under *The Patent Act* to grant the reissue as applied for; and whereas the said The Fleischmann Company has prayed that an Act may be passed authorizing the Commissioner of Patents to grant a reissue of the said patent, and it is expedient to grant the prayer of the said petition:

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

Commissioner may grant a reissue of patent upon petition, oath, specification and declaration.

1. Notwithstanding anything contained in *The Patent Act* or in the patent referred to in the preamble, the Commissioner of Patents may within three months after the passing of this Act, grant a reissue patent to the said The Fleischmann Company upon their said application, serial number two hundred and seventy-nine thousand one hundred and thirty-nine, which said application recites that the invention covered thereby was a joint invention of Norman Stanley Harrison and Martin Nilsson, and the patent granted upon the said application shall be of as full force and effect as if the application for the original patent number two hundred and six thousand seven hundred and fifty-three had been made by the said Norman Stanley Harrison and Martin Nilsson, and as if the said Norman Stanley Harrison and Martin Nilsson instead of the said Norman Stanley Harrison alone had been alleged to be the inventors of the subject-matter of said patent in the original petition and oath therefor, and the Commissioner of Patents may grant a reissue of the said patent upon a petition, oath and specification executed by the said The Fleischmann Company and containing a declaration that the said invention was jointly made by the said Norman Stanley Harrison and Martin Nilsson.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 19.

An Act respecting the Canadian Pacific Railway Company.

First reading, March 21, 1924.

(PRIVATE BILL.)

Mr. JELLIFF.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74986 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act respecting the Canadian Pacific Railway Company.

Preamble.

1919, c. 79; 1920, c. 75; 1922, c. 55.

WHEREAS the Canadian Pacific Railway Company has by its petition prayed for the passing of an Act to extend the time for the completion of certain of its lines of railway, as hereinafter set forth, and also to extend the time for the commencement and completion of certain other of its lines of railway as also 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 Canadian Pacific Railway Company, hereinafter called "the Company", may within five years after the passing of this Act complete and put in operation the lines of railway which it was authorized to construct by paragraphs *(b)*, *(c)*, *(e)*, and *(f)*, of section two of chapter seventy-nine of the statutes of 1919, namely:—

(a) From a point at or near Archive on its Moose Jaw southwesterly branch in township fifteen, range twenty-seven, west of the second meridian, in the province of Saskatchewan, thence southwesterly and westerly to a point at or near Wymark on its Swift Current southeasterly branch in township thirteen, range thirteen, west of the third meridian, in the said province;

(b) From a point on its Moose Jaw northwesterly branch at Rosetown, in township thirty, range fifteen, west of the third meridian, in the province of Saskatchewan, thence in a general southerly direction, a distance of about fifty miles, thence in a general easterly direction, a distance of about thirty miles, to a point in or near townships twenty, twenty-one or twenty-two, range ten, west of the third meridian, in the said province;

(c) From a point at or near Lanigan on its Pheasant Hills branch in township thirty-three, range twenty-two, west of the second meridian, in the province of

Saskatchewan, thence in a general northeasterly direction to a point at or near Watson, thence in a general northerly direction through Melfort, to a point in township forty-eight, range seventeen, west of the second meridian, in the said province;

(d) From a point at or near Leader on its Swift Current northwesterly branch in township twenty-two, range twenty-six, west of the third meridian, in the province of Saskatchewan, thence in a general southwesterly direction a distance of about fifty miles; thence in a general easterly direction to a point at or near Success or Cantaur, in the said province;

Limitation.

and if the said lines of railway are 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 lines of railway as then remain uncompleted.

Extension of time for construction.

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

(a) From a point at or near Duchess on its Bassano easterly branch in township twenty, range fourteen, west of the fourth meridian, in the province of Alberta, thence in a general northerly direction to a point in or near township twenty-five, ranges fourteen, fifteen or sixteen, west of the fourth meridian, in the said province;

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

Limitation.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 19.

An Act respecting the Canadian Pacific Railway Company.

AS PASSED BY THE HOUSE OF COMMONS,
9th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74752 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act respecting the Canadian Pacific Railway Company.

Preamble.

1919, c. 79; 1920, c. 75; 1922, c. 55.

WHEREAS the Canadian Pacific Railway Company has by its petition prayed for the passing of an Act to extend the time for the completion of certain of its lines of railway, as hereinafter set forth, and also to extend the time for the commencement and completion of certain other of its lines of railway as also 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 Canadian Pacific Railway Company, hereinafter called "the Company", may within five years after the passing of this Act complete and put in operation the lines of railway which it was authorized to construct by paragraphs *(b)*, *(c)*, *(e)*, and *(f)*, of section two of chapter seventy-nine of the statutes of 1919, namely:—

(a) From a point at or near Archive on its Moose Jaw southwesterly branch in township fifteen, range twenty-seven, west of the second meridian, in the province of Saskatchewan, thence southwesterly and westerly to a point at or near Wymark on its Swift Current southeasterly branch in township thirteen, range thirteen, west of the third meridian, in the said province;

(b) From a point on its Moose Jaw northwesterly branch at Rosetown, in township thirty, range fifteen, west of the third meridian, in the province of Saskatchewan, thence in a general southerly direction, a distance of about fifty miles, thence in a general easterly direction, a distance of about thirty miles, to a point in or near townships twenty, twenty-one or twenty-two, range ten, west of the third meridian, in the said province;

(c) From a point at or near Lanigan on its Pheasant Hills branch in township thirty-three, range twenty-two, west of the second meridian, in the province of

Limitation.

Extension of time for construction.

Saskatchewan, thence in a general northeasterly direction to a point at or near Watson, thence in a general northerly direction through Melfort, to a point in township forty-eight, range seventeen, west of the second meridian, in the said province;

(d) From a point at or near Leader on its Swift Current northwesterly branch in township twenty-two, range twenty-six, west of the third meridian, in the province of Saskatchewan, thence in a general southwesterly direction a distance of about fifty miles; thence in a general easterly direction to a point at or near Success or Cantaur, in the said province;

Limitation.

and if the said lines of railway are 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 lines of railway as then remain uncompleted.

Extension of time for construction.

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

(a) From a point at or near Duchess on its Bassano easterly branch in township twenty, range fourteen, west of the fourth meridian, in the province of Alberta, thence in a general northerly direction to a point in or near township twenty-five, ranges fourteen, fifteen or sixteen, west of the fourth meridian, in the said province;

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

Limitation.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 20.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1925.

AS PASSED BY THE HOUSE OF COMMONS, 24th MARCH, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76161 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 20.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1925.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Julian Hedworth George, Baron Byng of Vimy, etc., etc., Governor General of Canada, and the estimates accompanying the said message, 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-five, 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. 1, 1924.*

$40,871,970.85 granted for 1924-25.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole forty million, eight hundred and seventy-one thousand, nine hundred and seventy dollars and eighty-five cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-four, to the thirty-first day of March, one thousand nine hundred and twenty-five, 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-five,

as laid before the House of Commons at the present session of Parliament.

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.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 21.

An Act to amend The Northern Pacific Halibut Fishery Protection Act.

First reading, March 25, 1924.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74311 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act to amend The Northern Pacific Halibut Fishery Protection Act.

1923, c. 61.

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

1. Section six of *The Northern Pacific Halibut Fishery Protection Act*, chapter sixty-one of the statutes of 1923, is repealed, and the following is substituted therefor:—

Nationals or inhabitants of Canada or United States and ships registered therein or belonging to them, liable to seizure.

"**6.** Every national or inhabitant of Canada or of the United States, and every ship, vessel or boat registered in Canada or the United States, or belonging to a national or inhabitant of Canada or of the United States, together with all furniture, apparel, appliances, gear, tackle and rigging thereof, engaged in or used in connection with fishing for halibut in prohibited waters during the close season, or aiding or facilitating, or used for the purpose of aiding or facilitating such fishing, may be seized by any officer authorized by the *Customs and Fisheries Protection Act* to board and search. In case any such ship, vessel or boat or other property be registered in Canada or belong to a national or inhabitant of Canada, the same shall be forfeited, and moreover all the cargo and stores on board any such ship, vessel or boat at the time of the seizure shall also be forfeited. In case any such person, ship, vessel, or boat or other property be a national or inhabitant of the United States, or be registered in the United States or belong to a national or inhabitant of the United States, the same shall be delivered as soon as practicable to an authorized official of the United States to be dealt with in accordance with the law of the United States."

R.S., c. 47.

Canadian vessels may be forfeited.

U.S. vessels to be delivered to U.S. officials.

Seizure of foreign ships.

2. Section nine of the said Act is repealed.

EXPLANATORY NOTES.

Section 1—

The words "during the close season" after the word "waters" on the seventh line were left out in error. As the section now reads it is an offence for a national of Canada or the United States, or for a ship, vessel or boat registered in or belonging to a national of either country to fish in any of the waters covered by the Treaty at any time, whereas the intention was to limit the time when it would be an offence to the close season, as provided by Article I of the Treaty for the protection of the Pacific halibut.

Section 9 reads as follows:—

"9. Every ship, vessel or boat which is foreign, or not navigated according to the laws of the United Kingdom or of Canada, which

(a) has been found fishing or preparing to fish or to have been fishing for halibut in the territorial waters of the Western Coast of Canada in any close season; or

(b) has entered such waters for any purpose of which the execution is prohibited by this Act;

may be seized by any of the officers aforesaid, and shall, together with the furniture, apparel, appliances, gear, tackle, rigging, cargo and stores thereof, be forfeited."

Section 2—

Section 9 is unnecessary, as the seizure and confiscation of foreign vessels for a violation of the Act is covered by previous sections. Also as section 9 reads it exempts from its provisions every ship, vessel or boat which is navigated according to the laws of the United Kingdom or of Canada. While the Department of Justice is of opinion that this section does not relieve British vessels, which are not mentioned in section 6 of the Act, from seizure and forfeiture for a breach of any of the other provisions of the Treaty or of the Act, its purpose being to make a similar provision to that contained in the Fisheries Protection Act, it is not essential, and to avoid any misunderstanding it should be repealed.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 21.

An Act to amend The Northern Pacific Halibut Fishery Protection Act.

AS PASSED BY THE HOUSE OF COMMONS, 3rd APRIL, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74765 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act to amend The Northern Pacific Halibut Fishery Protection Act.

1923, c. 61.

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

1. Section six of *The Northern Pacific Halibut Fishery Protection Act*, chapter sixty-one of the statutes of 1923, is repealed, and the following is substituted therefor:—

Nationals or inhabitants of Canada or United States and ships registered therein or belonging to them, liable to seizure.

"**6.** Every national or inhabitant of Canada or of the United States, and every ship, vessel or boat registered in Canada or the United States, or belonging to a national or inhabitant of Canada or of the United States, together with all furniture, apparel, appliances, gear, tackle and rigging thereof, engaged in or used in connection with fishing for halibut in prohibited waters during the close season, or aiding or facilitating, or used for the purpose of aiding or facilitating such fishing, may be seized by any officer authorized by the *Customs and Fisheries Protection Act* to board and search. In case any such ship, vessel or boat or other property be registered in Canada or belong to a national or inhabitant of Canada, the same shall be forfeited, and moreover all the cargo and stores on board any such ship, vessel or boat at the time of the seizure shall also be forfeited. In case any such person, ship, vessel, or boat or other property be a national or inhabitant of the United States, or be registered in the United States or belong to a national or inhabitant of the United States, the same shall be delivered as soon as practicable to an authorized official of the United States to be dealt with in accordance with the law of the United States."

R.S., c. 47.

Canadian vessels may be forfeited.

U.S. vessels to be delivered to U.S. officials.

Seizure of foreign ships.

2. Section nine of the said Act is repealed.

EXPLANATORY NOTES.

Section 1—

The words "during the close season" after the word "waters" on the seventh line were left out in error. As the section now reads it is an offence for a national of Canada or the United States, or for a ship, vessel or boat registered in or belonging to a national of either country to fish in any of the waters covered by the Treaty at any time, whereas the intention was to limit the time when it would be an offence to the close season, as provided by Article I of the Treaty for the protection of the Pacific halibut.

Section 9 reads as follows,—

"9. Every ship, vessel or boat which is foreign, or not navigated according to the laws of the United Kingdom or of Canada, which

(a) has been found fishing or preparing to fish or to have been fishing for halibut in the territorial waters of the Western Coast of Canada in any close season; or

(b) has entered such waters for any purpose of which the execution is prohibited by this Act;

may be seized by any of the officers aforesaid, and shall, together with the furniture, apparel, appliances, gear, tackle, rigging, cargo and stores thereof, be forfeited."

Section 2—

Section 9 is unnecessary, as the seizure and confiscation of foreign vessels for a violation of the Act is covered by previous sections. Also as section 9 reads it exempts from its provisions every ship, vessel or boat which is navigated according to the laws of the United Kingdom or of Canada. While the Department of Justice is of opinion that this section does not relieve British vessels, which are not mentioned in section 6 of the Act, from seizure and forfeiture for a breach of any of the other provisions of the Treaty or of the Act, its purpose being to make a similar provision to that contained in the Fisheries Protection Act, it is not essential, and to avoid any misunderstanding it should be repealed.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 22.

An Act to amend An Act to incorporate the Burrard Inlet Tunnel and Bridge Company.

First reading, March 28, 1924.

(PRIVATE BILL)

Mr. CLARK.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74911 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to amend An Act to incorporate the Burrard Inlet Tunnel and Bridge Company.

Preamble.

1910, c. 74; 1913, c. 80; 1914, c. 73; 1916, c. 34; 1918, c. 61; 1920, c. 74; 1922, c. 54.

WHEREAS The Burrard Inlet Tunnel and Bridge Company has by its petition represented that it was incorporated by chapter seventy-four of the statutes of 1910, and that the said Act has from time to time been amended for the purpose of extending the time for construction and for other purposes, and has prayed that the said Act may be further amended by changing the date for holding the annual meeting, by changing the composition of the Board of Directors, and by enabling it to convey electric cables, gas and water mains through and over its tunnel and bridge, 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. Section six of chapter seventy-four of the statutes of 1910, entitled *An Act to incorporate the Burrard Inlet Tunnel and Bridge Company*, is repealed, and the following is substituted therefor:—

Annual meeting.

"**6.** The annual meeting of the shareholders shall be held on the fourth Friday in January."

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

Directors.

"**7.** The Board of Directors shall consist of six members, and shall be made up as follows:—

Two representatives from the district of North Vancouver, one of whom shall be the reeve, and one councillor to be nominated by resolution of the council;

Two representatives from the city of North Vancouver, one of whom shall be the mayor, and one alderman to be nominated by resolution of the council;

One representative from the city of Vancouver who shall be the mayor for the time being of the said city;

EXPLANATORY NOTES

1. This changes the date of the annual meeting from September to January.

2. Section 7 hereby repealed reads as follows:—

"**7.** The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors."

One representative from the district of West Vancouver who shall be the reeve of the said district."

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

Construction of tunnel and bridge.

"**8.** The Company may lay out, construct, operate, maintain and use a tunnel under the First Narrows of Burrard Inlet, and a bridge over the Second Narrows of Burrard Inlet for foot passengers, carriages, street railway and railway purposes, with the necessary approaches, from some convenient points on the south shore in or near the city of Vancouver to points on the opposite shore of Burrard Inlet, so as not to interfere with navigation, and may, to connect the said tunnel and bridge or either with the lines of the companies named in section fourteen of this Act, lay out, construct and operate one or more lines of railway not exceeding ten miles in length of the gauge of four feet eight and one-half inches; and the Company may lay water mains or pipes, high tension or other electric cables, telephone or telegraph cables, gas mains or such other pipes, conduits, cables or conductors as may be convenient or necessary for the transmission of water, light, heat, power or messages through the said tunnel and across the said bridge, or either of them."

Lines of railway.

Water mains, pipes, gas mains, cables, etc.

4. Section fourteen of the said Act is repealed, and the following is substituted therefor:—

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 enter into agreements with all or any of the companies hereinafter mentioned for any of the purposes specified in the said section one hundred and fifty-one, such companies being the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company, the Great Northern Railway Company, the Northern Pacific Railroad Company, the Chicago, Milwaukee and St. Paul Railroad Company, the Vzncouver, Westminster and Yukon Railway Company, the Howe Sound, Pemberton Valley and Northern Railway Company, the Vancouver Power Company, Limited, the British Columbia Electric Railway Company, the Canadian National Railways, the Pacific Great Eastern Railway, and the Vancouver Harbour Commissioners."

3. This amendment gives the Company the added powers of laying "high tension or other electric cables, telephone or telegraph cables, gas mains or such other pipes, conduits, cables or conductors as may be convenient or necessary for the transmission of water, light, heat, power or messages" through the said tunnel and across the said bridge, or either of them. The words in quotations are inserted after the word "pipes" in the thirteenth line.

4. This amendment adds The Canadian National Railways, the Pacific Great Eastern Railway, and the Vancouver Harbour Commissioners to the list of other companies with which agreements may be made.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 22.

An Act to amend An Act to incorporate the Burrard Inlet Tunnel and Bridge Company.

AS PASSED BY THE HOUSE OF COMMONS, 9th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74754 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to amend An Act to incorporate the Burrard Inlet Tunnel and Bridge Company.

Preamble.

WHEREAS The Burrard Inlet Tunnel and Bridge Company has by its petition represented that it was incorporated by chapter seventy-four of the statutes of 1910, and that the said Act has from time to time been amended for the purpose of extending the time for construction and for other purposes, and has prayed that the said Act may be further amended by changing the date for holding the annual meeting, by changing the composition of the Board of Directors, and by enabling it to convey electric cables, gas and water mains through and over its tunnel and bridge, 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:—

1910, c. 74; 1913, c. 80; 1914, c. 73; 1916, c. 34; 1918, c. 61; 1920, c. 74; 1922, c. 54.

1. Section six of chapter seventy-four of the statutes of 1910, entitled *An Act to incorporate the Burrard Inlet Tunnel and Bridge Company*, is repealed, and the following is substituted therefor:—

Annual meeting.

"**6.** The annual meeting of the shareholders shall be held on the fourth Friday in January."

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

Directors.

"**7.** The Board of Directors shall consist of six members, and shall be made up as follows:—

Two representatives from the district of North Vancouver, one of whom shall be the reeve, and one councillor to be nominated by resolution of the council;

Two representatives from the city of North Vancouver, one of whom shall be the mayor, and one alderman to be nominated by resolution of the council;

One representative from the city of Vancouver who shall be the mayor for the time being of the said city;

EXPLANATORY NOTES

1. This changes the date of the annual meeting from September to January.

2. Section 7 hereby repealed reads as follows:—

"**7.** The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors."

One representative from the district of West Vancouver who shall be the reeve of the said district."

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

Construction of tunnel and bridge.

"**8.** The Company may lay out, construct, operate, maintain and use a tunnel under the First Narrows of Burrard Inlet, and a bridge over the Second Narrows of Burrard Inlet for foot passengers, carriages, street railway and railway purposes, with the necessary approaches, from some convenient points on the south shore in or near the city of Vancouver to points on the opposite shore of Burrard Inlet, so as not to interfere with navigation, and may, to connect the said tunnel and bridge or either with the lines of the companies named in section fourteen of this Act, lay out, construct and operate one or more lines of railway not exceeding ten miles in length of the gauge of four feet eight and one-half inches; and the Company may lay water mains or pipes, high tension or other electric cables, telephone or telegraph cables, gas mains or such other pipes, conduits, cables or conductors as may be convenient or necessary for the transmission of water, light, heat, power or messages through the said tunnel and across the said bridge, or either of them."

Lines of railway.

Water mains, pipes, gas mains, cables, etc.

4. Section fourteen of the said Act is repealed, and the following is substituted therefor:—

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 enter into agreements with all or any of the companies hereinafter mentioned for any of the purposes specified in the said section one hundred and fifty-one, such companies being the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company, the Great Northern Railway Company, the Northern Pacific Railroad Company, the Chicago, Milwaukee and St. Paul Railroad Company, the Vzncouver, Westminster and Yukon Railway Company, the Howe Sound, Pemberton Valley and Northern Railway Company, the Vancouver Power Company, Limited, the British Columbia Electric Railway Company, the Canadian National Railways, the Pacific Great Eastern Railway, and the Vancouver Harbour Commissioners."

3. This amendment gives the Company the added powers of laying "high tension or other electric cables, telephone or telegraph cables, gas mains or such other pipes, conduits, cables or conductors as may be convenient or necessary for the transmission of water, light, heat, power or messages" through the said tunnel and across the said bridge, or either of them. The words in quotations are inserted after the word "pipes" in the thirteenth line.

4. This amendment adds The Canadian National Railways, the Pacific Great Eastern Railway, and the Vancouver Harbour Commissioners to the list of other companies with which agreements may be made.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 23.

An Act respecting the Commercial Travellers Mutual Insurance Society.

First reading, March 28, 1924.

(PRIVATE BILL)

Mr. RYCKMAN.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76649 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act respecting the Commercial Travellers Mutual Insurance Society.

Preamble.

WHEREAS the Commercial Travellers Mutual Benefit Society, hereinafter called "the provincial corporation," has by its petition represented that it was incorporated on the twenty-second day of March, 1882, under the provisions of an Act of the Legislature of the Province of Ontario respecting benevolent, provident and other societies, being chapter one hundred and sixty-seven of the Revised Statutes of the province of Ontario, 1877; and that the said provincial corporation has since the date of its incorporation carried on, and is now carrying on, the purposes for which it was incorporated under the powers conferred upon it by law and the said Act and has prayed, in effect, that it may be incorporated under the same name, with power to acquire and take over the undertaking of the provincial corporation and exercise its powers throughout the Dominion of Canada, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S. Ont., 1877, c. 167.

Incorporation.

Corporate name.

1. The present members of the provincial corporation mentioned in the preamble are incorporated under the name of "Commercial Travellers Mutual Insurance Society," hereinafter called "the Society."

Objects, purposes and powers.

2. The objects, purposes and powers of the Society shall include power and authority,—

(a) Subject as hereinafter provided, to acquire and take over all or any part of the assets, property, rights, business and undertaking of the provincial corporation.

(b) To unite its members in social and fraternal bonds;

(c) To establish, maintain and administer an insurance fund for the payment of:—

(i) A benefit not exceeding five thousand dollars at the death of a member, the premiums for which shall be payable during the whole of life of the member or during a certain number of years;

(ii) An old age endowment benefit not exceeding five thousand dollars, payable after the expiration of a certain number of years or upon the attainment of a certain age, but in neither case payable before the attainment by the member of the age of sixty-five years; or payable in the case of the death of a member prior to the expiration of the endowment period;

(iii) A life annuity benefit not exceeding five hundred dollars per annum payable on and after the attainment by the member of the age of sixty-five years;

(iv) A benefit to members in case of disability, temporary or permanent, not exceeding one-half the amount of the mortuary benefit under the contract, the amount payable on the death of the member being reduced by the amount paid as such disability benefit;

(d) To establish, maintain and administer a fund for the payment of sick benefits not exceeding ten dollars per week.

(e) To establish, maintain and administer such other fund or funds as may be provided by the by-laws of the Society, and as may be necessary to the attainment of the foregoing objects.

Head office.

3. The head office of the Society shall be at the city of Toronto in the province of Ontario.

Officers of the Society.

4. The affairs of the Society shall be administered by a president, vice-president, secretary, treasurer and a board of eighteen trustees; the president, vice-president, treasurer and trustees shall be elected from the members of the Society for such terms and in such manner as by by-law may be determined, and the secretary shall be an appointed officer.

First officers and trustees.

5. The present president, vice-president, treasurer, secretary and board of trustees of the provincial corporation shall be the first officers and trustees respectively of the Society and shall hold office until their successors are elected or appointed under the provisions of the by-laws of the Society.

First annual meeting.

Annual meetings.

6. The first annual meeting of the Society shall be held at its head office on the first Saturday in February, one thousand nine hundred and twenty-five, and thereafter the Society's annual meetings shall be held on the first Saturday of February in each year, and at each annual meeting a statement of the Society's affairs shall be submitted.

By-laws.

7. The Society shall have power from time to time to make, amend, and repeal by-laws and regulations for governing the election of officers and trustees and prescribing and defining their duties and powers, the holding of meetings, the admission of members, fixing and refixing of the amounts of the premiums, dues and assessments to be paid by its members, and generally for the governing of and respecting all the activities, business and affairs of the Society.

General fund.

8. (1) The Society may maintain a general fund to which shall be credited all dues and other sums intended to be used for the payment of expenses and administration and all expenses of the Society shall be payable out of such fund.

In case of deficiency in the general fund.

(2) The Society may make provision in its by-laws whereby in the event of there being a deficiency in the general fund and a surplus above all liabilities in any one or more of the benefit funds, the annual meeting of the Society may in any year provide for the allocation to the general fund of such portion as the actuary of the Society may recommend of the premiums or assessments, falling due during the succeeding twelve months in any benefit fund or funds in which there is a surplus, the amount so allocated to the general fund during the said period not to exceed, however, two months' premiums in the said benefit fund or funds.

Proviso.

Notice before allocation to the general fund.

(3) Notice of intention to make an allocation to the general fund of any premiums or assessments or portions thereof as provided in the last preceding subsection, shall be given by mail to the members of the Society at least one month before such allocation is made.

Power to make certain provision respecting surplus in any benefit fund.

9. The Society may make provision in its constitution whereby such portion as shall be approved by the actuary of the Society, of the surplus above all liabilities in any benefit fund, may be applied to grant new or additional benefits to the members of the Society or to the remission of premiums or a portion thereof.

Power respecting loans on policies.

10. The Society may make provision in its constitution for the granting of loans on policies (or certificates of insurance) for the purpose of paying the premiums thereof, and with respect to policies or contracts of insurance which have been in force for three years for the granting of paid up policies and automatic non-forfeiture privileges or other equities or benefits in lieu thereof.

Certain by-laws and regulations to govern the affairs of the society.

11. The existing by-laws and regulations of the provincial corporation insofar as they are applicable and subject to the provisions hereof, shall govern the affairs of the Society

and the members thereof from the date of its incorporation until and including the date of the first annual meeting of the Society.

Approval of Treasury Board required.

12. The Society shall not exercise the powers set out in subsection *(a)* of section two of this Act until the terms of any agreement as to the acquisition of the property, rights, assets, business or undertaking of the provincial corporation shall have been submitted to and approved of by the Treasury Board.

Limitation of certain powers.

13. Until the Superintendent of Insurance shall be satisfied that the provincial corporation is ceasing to carry on its business and undertaking except for the purpose of transferring its property, rights, assets, business and undertaking to the Society and that the provincial corporation will not resume business under the powers conferred upon it by the Statutes of Ontario mentioned in the preamble to this Act, the Society shall exercise the powers set out in subsections *(b)*, *(c)*, *(d)* and *(e)* of section two of this Act only to the extent necessary for the carrying out of the objects or purposes set out in subsection *(a)* of section two of this Act.

Liabilities upon transfer.

14. The Society shall upon the transfer to it of the property, rights, assets, business and undertaking of the provincial corporation be liable for and shall pay, carry out, perform and discharge all the debts, obligations, liabilities and contracts of the provincial corporation and any person having any claim, demand, right, cause of action or complaint against the provincial corporation or to whom the provincial corporation is under any obligation, liability or contract, shall have the same rights and powers with respect thereto and to the realization thereof against the Society as such person has against the provincial corporation.

Powers as to property.

15. Subject to provincial laws the Society may from time to time acquire by devise, bequest, purchase, gift, lease or otherwise real and, or personal property and may sell, mortgage, lease and otherwise dispose thereof.

Investment of funds.

16. The Society shall invest its funds only in accordance with the provisions of section sixty-eight and subsections *(a)*, *(b)* 1, *(c)* and *(d)* of subsection one of section sixty of *The Insurance Act, 1917*, and shall have the power of lending its funds only on the security of any of the securities in which the Society may invest and in accordance with the provisions of paragraph *(b)* of subsection two of section sixty of the said Act.

Insurance Act, 1917, applicable.

Exceptions.

17. The Society shall be subject to the provisions of *The Insurance Act, 1917*, and amendments thereto, except section one hundred and seven thereof and except in so far as the same are inconsistent with the provisions of this Act.

Commencement of Act.

18. This Act shall come into force upon such day as the Governor in Council may by proclamation appoint, and such proclamation may be made only if the Treasury Board has been satisfied that this Act has been approved and accepted by a vote of not less than two-thirds of the members present or represented by proxy at a general meeting of the provincial corporation, called for that purpose.

17. Section 107 referred to reads as follows:—

"**107.** Any such company now licensed, so long as its license continues in force by renewal or otherwise, shall be exempted from the foregoing provisions of this Act relating to the maintenance of the reserve in respect of its policies required of ordinary life insurance companies and from the provisions of sections thirteen, forty-three, eighty and eighty-one thereof."

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 23.

An Act respecting the Commercial Travellers Mutual Insurance Society.

AS PASSED BY THE HOUSE OF COMMONS, 9th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76679 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act respecting the Commercial Travellers Mutual Insurance Society.

Preamble.

WHEREAS the Commercial Travellers Mutual Benefit Society, hereinafter called "the provincial corporation," has by its petition represented that it was incorporated on the twenty-second day of March, 1882, under the provisions of an Act of the Legislature of the Province of Ontario respecting benevolent, provident and other societies, being chapter one hundred and sixty-seven of the Revised Statutes of the province of Ontario, 1877; and that the said provincial corporation has since the date of its incorporation carried on, and is now carrying on, the purposes for which it was incorporated under the powers conferred upon it by law and the said Act and has prayed, in effect, that it may be incorporated under the name of "Commercial Travellers Mutual Insurance Society," with power to acquire and take over the undertaking of the provincial corporation and exercise its powers throughout the Dominion of Canada, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S. Ont., 1877, c. 167.

Incorporation.

Corporate name.

1. The present members of the provincial corporation mentioned in the preamble are incorporated under the name of "Commercial Travellers Mutual Insurance Society," hereinafter called "the Society."

Objects, purposes and powers.

2. The objects, purposes and powers of the Society shall include power and authority,—

(a) Subject as hereinafter provided, to acquire and take over all or any part of the assets, property, rights, business and undertaking of the provincial corporation.

(b) To unite its members in social and fraternal bonds;

(c) To establish, maintain and administer an insurance fund for the payment of:—

(i) A benefit not exceeding five thousand dollars at the death of a member, the premiums for which shall be payable during the whole of life of the member or during a certain number of years;

(ii) An old age endowment benefit not exceeding five thousand dollars, payable after the expiration of a certain number of years or upon the attainment of a certain age, but in neither case payable before the attainment by the member of the age of sixty-five years; or payable in the case of the death of a member prior to the expiration of the endowment period;

(iii) A life annuity benefit not exceeding five hundred dollars per annum payable on and after the attainment by the member of the age of sixty-five years;

(iv) A benefit to members in case of disability, temporary or permanent, not exceeding one-half the amount of the mortuary benefit under the contract, the amount payable on the death of the member being reduced by the amount paid as such disability benefit;

(d) To establish, maintain and administer a fund for the payment of sick benefits not exceeding ten dollars per week.

(e) To establish, maintain and administer such other fund or funds as may be provided by the by-laws of the Society, and as may be necessary to the attainment of the foregoing objects.

Head office.

3. The head office of the Society shall be at the city of Toronto in the province of Ontario.

Officers of the Society.

4. The affairs of the Society shall be administered by a president, vice-president, secretary, treasurer and a board of eighteen trustees; the president, vice-president, treasurer and trustees shall be elected from the members of the Society for such terms and in such manner as by by-law may be determined, and the secretary shall be an appointed officer.

First officers and trustees.

5. The present president, vice-president, treasurer, secretary and board of trustees of the provincial corporation shall be the first officers and trustees respectively of the Society and shall hold office until their successors are elected or appointed under the provisions of the by-laws of the Society.

First annual meeting.

6. The first annual meeting of the Society shall be held at its head office on the third Saturday in February, one thousand nine hundred and twenty-five, and thereafter

Annual meetings.

the Society's annual meetings shall be held on the third Saturday of February in each year, and at each annual meeting a statement of the Society's affairs shall be submitted.

By-laws.

7. The Society shall have power from time to time to make, amend, and repeal by-laws and regulations for governing the election of officers and trustees and prescribing and defining their duties and powers, the holding of meetings, the admission of members, fixing and refixing of the amounts of the premiums, dues and assessments to be paid by its members, and generally for the governing of and respecting all the activities, business and affairs of the Society.

General fund.

8. (1) The Society may maintain a general fund to which shall be credited all dues and other sums intended to be used for the payment of expenses and administration and all expenses of the Society shall be payable out of such fund.

In case of deficiency in the general fund.

(2) The Society may make provision in its by-laws whereby in the event of there being a deficiency in the general fund and a surplus above all liabilities in any one or more of the benefit funds, the annual meeting of the Society may in any year provide for the allocation to the general fund of such portion as the actuary of the Society may recommend of the premiums or assessments, falling due during the succeeding twelve months in any benefit fund or funds in which there is a surplus, the amount so allocated to the general fund during the said period not to exceed, however, two months' premiums in the said benefit fund or funds.

Proviso.

Notice before allocation to the general fund.

(3) Notice of intention to make an allocation to the general fund of any premiums or assessments or portions thereof as provided in the last preceding subsection, shall be given by mail to the members of the Society at least one month before such allocation is made.

Power to make certain provision respecting surplus in any benefit fund.

9. The Society may make provision in its constitution whereby such portion as shall be approved by the actuary of the Society, of the surplus above all liabilities in any benefit fund, may be applied to grant new or additional benefits to the members of the Society or to the remission of premiums or a portion thereof.

Power respecting loans on policies.

10. The Society may make provision in its constitution for the granting of loans on policies (or certificates of insurance) for the purpose of paying the premiums thereof, and with respect to policies or contracts of insurance which have been in force for three years for the granting of paid up policies and automatic non-forfeiture privileges or other equities or benefits in lieu thereof.

Certain by-laws and regulations to govern the affairs of the society.

11. The existing by-laws and regulations of the provincial corporation insofar as they are applicable and subject to the provisions hereof, shall govern the affairs of the Society

and the members thereof from the date of its incorporation until and including the date of the first annual meeting of the Society.

Approval of Treasury Board required.

12. The Society shall not exercise the powers set out in subsection *(a)* of section two of this Act until the terms of any agreement as to the acquisition of the property, rights, assets, business or undertaking of the provincial corporation shall have been submitted to and approved of by the Treasury Board.

Limitation of certain powers.

13. Until the Superintendent of Insurance shall be satisfied that the provincial corporation is ceasing to carry on its business and undertaking except for the purpose of transferring its property, rights, assets, business and undertaking to the Society and that the provincial corporation will not resume business under the powers conferred upon it by the Statutes of Ontario mentioned in the preamble to this Act, the Society shall exercise the powers set out in subsections *(b)*, *(c)*, *(d)* and *(e)* of section two of this Act only to the extent necessary for the carrying out of the objects or purposes set out in subsection *(a)* of section two of this Act.

Liabilities upon transfer.

14. The Society shall upon the transfer to it of the property, rights, assets, business and undertaking of the provincial corporation be liable for and shall pay, carry out, perform and discharge all the debts, obligations, liabilities and contracts of the provincial corporation and any person having any claim, demand, right, cause of action or complaint against the provincial corporation or to whom the provincial corporation is under any obligation, liability or contract, shall have the same rights and powers with respect thereto and to the realization thereof against the Society as such person has against the provincial corporation.

Investment of funds.

15. The Society shall invest its funds only in accordance with the provisions of section sixty-eight and subsections *(a)*, *(b)* 1, *(c)* and *(d)* of subsection one of section sixty of *The Insurance Act, 1917*, and shall have the power of lending its funds only on the security of any of the securities in which the Society may invest and in accordance with the provisions of paragraph *(b)* of subsection two of section sixty of the said Act.

Insurance Act, 1917, applicable.

Exceptions.

16. The Society shall be subject to the provisions of *The Insurance Act, 1917*, and amendments thereto, except section one hundred and seven thereof and except in so far as the same are inconsistent with the provisions of this Act.

Commencement of Act.

17. This Act shall come into force upon such day as the Governor in Council may by proclamation appoint, and such proclamation may be made only if the Treasury Board has been satisfied that this Act has been approved and accepted by a vote of not less than two-thirds of the members present or represented by proxy at a general meeting of the provincial corporation, called for that purpose.

Explanatory Note.

16. Section 107 referred to reads as follows:—

"**107.** (1) Every fraternal benefit society shall before a license is issued to it under this Part, file with the Superintendent, in addition to the other statements and documents required by this Act to be filed, a report made by an actuary, appointed by the society, including therein, in such detail as the Superintendent may require, the results of an actuarial valuation made by the said actuary as at the next preceding thirty-first day of December or such later date as the Superintendent may specify, of each of the benefit funds maintained by the society having regard to the prospective liabilities of, and contributions to, each fund; and such report shall include a declaration by the said actuary that in his opinion the assets of the society applicable to each fund, taken at the value accepted by the Superintendent, together with the premiums, dues and other contributions to be thereafter received from the members according to the scale in force at the date of the said valuation, are sufficient to provide for the payment at maturity of all the obligations of the fund without deduction or abatement. The society shall also file with the Superintendent a statement of its condition and affairs in such detail as the Superintendent may require, as at the date of the said valuation.

Actuarial valuation of benefit funds to be filed, with declaration by actuary that assets are sufficient to meet obligations.

(2) Every such society shall before the issue of such license deposit with the Minister in such securities as are specified in sections fifteen and sixteen of this Act the sum of ten thousand dollars."

Deposit of securities.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 24.

An Act respecting Divorce.

First reading, March 28, 1924.

Mr. SHAW.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76653 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 24.

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.*

Right of wife to divorce husband for adultery.

2. In any case where any court has jurisdiction to grant divorce *a vinculo matrimonii* a petition may be presented to the court by any wife praying that her marriage may be dissolved on the ground that her husband has, since the celebration thereof, been guilty of adultery only, and the court shall have and may exercise jurisdiction to hear and determine the case in the same manner and to the like extent, and may make the like decrees, orders and judgments, as it now has and is empowered to make in any case where the petition of a wife alleges that the husband has been guilty of adultery coupled with any other ground or grounds: Provided that nothing contained herein shall affect or take away any right of any wife existing immediately before the passing of this Act.

Explanatory Note.

1. The sole object of this Bill is to give the wife the right to divorce her husband on the same ground (viz., adultery) that the husband can now divorce his wife.

Legislation to the same effect was passed by the Imperial Parliament in "An Act to amend the Matrimonial Causes Act, 1857," chapter 19, 1923 (Imperial Statutes).

25.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 25.

An Act to amend the Judges Act.

First reading, March 28, 1924.

THE MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

74315

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 25.

An Act to amend the Judges Act.

R.S., c. 138; 1920, c. 56.

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

1. Section fifteen of the *Judges Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirty-eight, as enacted by section seven of chapter fifty-six of the statutes of 1920, intituled *An Act to amend the Judges Act*, is repealed, and the following is substituted therefor:—

Salary of Judge of Territorial Court of Yukon Territory increased.

"**15.** The salary of the judge of the Territorial Court of the Yukon Territory shall be nine thousand dollars per annum.

Provided that the increase of salary hereby granted shall not entitle the judge to any increase in the annuity which may be granted him on retirement in excess of six thousand dollars."

EXPLANATORY NOTE.

The amendment to the Judges Act, made by section seven of chapter fifty-six of the statutes of 1920, reads as follows:—

"7. Section fifteen of the said Act is repealed and the following is substituted therefor:—

"YUKON TERRITORY.

"15. The salary of the judge of the Territorial Court of the Yukon Territory shall be seven thousand dollars per annum."

25.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 25.

An Act to amend the Judges Act.

AS PASSED BY THE HOUSE OF COMMONS,
1st APRIL, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

74763

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 25.

An Act to amend the Judges Act.

R.S., c. 138; 1920, c. 56.

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

1. Section fifteen of the *Judges Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirty-eight, as enacted by section seven of chapter fifty-six of the statutes of 1920, intituled *An Act to amend the Judges Act*, is repealed, and the following is substituted therefor:—

Salary of Judge of Territorial Court of Yukon Territory increased.

"**15.** The salary of the judge of the Territorial Court of the Yukon Territory shall be nine thousand dollars per annum.

Provided that the increase of salary hereby granted shall not entitle the judge to any increase in the annuity which may be granted him on retirement in excess of six thousand dollars."

EXPLANATORY NOTE.

The amendment to the Judges Act, made by section seven of chapter fifty-six of the statutes of 1920, reads as follows:—

"7. Section fifteen of the said Act is repealed and the following is substituted therefor:—

"YUKON TERRITORY.

"15. The salary of the judge of the Territorial Court of the Yukon Territory shall be seven thousand dollars per annum."

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 26.

An Act respecting the Construction of a Canadian National Railway Line between Kingsclear and the St. Croix River, in the Province of New Brunswick.

First reading, April 1, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

76328

THE HOUSE OF COMMONS OF CANADA

BILL 26.

An Act respecting the Construction of a Canadian National Railway Line between Kingsclear and the St. Croix River, in the Province of New Brunswick.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location	Mileage already graded	Estimated	
		Mileage including existing grading	Cost
			$ cts.
From Kingsclear, a point on the Saint John and Quebec Railway in the Province of New Brunswick in a generally south-westerly direction to a point on the St. Croix River, opposite Vanceboro, in the State of Maine.	0	41	2,123,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 26.

An Act respecting the Construction of a Canadian National Railway Line between Kingsclear and the St. Croix River, in the Province of New Brunswick.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76555 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 26.

An Act respecting the Construction of a Canadian National Railway Line between Kingsclear and the St. Croix River, in the Province of New Brunswick.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Issue of securities limited if running rights obtained.

6. In the event of running rights being obtained on another railway whereby only that part of the said line of railway between near Kingsclear and near Harvey is constructed, the issue and guarantee of securities under this Act shall (subject to the provisions of section four of this Act) be limited to the estimated average expenditure per mile for the mileage actually constructed.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

7. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

8. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

9. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year.

together with the amount of any advances made under the provisions of section eight of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Kingsclear, a point on the Saint John and Quebec Railway in the Province of New Brunswick in a generally southwesterly direction to a point on the St. Croix River, opposite Vanceboro, in the State of Maine.	0	41	2,123,000 00	51,780 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 27.

An Act to amend The Juvenile Delinquents Act, 1908.

First reading, April 1, 1924.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76159 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 27.

An Act to amend The Juvenile Delinquents Act, 1908.

1908, c. 40; 1912, c. 30; 1914, c. 39; 1921, 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 *(c)* of section two of *The Juvenile Delinquents Act, 1908*, chapter forty of the statutes of 1908, is repealed, and the following is substituted therefor:—

"Juvenile delinquent" defined.

"*(c)* "juvenile delinquent" means any child who violates any provision of the *Criminal Code*, chapter one hundred and forty-six of the Revised Statutes, 1906, or of any Dominion or provincial statute, or of any by-law or ordinance of any municipality, for which violation punishment by fine or imprisonment may be awarded, or who is guilty of sexual immorality or any other form of vice, or who is liable by reason of any other act to be committed to an industrial school or juvenile reformatory under the provisions of any Dominion or provincial statute."

2. Subsection one of section sixteen of the said Act is amended by striking out all the words from the beginning thereof to the word "court", inclusive, in the eleventh line, and by substituting the following therefor:—

Release on probation.

"**16.** (1) In the case of a child proved to be a juvenile delinquent the court may adjourn the hearing or disposition of the case from time to time for any definite or indefinite period; and may impose a fine not exceeding twenty-five dollars, or may commit the child to the care or custody of a probation officer or of any other suitable person; or may allow the child to remain in its home, subject to the visitation of a probation officer, such child to report to the court or to the probation officer as often as may be required; or may cause the child to be placed in a suitable family home as a foster home, subject to the

Explanatory Notes.

1. The purpose of this amendment is to enable the Juvenile Court to deal with cases of sexual immorality, it having been held by several Juvenile Court Judges that the Act as at present framed does not confer jurisdiction upon the Court in such cases.

2. The purpose of this section is threefold: (1) to authorize the Court to adjourn the disposition of the case from time to time as well as the hearing, (2) to increase the fine which the Court may impose from $10.00 to $25.00 and (3) to enable the Court to impose upon the delinquent conditions which may not be specifically authorized by the Act but which it is desirable that the Court should have discretion to impose. The right to impose conditions such as, for instance, the making of restitution, etc., has been questioned, and the purpose of the present amendment is to make the matter clear.

The last eleven lines of the section, relating to guardianship are not altered.

friendly supervision of a probation officer and the further order of the court, and may impose upon the delinquent such further or other conditions as may be deemed advisable;"

Support of child.

3. Subsection two of section sixteen of the said Act is amended by adding thereto the following proviso:—

Proviso.

"Provided that where such an order is made upon the municipality the municipality may from time to time recover from the parent or parents any sum or sums paid by it pursuant to such order."

4. Section twenty-three of the said Act, as amended by chapter thirty of the statutes of 1912, is repealed, and the following is substituted therefor:—

Juvenile Court Committee appointed by court.

"**23.** (1) There may be in connection with the Juvenile Court a committee of citizens appointed by the court serving without remuneration to be known as "the Juvenile Court Committee".

Members of Juvenile Court Committee.

"(2) Where such a committee is appointed it shall, subject to the provisions of subsection three hereof, consist of three or more persons to be the Juvenile Court Committee as regards Protestant children and three or more other persons to be the Juvenile Court Committee as regards Roman Catholic children. The persons so appointed may in their discretion sit as one joint committee.

Juvenile Court Committee may be appointed by court, where there is a children's aid society.

"(3) Where there is a children's aid society in a city, town, county or district in which this Act is in force, the committee of such society or a subcommittee thereof, together with such other persons, if any, as the court may name, may at the option of the court and with the consent of the society, be the Juvenile Court Committee of such city, town, county or district, and where the Committee of such society or a sub-committee thereof is appointed to be the Juvenile Court Committee and there is both a Protestant and a Roman Catholic children's aid society, then the committee of the Protestant children's aid society or a subcommittee thereof, together with such other persons, if any, as the court may name, shall be the Juvenile Court Committee as regards Protestant children, and the committee of the Roman Catholic children's aid society or a subcommittee thereof, together with such other persons, if any, as the court may name, shall be the Juvenile Court Committee as regards Roman Catholic children."

3. Subsection 2, section 16, of the Act, provides that in cases under that section the Court may make an order upon the parent or parents of the child or upon the municipality to which it belongs, to contribute to its support such sum as the Court may determine. Where there is any uncertainty as to the ability of the parents to pay for the children an order is usually made against the municipality, and the purpose of the present amendment is to enable the municipality to recover the sum from the parents if it can.

4. The purpose of recasting section 23 of the Act is to so change the procedure as to make it optional with the Judge whether there shall be a Juvenile Court Committee or not, and whether and to what extent he will avail himself of the committees of the local Children's Aid Societies. The necessity for the amendment is due to the fact that in practice it has been found that it is not always possible for the Judge and the Committee of the local Children's Aid Society to co-operate usefully, and it is thought that it would be preferable to give the Judge complete power to choose his own committee rather than to have a deadlock owing to his inability to obtain the kind of assistance he requires from the Committee of the Children's Aid Society.

5. Subsection one of section twenty-nine of the said Act as amended by chapter thirty-seven of the statutes of 1921, is repealed, and the following is substituted therefor:—

Adults liable who contribute to delinquency.

"**29.** (1) Any person who knowingly or wilfully encourages, aids, causes, abets or connives at the commission by a child of a delinquency, or who knowingly or wilfully does any act producing, promoting or contributing to a child's being or becoming a juvenile delinquent, or likely to make any child a juvenile delinquent, whether or not such person is the parent or guardian of the child, or who, being the parent or guardian of the child and being able to do so, neglects to do that which would directly tend to prevent a child's being or becoming a juvenile delinquent or to remove the conditions which render or are likely to render a child a juvenile delinquent, shall be liable on summary conviction before a Juvenile Court or a justice, to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding two years, or to both fine and imprisonment."

5. The purpose of this amendment is twofold: (1) to make it an offence for a parent or guardian to neglect to do that which would directly tend to prevent a child's being or becoming a juvenile delinquent, or to remove the conditions which render a child a juvenile delinquent, so that in prosecutions under the Act it will be unnecessary to show that such neglect was wilful, and (2) to make it unnecessary in any prosecution under section 29 to prove that the conditions complained of actually rendered the child a delinquent, and making it sufficient to prove merely that such conditions are likely to have that effect.

The word "wilfully" is struck out (before the word "neglects") in the seventh line of this subsection.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 27.

An Act to amend The Juvenile Delinquents Act, 1908.

AS PASSED BY THE HOUSE OF COMMONS,
23rd JUNE, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76174 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 27.

An Act to amend The Juvenile Delinquents Act, 1908.

1908, c. 40; 1912, c. 30; 1914, c. 39; 1921, 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 *(c)* of section two of *The Juvenile Delinquents Act, 1908*, chapter forty of the statutes of 1908, is repealed, and the following is substituted therefor:—

"Juvenile delinquent" defined.

"*(c)* "juvenile delinquent" means any child who violates any provision of the *Criminal Code*, chapter one hundred and forty-six of the Revised Statutes, 1906, or of any Dominion or provincial statute, or of any by-law or ordinance of any municipality, for which violation punishment by fine or imprisonment may be awarded, or who is guilty of sexual immorality or any similar form of vice, or who is liable by reason of any other act to be committed to an industrial school or juvenile reformatory under the provisions of any Dominion or provincial statute."

2. Subsection one of section sixteen of the said Act is amended by striking out all the words from the beginning thereof to the word "court", inclusive, in the eleventh line, and by substituting the following therefor:—

Release on probation.

"**16.** (1) In the case of a child proved to be a juvenile delinquent the court may adjourn the hearing or disposition of the case from time to time for any definite or indefinite period; and may impose a fine not exceeding twenty-five dollars, or may commit the child to the care or custody of a probation officer or of any other suitable person; or may allow the child to remain in its home, subject to the visitation of a probation officer, such child to report to the court or to the probation officer as often as may be required; or may cause the child to be placed in a suitable family home as a foster home, subject to the

Explanatory Notes.

1. The purpose of this amendment is to enable the Juvenile Court to deal with cases of sexual immorality, it having been held by several Juvenile Court Judges that the Act as at present framed does not confer jurisdiction upon the Court in such cases.

2. The purpose of this section is threefold: (1) to authorize the Court to adjourn the disposition of the case from time to time as well as the hearing, (2) to increase the fine which the Court may impose from $10.00 to $25.00 and (3) to enable the Court to impose upon the delinquent conditions which may not be specifically authorized by the Act but which it is desirable that the Court should have discretion to impose. The right to impose conditions such as, for instance, the making of restitution, etc., has been questioned, and the purpose of the present amendment is to make the matter clear.

The last eleven lines of the section, relating to guardianship are not altered.

friendly supervision of a probation officer and the further order of the court; and may impose upon the delinquent such further or other conditions as may be deemed advisable;"

Support of child.

3. Subsection two of section sixteen of the said Act is amended by adding thereto the following proviso:—

Proviso.

"Provided that where such an order is made upon the municipality the municipality may from time to time recover from the parent or parents any sum or sums paid by it pursuant to such order."

4. Subsection one of section twenty-nine of the said Act as amended by chapter thirty-seven of the statutes of 1921, is repealed, and the following is substituted therefor:—

Adults liable who contribute to delinquency.

"**29.** (1) Any person who knowingly or wilfully encourages, aids, causes, abets or connives at the commission by a child of a delinquency, or who knowingly or wilfully does any act producing, promoting or contributing to a child's being or becoming a juvenile delinquent, or likely to make any child a juvenile delinquent, whether or not such person is the parent or guardian of the child, or who, being the parent or guardian of the child and being able to do so, knowingly neglects to do that which would directly tend to prevent a child's being or becoming a juvenile delinquent or to remove the conditions which render or are likely to render a child a juvenile delinquent, shall be liable on summary conviction before a Juvenile Court or a justice, to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding two years, or to both fine and imprisonment."

3. Subsection 2, section 16, of the Act, provides that in cases under that section the Court may make an order upon the parent or parents of the child or upon the municipality to which it belongs, to contribute to its support such sum as the Court may determine. Where there is any uncertainty as to the ability of the parents to pay for the children an order is usually made against the municipality, and the purpose of the present amendment is to enable the municipality to recover the sum from the parents if it can.

4. The purpose of this amendment is twofold: (1) to make it an offence for a parent or guardian to neglect to do that which would directly tend to prevent a child's being or becoming a juvenile delinquent, or to remove the conditions which render a child a juvenile delinquent, so that in prosecutions under the Act it will be unnecessary to show that such neglect was wilful, and (2) to make it unnecessary in any prosecution under section 29 to prove that the conditions complained of actually rendered the child a delinquent, and making it sufficient to prove merely that such conditions are likely to have that effect.

The word "wilfully" is struck out (before the word "neglects") in the seventh line of this subsection in the Act of 1908, and in the ninth line of the subsection as printed opposite, and replaced by the word "knowingly".

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 28.

An Act to amend and make operative certain provisions of The Copyright Act, 1921.

First reading, April 1, 1924.

MR. CHEVRIER.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
75565 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 28.

An Act to amend and make operative certain provisions of The Copyright Act, 1921.

1921, c. 24; 1923, 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.

Short title.

1. This Act may be cited as *The Copyright Amendment Act, 1924.*

INTERPRETATION.

2. (1) *The Copyright Act, 1921,* is amended by inserting the following clause immediately after paragraph *(e)* of section two thereof:—

"Copy."

"*(ee)* "Copy" includes any partial or complete reproduction, in a serial form or otherwise, by printing, lithographing, engraving, photo-engraving, casting, moulding or any kindred process or any process of manufacture hereafter devised, of a literary, dramatic, musical or artistic work."

(2) Paragraph *(m)* of section two of the said Act is repealed, and the following is substituted therefor:—

"Legal representatives."

"*(m)* "legal representatives" includes heirs, executors, administrators and assigns or other personal representatives or authorized agents or attorneys;"

(3) Paragraph *(n)* of section two of the said Act is repealed, and the following is substituted therefor:—

"Literary work."

"*(n)* "Literary work" means any original composition relating to or descriptive of any subject, real or fictitious, whether artistic, scientific, literary, poetical, economic, political, philosophical, humouristic, historical, pedagogical or otherwise, unpublished or published in any material medium, method or form whatsoever, and includes maps, charts, plans, tables and compilations."

EXPLANATORY NOTES.

The main object of this Bill is to secure legislation to implement the protection of the rights of authors, playwrights, composers, artists and publishers, which is not granted by the Copyright Act now in force, though the said Act was supposedly designed for that purpose. No opportunity was, during the preparation of the said Act, awarded to them of submitting their rights for consideration.

By the terms of the Revised Convention of Berne, 1908, to which Canada now adheres, the rights of many thousands of authors belonging to 30 or 35 different countries, adherent to the Union, were to be fully protected in Canada without the fulfilment of any formality; and, reciprocally, Canadian authors were likewise to enjoy, in every Unionist country, the same protection which Canada granted to Unionist authors. But the Canadian Act fails to afford the necessary remedies in case of infringement, and, contrary to the terms of the Revised Convention, imposes upon authors formalities not contemplated by the said Convention, thus limiting the enjoyment of their rights in Canada. The said Act should be amended in the manner hereinafter submitted, assuring thereby to Canadian authors, in Unionist countries, a treatment similar to the treatment which Canada, by the passing of this Bill, would prescribe and determine.

2. (1) This expression had not been previously defined.

2. (2) No alterations are made except replacing the words "legal representatives" in the second and third lines of paragraph (*m*) by the words now underlined.

2. (3) This expression was thus previously defined:—
"(*n*) "literary work" includes maps, charts, plans, tables and compilations."

(4) Paragraph *(q)* of section two of the said Act is repealed, and the following is substituted therefor:—

"Performance."

"*(q)* "performance" means any acoustic execution of a work or any visual representation of any dramatic action in a work, including such execution or representation made by means of any mechanical instrument and any communication or 'broadcasting' of such work by wireless telephony, telegraphy, radio or other kindred process;"

Term of copyright in records and perforated rolls.

3. Section eight of the said Act is repealed.

Protection of public domain.

4. The said Act is further amended by inserting, after section ten thereof, the following section:—

"**10A.** After the expiration of the term of copyright as aforesaid, the works on which copyright ceases to subsist shall be deemed public property, and any person shall thereafter be entitled to reproduce, execute or perform such works without any special authorization. Provided that the reproduction, execution or performance of such works shall conform with the original and that the title of the work and the name of the author be accurately and completely reproduced. Provided also that, for the purposes of education, but in no case for private or industrial benefit, a work which has become public property may occasionally be altered or adapted for such purposes only, and that said alteration or adaptation be indicated by a declaration to that effect on the reproduction of the said work. Any person contravening the provisions of this section shall be liable, on summary conviction, to a fine of not less than ten dollars and costs, and, in default of payment of said fine and costs, to imprisonment for a period not exceeding one month."

License clauses.

5. Sections thirteen, fourteen and fifteen of the said Act, as amended by section two of chapter ten of the statutes of 1923, are repealed.

2. (4) To ensure that the new methods of dissemination and performance introduced by the wireless inventions shall be covered in accordance with the intent of the Copyright Act.

3. Section 8 as repealed reads as follows:—

"8. The term for which copyright shall subsist in records, perforated rolls and other contrivances by means of which sounds may be mechanically reproduced 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 such contrivance, and where such owner is a body corporate, the body corporate shall be deemed for the purpose of this Act to reside within His Majesty's Dominions if it has established a place of business therein."

The provision of section 8, as to the term of copyright in mechanical instruments, is embodied in section 7 (1) of this Bill.

4. Public domain is a national property which is to be used, but not abused, and must be safeguarded as such.

5. These sections constitute a system of compulsory licenses by which the right to multiply copies in Canada is taken away from the author and conferred by the Minister of Copyright, for five years with exclusive rights, upon any trader securing a license. No such invasion of the essential nature of copyright has ever existed in Canada or in any civilized country, and the putting into effect of these sections deprive the authors of much of their natural rights and rob their property of a great part of its value—as if Parliament had promulgated an Act to force grain-growers to sell their wheat to no other than Canadian millers only at such price and on such conditions as might be determined by the latter. As regards future copyrights, these sections afford to authors only a far narrower and less valuable control of their own works in the Canadian market than they obtained under the previous Canadian legislation. These License Clauses have been forced into the Canadian Act under the pretence of helping the several classes of artisans engaged in the printing and publishing business in Canada. In fact, and inasmuch as these clauses authorize the reprinting in Canada with plates made in the United States, they are advantageous to but a few printers and help exploit a Canadian author, through a compulsory method which has been condemned by the Publishers Committee of the Toronto Board of Trade. In order to escape the evil of these License Clauses,

6. (1) Paragraph (i) of section sixteen of the said Act is repealed, and the following is substituted therefor:—

For purposes of study.

"(i) Any fair dealing with or any reasonable quotation of an extract from any work for the purposes of private study, research, criticism, review, or newspaper summary;"

(2) Subsection three of section sixteen of the said Act is repealed, and the following is substituted therefor:—

Infringement when reproduced without owner's consent, and admission fee charged.

"(3) Copyright in a work shall also be deemed to be infringed by any person who, in consideration of an admission fee, 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."

7. (1) Section eighteen of the said Act is repealed, and the following is substituted therefor:—

Term of copyright in records and perforated rolls.

"**18.** (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 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 such contrivance; and where such owner is a body corporate, the body corporate shall be deemed for the purpose 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 work for any person to make within Canada records, perforated rolls, or other contrivances, by means of which sounds may be reproduced and 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:

Canadian authors are now compelled to print two editions of their work, when one single edition should be sufficient; to pay double the price for producing their work and thus double the price of the book. Such a situation is not conducive to reducing the cost of living in Canada. See *Le Droit d'Auteur*, July 15th, 1921, page 77.

6. (1) To extend the privilege of using, under this Act, any work or portion thereof for legitimate purposes.

6. (2) This amendment substitutes "in consideration of an admission fee" for "for his private profit." Cases have been seen where such permit, leading to an infringement of copyright, was given for the profit of some other person or was actually non-profit making.

7. (1) This subsection is taken from the British Copyright Act of 1911 (Section 19) from which Act almost all of the Canadian provisions have been copied, and is the underlying principle of this whole section—yet the Canadian Act did not contain it. Compare section 8 as repealed and set out in the explanatory note to section 3 of this Bill.

A new subsection one is added and the old subsections one, two, three, four, five, six and seven are, respectively, renumbered (2), (3), (4), (5), (6), (7) and (8).

7. (2) The words "literary or dramatic" are struck out after the word "musical" in the second line of this subsection.

The words "literary or dramatic" are struck out (after the word "musical") in the first and second lines of paragraph (ii) of the said subsection.

Paragraph (iii) is repealed. It reads as follows:—

"(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."

This is another provision which is not in the Imperial Copyright Act. It has been designed to over-rule the jurisprudence established in the case of *Chappell & Co. v. Columbia Gramophone Co., Ltd*, (1914, 2 Ch. 745) to the effect that, although a manufacturer is entitled to make alterations in the music for the purpose of adapting it to the mechanical contrivance, he cannot without infringing copyright make manuscript copies of the music for that purpose. The manufacturer ought not to be given any further privileges than those given him by the Imperial Act.

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 not be deemed to include a contrivance by means of which sounds may be mechanically reproduced.

Proviso.

Provided furthermore that the foregoing subsection two shall apply only to records, perforated rolls or other contrivances made or manufactured prior to the first day of January, 1924.

Rates of royalties.

(3) The rate at which such royalties as aforesaid shall be calculated shall

(a) in the case of contrivances sold within two years after the commencement of this Act by the person making the same, be two and one-half per cent; and

(b) in the case of contrivances sold as aforesaid after the expiration of that period, five per cent

on the ordinary retail selling price of the contrivance; but the royalty payable in respect of a contrivance shall in no case be less than two cents for each separate musical work in which copyright subsists reproduced thereon.

Apportionment of royalties when several owners.

(4) If any such contrivance is made reproducing on the same playing surface 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 musical work may be mechanically performed have been made, then, for the purposes of this section, the owner of

7. (2) Proviso. The manufacturers of records have succeeded in having the royalties on mechanical reproductions fixed at two cents in Canada, while the British Act has fixed such royalties at five per cent of the retail selling price. Canadian manufacturers have also forced into the Regulations their own method of paying royalties, notwithstanding the fact that the composers primarily interested in this Act were claiming the stamp system which is established by the British regulations and which proved to be the more satisfactory manner of checking the payment of royalties. Under subsection (1) of section (18) of the Act as now in force, Canadian manufacturers are entitled to expropriate the work of an author. This is tantamount to another compulsory license which, according to the advice of the International Bureau of Berne, cannot be imposed upon Unionist authors as it is fundamentally opposed to the principle of the Convention. (See *Le Droit d'Auteur*, July 15th, 1921, p. 77.) Manufacturers have long enough taken advantage of the lawless situation which prevailed in our Dominion for a longer period than anywhere else. In 1911 the British Act was adopted to regulate through the Empire mechanical reproductions as well as other dealings with copyright works, and in the same year Bill 184 was introduced in this Parliament to apply to Canada the effects of the British legislation: manufacturers cannot legitimately complain now of being taken by surprise.

7. (3) This amendment substitutes the British *ad valorem* rate of royalty for the flat two cents per roll or playing surface as enacted in the Canadian Act. The lower rate for the first two years is also provided in the British Act, and is a concession to the manufacturers in respect of undertakings which may have been entered into while there was no royalty on such contrivances. See section 19 (3) of the British Copyright Act, 1911.

7. (5) The words "literary or dramatic" are struck out in the second line of this subsection.

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 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 and sold by the manufacturer 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 musical work, any rights conferred by this Act in respect of the making, or authorizing the making, of contrivances by means of which the work may be mechanically performed, shall belong to the author or his legal 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 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

7. (7) The words "literary or dramatic" are struck out in the first line of this subsection, also in the second and third lines of paragraph (*c*) of said subsection.

The words "literary or dramatic" are struck out of subsection (1) as well as of other provisions of section 18, as they constitute an unnecessary encroachment on the author's rights and were inserted in section 18 against the principle of the Revised Convention. (See *Le Droit d'Auteur* July 15th, 1921, page 74.) The British Copyright Act does not so affect literary or dramatic rights in its dispositions relative to mechanical reproductions. (Cf. British Copyright Act 1911, sections 19 (2), (5) and (7).

been in force at the time of the making of the first mentioned contrivance.

Failure to pay royalties.

(9) In case of the failure of the manufacturer to pay the copyright owner or legal assignee the full sum of royalties due, according to the present section and to the Regulations made thereunder, within thirty days after demand in writing, the court may award taxable costs to the plaintiff and a reasonable counsel fee, and the court may, in its discretion, enter judgment therein for any sum in addition over the amount found to be due as royalty in accordance with the terms of this Act, not exceeding three times that amount."

8. The said Act is further amended by inserting, immediately after section eighteen thereof, the following:—

Marking the date of making.

"**18A.** Any person manufacturing any record, roll, film or other contrivance for the acoustic execution or visual representation of a work, or publishing or printing any edition of a literary, musical or artistic work, shall mark clearly thereon the year of manufacturing or printing the same. And any such record, roll, film, other contrivance or edition, not so marked, or marked with a date which is not that of the actual manufacture or publication, shall be deemed to have been manufactured or published in violation of copyright so long as copyright in the work continues to subsist."

Injunction.

9. Section twenty-one of the said Act is repealed.

10. The said Act is further amended by inserting, immediately after section twenty-three thereof, the following:—

Damages.

"**23A.** (1) Any person infringing the copyright of any work protected under this Act shall be liable to pay the copyright owner or legal assignee such damages as the owner or assignee may have suffered due to the infringement, as well as all the profits which the infringer shall have made from such infringement; and in proving profits the plaintiff shall be required to prove sales only, and the defendant

7. (9) The Act provides for no sanction in case of default in payment of royalties that are due. Cf. United States Copyright Law, 1909, Section 1 (i).

8. To ensure that makers claiming any rights by virtue of the date of manufacture of any reproducing apparatus do establish such date by means of the apparatus itself. This amendment also has for effect to avoid the confusion and contestations which otherwise would arise in an endeavour to ascertain whether a film, record, book or other copy of a work, was produced before or after the coming into force of this Act. See *Le Droit d'Auteur*, Nov. 15th, 1921, page 125 (4).

9. The section repealed reads as follows:—

"**21.** 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."

Injunction only remedy when defendant not aware of copyright.

This section deprives the plaintiff of all other remedy for infringement, except a mere injunction, whenever the defendant **alleges** that he was **not aware** and had no reasonable ground for suspecting that copyright existed. There may conceivably be many cases in which justice would call for an accounting and for damages even though defendant was **not aware** and these cases might be left to the discretion of the Court. (See Debates of the Senate, May 31st, 1921, page 747, Unrevised Edition.) Furthermore the Revised Convention, which Canada has accepted, has eliminated the defence of good faith. See Article 15 of the Revised Convention. Cf. U. S. Copyright Law 1909, ss. 25, 36, 40.

10. This amendment provides for minimum damages which have not been provided for. It gives also the Court power to protect the author against such practices as plagiarism, alteration of title, suppression or alteration of author's name, etc. (Sec. 47 of Canadian Act repealed, among others, 15 William IV, granting minimum damages of 40s. Cf. ss. 3 and 4, Chap. 15 William IV, 1833. Cf. Section 25 United States Copyright Law, 1909, and Section 428 of the French Criminal Code. Experience has shown that, even in cases where courts have awarded damages or fines, it has been impossible to collect these damages or fines, the reason being that the defendant was insolvent or escaped under Corporation limitation. Among others: the case of Joubert *vs.* Geracimo, award of the Court or Appeal, Montreal, Nov. 6th, 1916, $817 damages with interests and costs—unpaid; the case of The King *vs.* The Theatre National Inc., Montreal, 12th January, 1922. Fine $450, unpaid. See *Le Droit d'Auteur*, July 15th, 1921, page 77 (3).

shall be required to prove every element of cost which he claims, or in lieu of actual damages and profits, such damages as to the court shall appear to be just. Provided that, where the infringer shall show that he was not aware that he was infringing and that such infringement could not have been reasonably foreseen, such damages shall not be less than as hereinafter stated, namely:—

(a) for the infringement of a literary, dramatic or musical work by printed reproduction in a periodical or book or in any other material medium, method or form whatsoever, such damages shall in no case be less than ten dollars, or, as the case may be, ten dollars per thousand words or per page of the original work;

(b) for the infringement of an undramatized or undramatic work by means of motion pictures, such damages shall in no case be less than fifty dollars;

(c) for the infringement of a dramatic or dramatico-musical work by a maker of motion pictures or his agencies, such damages shall in no case be less than two hundred and fifty dollars;

(d) for the infringement of a literary, musical or dramatic work by execution through mechanical or radiographic or electric process whatsoever, such damages shall in no case be less than one dollar or, as the case may be, than twenty dollars for each hour such execution would normally last;

(e) for the infringement of a painting, statue or sculpture, such damages shall in no case be less than five dollars for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

(f) for the infringement of any other work protected under this Act, such damages shall in no case be less than one dollar for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

(g) for the infringement of a lecture, sermon or address, such damages shall in no case be less than twenty-five dollars for every infringing delivery;

(h) for the infringement of a dramatic, dramatico-musical, operatic, lyric or pantomime work, or a choral or orchestral composition, such damages shall in no case be less than fifty dollars for the first and then twenty-five dollars for every subsequent infringing performance; in the case of other musical composition, not less than five dollars for every infringing performance or execution.

"(2) The foregoing limitations shall not deprive the copyright owner or assignee of any other remedy given him under this Act, nor shall they apply to infringements occurring after the actual notice to a defendant, either by service

of process in a suit or other written notice served upon him.

"(3) Where the infringer is a firm, society, partnership, company, association, group or club, the president and several officers or managers of same shall be personally liable to such damages or fines as the Court may determine, notwithstanding the grant or assignment of their liability in the matter after the date of the infringement.

"(4) If the infringement is fraudulent, the Court may, without prejudice to any other remedy, award the owner of the copyright punitive damages."

11. Subsections one and two of section twenty-four of the said Act are repealed, and the following are substituted therefor:—

Summary remedies.

"**24.** (1) If any person knowingly,—

(a) makes or prints 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, for every copy dealt with in contravention of this section, to a fine not exceeding ten dollars and costs, and in default of payment of such fine and costs, shall be liable to imprisonment for a period not exceeding one month, such fine not to exceed two hundred dollars in respect of the same transaction. In the case of a second or subsequent offence, either to such fine and costs 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 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 and costs, 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.

24. (1) The words "or prints" are added in paragraph (*a*) of subsection one of section 24. The words underlined in the fifteenth and subsequent lines have replaced the following "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."

The present Act contains no sanction in the case of the defendant refusing or alleging incapacity to pay fine.

24. (2) The words "and for his private profit" have been struck out in the third and the fourth line (after the word "knowingly"), and the words "and costs" have been added (after the word "dollars") in the eighth line of subsection two.

Subsection (2) of section 24 imposes a fine on persons who "knowingly" cause a copyright work to be performed in public without the consent of the copyright owner. There is no good reason why persons conducting non-profit-making enterprises, or indulgent in infringency for the profit of another person, should not be required to be just as careful as those who give performances for profit.

12. Section twenty-five of the said Act is repealed, and the following section is substituted therefor:—

Infringement in case of literary, musical, dramatic, etc., works.

"**25.** (1) Any person who, without the written consent of the owner of the copyright or of his legal representative, reproduces or causes to be reproduced by printing, performs or causes to be performed in public the whole or any part of any literary, artistic, musical, operatic, or dramatic work in which copyright subsists in Canada, shall be guilty of an offence, and shall be liable on summary conviction to a fine of not less than fifty dollars and not more than two hundred dollars for each of the several reproductions or performances indicated in the complaint, and to the payment of costs in each case, and, in default of payment of such fine and costs, to imprisonment for a term not exceeding one month. In the case of a second or subsequent offence, he shall be liable either to such fine or imprisonment for a term not exceeding two months, or to both. Half of the fine in each case shall be paid to the Crown and the other half to the complainant.

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 name of the author, of any literary, artistic, musical, operatic or dramatic work in which copyright subsists in Canada, or who makes or causes to be made any change in such work itself without the written consent of the author or of his legal representative, with a view of having same in whole or in part reprinted, reproduced or performed in public, shall be guilty of an offence and shall be liable on summary conviction to a fine of not less than one hundred dollars and not exceeding five hundred dollars and to the payment of costs, and in default of payment of such fine and costs, shall be liable to imprisonment for a term not exceeding two months. In the case of a second or subsequent offence, he shall be liable either to such fine or to imprisonment for a term not exceeding four months, or to both. Half of the fine in each case shall be paid to the Crown and the other half to the complainant.

Burden of proof.

"(3) In any prosecution for an offence against the provisions of this section, the burden of proving the written consent of the owner of the copyright or his legal representative, shall be upon the person charged with such offence."

13. The following sections are inserted immediately after section twenty-five of the said Act:—

The repealed section reads as follows:—

"25. (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.

Infringement in case of dramatic operatic, or musical work.

(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."

Change or suppression of title or author's name.

This amendment, which is a redrafting of section 25 (1), is for the purpose of rendering this provision operative. The amendment includes non-profit-making bodies among those which are subject to penalty; provides a minimum as well as a maximum fine; makes it clear that each separate performance is a separate infringement; and affords the complainant some compensation for the trouble and risk involved in bringing a successful complaint.

25. (2) This amendment, which is a redrafting of section 25 (2), is for the purpose of rendering this provision operative. This is the same change as in the preceding subsection, and relates to the penalty for "change in or suppression of the title or name of the author" of a copyright work, or change in the work itself, with a view to public performance, without the consent of the author.

25. (3) This is in accordance with the ordinary rule of evidence.

Authority to legal representative.

"**25A.** In the absence of the owner of the copyright of a work in which copyright subsists in Canada, his legal representative, upon showing his power of attorney, may require from any person reproducing, executing or performing such work, or preparing to reproduce, execute or perform the same, the production of the written consent of the owner of the copyright or his legal representatives for such reproduction, execution or performance.

"Not aware" and "knowingly" defined.

"**25B.** Where the defendant alleges that he was 'not aware' of the existence of copyright on a work protected in Canada or that he did not 'knowingly' commit any infraction under this Act, the burden shall be on the defendant to prove that, prior to the committing of the alleged infringement, he did make such inquiries as would have established the existence of the copyright and that such inquiries failed to establish the existence of such copyright.

Advertisements respecting the production of theatrical works.

"**25C.** (1) No person, corporation or association shall publish or distribute or cause to be published or distributed any advertisement, newspaper notice, poster, prospectus or program referring to the performance or execution of any literary, dramatic, musical or lyric work, without stating therein, accurately and completely, the name of such person, corporation or association, and without stating therein the title and the name of the author of such work or works.

Penalty.

"(2) Whosoever is guilty of any infraction of this section shall be liable, on summary conviction, over and above all other legal recourses, to a fine of not more than one hundred dollars and costs, and, in default of payment of such fine and costs, to imprisonment for a term not exceeding one month.

Summons for disclosure.

"**25D.** Wherever there is reasonable ground to suspect that a work is being or has been infringed, a summons shall on request therefor be issued by a police magistrate ordering the production before such magistrate of the work from which copy is being or has been made.

British Statutes apply.

"**25E.** Notwithstanding anything contained in section forty-seven of this Act, the provisions of *The Musical (Summary Proceedings) Copyright Act 1902* (Imperial Statute, 2 Edward VII, Chap. 15) and of *The Musical Copyright Act 1906* (Imperial Statute 6 Edward VII, Chap. 36) *mutatis mutandis* shall apply as respects musical works protected under this Act."

14. Section twenty-six of the said Act, as amended by section three of chapter ten of the statutes of 1923, is repealed, and the following is substituted therefor:—

Importation of certain copyright works prohibited.

"**26.** 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 or the

25A. To give the legal representative of the author, who might be away, the right, which is now denied to him, to inspect the authority under which a work is performed in public in this country.

25B. Cf. Regina *vs.* Prince; Remarks of Justice Brett. In re "Princess Battledore", Lee *vs.* Simpson. Com. Bench Reports, Vol. 3, p. 370. Cf. s. 19—where 'knowingly' is not required. S. 24 contradicts this; and Article 15 of the Revised Convention of Berne. Precedent of the Senate suppressing the word 'knowingly' from Bill 27 of 1920. See Debates of the Senate, 1920, page 369, Unrevised edition.

25C. This amendment is required to prevent fraud as well as to secure for the public accurate information as to the works performed. It has thus an educational aspect. Such a provision has been adopted by several Legislatures, among others the Legislature of Quebec. See Chap. 47, Statutes of the Province of Quebec, 1919.

25D. Under the present law there is nothing to help disclosure of such infringency. Cf. s. 11 (4) of the British Copyright Act 1911, and U.S. Copyright Law, 1909, sect. 25 c and d.

25E. The Canadian Copyright Act is derived from the British organic law of 1911 on Copyright. Yet, section 47 of the Canadian Act repeals all the enactments relating to copyright passed by the Parliament of the United Kingdom which were formerly operative in Canada and most of which are still operative in England constituting to this day an essential element in the application of the law. The Canadian Act is now deprived of those various essential elements which should be re-enacted here. How British statutes enacting penalties and fixing damages for infringements of copyright would remain operative in Canada if section 47 of the Canadian Act had not repealed them all, is shown in the judgment of the Court of Appeal, Montreal, in the case of Joubert *vs.* Géracimo, Nov. 6th, 1916. See 3-4 Jud. Rep., Quebec, March-April, 1917.

14. It is most generally the works owned by English or French authors or publishers and protected in Canada from which piratical copies are made out of Canada and imported into Canada. The interested owner has thus to rely upon his legal representative in Canada to make claim in the matter.

legal representative of such owner gives notice in writing to the Department of Customs and Excise that he is desirous that such copies should not be so imported into Canada, shall not be so imported, and shall be deemed to be included in Schedule C to *The Customs Tariff, 1907*, and that Schedule shall apply accordingly."

15. Section twenty-seven of the said Act, as amended by chapter ten, section two, of the statutes of 1923, is repealed, and the following is substituted therefor:—

No importation where right or license to reproduce in Canada granted.

"**27.** (1) Where the owner of the copyright has by license or otherwise granted the right to reproduce any book in Canada, it shall not be lawful, except as provided in subsection two, to import into Canada copies of such book, and such copies shall be deemed to be included in Schedule C to *The Customs Tariff, 1907*, and that Schedule shall apply accordingly.

Exceptions.

(2) Notwithstanding anything in this Act it shall be lawful for any person:—

(a) To import for his own use not more than two copies of any work published in any country adhering to the Convention;

(b) To import for use by any Department of His Majesty's Government for the Dominion or any of the Provinces of Canada, copies of any work, wherever published;

(c) To import any copies required for the use of any public library or institution of learning."

Administration of the Copyright Act.

16. The said Act is further amended by inserting, after section twenty-seven thereof, the following:—

"**27A.** The administration of this Act shall be under the Minister of Justice."

15. The words "or where a license to reproduce such book has been granted under sections twelve or thirteen" are struck out (after the word "Canada") in the third and fourth lines of subsection one of section twenty-seven. This section relates to prohibition of importation. The repeal of section 13 is asked for as set forth above. Section 12 relates to the granting of a compulsory license when, after the death of the author, the owner of the copyright still refuses to allow publication and the work is consequently being withheld from the public. Since this section does not require the printing of the work in Canada, but merely the supplying of the Canadian market, there is no need for a prohibition of imports.

27. (2) Section twenty-seven contains the following subsection two, which is struck out:—

"(2) Except as provided in subsection three, it shall be unlawful to import into Canada copies of any book in which copyright subsists until fourteen days after publication thereof, and during such period or any extension thereof such copies shall be deemed to be included in schedule C to The Customs Tariff, 1907, and that Schedule shall apply accordingly.

"Provided that if within the said period of fourteen days an application for a license has been made in accordance with the provisions of section thirteen, the Minister may in his discretion extend the said period, and the prohibition against importation shall be continued accordingly. The Minister shall forthwith notify the Department of Customs of such extension."

This subsection prohibits imports until fourteen days after publication and is intended to preserve the market for the compulsory licensee under section 13; it goes out with that section.

27. (2) *c*. The words "at any time before a work is printed or made in Canada" are struck out (before the words "to import") in the first and second lines of paragraph (*c*) of subsection three. They were constituting a limitation upon the right, which is otherwise declared to be absolute, "to import any copies required for the use of any public library or institution of learning." These institutions should be permitted to obtain any editions that they may desire, irrespective of whether there is an edition made in Canada.

Section twenty-seven contains the following paragraph (*d*) which is struck out of subsection (3):—

"(*d*) to import any book lawfully printed in the United Kingdom or in a foreign country which has adhered to the convention and the Additional Protocol thereto set out in the second schedule to this Act, and published for circulation among, and sale to the public within either; provided that any officer of the Customs, may in his discretion, require any person seeking to import any work under this section to produce satisfactory evidence of the facts necessary to establish his right so to import."

Paragraph (*d*) enumerates permitted importations, and allows complete freedom of importation, for trade as well as use of all books lawfully printed and published in the United Kingdom or any Unionist country. It was doubtless necessary as an exception to the right granted to the Compulsory Licensee to prevent importation of competing copies under section 27, subsection 1; with the Compulsory License abolished, it is no longer needed, and it would have the effect of preventing the author from granting complete control of the Canadian trade to his own Canadian publisher or agent.

16. For obvious reasons, the administration of the Copyright Act should be under the Minister of Justice, as it involves problems of a highly technical legal aspect. Although the Copyright Act is nominally under the Minister of Trade and Commerce, it is the Minister of Justice who fostered the main Bill in 1921. Since the Minister of Justice is thus called, by the nature of his functions, to constantly look after such legislation, it seems more in order to entrust him *de facto* with the administration of the Act, thereby avoiding any conflict of authority.

17. (1) Subsection two of section thirty-nine of the said Act is repealed, and the following substituted therefor:—

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."

(2) Section thirty-nine of the said Act is further amended by adding, immediately thereafter, the following as subsection (3):—

Registration not to be essential.

"(3) Registration shall not in any case be deemed to be a condition of the existence of any copyright or of the exercise of any rights granted by this Act."

Subsistence of substituted right.

18. (1) Subsection one of section forty-one of the said Act is amended by adding the following after the word 'thereunder' in the eleventh line thereof:

"And where any copyright subsisted in Canada on the first day of July 1912, but has, under the legislation repealed by this Act, expired before the commencement of this Act, the author of the work whose copyright has thus expired shall be entitled in respect of such work to all the rights to which he would have been entitled, and for the period to which he would have been entitled to them, if this Act had been in force when the work was made, and the work had been entitled to copyright thereunder, unless such rights would have already expired before the commencement of this Act."

17. (1) The words "and no grantee shall maintain any action under this Act unless his and each such prior grant has been registered" are struck out in subsection two after the word "claims" in the seventh line of subsection two.

They make registration to all intents and purposes compulsory for any holder of copyright other than the original author. The proper function of registration is to afford a particularly easy and convenient way of proving the ownership of copyright rights, not to constitute the only basis upon which they can be claimed. Section 39 starts off by saying the registration is optional, but ends by making it imperative, as in section 21. Such provision contradicts even section 4 (1) of the Canadian Act. No such provision is to be found in the British Act. Registration in Canada is almost impracticable for the hundreds of thousands of authors belonging to the thirty or thirty-five different countries of the Union, who, since Canada is now an adherent to the Convention of Berne, are granted full protection in this Dominion without any formality. If the necessity of registration be so maintained in Canada, all of the other Unionist countries could and would likely, through reciprocal treatment, compel Canadian authors to secure similar registration in every such country of the International Union. See Article 4 of the Convention where "the enjoyment of right is subject to no formality." International Bureau of Berne construes such a provision as constituting a denial of justice. See *Le Droit d'Auteur*, April 15th, July 15th (page 74*b*) and November 15th, 1921, page 124.

17. (2) Subsection three is added to subsections one and two of section thirty-nine.

It is taken from the Copyright Act of the Union of South Africa. See *Le Droit d'Auteur*, July 15th, 1921, page 74 (b).

18. (1) This subsection as amended will then read as follows:—

"41. (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; and where any copyright subsisted in Canada on the first day of July, 1912, but has, under the legislation repealed by this Act, expired before the commencement of this Act, the author of the work whose copyright has thus expired shall be entitled in respect of such work to all the rights to which he would have been entitled, and for the period to which he would have been entitled to them, if this Act had been in force when the work was made, and the work had been entitled to copyright thereunder, unless such rights would have already expired before the commencement of this Act." Subsistence of substituted right.

The amendment purports to overcome the anomaly (due to Canada's delay in adopting the Revised Berne Convention) that an immense number of works which are still copyrighted in all other Union and British countries, and will remain so for many years, are now in the public domain in Canada, and will remain there unless this provision is adopted. Any hardship which might result to persons who have invested in the reproduction or performance of these works in Canada while in the public domain is sufficiently guarded against by paragraph (b) of the same section, and by a further proviso in the first schedule of this Act. As precedent Newfoundland has put in force, in 1913, the British Copyright Act with retroactive application to 1st July, 1912. So did Australia. Likewise the Swiss Legislation of 7th December, 1922, ss. 62, 63, 65, afforded retroactive protection for works which otherwise would have fallen into public domain. (See *Le Droit d'Auteur*, June 15th, 1923.)

(2) Paragraph *(b)* of subsection one of section forty-one of the said Act is repealed, and the following is substituted therefor:—

Limitation of rights to extend only to acts taking place within one year.

"*(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. But nothing in this proviso shall apply to any act of reproduction or performance taking place more than one year after the commencement of this Act."

French version amended.

(3) Section forty-one, subsection three, of the said Act is amended, in the French version only, by substituting "dix-huit" for "dix-neuf", in the second line thereof.

First schedule amended.

19. The first schedule of the said Act, corresponding to section forty-one thereof, is amended by substituting, for the title words 'Existing Rights', the words 'Rights existing on July 1st, 1912', and by adding the following proviso: "Provided that any right exercised before the adoption of this Act shall be saved."

18. (2) The proviso in paragraph (b) of subsection (1) of section 41 in the Act, as it now stands, appears to go much too far in the direction of protecting the manufacturer, reproducer or publisher against loss resulting from the new rights conferred upon the author or the extension or revival of his old rights. This limitation of the author's right shall extend only to acts of reproduction or performance taking place within one year of the commencement of this Act. As the paragraph stands, it would confer upon anybody who has made any investment, however small, "with a view to the reproduction or performance of a work" before the commencement of this Act, the right to go on reproducing or performing the work for all time.

18. (3) To correct a clerical error.

19. Such a proviso safeguards any legitimate rights which have been created through the default of making Canadian legislation conform to the British Copyright Act at the proper date.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 29.

An Act to amend the Criminal Code (Printer's Liability).

First reading, April 3, 1924.

Mr. NEILL.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77009 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 29.

An Act to amend the Criminal Code (Printer's Liability).

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

R.S. 146.

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

Name and residence of printer on every paper or book.

"**334A.** Every person who prints any paper or book whatsoever which is meant to be published, distributed, posted or dispersed, and who does not print upon the front of every such paper, if the same is printed on one side only, or upon the first or last leaf of every such paper or book which shall consist of more that one leaf, in legible characters, his or her name and usual place of abode or business; and every person who publishes, distributes, posts or disperses, or assists in publishing, distributing, posting or dispersing, any printed paper or book on which the name and place of abode of the person printing the same is not printed as aforesaid, is guilty of an offence and liable, on summary conviction, to a fine not exceeding fifty dollars and not less than twenty dollars and costs, and in default of payment to three months' imprisonment.

Penalty.

Printers to keep a copy of every paper they print with name and abode of employer.

"**334B.** Every person who prints any paper for hire, reward, gain or profit, shall carefully preserve and keep for the space of six months after the printing of the same one copy, at least, of every paper so printed by him or her, on which he or she shall write, or cause to be written or printed in fair and legible characters, the name and place of abode of the person or persons by whom he or she shall be employed to print the same; and every person who prints any paper for hire, reward, gain or profit, as aforesaid, who omits or neglects to write or cause to be written or printed as aforesaid, the name and place of his or her employer on one of such printed papers, or to keep or

Explanatory Note.

In many cases, false, defamatory and libellous statements are made in papers, pamphlets and books circulated and distributed, without any thing thereon to show by whom the paper is printed or who is responsible for its publication. The object of this legislation is to meet the difficulty which arises in such cases of proving printing and publication, and to provide the means of discovering the names and addresses of the person or persons responsible therefor.

This Bill is based upon and is largely a reproduction of the British statutes enacted for the same purpose, which have been in force for many years. By 2 and 3 Victoria, (1839) c. 12, s. 2, every paper or book which is meant to be published or dispersed must have on it the name and address of the printer. And by 32 and 33 Vict. (1869), c. 24, s. 1, the printer must for six calendar months carefully preserve at least one copy of each paper printed by him, and write thereon the name and address of the person who employed and paid him to print it, and show the same to any justice of the peace, who, within such six calendar months, shall require to see the same.

preserve the same for the space of six months next after the printing thereof, or to produce and show the same to any justice of the peace, magistrate, police officer, or judge or to any person authorized by any such justice, magistrate or judge, who within the space of six months shall require to see the same, shall, for every such omission neglect or refusal, be guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars and not less than twenty dollars and costs, and in default of payment to three months' imprisonment.

Penalty.

Not to extend to papers printed by authority of Parliament, or local legislatures.

"**334**c. Nothing in the two preceding sections shall extend or be construed to extend to any paper printed by the authority and for the use of either House of Parliament or of any Provincial Legislature, or of the Government of the Dominion of Canada or of any Province of Canada, or of any department thereof.

Not to extend to engravings or the printing of name and address.

(2) Nothing therein contained shall extend or be construed to extend to the printing by letter press of the name and address or business or profession of any person, and the articles in which he deals, or to any papers for the sale of estates or goods by auction or otherwise.

Not to extend to bank notes, bills, etc., or to any paper printed by authority of any public officer.

(3) Nothing therein contained shall extend or be construed to extend to require the name and residence of the printer to be printed upon any bank note, bill of exchange, promissory note, bond or other security for money, bill of lading, policy of insurance, power of attorney, deed or agreement or upon any transfer or assignment of any public stocks, bonds or other securities, or upon any transfer or assignment of the stocks of any public corporation or company incorporated by any Act of the Parliament of Canada or of any Provincial Legislature, or upon any dividend, warrant of or for public or other stocks, funds or securities, or upon any receipt for money or goods, or upon any procedings in any court of law or equity, or in any inferior court, or upon any warrant, order or other papers printed by the authority of any public board or public officer in the execution of their respective offices, notwithstanding the whole or any part of the said several securities, instruments, proceedings, matters, and things aforesaid shall have been or shall be printed.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 30.

An Act respecting the Construction of a Canadian National Railway Line between Rousseau and Laurent, in the Province of Quebec.

First reading, April 3, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76329 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 30.

An Act respecting the Construction of a Canadian National Railway Line between Rousseau and Laurent, in the Province of Quebec.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location	Mileage already graded	Estimated	
		Mileage including existing grading	Cost.
			$ cts.
From Rousseau on the Canadian Northern Quebec Railway to Laurent on the Quebec and Lake St. John Railway, in the Province of Quebec.	0	17	1,000,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 30.

An Act respecting the Construction of a Canadian National Railway Line between Rousseau and Laurent, in the Province of Quebec.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76556 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 30.

An Act respecting the Construction of a Canadian National Railway Line between Rousseau and Laurent, in the Province of Quebec.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon and the estimated expenditure for the current calendar year, together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Rousseau on the Canadian Northern Quebec Railway to Laurent on the Quebec and Lake St. John Railway, in the Province of Quebec.	0	17	1,000,000 00	58,823 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act respecting the Construction of a Canadian National Railway Line between Grande Fresniere and Rinfret Junction, in the Province of Quebec.

First reading, April 3, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76353 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act respecting the Construction of a Canadian National Railway Line between Grande Fresniere and Rinfret Junction, in the Province of Quebec.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From Grande Fresniere to Rinfret Junction, in the Province of Quebec.	0	12	357,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act respecting the Construction of a Canadian National Railway Line between Grande Fresnière and Rinfret Junction, in the Province of Quebec.

AS PASSED BY THE HOUSE OF COMMONS, 16th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76557 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act respecting the Construction of a Canadian National Railway Line between Grande Fresnière and Rinfret Junction, in the Province of Quebec.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing the nature in detail and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Grande Fresnière to Rinfret Junction, in the Province of Quebec.	0	12	357,000 00	29,750 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 32.

An Act respecting the Construction of a Canadian National Railway Line between Sunnybrae and Guysborough, in the Province of Nova Scotia.

First reading, April 3, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76330 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 32.

An Act respecting the Construction of a Canadian National Railway Line between Sunnybrae and Guysborough, in the Province of Nova Scotia.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From Sunnybrae to Guysborough in the Province of Nova Scotia.	0	67	3,500,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 32.

An Act respecting the Construction of a Canadian National Railway Line between Sunnybrae and Guysborough, in the Province of Nova Scotia.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76558 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 32.

An Act respecting the Construction of a Canadian National Railway Line between Sunnybrae and Guysborough, in the Province of Nova Scotia.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Sunnybrae to Guysborough in the Province of Nova Scotia.	0	67	3,500,000 00	52,238 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANDAA

BILL 33.

An Act respecting the Construction of Canadian National Railway Line, Kamloops-Kelowna Division, Province of British Columbia.

First reading, April 3, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76331 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 33.

An Act respecting the Construction of Canadian National Railway Lines, Kamloops-Kelowna Division, Province of British Columbia.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From near Ducks, a point about 12·5 miles east of Kamloops, to Armstrong, and from Vernon to Kelowna, with a branch from near Vernon to Lumby, in the Province of British Columbia.	101	105	2,236,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANDAA

BILL 33.

An Act respecting the Construction of Canadian National Railway Line, Kamloops-Kelowna Division, Province of British Columbia.

AS PASSED BY THE HOUSE OF COMMONS, 16th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76559 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 33.

An Act respecting the Construction of Canadian National Railway Lines, Kamloops-Kelowna Division, Province of British Columbia.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if autohrized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From near Ducks, a point about 12·5 miles east of Kamloops, to Armstrong, and from Vernon to Kelowna, with a branch from near Vernon to Lumby, in the Province of British Columbia.	101	105	2,236,000 00	21,295 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 34.

An Act respecting the Construction of a Canadian National Railway Line to Cowichan Bay, on Vancouver Island.

First reading, April 3, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

76332

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 34.

An Act respecting the Construction of a Canadian National Railway Line to Cowichan Bay, on Vancouver Island.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated	
		Mileage including existing grading.	Cost.
			$ cts.
From a point at Mile 58·3 near Deerholme on the Vancouver Island Main Line of the Canadian Northern Pacific Railway in a generally easterly direction to Cowichan Bay in the Province of British Columbia.	0	8	358,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 34.

An Act respecting the Construction of a Canadian National Railway Line to Cowichan Bay, on Vancouver Island.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76560 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 34.

An Act respecting the Construction of a Canadian National Railway Line to Cowichan Bay, on Vancouver Island.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under the the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From a point at Mile 58·3 near Deerholme on the Vancouver Island Main Line of the Canadian Northern Pacific Railway in a generally easterly direction to Cowichan Bay in the Province of British Columbia.	0	8	358,000 00	44,750 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 35.

An Act respecting the Construction of a Canadian National Railway Line to Mile 100 on Vancouver Island.

First reading, April 3, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76333 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 35.

An Act respecting the Construction of a Canadian National Railway Line to Mile 100 on Vancouver Island.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
Extension of the Vancouver Island Main Line of the Canadian Northern Pacific Railway from Mile 74 to Mile 100, in the Province of British Columbia.	55	26	348,300 00

35.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 35.

An Act respecting the Construction of a Canadian National Railway Line to Mile 100 on Vancouver Island.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76561 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 35.

An Act respecting the Construction of a Canadian National Railway Line to Mile 100 on Vancouver Island.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
Extension of the Vancouver Island Main Line of the Canadian Northern Pacific Railway from Mile 74 to Mile 100, in the Province of British Columbia.	55	26	348,300 00	13,396 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 36.

An Act respecting The Northern Life Assurance Company of Canada.

First reading, April 7, 1924.

(PRIVATE BILL)

Mr. McKAY.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76651 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 36.

An Act respecting The Northern Life Assurance Company of Canada.

Preamble.

1894, c. 122.

WHEREAS The Northern Life Assurance Company of Canada has by its petition represented that it was incorporated by chapter one hundred and twenty-two of the statutes of 1894, and has prayed for the passing of an Act to declare that premiums paid in respect of the shares of the company are part of the company's general assets, and to reduce the amount paid up on the capital stock of the company in the manner hereinafter provided, 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:—

Certain premiums to form part o the Company's assets.

1. Nothwithstanding anything contained in by-law seventeen of The Northern Life Assurance Company of Canada, hereinafter called "the Company", it is hereby declared that premiums received by the Company from any shareholder pursuant to said by-law seventeen, in respect of shares owned or subscribed for, form part of the Company's general assets, and do not constitute payments on account of par value of such shares.

Paid-up capital stock may be reduced to $250,000.00.

2. (1) The Company may by by-law passed by the directors and confirmed by the votes of shareholders representing at least two-thirds in paid-up value of all the subscribed stock of the Company at a special general meeting duly called for considering such by-law, reduce the amount paid up on the capital stock of the Company to the sum of two hundred and fifty thousand dollars; and for such purpose any such by-law may,—

By-laws.

(a) Provide for the repayment to the holders of shares, on which more than twenty-five dollars per share has been paid, of the excess over twenty-five dollars per share so paid, and

(*b*) Call in and demand from the holders of shares, on which less than twenty-five dollars per share has been paid, the amount required to make each such share paid up to the extent of twenty-five dollars.

Liability for amount unpaid.

(2) Nothing in this section contained shall take away or impair the liability of shareholders for the amounts unpaid on their shares.

General powers unimpaired.

3. Nothing in this Act contained shall interfere with any discretion or power vested in the Company or its directors respecting the making of calls, the payment thereof generally, and the forfeiture of shares for non-payment of calls, or any power to increase the paid-up capital to a sum in excess of two hundred and fifty thousand dollars.

Repeal.

4. Section nineteen of chapter one hundred and twenty-two of the statutes of 1894 is repealed, and the provisions of Part V of *The Insurance Act, 1917*, shall extend and apply to the Company.

1917, c. 29.

Explanatory Note.

4. The section repealed reads as follows:—

"**19.** Notwithstanding anything contained therein or in any other Act, *The Companies Clauses Act*, except sections eighteen and thirty-nine thereof, shall extend and apply to the Company hereby incorporated, and shall be incorporated with and form part of this Act in so far as it is not inconsistent with any of the provisions hereinbefore contained."

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 36.

An Act respecting The Northern Life Assurance Company of Canada.

AS PASSED BY THE HOUSE OF COMMONS, 9th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76675 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 36.

An Act respecting The Northern Life Assurance Company of Canada.

Preamble.

WHEREAS The Northern Life Assurance Company of Canada has by its petition represented that it was incorporated by chapter one hundred and twenty-two

1894, c. 122.

of the statutes of 1894, and has prayed for the passing of an Act to declare that premiums paid in respect of the shares of the company are part of the company's general assets, and to reduce the amount paid up on the capital stock of the company in the manner hereinafter provided, 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:—

Certain premiums to form part o the Company's assets.

1. Nothwithstanding anything contained in by-law seventeen of The Northern Life Assurance Company of Canada, hereinafter called "the Company", it is hereby declared that premiums received by the Company from any shareholder pursuant to said by-law seventeen, in respect of shares owned or subscribed for, form part of the Company's general assets, and do not constitute payments on account of par value of such shares.

Paid-up capital stock may be reduced to $250,000.00.

2. (1) The Company by by-law passed by the directors and confirmed by the votes of shareholders representing at least two-thirds in paid-up value of all the subscribed stock of the Company at a special general meeting duly called for considering such by-law, may reduce the amount paid up on the capital stock of the Company to the sum of two hundred and fifty thousand dollars; and for such purpose any such by-law may,—

By-laws.

(a) Provide for the repayment to the holders of shares, on which more than twenty-five dollars per share has been paid, of the excess over twenty-five dollars

per share so paid, less the amount of the deficit, if any, in the non-participating fund of the Company; Provided, that the amount so retained in respect of the said deficit shall be treated as a surplus in the shareholders' account and may be repaid from time to time to the said shareholders from the amount of the combined surplus in the shareholders' account and the non-participating fund of the Company as ascertained by the Superintendent of Insurance, and

(b) Call in and demand from the holders of shares, on which less than twenty-five dollars per share has been paid, the amount required to make each such share paid up to the extent of twenty-five dollars.

Amount retained for capital stock.

(2) Out of any money which may be payable to holders of shares on which more than twenty-five dollars per share has been paid, the Company shall from time to time retain an amount equal to the difference between the amount now paid on shares on which less than twenty-five dollars per share has been paid and twenty-five dollars per share on the said shares so that at no time shall the amount paid up on the capital stock of the Company be less than two hundred and fifty thousand dollars.

Liability for amount unpaid.

(3) Shareholders shall be liable on their shares for all amounts unpaid including as unpaid all amounts repaid by the Company as provided by this section.

General powers unimpaired.

3. Nothing in this Act contained shall interfere with any discretion or power vested in the Company or its directors respecting the making of calls, the payment thereof generally, and the forfeiture of shares for non-payment of calls, or any power to increase the paid-up capital to a sum in excess of two hundred and fifty thousand dollars.

Repeal.

4. Section nineteen of chapter one hundred and twenty-two of the statutes of 1894 is repealed, and the provisions of Part V of *The Insurance Act, 1917*, shall extend and apply to the Company.

1917, c. 29.

Explanatory Note.

4. The section repealed reads as follows:—

"**19.** Notwithstanding anything contained therein or in any other Act, *The Companies Clauses Act*, except sections eighteen and thirty-nine thereof, shall extend and apply to the Company hereby incorporated, and shall be incorporated with and form part of this Act in so far as it is not inconsistent with any of the provisions hereinbefore contained."

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 37.

An Act to change the name of Imperial Underwriters Corporation of Canada to "Imperial Insurance Office."

First reading, April 7, 1924.

(PRIVATE BILL)

MR. CHEW.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74379 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 37.

An Act to change the name of Imperial Underwriters Corporation of Canada to "Imperial Insurance Office."

1913, c. 137.

WHEREAS Imperial Underwriters Corporation of Canada has by its petition prayed that an Act may be passed to change the name of the said Corporation to "Imperial Insurance Office," 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 Imperial Underwriters Corporation of Canada, hereinafter called "the Corporation," is changed to "Imperial Insurance Office," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Corporation, nor in any way affect any suit or proceedings now pending or judgment existing either by or in favour of or against the Corporation which, notwithstanding such change in the name of the Corporation, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing rights saved.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 37.

An Act to change the name of Imperial Underwriters Corporation of Canada to "Imperial Insurance Office."

AS PASSED BY THE HOUSE OF COMMONS, 9th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74770 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 37.

An Act to change the name of Imperial Underwriters Corporation of Canada to "Imperial Insurance Office."

1913, c. 137.

WHEREAS Imperial Underwriters Corporation of Canada has by its petition prayed that an Act may be passed to change the name of the said Corporation to "Imperial Insurance Office," 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 Imperial Underwriters Corporation of Canada, hereinafter called "the Corporation," is changed to "Imperial Insurance Office," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Corporation, nor in any way affect any suit or proceedings now pending or judgment existing either by or in favour of or against the Corporation which, notwithstanding such change in the name of the Corporation, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing rights saved.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 38.

An Act respecting The Esquimalt and Nanaimo Railway Company.

First reading, April 7, 1924.

(PRIVATE BILL)

Mr. HUMPHREY.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74987 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 38.

An Act respecting The Esquimalt and Nanaimo Railway Company.

Preamble.

1884, c. 6; 1905, c. 90; 1919, c. 83; 1920, c. 77; 1922, c. 58.

WHEREAS The Esquimalt and Nanaimo Railway Company has by its petition prayed for the passing of an Act to extend the time for the completion of certain of its lines of railway 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 Esquimalt and Nanaimo Railway Company, hereinafter called "the Company", may within five years after the passing of this Act complete and put in operation the lines of railway which it was authorized to construct by section two of chapter eighty-three of the statutes of 1919, namely:—

Lines of railway authorized.

(a) A railway from a point between Port Alberni and Bainbridge on the Company's railway from Parksville Junction to Port Alberni, thence in a northwesterly direction, via Great Central Lake and the valley of the Ash River to Comox Lake;

(b) A railway from a point on the above described railway at or near Sproat Lake, via Sproat Lake and the Taylor River, to Long Beach on the west coast of Vancouver Island; and if the said lines of railway are 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 lines of railway as then remain uncompleted.

Limitation.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 38.

An Act respecting The Esquimalt and Nanaimo Railway Company.

AS PASSED BY THE HOUSE OF COMMONS, 16th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74751 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 38.

An Act respecting The Esquimalt and Nanaimo Railway Company.

Preamble.

1884, c. 6; 1905, c. 90; 1919, c. 83; 1920, c. 77; 1922, c. 58.

WHEREAS The Esquimalt and Nanaimo Railway Company has by its petition prayed for the passing of an Act to extend the time for the completion of certain of its lines of railway 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 Esquimalt and Nanaimo Railway Company, hereinafter called "the Company", may within five years after the passing of this Act complete and put in operation the lines of railway which it was authorized to construct by section two of chapter eighty-three of the statutes of 1919, namely:—

Lines of railway authorized.

(a) A railway from a point between Port Alberni and Bainbridge on the Company's railway from Parksville Junction to Port Alberni, thence in a northwesterly direction, via Great Central Lake and the valley of the Ash River to Comox Lake;

(b) A railway from a point on the above described railway at or near Sproat Lake, via Sproat Lake and the Taylor River, to Long Beach on the west coast of Vancouver Island; and if the said lines of railway are 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 lines of railway as then remain uncompleted.

Limitation.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 39.

An Act to amend the Act to authorize Rearrangements and Transfers of duties in the Public Service.

First reading, April 8, 1924.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76746 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 39.

An Act to amend the Act to authorize Rearrangements and Transfers of duties in the Public Service.

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

1918, c. 6.

1. Chapter six of the statutes of 1918, entitled *An Act to authorize Rearrangements and Transfers of duties in the Public Service*, is amended by inserting the following section immediately after section one thereof:—

Duties and powers of Minister and department to be exercised by Minister and department to which transfer of duties is made.

"**2.** Whenever under the provisions of this Act, or under any other lawful authority, any power, duty or function, or the control or supervision of any part of the public service is transferred from one Minister of the Crown to any other Minister of the Crown, or from one department or branch of the public service to any other department or branch of the public service, the Minister, department or branch to which the power, duty, function, control or supervision is transferred, and the appropriate officers of that department or branch, shall, in relation thereto, be substituted for and shall have and may exercise the respective powers and duties which formerly belonged to or were exercisable by the Minister, department or branch and the respective officers of the department or branch from which the power, duty, function, control or supervision is so transferred as aforesaid."

Explanatory Note.

2. In some of the departmental Acts, as, for example, the Department of Agriculture Act, R.S., chapter 67, where transfer of duties is specially authorized, there is a clause corresponding to the one introduced by this Bill for substituting the Minister and officials of the department to which the transfer is made for the Minister and officials of the transferring department, and to avoid duplication and for the quieting of any doubts as to such substitutions in the case of the departments not specially provided for, it is suggested on behalf of the Statute Revision Commission that the provision for substitution should be made general by incorporating it in the general Act.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 40.

An Act respecting the Construction of a Canadian National Railway Line to Mile 41 of the Melfort Branch near Nipawin in the Province of Saskatchewan.

First reading, April 8, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76334 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 40.

An Act respecting the Construction of a Canadian National Railway Line to Mile 41 of the Melfort Branch near Nipawin in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From end of steel at Mile 24 on the Melfort Northeasterly line of the Canadian Northern Saskatchewan Railway to Mile 41 near Nipawin, in the Province of Saskatchewan.	6	17	360,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 40.

An Act respecting the Construction of a Canadian National Railway Line either to Mile 41 near Nipawin or in a northeasterly direction to a point in Township 48, Range 13, west of the Second Meridian in the Province of Saskatchewan.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76562 1924

3rd Session 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 40.

An Act respecting the Construction of a Canadian National Railway Line either to Mile 41 near Nipawin or in a northeasterly direction to a point in Township 48, Range 13, west of the Second Meridian, in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely

the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates, nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From end of steel at Mile 24 on the Melfort Northeasterly line of the Canadian Northern Saskatchewan Railway either to Mile 41 near Nipawin, in the Province of Saskatchewan, or in a northeasterly direction to a point in Township 48, Range 13 West of the Second Meridian.	6	17	360,000 00	21,176 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 41.

An Act respecting the Construction of a Canadian National Railway Line from Peebles southerly in the Province of Saskatchewan.

First reading, April 8, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76335 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 41.

An Act respecting the Construction of a Canadian National Railway Line from Peebles southerly in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading	Cost.
			$ cts.
From Peebles on the Canadian Northern Saskatchewan Railway southerly to a point in or near Township 10, Range 8, West of the 2nd Meridian, in the Province of Saskatchewan.	20	22	300,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 41.

An Act respecting the Construction of a Canadian National Railway Line from Peebles southerly in the Province of Saskatchewan.

AS PASSED BY THE HOUSE OF COMMONS, 16th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76563 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 41.

An Act respecting the Construction of a Canadian National Railway Line from Peebles southerly in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar tyear together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Peebles on the Canadian Northern Saskatchewan Railway southerly to a point in or near Township 10, Range 8, West of the 2nd Meridian, in the Province of Saskatchewan.	20	22	300,000 00	13,636 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 42.

An Act respecting the Construction of a Canadian National Railway Line extending the Gravelbourg Branch to Neidpath, in the Province of Saskatchewan.

First reading, April 8, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76336 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 42.

An Act respecting the Construction of a Canadian National Railway Line extending the Gravelbourg Branch to Neidpath, in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From the end of steel at Mile 109 on the Gravelbourg Extension of the Canadian Northern Railway to Mile 120 at Neidpath, in the Province of Saskatchewan.	11	11	144,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 42.

An Act respecting the Construction of a Canadian National Railway Line extending the Gravelbourg Branch to Neidpath, in the Province of Saskatchewan.

AS PASSED BY THE HOUSE OF COMMONS, 16th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76564 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 42.

An Act respecting the Construction of a Canadian National Railway Line extending the Gravelbourg Branch to Neidpath, in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From the end of steel at Mile 109 on the Gravelbourg Extension of the Canadian Northern Railway to Mile 120 at Neidpath, in the Province of Saskatchewan.	11	11	144,000 00	13,090 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 43.

An Act respecting the Construction of a Canadian National Railway Line extending the Ste. Rose du Lac Branch to Rorketon in the Province of Manitoba.

First reading, April 8, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76337 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 43.

An Act respecting the Construction of a Canadian National Railway Line extending the Ste. Rose du Lac Branch to Rorketon in the Province of Manitoba.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimate expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From the end of Steel at Mile 15 on the Ste. Rose du Lac Extension of the Canadian Northern Railway to Mile 37 at Rorketon, in the Province of Manitoba.	22	22	378,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 43.

An Act respecting the Construction of a Canadian National Railway Line extending the Ste. Rose du Lac Branch to Rorketon in the Province of Manitoba.

AS PASSED BY THE HOUSE OF COMMONS, 16th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76565 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 43.

An Act respecting the Construction of a Canadian National Railway Line extending the Ste. Rose du Lac Branch to Rorketon in the Province of Manitoba.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimate expenditure for the current calendar year, together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From the end of Steel at Mile 15 on the Ste. Rose du Lac Extension of the Canadian Northern Railway to Mile 37 at Rorketon, in the Province of Manitoba.	22	22	378,000 00	17,182 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 44.

An Act respecting the Construction of a Canadian National Railway Line between Hanna and Warden, in the Province of Alberta.

First reading, April 8, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76338 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANDA.

BILL 44.

An Act respecting the Construction of a Canadian National Railway Line between Hanna and Warden, in the Province of Alberta.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From Hanna to Warden in the Province of Alberta.	0	57	1,445,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 44.

An Act respecting the Construction of a Canadian National Railway Line between Hanna and Warden, in the Province of Alberta.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76566 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANDA.

BILL 44.

An Act respecting the Construction of a Canadian National Railway Line between Hanna and Warden, in the Province of Alberta.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Hanna to Warden in the Province of Alberta.	0	57	1,445,000 00	25,351 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 45.

An Act respecting the Construction of a Canadian National Railway Line from Loverna westerly in the Province of Alberta.

First reading, April 8, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76339 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 45.

An Act respecting the Construction of a Canadian National Railway Line from Loverna westerly in the Province of Alberta.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From Loverna in a generally westerly direction to a point in Township 32 or 33, Range 9, west of the 4th Meridian, in the Province of Alberta.	0	50	1,192,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 45.

An Act respecting the Construction of a Canadian National Railway Line from Loverna westerly in the Province of Alberta.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76567 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 45.

An Act respecting the Construction of a Canadian National Railway Line from Loverna westerly in the Province of Alberta.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Loverna in a generally westerly direction to a point in Township 32 or 33, Range 9, west of the 4th Meridian, in the Province of Alberta.	0	50	1,192,000 00	23,840 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 46.

An Act respecting the Construction of a Canadian National Railway Line from Lloydminster, in the Province of Saskatchewan, northwesterly 45 miles.

First reading, April 8, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76340 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANDA.

BILL 46.

An Act respecting the Construction of a Canadian National Railway Line from Lloydminster, in the Province of Saskatchewan, northwesterly 45 miles.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From Lloydminster in the Province of Saskatchewan in a generally northwesterly direction to a point in or near Township 53 or 54, Range 6, west of 4th Meridian, in the Province of Alberta.	0	45	1,170,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 46.

An Act respecting the Construction of a Canadian National Railway Line from Lloydminster, in the Province of Saskatchewan, northwesterly 45 miles.

AS PASSED BY THE HOUSE OF COMMONS, 27th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76568 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANDA.

BILL 46.

An Act respecting the Construction of a Canadian National Railway Line from Lloydminster, in the Province of Saskatchewan, northwesterly 45 miles.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under the the provisions of section seven of this Act and the amount of such advances reimbursed.

Agreement of full joint ownership with C.P.R.

9. For the purpose of avoiding duplication of construction, the Canadian Pacific Railway Company may within seven years from the passing of this Act notify the Company

that it desires to exercise full joint ownership rights upon the said line of railway, and thereupon an agreement shall be entered into between the Company and the Canadian Pacific Railway Company in respect thereof on terms to be settled, in the event of dispute, by the Board of Railway Commissioners for Canada.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Lloydminster in the Province of Saskatchewan in a generally northwesterly direction to a point in or near Township 53 or 54, Range 6, west of 4th Meridian, in the Province of Alberta.	0	45	1,170,000 00	26,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 47.

An Act incorporating The United Church of Canada.

First reading, April 10, 1924.

(PRIVATE BILL.)

Mr. FORKE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74017 1924

3rd Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act incorporating The United Church of Canada.

Preamble.

WHEREAS The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches of Canada have by their petition represented that, believing the promotion of Christian unity to be in accordance with the Divine Will, they recognize the obligation to seek and promote union with other churches adhering to the same fundamental principles of the Christian faith, and that, having the right to unite with one another without loss of their identity upon terms which they find to be consistent with such principles, they have adopted a Basis of Union which is set forth in Schedule A to this Act and have agreed to unite and form one body or denomination of Christians under the name of "The United Church of Canada;" and have prayed that it may be enacted as hereinafter set forth; And whereas 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 United Church of Canada Act.*

Definitions.

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

"The negotiating churches."

(a) "The negotiating churches" means the churches mentioned in the preamble, and shall include also every congregation heretofore in connection or in communion with any of the negotiating churches which, prior to the coming into force of this section, has joined with any one or more congregation or congregations of any of the other negotiating churches for purposes of worship, and every congregation affiliated with any of the negotiating churches, and every congregation ordinarily known as a local union

church, whether it holds its property separately from or as a part of any of the negotiating churches, and every congregation having any representation in or connection with the General Council of local union churches;

"The Basis of Union."

(b) "The Basis of Union" means the Basis of Union set forth in Schedule A to this Act;

"Congregation."

(c) "Congregation" means any local church, charge, circuit, congregation, preaching station or other local unit for purposes of worship in connection or in communion with any of the negotiating churches or of The United Church of Canada;

"College."

(d) "College" means any college, school or other educational institution, incorporated or unincorporated, under the government or control of, or in connection with, any of the negotiating churches, or established or maintained in whole or in part by any of them, and shall include the colleges and institutions set out in Schedule C to this Act;

"The Presbyterian Church in Canada."

(e) "The Presbyterian Church in Canada" shall include The Board of The Presbyterian College, Halifax; The Board of Trustees of The Presbyterian Church in Canada; The Board of Trustees of The Presbyterian Church in Canada, Eastern Section; The Board of Trustees of The Century Church and Manse Fund of The Presbyterian Church in Canada, Eastern Section; The Church and Manse Board of the Presbyterian Church in Canada; The Board of Trustees of The Presbytery of Montreal; The Board for the management of the Temporalities Fund of The Presbyterian Church of Canada: The Trustees of the Ministers', Widows' and Orphans' Fund of the Synod in the Maritime Provinces of The Presbyterian Church in Canada; The Presbytery of Miramichi, and all Presbyterian congregations separately incorporated under any statute of the Dominion of Canada or of any Province thereof, and all congregations heretofore and now connected or in communion with The Presbyterian Church in Canada whether the same shall have been organized under the provision of any statute or deed of trust or as union or as joint stock churches or otherwise howsoever;

"The Methodist Church."

(f) "The Methodist Church" shall include the body corporate known as The Methodist Church and all bodies corporate established or created by The Methodist Church or any conference thereof under the provisions of any statute of the Parliament of Canada, or the Legislature of any Province thereof, The Methodist Union of Toronto, The Winnipeg Church Extension and City Mission Association of the Methodist Church,

The Methodist Camp Meeting Association of Nova Scotia, and all Methodist congregations separately incorporated under any statute of any Province of the Dominion of Canada;

"Congregational Churches."

(g) "The Congregational Churches" shall include The Congregational Union of Canada; The Congregational Union of Nova Scotia and New Brunswick; The Canada Congregational Missionary Society; The Canada Congregational Foreign Missionary Society; The Montreal Congregational Church Building Fund Society; The Congregational Provident Fund Society, Congregational Church Extension Society of Western Canada; and all congregations of the Congregational denomination which are represented by The Congregational Union of Canada for the purposes of this legislation, whether the same are separately incorporated under any statute of the Dominion of Canada or of any Province thereof, or have been organized under the provisions of any statute or deed of trust, or as union or as joint stock churches or otherwise howsoever;

"Property."

(h) Where the context admits thereof the word "property" shall include any debt and any thing in action and any right or interest.

Incorporation.

3. *(a)* The union of the said Churches, The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches, shall become effective upon the day upon which this section comes into force and the said Churches as so united are hereby constituted a body corporate and politic under the name of "The United Church of Canada," hereinafter called "The United Church;"

Corporations and Local Union Congregations.

(b) The several corporations referred to in subsections (e), (f) and (g) of section two hereof are hereby merged in The United Church and the congregations referred to in subsection (a) of said section two are hereby admitted to and declared to be congregations of The United Church;

Members of Non-concurring Congregations.

(c) Notwithstanding anything in this Act contained, members of any non-concurring congregation hereinafter mentioned shall not be deemed to have become, by virtue of the said union or of this Act, members of The United Church;

Ministers.

(d) Any minister of the negotiating churches may within six months after the coming into force of this section notify the Clerk or Secretary of the General Council, in writing, of his intention not to become a minister of The United Church and in such event he shall not be deemed to have become, by virtue of the said union or of this Act, a minister of The United Church.

Section 2 (g).

R.S.O., 1914, ch. 109, s. 2. (g)

Section 3 (a).

Appendix on Law, Sch. A., p. 38, s. 1

General Property Vested in The United Church.

4. Save as hereinafter provided, all property, real and personal, belonging to or held in trust for or to the use of The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches, or belonging to or held in trust for or to the use of any Corporation, Board, Committee or other body, whether incorporated or un-incorporated, created by or under the government or control of, or in connection with, any of the said churches, shall from and after the coming into force of this section be vested in The United Church, to be held, used and administered, subject to the provisions of this Act, in accordance with the terms and provisions of the Basis of Union.

Property of Congregations.

5. Subject to the provisions of section seven hereof, all property, real and personal, belonging to or held by or in trust for or to the use of any congregation of any of the negotiating churches, shall, from and after the coming into force of this section be held, used and administered for the benefit of the same congregation as a part of The United Church in the manner and upon the trusts and subject to the terms and provisions set forth in Schedule B to this Act, and all property, real and personal, thereafter acquired for or belonging to or held by or in trust for or to use of any congregation of The United Church shall be held, used and administered for the benefit of the said congregation as a part of The United Church upon the said trusts and subject to the said terms and provisions. Provided that any property, real or personal, held at the time of the coming into force of this section or thereafter, acquired by devise, bequest, transfer or gift, in trust for any special use of any congregation, shall be held, used and administered in accordance with the special trusts so declared in respect thereof, not being contrary to law or to any by-law, rule or regulation of The United Church, and that in the event of failure or partial failure of any of the said trusts, the said property, in the absence of any express provision for such event, may be held, used, administered or disposed of as may be provided by any by-law, rule or regulation made from time to time by The United Church, but subject always to such laws of any Province of Canada as may be applicable thereto.

Short Form of Trust Deed.

6. In any deed, conveyance or transfer to trustees upon the trusts set forth in said Schedule B the form of words contained in Column One of said Schedule B and distinguished by any number therein, shall have the same effect as if it contained the form of words in Column Two of said Schedule B, distinguished by the same number as is annexed to the form of words used in such deed, conveyance or transfer, but it shall not be necessary in any such deed, conveyance or transfer to insert any such number.

Section 4.

Appendix on Law, Sch. A., p. 38, s. 2 (2) (b).
Pres. Church Act, 1874, Ont. c. 75.
Meth. Church Union Act, 1884, Can., c. 106.

Section 5.

Basis of Union, Sch. A., p. 25, s. 6; p. 27, s. 18.
Appendix on Law, Sch. A. p. 38, s. 2, (2) (c) (c).
Pres. Church Union Act, 1874, Ont. c. 75, ss. 1 and 6.
Methodist Ch. Union Act, 1884, Can. c. 106,
(amended 1912, c. 116, s. 1.)

Section 6.

R.S.O. 1914, ch. 115, s. 3.
Meth. Church Union Act, 1884, c. 106, s. 6.

Special Property of Certain Congregations.

7. Any real or personal property belonging to or held by or in trust for or to the use of any congregation, whether a congregation of the negotiating churches or a congregation received into The United Church after the coming into force of this section, solely for its own benefit, and in which the denomination to which such congregation belongs has no right or interest, reversionary or otherwise, shall not be subject to the provisions of sections four and five hereof or to the control of The United Church, unless and until any such congregation at a meeting thereof regularly called for the purpose shall consent that such provisions shall apply to any such property or a specified part thereof.

Existing Trustees Continued

8. All trustees acting in any trust for or to the use of any congregation as first referred to in section five hereof shall, nothwithstanding any irregularity in their appointment, and notwithstanding that their number shall not correspond with the number named in the deed of conveyance of the property subject to such trusts or any of them, be deemed to be and shall be the trustees of the said properties respectively, and shall henceforth hold the same upon and subject to the trusts set out in Schedule B hereto.

Property of Non-concurring Congregations.

9. *(a)* Provided always, that if any congregation in connection or communion with any of the negotiating churches shall, at a meeting of the congregation regularly called and held within six months after the coming into force of this section, decide by a majority of votes of the persons present at such meeting and entitled to vote thereat, not to concur in the said union of the said churches, then and in such case the property, real and personal, belonging to or held in trust for or to the use of such non-concurring congregation shall be held by the existing trustees, or other trustees elected by the congregation, for the sole benefit of said congregation. Should such congregation decide in the manner aforesaid, at any later time, to enter the union and become part of The United Church, then this Act shall apply to the congregation and all the property thereof from the date of such decision.

(b) The persons entitled to vote under the provisions of the first clause of this section shall be only those persons who are in full membership and whose names are on the roll of the Church at the time of the coming into force of this section.

Commission to determine Equities of Non-concurring Congregations.

10. *(a)* Notwithstanding anything in this Act contained, such non-concurring congregations or any one or more of them as may be determined, shall be entitled to whatever, if anything, the Commission hereinafter

Section 7.

Basis of Union, Sch. A. p. 25, ss. 7 and 8.
Appendix on Law, Sch. A, p. 38, s. 2. (2) (d).

Section 8.

1887, c. 62, s. 1 (Manitoba)

Section 9 (a).

Presbyterian Union Act, 1874, Ont. s. 2.

Section 9 (b).

Basis of Union Sch. A., p. 26, s. 11 (b)

Section 10.

The establishment of a Commission is suggested in the report of counsel for The Presbyterian Church in Canada. A Commission with wide powers was established by The Churches (Scotland) Act, Imp. Statutes, 1905, c. 12.

mentioned shall determine to be a fair and equitable share of the property, real and personal, rights, powers, authorities and privileges of or in connection with the respective parent church or churches, that is to say, The Presbyterian Church in Canada, The Methodist Church or The Congregational Churches, as the case may be, vested in The United Church by this Act.

Appointment of Commission.

(b) All the equities (if any) of the non-concurring congregations, or any of them, under this section, shall be determined exclusively by a Commission to consist of nine members, of whom three shall be appointed by the non-concurring congregations at a conference of representatives thereof, three by The United Church from its members, and the remaining three by the six members so appointed. The names of such persons shall be submitted to the Chief Justice of Canada, and if he is satisfied after making such inquiry as he deems proper or desirable that they fairly represent the parties so appointing them, their names shall be approved by him in writing and they shall thereupon be deemed for all purposes to be duly appointed. In case the said six members are unable to agree, or in case of failure or refusal on the part of the non-concurring congregations or of The United Church to appoint the required number of members as aforesaid within nine months after the coming into force of this section, the Chief Justice of Canada, upon the application of any interested party, shall appoint sufficient members to complete the Commission of nine members, and any appointment so made by him or to fill any vacancy among the members of the Commission, or any order of the Chief Justice on the application of any interested party confirming the appointment of the Commission, shall be final and conclusive and shall not be subject to review by any Court. If a vacancy occurs in the Commission by reason of death, resignation, incapacity or otherwise, it shall be filled by a member to be appointed as in the case of the original appointment of the member whose office is so vacated, and in case of inability to agree or of failure or refusal to appoint as aforesaid, as the case may be, the Chief Justice of Canada may appoint a member to fill the vacancy and so from time to time as occasion requires.

Vacancies.

Power to determine Equities and make Orders and Directions.

(c) The Commission shall have exclusive power to determine all the equities of the non-concurring congregations, or any one or more of them, in, or with respect to, the property, real and personal, belonging to or held in trust for or to the use of the respective parent church or any corporation, board, committee or other body, incorporated or unincorporated, created by or

under the government or control of or in connection with such parent church, and all rights, powers, authorities and privileges of or in connection with the parent church, vested by this Act in The United Church as aforesaid, or in or to any part of such property, rights, powers, authorities and privileges, and to make such orders and give such directions for the conveyance, assignment, transfer or other assurance by The United Church, or by any corporation, board, committee or other body in this Act mentioned, of any such property, rights, powers, authorities, and privileges to the non-concurring congregations or to any one or more of them or to trustees for any such congregations or any one or more of them, in such manner and upon such terms and subject to such charges or conditions as the Commission may deem fair and equitable for the enjoyment and assurance of any such equities so determined.

Power in respect to Colleges.

(d) The Commission shall also have power to make such orders and to give such directions with respect to any of the colleges of or in connection with the parent church in Schedule C of this Act named as it may deem fair and equitable to secure adequate provision for the education and training of students to minister to such non-concurring congregations, and shall have power to declare and order that such non-concurring congregations shall be placed in the position of the parent church as it was immediately prior to the passing of this Act with respect to any one or more of such colleges as the Commission may determine subject to such terms and conditions as the Commission may deem fair and equitable.

Quorum and Procedure.

(e) The quorum of the Commission shall be five and its organization, times and places of meeting and procedure shall be such as it may at any time from time to time determine and the decision of a majority of the members present at any meeting shall prevail.

Assistance.

(f) The Commission may retain counsel and engage all such professional or other assistance and may appoint and employ all such officers, stenographers, clerks or servants as it may deem expedient and may dismiss any officer or person so appointed or employed.

Remuneration.

(g) The fees, salaries and remuneration of all persons so retained, engaged, appointed or employed, and all expenses in connection with the exercise of the powers hereby conferred shall be paid in such manner and out of such funds of The United Church or the non-concurring congregations or both, as the Commission may direct. The compensation (if any) of the Commissioners shall be determined by the General Council of The United Church and the non-concurring congregations prior to

their appointment, and in default of such determination, by the Chief Justice of Canada, and shall be paid as aforesaid.

Witnesses and Evidence.

(h) The Commission shall have the powers conferred on commissioners by Part I of the *Inquiries Act* and such other powers as may be conferred upon it by any Act of any Province of Canada, together with right of access to all property affected by this Act it may find necessary to inspect and the right to call for the production of any books, papers, accounts, correspondence or other writing of any of the parties interested before it and to make abstracts thereof or take extracts therefrom. The Commission shall not be bound by legal rules of evidence but may make such enquiries and may accept such opinions, valuations, reports and statements, written or verbal as it may deem expedient, and the decisions, orders or directions of the Commission shall be final and conclusive and not subject to review by any Court.

Delegation of Certain Powers.

(i) The Commission may authorize any one or more of its members to inquire into and report to it upon any question or matter arising in connection with the business of the Commission, and when so authorized, such one or more of its members shall have all the powers of the Commission for the purpose of taking evidence or acquiring the necessary information for the purpose of such report, and upon such report being made to the Commission, it may be adopted as the order of the Commission, or otherwise dealt with as to the Commission seems proper.

Commission to use due diligence.

(j) The Commission shall proceed with all due diligence in the determination of all matters committed to it by this Act and The United Church and the non-concurring congregations shall in every reasonable way facilitate and expedite the work of the Commission so as to enable it to make its investigation and its determination in respect of the matters aforesaid at the earliest possible date.

Enforcement of Orders.

(k) Any determination, decision or order made by the Commission may be made a rule, order or decree of the Exchequer Court or any Superior Court of any Province of Canada, and shall be enforced in like manner as any rule, order or degree of such Court. To make such determination, decision or order, a rule, order or decree of any such Court the usual practice and procedure of the Court in such matters may be followed, and a copy of any such determination, decision or order, certified under the hand of the Chairman or Acting Chairman of the Commission, and verified by affidavit or statutory declaration of a witness thereto,

shall be sufficient evidence of the due making and validity of any such determination, decision or order.

Applications to Chief Justice or Judge of Supreme Court.

(l) The powers conferred on the Chief Justice of Canada by this section may be exercised by any Judge of the Supreme Court of Canada designated by him for that purpose and all applications to the said Chief Justice or such Judge in this section mentioned shall be upon such notice and be served upon such parties and in such manner as the Chief Justice or such Judge shall direct.

Congregation.

(m) "Congregation" in this section and the next preceding section means a local church as mentioned in the Basis of Union.

Liability for Congregational Debts.

11. *(a)* All property belonging to or held by or in trust for or to the use of any congregation of the negotiating churches henceforth to be held, used and administered for the benefit of the same congregation as a part of The United Church, shall remain liable for the payment or satisfaction of any debts or obligations contracted or incurred in respect thereto to the same extent as it would have been liable had this Act not been passed, but The United Church shall not be or become liable for any of said debts or obligations, and, save as aforesaid, no property of The United Church shall be liable for any debts or obligations contracted or incurred by any congregation in connection or in communion with any of the negotiating churches.

Liability for Denominational Debts.

(b) Upon the vesting of the property of the negotiating churches or of any corporation, board, committee or other body whether incorporated or unincorporated, created by or under the government or control of or connected with any of the negotiating churches, pursuant to the provisions of section three hereof, The United Church shall become liable for all their respective debts and obligations, provided, however, that this subsection shall not be deemed to include or apply to any of the property first mentioned in the next preceding subsection.

Colleges.

12. The provisions of section four hereof shall not apply to any property, real or personal, belonging to or held in trust for or to the use of any college named in Schedule C to this Act, or belonging to or held by or vested in any board of trustees, board of directors, board of governors, regents, or other board or committee or body having the control or management of the property or affairs of any college named in said Schedule C. From and after the coming into force of this section the colleges named in said Schedule C and all such boards, regents or other committees or bodies as aforesaid shall have the same connection with and stand in the same relation to The United Church

Section 11.

Methodist Church Union Act (Can.), 1884, s. 18.

Section 12.

Basis of Union, Sch. A., p. 29, s. 24 (3) (7); p. 35, s. 1
Presbyterian Church Union Act, (Ont.) 1874, c. 75, s. 7

as they respectively had and stood with and to any of the negotiating churches immediately prior to the passing of this Act, and all rights, powers, authorities and privileges in respect of the said colleges, or any of them, of or vested in any Assembly, Conference, Synod, Presbytery, Council or other governing body of any of the negotiating churches or any officers or board thereof, shall be vested in the General Council of The United Church, provided that the General Council may declare that the said rights, powers, authorities and privileges, or any of them, shall be vested in a Conference, Presbytery or other governing body of The United Church, or otherwise, as it may deem expedient, and from and after such declaration, such rights, powers, authorities and privileges, or any of them, shall vest in accordance with the terms of such declaration. In all cases where a college corporation consists of the ministers and members, or the members, or any officers of any of the negotiating churches, or of any governing body thereof (whether with or without named persons) such corporation shall, after the coming into force of this section, consist of the ministers and members of The United Church. All rights, powers, authorities and privileges in respect of the said colleges vested in any congregation in connection or in communion with any of the negotiating churches, or in any minister and congregation thereof, shall continue to be held and exercised by the said congregation or by the said minister and congregation in connection with The United Church. Nothing in this section contained shall be construed so as in anywise to repeal, alter, affect or vary any existing legislation relating to any of the said colleges except in so far as may be necessary to give full force and effect to the provisions of this Act.

Religious Teaching in Colleges.

13. Notwithstanding anything contained in any Act of the Parliament of Canada, or in any Act, by-law, rule, regulation, declaration or other proceeding of any of the negotiating churches, or of any governing or subordinate court or body of any of them, or in the constitution, by-laws, rules or regulations of or in relation to any of the said colleges, respecting the principles, doctrines or religious standards to be taught and maintained in any such college, from and after the coming into force of this section the colleges shall, in respect of the principles, doctrines and religious standards to be taught and maintained therein, be subject to the direction and control of the General Council of The United Church, and the teaching or maintenance hereafter in any of the colleges of the principles, doctrines or religious standards set out in the Basis of Union or hereafter determined or prescribed from time to time by the General Council of The United Church in accordance therewith or at any meeting held pursuant to

Section 13.

Basis of Union, Sch. A., p. 29, s. 24 (2), (3), (7); p. 35, s. 1

the provisions of section twenty of this Act, shall not be deemed to be a change of adherence on the part of any such college or a change of its principles or doctrines or religious standards or a breach of the provisions of any statute, Act, by-law, rule, regulation, declaration or other proceeding, or constitution, and shall not be deemed to be a breach of any trust relating to property devised, bequeathed, given to or otherwise acquired by or for the benefit of any such college with respect to the teaching or maintenance of any principles, doctrines or religious standards in any of the said colleges, but shall be deemed to be in compliance with and a performance of any such provisions or trusts.

Existing Trusts Continued.

14. Where, prior to the coming into force of this section, any existing trust has been created or declared in any manner whatsoever for any special purpose or object having regard to the teaching, preaching or maintenance of any principles, doctrines or religious standards, or to the support, assistance or maintenance of any congregation or minister or charity, or to the furtherance of any religious, charitable, educational, congregational or social purpose, in connection with any of the negotiating churches, such trust shall continue to exist and to be performed as nearly as may be for the like purposes or objects in connection with The United Church as The United Church may determine, and anything done in pursuance of this Act shall not be deemed to be a breach of any such trust but shall be deemed to be in compliance therewith and a performance thereof, and the entry of any congregation into The United Church shall not be deemed a change of its adherence or principles or doctrines or religious standards within the meaning of any such trust.

Property situate without Canada.

15. The United Church shall have capacity to take and hold all such property, real and personal, and all such rights, authorities, privileges and benefits as it may acquire without Canada, and subject to the laws of the province, colony or country in which such property may be situate, shall have the right to call for and receive conveyances, transfers or other appropriate assurances of all property, real or personal, situate without Canada, held by or in trust for any of the negotiating churches or any governing or subordinate body thereof, or any Corporation, Board, Committee, or other body, whether incorporated or unincorporated, created by or under the government or control of or in connection with any of the negotiating churches.

Establishment of Boards and Committees.

16. *(a)* The United Church may, by resolution of the General Council, establish boards or committees of its members to hold, manage, deal with, dispose of or otherwise administer any of its property, funds, trusts, interests,

Section 14.

Basis of Union, Sch. A, p. 29, s. 24 (2);
Appendix on Law, Sch. A, p. 38, s. 2 (2);
Presbyterian Church Union Act, (Ont.) 1874, c. 5, s. 6;
Methodist Church Union Act, 1884, (Can.) c. 106, s. 15.
1875, c. 99, s. 2 (Nova Scotia)
1884, c. 36, s. 3 (New Brunswick)

Section 15.

Appendix on Law, Sch. A, p. 39, s. 3

Section 16 (a).

Basis of Union, Sch. A, p. 30, s. 24 (8); pp. 34-37 incl., under "Administration"
Methodist Church Union Act, 1884, (Can.) c. 106, s. 8 (1)

institutions and religious or charitable schemes now or hereafter owned, founded or established, define and prescribe the constitution, powers, duties, officers and quorum of any such board or committee, and delegate to any of them such powers as it may deem expedient.

Establishment of Boards and Committees as Bodies Corporate.

(b) Whenever it is deemed expedient to establish as a body corporate any board, committee or other body for any of the purposes of The United Church, The United Church may establish by resolution of the General Council or may authorize and empower any Conference to establish by resolution of such Conference, any such boards, committees or other bodies, including city mission boards and church extension boards, in accordance with the by-laws, rules and regulations of The United Church in that behalf, and if any such resolution declares such board, committee or other body to be a body corporate, then, upon the filing of the certificate or certificates in this section hereinafter mentioned, the same shall be and become a body corporate with such membership, organization, powers, rights and duties, not contrary to law or inconsistent with this Act, as may be defined from time to time by the General Council, or such Conference, as the case may be, including the acquiring, holding, administering and disposing of all property, real or personal, (but when established by resolution of a Conference then only within the bounds of such Conference), which may be devised, bequeathed, granted or conveyed to any such board, committee or governing body, for the purposes of The United Church, and the borrowing of any money necessary in the opinion of such board, committee or body for the purposes thereof, and the mortgaging, hypothecating, or pledging of so much of the real or personal property held by any such board, committee or body as may be necessary to secure any amount so borrowed. In each case such board, committee or other body is established by resolution of the General Council, the General Council shall file a certified copy of such resolution under the hand of its presiding officer and its secretary or clerk with the Secretary of State for Canada, and in case such board, committee or other body is established by resolution of any Conference, such Conference shall file a certified copy of such resolution under the hand of its presiding officer and its secretary or clerk with the Provincial Secretary of the Province in which the said conference is situate, or, where the bounds of such conference lie within more than one Province, then with the Provincial Secretary of each of such Provinces. A certificate under the official seal of the General Council, or of the

Section 16 (b).

Basis of Union, Sch. A, p. 29, s. 24 (8), pp. 34-37 inc. under "Administration."

Methodist Church Union Act, 1884, (Can.) c. 106, s. 8 (2) (3).

1912, c. 116, s. 2 (Canada).

Conference by which any such board, committee or body is established, as the case may be, signed by its secretary or clerk, shall be sufficient evidence in all Courts of the establishment of such board, committee or body and of its constitution and powers.

Powers of the United Church.

17. The United Church shall have power—

(a) To acquire by purchase, lease, gift, devise or bequest any real or personal property, or any estate or interest therein, either absolutely or in trust, and, subject to the provisions of sections five and seven of this Act,

Acquiring and Selling Property.

to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise dispose of the same or any part thereof, and apply the proceeds of any such property for its purposes, provided that no land at any time acquired by the United Church and not required for its actual use and occupation or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than ten years after it shall have ceased to be so required, but this proviso shall not be deemed in anywise to vary or otherwise affect any trust relating to such property.

Disposal of Property to Other Religious Bodies.

(b) To give, grant, convey, lease or otherswie alienate any property, real or personal, to any other church or religious body or organization or to any trustees, board, committee or governing body thereof, as it may deem expedient, in pursuance of any agreement or understanding with such church or religious body or organization for the purpose of co-operation in the prosecution of religious work.

Loan and Investment.

(c) To lend money upon the security of real estate and to invest and re-invest any of its funds and moneys in any debentures of municipal or public-school corporations or public-school districts, Dominion or Provincial debentures, bonds, stock or other Dominion or Provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any Province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for the collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

Loan or Disposal of Property for Building Purposes.

(d) To lend or give any of its property, funds or moneys for, or to assist in, the erection or maintenance of any building or buildings deemed necessary for any church, college, manse, school or hospital, or for any other religious, charitable, educational, congregational or social purpose, upon such terms and securities as it may deem expedient, and it shall have in respect of

Section 17.

Various statutes incorporating Boards of The Presbyterian Church in Canada;

Congregational Church Union Act, (Can.), 1910, c. 86;

Methodist Church Union Act, (Can.), 1884, c. 106, ss. 9–14.

1912, c. 116, s. 3 (Canada).

any such loan the rights and remedies mentioned in the next preceding subsection.

Borrowing.

(e) To borrow money for its purposes upon its credit and to mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan.

Negotiable Instruments.

(f) To make, accept, draw, endorse and execute bills of exchange, promissory notes and other negotiable instruments.

Annuities.

(g) To receive and accept for its own use as to the principal sum or corpus thereof any moneys or other personal property subject to and in consideration of the payment of interest thereon or of an annuity in respect thereof.

By-laws, Rules and Regulations.

(h) To make such by-laws, rules or regulations as it may deem expedient for the exercise of any powers conferred by this Act.

Appointment of Subordinate Bodies.

(i) To exercise the powers conferred by this section, or any of them, by and through such boards, committees or other bodies as the General Council or any Conference or any Presbytery acting within their respective jurisdictions under the provisions of the Basis of Union may from time to time establish or appoint, and to determine the method of appointement or election thereof, and to define and prescribe the constitution, powers, duties, officers and quorum of such boards, committees or other bodies.

Incidental Powers.

(j) To do all such lawful acts or things as may be requisite to carry out the terms, provisions and objects of the Basis of Union and of this Act.

Not to issue notes for circulation.

(k) Nothing in this section shall be construed to authorize The United Church 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.

Approval of Conference Required in Certain Cases.

18. The provision in the Basis of Union that the approval of the Conference in which property is situated is required to enable the General Council to legislate in respect thereof shall be deemed to apply only to such property as belongs to or is held in trust for or to the use of a congregation or as belongs to or is held in trust for or is set apart for or used for the purposes of such Conference.

Issue of Debentures.

19. The United Church, and any board or committee thereof or appointed thereby or by any Confernece thereof, having charge of any of the funds or property of The United Church, and the trustees of any congregation of The United Church, provided that such trustees first obtain the consent in writing of the Presbytery within the bounds of which the lands of such congregation are situate, may

issue debentures in such denominations and upon such terms as it or they may deem expedient, under the hand or hands of such officer or officers as may be thereto authorized and the seal (if any) of such United Church board, committee or trustees issuing the same, for any money borrowed under the authority of this Act, and the payment of such debentures and the interest thereon may be secured by mortgage in favor of a trustee or trustees for the holders of such debentures upon any real estate under the control of The United Church or of such board or committee thereof or of the trustees of such congregation.

20. *(a)* Notwithstanding anything in this Act or in the Basis of Union contained, the first meeting of the General Council shall consist of one hundred and fifty members heretofore appointed by the General Assembly of The Presbyterian Church in Canada, one hundred and fifty members heretofore appointed by the General Conference of The Methodist Church, forty members heretofore appointed by The Congregational Union of Canada and ten members heretofore appointed by the General Council of local Union churches and the roll of members so appointed signed by the presiding officer and the secretary or clerk of such respective bodies, holding office at the date of the coming into force of this section, shall be final and conclusive as to the due and proper appointment of such members.

First Meeting of the General Council.

(b) The said meeting shall be held in the City of Toronto on the first day of October, 1924, at such place and at such hour as may be agreed upon by the Moderator of the General Assembly of the Presbyterian Church in Canada, the General Superintendent of The Methodist Church and the Chairman of The Congregational Union of Canada, or any two of them.

(c) The said General Council at such meeting, or any adjourned meeting thereof, shall exercise all such powers conferred on the General Council by this Act or by the Basis of Union as it may deem expedient for the conduct and management of the affairs of The United Church until a General Council is convened in accordance with the provisions of the Basis of Union.

(d) The said General Council at such first meeting, or any adjournment thereof, shall determine the number and boundaries of the Conferences to be established under the provisions of the Basis of Union and the number of ministers and non-ministerial representatives to be chosen by the said Conferences to constitute the next General Council, which may be convened at any time within a period of two years from the date of such first meeting of the General Council.

(e) All acts or things done by or under the authority of the General Council at such meeting, or any adjournment thereof, not being inconsistent with the provisions of this Act or the Basis of Union, shall be valid and binding until a General Council is convened in accordance with the provisions of the Basis of Union and thereafter until the same shall be altered, amended or rescinded by a General Council so convened.

(f) The General Council at its first meeting as aforesaid, or any adjourned meeting thereof, may, in addition to its other powers, appoint such boards, committees or other bodies, as it may deem expedient, to inquire into any matters relating to the conduct and management of the affairs of The United Church or of any property, fund, trust, interest, institution or religious or charitable scheme in connection therewith or with any of the negotiating churches and to report upon the same to a General Council convened in accordance with the provisions of the Basis of Union.

Interim Exercise of Powers.

21. Notwithstanding anything in this Act contained,—

(a) The General Assembly of The Presbyterian Church in Canada, the General Conference of The Methodist Church and The Congregational Union of Canada shall continue to have, exercise and enjoy all their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed, until the first meeting of the General Council.

(b) All Synods and Presbyteries of The Presbyterian Church in Canada, all Conferences and District Meetings of The Methodist Church and all Associations of The Congregational Churches of Canada and all other courts or governing bodies of any of the negotiating Churches shall continue to have, exercise and enjoy all or any of their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed until such time or times as The United Church by its General Council shall declare that the said powers, rights, authorities and privileges, or any of them, shall cease and determine.

(c) Every Corporation, Board, Committee and other body, whether incorporated or unincorporated, created by or under the government or control of or in connection with any of the negotiating churches, shall continue to have, exercise and enjoy all their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed, until such time or times as The United Church by its General Council, or otherwise, shall

declare that the said powers, rights, authorities and privileges, or any of them, shall cease or determine or be modified or altered as set out in such declaration, and thereupon such powers, rights, authorities and privileges, or any of them, shall cease or determine or be modified or altered, as the case may be, in accordance with the terms of such declaration or declarations from time to time made.

Incorporated Congregations.

22. Notwithstanding anything in this Act contained, any congregations of the negotiating churches heretofore separately incorporated shall continue to be corporate bodies but subject in all respects to the provisions of this Act.

Resolutions of General Council.

23. All resolutions passed by the General Council shall have the force and effect of by-laws, and no formal by-law shall be required for the purpose of managing the affairs of The United Church.

Copies of Certain Documents to be Evidence.

24. All copies of the Basis of Union and of any by-laws, resolutions, rules or regulations in this Act referred to or of any amendment or alteration thereof, purporting to be published under the direction or authority of the General Council of The United Church, or a copy of any by-law, resolution, rule or regulation of the General Council purporting to be under the seal of The United Church and to be signed by the secretary, shall be *prima facie* evidence in all Courts of the contents thereof without proof of the authenticity of such seal or signature.

Basis of Union Ratified and Confirmed.

25. The Basis of Union set forth in Schedule A to this Act is hereby ratified and confirmed and in so far as the terms and provisions thereof are not inconsistent with the provisions of this Act they shall have the same force and effect as if expressly set out herein.

Repeal of Inconsistent Enactments.

26. All Acts and portions of Acts of the Parliament of Canada inconsistent with the provisions of this Act are hereby repealed in so far as may be necessary to give full effect to this Act.

Declarations.

27. Notwithstanding anything in this Act contained, it is hereby declared:—

(a) That the said union of the negotiating churches has been formed by the free and independent action of the said churches through their governing bodies and in accordance with their respective constitutions, and that this Act has been passed at the request of the said churches in order to incorporate The United Church and to make necessary provision with respect

Section 25.
Appendix on Law, Sch. A, p. 38, s. 2 (1)

Section 27 (a).
Basis of Union, Sch. A, p. 38, ss. 1 and 2

to the property of the negotiating churches and the other matters dealt with by this Act.

(b) That nothing in this Act contained shall be deemed to limit the independent and exclusive right and power of The United Church to legislate in all matters concerning its doctrine, worship, discipline and government, including therein the right and power from time to time to frame, adopt, alter, change, add to or modify its laws, subordinate standards and formulas and to determine and declare the same or any of them, but subject to the conditions and safeguards in that behalf contained in the Basis of Union.

(c) That the United Church by virtue of its independent and exclusive right and power to legislate in respect of the matters mentioned in the next preceding subsection has the right to unite with any other church or religious denomination without loss of its identity upon such terms as it may find to be consistent with the principles, doctrines and religious standards set forth in the Basis of Union, or any amendment thereof made by the General Council under the provisions of the Basis of Union.

Commencement of Act.

28. This Act shall come into force on the thirty-first day of May, 1924.

Section 27 (b).

Basis of Union, Sch. A, p. 29, s. 24 (2) *(a)*
Church of Scotland Act, 1921, c. 29, (Imperial)

Section 27 (c).

Church of Scotland Act, 1921, c. 29 (Imperial)

SCHEDULE A.

THE BASIS OF UNION

AS PREPARED BY THE JOINT COMMITTEE OF THE PRESBYTERIAN, METHODIST AND CONGREGATIONAL CHURCHES, AND APPROVED BY THE SUPREME COURTS OF THESE CHURCHES.

GENERAL

1. The name of the Church formed by the union of the Presbyterian, Methodist, and Congregational Churches in Canada, shall be "The United Church of Canada."

2. It shall be the policy of The United Church to foster the spirit of unity in the hope that this sentiment of unity may in due time, so far as Canada is concerned, take shape in a Church which may fittingly be described as national.

DOCTRINE

We, the representatives of the Presbyterian, the Methodist, and the Congregational branches of the Church of Christ in Canada, do hereby set forth the substance of the Christian faith, as commonly held among us. In doing so, we build upon the foundation laid by the apostles and prophets, Jesus Christ himself being the chief cornerstone. We affirm our belief in the Scriptures of the Old and New Testaments as the primary source and ultimate standard of Christian faith and life. We acknowledge the teaching of the great creeds of the ancient Church. We further maintain our allegiance to the evangelical doctrines of the Reformation, as set forth in common in the doctrinal standards adopted by the Presbyterian Church in Canada, by the Congregational Union of Ontario and Quebec, and by the Methodist Church. We present the accompanying statement as a brief summary of our common faith and commend it to the studious attention of the members and adherents of the negotiating Churches, as in substance agreeable to the teaching of the Holy Scriptures.

ARTICLE I.—*Of God.*—We believe in the one only living and true God, a Spirit, infinite, eternal and unchangeable, in His being and perfections; the Lord Almighty, who is love, most just in all His ways, most glorious in holiness, unsearchable in wisdom, plenteous in mercy, full of compassion, and abundant in goodness and truth. We worship Him in the unity of the Godhead and the mystery of the Holy Trinity, the Father, the Son and the Holy Spirit, three persons of the same substance, equal in power and glory.

ARTICLE II.—*Of Revelation.*—We believe that God has revealed Himself in nature, in history, and in the heart of man; that He has been graciously pleased to make clearer

revelation of Himself to men of God who spoke as they were moved by the Holy Spirit; and that in the fulness of time He has perfectly revealed Himself in Jesus Christ, the Word made flesh, who is the brightness of the Father's glory and the express image of His person. We receive the Holy Scriptures of the Old and New Testaments, given by inspiration of God, as containing the only infallible rule of faith and life, a faithful record of God's gracious revelations, and as the sure witness to Christ.

ARTICLE III.—*Of the Divine Purpose.*—We believe that the eternal, wise, holy and loving purpose of God so embraces all events that while the freedom of man is not taken away, nor is God the author of sin, yet in His providence He makes all things work together in the fulfilment of His sovereign design and the manifestation of His glory.

ARTICLE IV.—*Of Creation and Providence.*—We believe that God is the creator, upholder and governor of all things; that He is above all His works and in them all; and that He made man in His own image, meet for fellowship with him, free and able to choose between good and evil, and responsible to his Maker and Lord.

ARTICLE V.—*Of the Sin of Man.*—We believe that our first parents, being tempted, chose evil, and so fell away from God and came under the power of sin, the penalty of which is eternal death; and that, by reason of this disobedience, all men are born with a sinful nature, that we have broken God's law and that no man can be saved but by His grace.

ARTICLE VI.—*Of the Grace of God.*—We believe that God, out of His great love for the world, has given His only begotten Son to be the Saviour of sinners, and in the Gospel freely offers His all-sufficient salvation to all men. We believe also that God, in His own good pleasure, gave to His Son a people, an innumerable multitude, chosen in Christ unto holiness, service and salvation.

ARTICLE VII.—*Of the Lord Jesus Christ.*—We believe in and confess the Lord Jesus Christ, the only Mediator between God and man, who, being the Eternal Son of God, for us men and for our salvation became truly man, being conceived of the Holy Spirit and born of the Virgin Mary, yet without sin. Unto us He has revealed the Father, by His word and Spirit, making known the perfect will of God. For our redemption He fulfilled all righteousness, offered Himself a perfect sacrifice on the cross, satisfied Divine Justice and made propitiation for the sins of the whole world. He rose from the dead and ascended into Heaven, where He ever intercedes for us. In the hearts of believers He abides forever as the indwelling Christ; above us and over us all He rules; wherefore, unto Him we render love, obedience and adoration as our Prophet, Priest and King.

ARTICLE VIII.—*Of the Holy Spirit.*—We believe in the Holy Spirit, the Lord and Giver of life, who proceeds from the Father and the Son, who moves upon the hearts of men to restrain them from evil and to incite them unto good, and whom the Father is ever willing to give unto all who ask Him. We believe that he has spoken by holy men of God in making known His truth to men for their salvation; that, through our exalted Saviour, He was sent forth in power to convict the world of sin, to enlighten men's minds in the knowledge of Christ, and to persuade and enable them to obey the call of the Gospel; and that He abides with the Church, dwelling in every believer as the spirit of truth, of power, of holiness, of comfort and of love.

ARTICLE IX.—*Of Regeneration.*—We believe in the necessity of regeneration, whereby we are made new creatures in Christ Jesus by the Spirit of God, who imparts spiritual life by the gracious and mysterious operation of His power, using as the ordinary means the truths of His word and the ordinances of divine appointment in ways agreeable to the nature of man.

ARTICLE X.—*Of Faith and Repentance.*—We believe that faith in Christ is a saving grace whereby we receive Him, trust in Him and rest upon Him alone for salvation as He is offered to us in the Gospel, and that this saving faith is always accompanied by repentance, wherein we confess and forsake our sins with full purpose of and endeavor after a new obedience to God.

ARTICLE XI.—*Of Justification and Sonship.*—We believe that God, on the sole ground of the perfect obedience and sacrifice of Christ, pardons those who by faith receive Him as their Saviour and Lord, accepts them as righteous and bestows upon them the adoption of sons, with a right to all the privileges therein implied, including a conscious assurance of their sonship.

ARTICLE XII.—*Of Sanctification.*—We believe that those who are regenerated and justified grow in the likeness of Christ through fellowship with Him, the indwelling of the Holy Spirit, and obedience to the truth; that a holy life is the fruit and evidence of saving faith; and that the believer's hope of continuance in such a life is in the preserving grace of God. And we believe that in this growth in grace Christians may attain that maturity and full assurance of faith whereby the love of God is made perfect in us.

ARTICLE XIII.—*Of Prayer.*—We believe that we are encouraged to draw near to God, our Heavenly Father, in the name of His Son, Jesus Christ, and on our own behalf and that of others to pour out our hearts humbly yet freely before Him, as becomes His beloved children, giving Him the honour and praise due His holy name, asking

Him to glorify Himself on earth as in heaven, confessing unto Him our sins and seeking of Him every gift needful for this life and for our everlasting salvation. We believe also that, inasmuch as all true prayer in prompted by His Spirit, He will in response thereto grant us every blessing according to His unsearchable wisdom and the riches of His grace in Jesus Christ.

ARTICLE XIV.—*Of the Law of God.*—We believe that the moral law of God, summarized in the Ten Commandments, testified to by the prophets and unfolded in the life and teachings of Jesus Christ, stands forever in truth and equity, and is not made void by faith, but on the contrary is established thereby. We believe that God requires of every man to do justly, to love mercy, and to walk humbly with God; and that only through this harmony with the will of God shall be fulfilled that brotherhood of man wherein the kingdom of God is to be made manifest.

ARTICLE XV.—*Of the Church.*—We acknowledge one holy Catholic Church, the innumerable company of saints of every age and nation, who being united by the Holy Spirit to Christ their Head are one body in Him and have communion with their Lord and with one another. Further, we receive it as the will of Christ that His Church on earth should exist as a visible and sacred brotherhood, consisting of those who profess faith in Jesus Christ and obedience to Him, together with their children, and other baptized children, and organized for the confession of His name, for the public worship of God, for the administration of the sacraments, for the upbuilding of the saints, and for the universal propagation of the Gospel; and we acknowledge as a part, more or less pure, of this universal brotherhood, every particular Church throughout the world which professes this faith in Jesus Christ and obedience to Him as divine Lord and Saviour.

ARTICLE XVI.—*Of the Sacraments.*—We acknowledge two sacraments, Baptism and the Lord's Supper, which were instituted by Christ, to be of perpetual obligation as signs and seals of the covenant ratified in His precious blood, as means of grace, by which, working in us, He doth not only quicken, but also strengthen and comfort our faith in Him, and as ordinances through the observance of which His Church is to confess her Lord and be visibly distinguished from the rest of the world.

(1) Baptism with water into the name of the Father and of the Son and of the Holy Spirit is the sacrament by which are signified and sealed our union to Christ and participation in the blessings of the new covenant. The proper subjects of baptism are believers, and infants presented by their parents or guardians in the Christian faith. In the latter case the parents or guardians should train up their children in the nurture and admonition of

the Lord, and should expect their children will, by the operation of the Holy Spirit, receive the benefits which the sacrament is designed and fitted to convey. The Church is under the most solemn obligation to provide for their Christian instruction.

(2) The Lord's Supper is the sacrament of communion with Christ and with His people in which bread and wine are given and received in thankful remembrance of Him and His sacrifice on the cross; and they who in faith receive the same do, after a spiritual manner, partake of the body and blood of the Lord Jesus Christ to their comfort, nourishment and growth in grace. All may be admitted to the Lord's Supper who make a credible profession of their faith in the Lord Jesus Christ and of obedience to His law.

ARTICLE XVII.—*Of the Ministry.*—We believe that Jesus Christ, as the Supreme Head of the Church, has appointed therein a ministry of the word and sacraments, and calls men to this ministry; that the Church, under the guidance of the Holy Spirit, recognizes and chooses those whom He calls, and should thereupon duly ordain them to the work of the ministry.

ARTICLE XVIII.—*Of Church Order and Fellowship.*—We believe that the Supreme and only Head of the Church is the Lord Jesus Christ; that its worship, teaching, discipline and government should be administered according to His will by persons chosen for their fitness and duly set apart to their office; and that although the visible Church may contain unworthy members and is liable to err, yet believers ought not lightly to separate themselves from its communion, but are to live in fellowship with their brethren, which fellowship is to be extended, as God gives opportunity, to all who in every place call upon the name of the Lord Jesus.

ARTICLE XIX.—*Of the Resurrection, the Last Judgment and the Future Life.*—We believe that there shall be a resurrection of the dead, both of the just and of the unjust, through the power of the Son of God, who shall come to judge the living and the dead; that the finally impenitent shall go away into eternal punishment and the righteous into life eternal.

ARTICLE XX.—*Of Christian Service and the Final Triumph.*—We believe that it is our duty as disciples and servants of Christ, to further the extension of His Kingdom, to do good unto all men, to maintain the public and private worship of God, to hallow the Lords' Day, to preserve the inviolability of marriage and the sanctity of the family, to uphold the just authority of the State, and so to live in all honesty, purity and charity that our lives shall testify of Christ. We joyfully receive the word of Christ, bidding His people go into all the world and make disciples of all nations, declaring unto them that God was in Christ

reconciling the world unto Himself, and that He will have all men to be saved, and come to the knowledge of the truth. We confidently believe that by His power and grace all His enemies shall finally be overcome, and the kingdoms of this world be made the kingdom of our God and of His Christ.

POLITY

The Joint Committee, after an examination of the forms of church government of the negotiating Churches and the practical working thereof, is greatly gratified to find:

1. That while the officers and courts of the negotiating Churches may bear difierent names, there is a substantial degree of similarity in the duties and functions of these officers and courts.

2. That, engaged in the same work, with the same object in view, and earnestly endeavoring to meet the conditions confronting the Churches in Canada, the negotiating Churches have been steadily approximating more nearly to each other, both in forms of church government and methods of administration.

3. That there are distinctive elements in each which would add to the efficiency of a united Church, and which can be preserved with great advantage in the form of polity to be adopted for The United Church.

4. That in this view it is possible to provide for substantial local freedom, and at the same time secure the benefits of a strong connexional tie and co-operative efficiency.

The following recommendations are submitted as setting forth the Polity proposed for The United Church of Canada.

I.—The Church

1. The members of The United Church shall be the members of the negotiating Churches, and such others as may hereafter become members.

2. The unit of organization for The United Church shall be The Pastoral Charge. A pastoral charge may consist of more than one local church; a local church is a body of persons meeting for public worship in one place.

3. The governing bodies or courts of the Church, higher than those of the pastoral charge, shall be:

(a) The Presbytery.

(b) The Conference.

(c) The General Council.

II.—The Pastoral Charge (Circuit or Congregation)

A.—*Charges existing previous to the Union*

4. In the management of their local affairs the various churches, charges, circuits or congregations of the negotiating Churches shall be entitled to continue the organization and practices (including those practices relating to membership, church ordinances, Sunday schools and Young People's Societies) enjoyed by them at the time of the union, subject in general affairs to the legislation, principles and discipline of The United Church. Their representatives in the next higher governing body or court shall be chosen as at present.

5. The plan of organization prescribed for pastoral charges to be formed subsequent to the union may at any time be adopted by any church, charge, circuit or congregation existing at the time of the union.

6. Subject to the provisions of the next succeeding paragraph hereof, all property, real and personal, under the jurisdiction of the Parliament of Canada held in trust for or to the use of a church, charge, circuit or congregation of any of the negotiating Churches, shall be held by trustees appointed by or on behalf of such church, charge, circuit or congregation, upon trusts set forth and declared in a Model Trust Deed. This Model Trust Deed should be a schedule to the Act, and should contain, among others, a provision to the following effect: That the property is held for the church, charge, circuit or congregation as a part of The United Church, and that no property so held shall be sold, exchanged, or in any manner encumbered, unless the Presbytery shall, at the instance of the church, charge, circuit or congregation, have given its sanction, subject to an appeal, if desired, to the Conference.

7. Any property or funds owned by a church, charge, circuit or congregation at the time of the union solely for its own benefit, or vested in trustees for the sole benefit of such church, charge, circuit or congregation, and not for the denomination of which the said church, charge, circuit or congregation formed a part, shall not be affected by the legislation giving effect to the union or by any legislation of The United Church without the consent of the church, charge, circuit or congregation for which such property is held in trust.

8. Churches, charges, circuits, or congregations, received subsequent to the union, into The United Church, with the approval of Presbyteries, shall be entitled, if they so desire, to the privileges of sections 4, 5 and 7.

B.—*Charges to be formed subsequent to the Union*

9. The liberty of the pastoral charge shall be recognized to the fullest extent compatible with:

(a) The oversight of the spiritual interests of the charge by the minister (or ministers) and a body of men specially chosen and set apart or ordained for that work, who shall jointly constitute the session;

(b) The efficient co-operation of the representatives of the various departments of the work of the charge by means of a meeting to be held at least quarterly;

(c) The hearty co-operation of the various pastoral charges in the general work of the Church, and

(d) The exercise by the higher governing bodies or courts of their powers and functions, hereinafter set forth.

10. New pastoral charges or local churches shall be formed with the consent of a Presbytery by persons residing within its bounds, who declare their adherence to the principles of The United Church, and their desire for the formation of such charge or church. Missions may be organized as pastoral charges by Presbytery of its own motion, or on the suggestion of the Missionary Superintendent or the Minister, under such regulations as the General Council may pass.

Before sanctioning the formation of a pastoral charge or local church, the Presbytery shall be required to hear and consider the representations of any pastoral charge that may be affected by the proposed action.

11. *(a)* The members of the Church entitled to all church privileges are those who, on a profession of their faith in Jesus Christ and obedience to Him, have been received into full membership. The children of such persons and all baptized children are members of the Church, and it is their duty and privilege, when they reach the age of discretion, to enter into full membership. Admission to full membership, and granting of certificates of removal, shall be by the action of the session, and by the action of those in full membership where desired by the pastoral charge.

(b) The members of a local church who are entitled to vote at all meetings are persons in full membership, whose names are on the roll of the church. With the consent of these, adherents who contribute regularly to the support of the church may vote on temporal matters.

12. The members of a local church shall meet annually, and more frequently if they deem it advisable.

13. The Session shall have oversight of the spiritual interests of the pastoral charge. The management of its temporal and financial affairs shall be entrusted to a Committee of Stewards. The Official Board, consisting of the Session and Committee of Stewards, with representatives in full church membership of such other departments of church work as may be agreed upon by the General

Council, shall meet quarterly, and more frequently if they deem it advisable, for the consideration of matters of joint interest.

14. The members of the session, other than the minister, shall be chosen by those in full church membership, and shall hold office under regulations to be passed by the General Council.

15. *(a)* It shall be the duty of the session to have the oversight of:

(1) The admission of persons into full membership, and the granting of certificates of removal.

(2) The conduct of members, with power to exercise discipline.

(3) The administration of the sacraments.

(4) The religious training of the young, and the organization of meetings for Christian fellowship, instruction and work.

(5) The order of public worship, including the service of praise and the use of the church edifice.

(6) The care of the poor, and the visiting of the sick.

(b) It shall also be its duty:

(7) To receive and judge petitions, etc., from members.

(8) To transmit petitions, appeals, etc., to Presbytery.

(9) To recommend suitable laymen to Presbyteries for license to preach.

(10) To recommend suitable candidates for the ministry.

16. The stewards shall be chosen by the local church, and, wherever practicable, should be persons in full membership.

It shall be the duty of the Committee of Stewards to secure contributions for the purposes of the local church, and to disburse the moneys received for these purposes.

17. It shall be the duty of the Official Board:

(1) To secure contributions for missionary and other general objects of the Church.

(2) To select representatives, in full church membership, of the pastoral charge to the Presbytery.

(3) To submit to the pastoral charge or local church for its consideration reports on life and work, including a full statement of receipts and expenditures, of indebtedness and of estimates for the ensuing year.

(4) To transmit from the pastoral charge, through the Presbytery, to the Settlement Committee, representations concerning the pastoral relation.

(5) To attend to matters affecting the pastoral charge not assigned to any of the other bodies.

18. All lands, premises and property acquired for the use of a local church or a pastoral charge of The United Church, shall be held, used and administered under the trusts of the above Model Trust Deed. (See "Polity," par. 6).

III.—The Presbytery

19. The Presbytery shall consist of:

(1) The ordained ministers within the bounds—

(a) Who are engaged in some department of church work; and

(b) Who have been placed on the roll by special enactment of the Conference in accordance with regulations to be made by the General Council.

(The rights to membership in Presbyteries, District Meetings, and Associations, enjoyed by ministers at the time of the union, shall be conserved.)

(2) The elders, deacons, leaders or other non-ministerial representatives of pastoral charges, within the bounds, equal in number to the number of ministers, and chosen in accordance with regulations to be made by the General Council.

20. It shall be the duty of the Presbytery:

(1) To have the oversight of the pastoral charges within its bounds, review their records, and form new pastoral charges, or local churches.

(2) To receive and dispose of petitions and appeals from the lower governing bodies or courts.

(3) To transmit petitions and appeals to the higher governing bodies or courts.

(4) To license as preachers laymen who are duly recommended and who after examinations are approved.

(5) To superintend the education of students looking forward to the ministry, and to certify them to theological colleges.

(6) To enquire, each year, into the personal character, doctrinal beliefs and general fitness of candidates for the ministry, recommended by sessions, official boards or local churches; and, when they have fulfilled the prescribed requirements, to license them to preach and to recommend them for the ordination of the Conference.

(7) To induct or install ministers.

(8) To deal with matters sent down by the higher governing bodies or courts.

(9) To adopt measures for promoting the religious life of the pastoral charges within its bounds.

(10) To select non-ministerial representatives to the Conference, of whom at least a majority shall have been previously chosen by pastoral charges to represent them in Presbyteries, and to nominate representatives on the Conference Settlement Committee.

(11) To have the oversight of the conduct of ministers within its bounds.

IV.—The Conference.

21. The Conference shall consist of the ministers on the rolls of the Presbyteries within its bounds, and an equal number of non-ministerial representatives of pastoral charges chosen as provided for in subsection 20 (par. 10).

22. It shall be the duty of the Conference:

(1) To meet every year.

(2) To determine the number and boundaries of the Presbyteries within its bounds, have oversight of them, and review their records.

(3) To receive and dispose of appeals and petitions, subject to the usual right of appeal.

(4) To see that, as far as possible, every pastoral charge within its bounds shall have a pastorate without interruption, and that every effective minister shall have a pastoral charge, and to effect this through a Settlement Committee which it shall appoint annually.

(5) To examine and ordain candidates for the ministry who have fulfilled the prescribed requirements and have been recommended by Presbyteries.

(6) To receive ministers from other Churches subject to the regulations of the General Council.

(7) To deal with matters referred to it by the General Council.

(8) To select an equal number of ministerial and non-ministerial representatives to the General Council.

(9) To have oversight of the religious life of the Church within its bounds, and to adopt such measures as may be judged necessary for its promotion.

V.—The General Council.

23. The General Council shall consist of an equal number of ministers and non-ministerial representatives chosen by the Conferences. Its regular meeting shall be held every second year. Its presiding officer shall be the chief executive officer of the Church, and during his term of office he may be relieved of his pastoral or other duties.

24. The General Council shall have full power:

(1) To determine the number and boundaries of the Conferences, have oversight of them, and review their records.

(2) *(a)* To legislate on matters respecting the doctrine, worship, membership and government of the Church, subject to the conditions: First, that before any rule or law relative to these matters can become a permanent law, it must receive the approval of a majority of the Presbyteries, and, if advisable, pastoral charges also; Second, that no terms of admission to full membership shall be described other than those laid down in the New

Testament; and, Third, that the freedom of worship at present enjoyed in the negotiating Churches shall not be interfered with in The United Church.

(b) To legislate on all matters respecting property, subject to the limitations elsewhere provided in this Basis of Union, and subject also to the approval of the Conference in which the property is situated.

(3) To prescribe and regulate the course of study of candidates for the ministry and to regulate the admission of ministers from other Churches.

(4) To receive and dispose of petitions, memorials, etc.

(5) To dispose of appeals.

(6) To determine the missionary policy of the Church, and to provide for the conduct of its missions.

(7) To have charge of the colleges of the Church, and to take what measures are deemed advisable for the promotion of Christian education.

(8) To appoint committees or boards and officers for the different departments of church work, and to receive their reports and give them instructions and authority.

(9) To correspond with other Churches.

(10) And in general to enact such legislation and adopt such measures as may tend to promote true godliness, repress immorality, preserve the unity and well-being of the Church, and advance the kingdom of Christ throughout the world.

THE MINISTRY

I.—Pastoral Office, Including Term of Service.

Recognizing the desirability of preserving the essence of both the settled pastorate and the itinerancy, the Joint Committee is of the opinion that a harmony of both principles is possible, and that the best features of both systems may be retained. We, therefore, recommend as follows:

1. The pastoral relation shall be without a time limit.

2. The policy of the Church shall be that every pastoral charge shall have, as far as possible, a pastorate without interruption, and that every effective minister shall have a pastoral charge.

3. There shall be for each Conference a Settlement Committee, consisting of ministers and laymen, and appointed annually by the Conference. On this Committee each Presbytery shall be represented. It shall be the duty of this Committee to consider all applications for settlement from ministers and pastoral charges within the district over which it has jurisdiction. For this purpose it shall meet annually before the meeting of the Conference next after that by which it was appointed.

4. A minister by his own action and a pastoral charge through its constitutional representatives may, by such a date before the annual meeting of the Settlement Committee as the General Council shall determine, seek a change of pastoral relation by means of an application through the Presbytery to the Settlement Committee. All such applications shall be in writing.

5. Any pastoral charge, in view of a vacancy, may extend a call or invitation to any properly qualified minister or ministers, but the right of appointment shall rest with the Settlement Committee, which shall report to the Conference for information only.

6. *(a)* When a pastoral charge about to become vacant at the end of the Conference year, fails to give a call or invitation within the time specified by the General Council, the Settlement Committee shall make the appointment.

(b) When a pastoral charge becomes vacant during the Conference year through death or other emergency, the Presbytery concerned shall confer with the charge itself or with its constitutional representatives, and thereafter may arrange a supply for the remainder of the Conference year.

7. The Settlement Committee shall also have authority to initiate correspondence with ministers and pastoral charges with a view to completing arrangements to secure necessary and desirable settlements.

(a) Any minister shall have the right to appear before the Settlement Committee to represent his case in regard to his appointment; and any pastoral charge or Official Board may also appear by not more than two representatives, properly authorized in writing, appointed from among its members at a regular meeting, or at a special meeting of which proper notice has been given;

(b) When a minister chosen by a pastoral charge cannot be settled, the charge or its constitutional representatives may place other names before the Settlement Committee;

(c) While the right of appointment shall rest with the Settlement Committee it shall comply as far as possible with the expressed wishes of ministers and pastoral charges.

8. There shall also be a committee for the transfer of ministers from one Conference to another, which may be composed of the presiding officer of the General Council of the Church, who shall be the convener and chairman of the committee, together with the presiding officers of the several Conferences. This committee shall have authority to transfer ministers and candidates for the ministry from one Conference to another, in harmony with the plan outlined in sections 3-7.

9. The minister in charge shall be the presiding officer of the Session and of the Official Board.

10. Every minister or candidate for the ministry, duly appointed regular pastor to a pastoral charge, shall have

the right to conduct services in the church, churches or other places of worship in connection with said charge; and the right of occupancy of the manse or parsonage in connection with said charge, subject, however, to the rules and regulations of The United Church.

II.—Training for the Ministry

1. No candidate for the ministry shall be received unless he has been first recommended by a session, official board, or local church.

2. The duty of inquiry into the personal character, doctrinal beliefs, and general fitness of candidates for the ministry recommended by sessions, official boards or local churches, shall be laid upon the Presbytery and such inquiry shall be repeated each year until they are recommended to the Conference for ordination.

3. (1) The attainment of a B.A. degree including Greek, to be followed by three years in the study of Theology, is strongly recommended by the Church. Before ordination every candidate shall spend twelve months in preaching and pastoral work.

(2) In cases where the B.A. degree is unattainable, there shall be two alternative courses, both starting from University matriculation.

(a) Three years, at least, in Arts, followed by three years in Theology. Before ordination every candidate shall spend twelve months in preaching and pastoral work.

(b) Two years' preaching under the supervision of a Presbytery, with appropriate studies, and four years of a mixed Arts and Theological course in college.

4. *Suggested Curricula:*

(1) Course of study in Arts under (2) *(a)*. English Language and Literature, three years. Two languages, one of which must be Greek, two years in each.

Philosophy, including Psychology, Logic and Ethics two years. Two other subjects from the Arts curriculum at the option of the student—one year in each.

(2) Course of study under (2) *(b)*:

(a) While under supervision of Presbytery, and engaged in preaching for two years:

English Bible; New Testament in Greek; Elements of Theology—Life of Christ; History of Missions; English Literature; Practical Training, including preparation of sermons.

(b) Four years of mixed Arts and Theological Course in College.

The Arts Course.—English Language and Literature; Philosophy, including Psychology; Logic and Ethics; one language; any one option from the Arts Course.

Theological Course.—Homiletics; Pastoral Theology; Systematic Theology; New Testament Languages and Literature; Old Testament Literature (English Bible); Church History; Christian Ethics and Sociology.

5. The following is suggested as a comprehensive course in Theology, from which may be selected subjects sufficient to constitute the three years' course in Theology as under 3 (1) and (2) *(a)*:

Old Testament Language and Literature, including Textual Criticism. Exegesis, Biblical Theology, Introduction, Old Testament History and Old Testament Canon; New Testament Language and Literature, including Textual Criticism, Exegesis, Biblical Theology, Introduction, New Testament History and New Testament Canon; English Bible; Church History, including Symbolics; Systematic Theology; Apologetics, including Philosophy of Religion, History of Religion, and Comparative Religion; Christian Ethics and Sociology; Christian Missions; Practical Training, including preparation and delivery of sermons, preparation for and conduct of public worship, administration of the Sacraments, Church Law, the art of teaching and Sunday-school work, public speaking and voice training. Practical Training is to be understood to include not only instruction in these subjects but actual drill wherever the subject admits of it.

6. Provision shall be made in the Theological Colleges for instruction in the subjects of the above suggested course in Theology as far as practicable.

7. In every College special attention shall be given to Practical Training as specified and described above.

8. From the above (5) comprehensive course in Theology the Church shall prescribe certain subjects as compulsory, leaving others to the option of the students in consultation with the College authorities.

9, Candidates for the ministry who have entered on their course in Theology shall be allowed to complete it on the conditions which obtained when they began, but this privilege shall expire within three years from the date of the union.

10. The General Council shall possess the power of ordaining any person to the ministry if it sees fit so to do.

III.—The Relations of a Minister to the Doctrines of the Church

1. The duty of final inquiry into the personal character, doctrinal beliefs, and general fitness of candidates for the Ministry presenting themselves for ordination or for reception as ministers of The United Church, shall be laid upon the Conference.

2. These candidates shall be examined on the Statement of Doctrine of The United Church, and shall, before ordination, satisfy the examining body that they are in essential agreement therewith, and that as ministers of the Church they accept the statement as in substance agreeable to the teaching of the Holy Scriptures.

3. Further, in the ordination service before the Conference these candidates shall answer the following questions:

(1) Do you believe yourself to be a child of God, through faith in our Lord Jesus Christ?

(2) Do you believe yourself to be called of God to the office of the Christian ministry, and your chief motives to be zeal for the glory of God, love for the Lord Jesus Christ, and desire for the salvation of men?

(3) Are you persuaded that the Holy Scriptures contain sufficiently all doctrines required for eternal salvation in our Lord Jesus Christ, and are you resolved out of the said Scriptures to instruct the people committed to your charge, and to teach nothing which is not agreeable thereto?

ADMINISTRATION

The Joint Committee, after careful consideration of the Missionary, Educational, and other connexional enterprises of the negotiating Churches, submits the following recommendations in relation thereto:

I.—Missions

1. In the administration of the mission work of The United Church there shall be two departments: *(a)* Home, including all the mission work within the Dominion of Canada, Newfoundland and the Bermudas; *(b)* Foreign, including the missions already established or that may be established in other countries.

2. For the oversight and administration of these two departments there shall be two Boards to be known as the Board of Home Missions and the Board of Foreign Missions, to be elected in such a manner and endowed with such powers as the General Council may determine.

3. In recognition of the very valuable services rendered by the Woman's Missionary Societies, the union, constitution and lines of work of these societies shall be determined by the joint action of their Boards, subject to the approval of the General Council.

4. There shall be placed under the administration of the Home Mission Board of The United Church the moneys now administered under the caption of the Sustentation Fund, and Church and Parsonage Aid Fund of the Methodist

Church; the Home Mission and Augmentation Funds, French Evangelization Fund, and Church and Manse Fund (except that under the Foreign Mission Board) of the Presbyterian Church; the Home Mission Fund of the Congregational Churches; and such portion of the Mission Fund now raised by the Methodist Church, and the Foreign Mission Board of the Presbyterian Church, as is now expended in Canada, Newfoundland and the Bermudas.

5. There shall be placed under the administration of the Foreign Mission Board of the United Church the Foreign Mission Fund of the Congregational Churches and that portion of the Mission Fund of the Methodist Church and of the Foreign Mission Fund of the Presbyterian Church now expended in other lands.

6. There shall be placed under the administration of the Board of Social Service and Evangelism and the Board of Sunday Schools and Young People's Societies of the United Church the funds now raised for the work of the Departments of Social Service and Evangelism and the Departments of Sunday Schools and Young People's Societies of the negotiating churches.

7. Inasmuch as certain expenses in connection with the various courts of the Church will have to be met, the ways and means of raising these funds shall be left to the General Council.

II.—Publishing Interests.

It shall be left to the General Council of The United Church to determine how far the publications now issued by the negotiating Churches shall be amalgamated.

III.—Colleges.

The Colleges at present connected with the negotiating Churches exist, each under its own charter, and in various relations to the respective Churches. These relations affect, first, the appointment of the Governing Board, second, the appointment of Professors in the Faculty of Theology; third, assistance or maintenance from funds controlled by the Church.

1. All the Colleges connected with the three negotiating Churches shall, as far as possible, sustain the same relation to The United Church as, under their charter, they now sustain to their respective Churches, until the General Council shall determine otherwise and necessary legislation shall give effect to changes made thereby.

2. The policy of the Church shall be the maintenance of a limited number of thoroughly equipped Colleges, due regard being paid to the needs of different parts of the country, and in furtherance of this policy amalgamation shall be effected as soon as possible in localities where two or more Colleges are doing the same class of work.

3. In addition to the Governing Boards of the several Colleges there shall be appointed by the General Council a Board of Education, which shall have such a general oversight of the Educational interests of the Church as the General Council may assign to it, and carry out such measures as may be decided in reference thereto.

4. There shall be a general Educational Fund, administered by the Board of Education, for the purpose of supplementing the revenues of the several colleges and assisting students in their preparation for the ministry, and for such other purposes and under such regulations as the General Council may from time to time determine.

5. The several educational institutions shall be encouraged to obtain permanent endowments for their maintenance, may receive contributions for this and other purposes at any time, and, upon receiving the consent of the Board of Education, may proceed to appeal for such funds.

IV.—Benevolent Funds.

Whereas there exist, in some form, in all the negotiating Churches funds to aid aged and retired ministers, and widows and orphans of ministers, provision for similar purposes shall be made in the constitution of The United Church by such amalgamation or modification of existing methods as may be found practicable; and such provision shall embrace the following particulars:

1. The rights of present and prospective claimants on existing funds in any of the negotiating churches shall be adequately protected. To this end:

(1) The present capital investments of the various benevolent funds of the negotiating Churches, and the income now contributed to those funds by publishing interests shall be combined into a "common trust," if practicable. The rights of present claimants and of prospective claimants (the latter being computed as of the date of the union) shall be a first charge on the revenue from this trust. If it be found that differences in the constitution and administration of the several funds are such as to necessitate separate trusts, instead of a common trust, this shall be no bar to the carrying out of the general plan, because in that case their revenues shall be combined.

(2) The General Council of The United Church shall provide for *(a)* the assessing of each minister who is a member of any of the existing funds at the date of the union and of all ministers received into or ordained in The United Church after the union, on the basis of stipend or age, or both stipend and age, as the General Council may determine, and *(b)* the collecting of contributions, which shall be obligatory upon all local churches, based upon an equitable allocation or assessment under the rules to

be formulated by the General Council, the minimum of such allocation or assessment being the amount which, together with the revenue from said trust or trusts and the foregoing assessment upon ministers, is requisite to make good the claims of claimants upon the Superannuation Fund to be instituted by the General Council.

2. Claimants on the proposed Fund shall include the following:

(a) All ministers who, at the time of the union, are beneficiaries of existing funds.

(b) All ministers who, at the time of the union, are regular contributors to existing funds on the scale provided by their respective denominations.

(c) All ministers' widows and orphans who are now, or may hereafter become, entitled to participate in the proposed Fund.

(d) All ministers, not members of or contributors to existing funds, who may signify their desire to become members of and contributors to the proposed Fund, on the basis of payments sanctioned by the General Council of The United Church.

Provision shall be made whereby ministers so applying may, by a certain scale of payments, be entitled to have their claim upon the proposed Fund date from the time of their reception into the ministry of any of the negotiating Churches instead of from the date of the union.

(e) All ministers received into or ordained in the Church after the union inasmuch as they shall be required at the time of their reception or ordination to become members of and contributors to the proposed Fund.

3. The sources of revenue of the proposed Fund shall be the following:

(a) Contributions of ministers who are members of said Fund at its inception, or afterwards become such, on a scale to be adopted by the General Council of the Church.

(b) Offerings in all local churches based upon an equitable allocation to be made by the Board of Management of said Fund, under regulations sanctioned by the General Council.

(c) Legacies and donations given for the purpose.

(d) Such grants from the profits of the publishing interests of the Church as may from time to time be determined under regulations to be framed by the General Council.

(e) Proceeds of any investments that may be made in the interests of the said Fund.

APPENDIX ON LAW.

1. When a Basis of Union has been agreed upon by the negotiating Churches, the union should be consummated and The United Church incorporated by a Special Act of the Parliament of Canada.

2. The Act of the Parliament of Canada consummating the Union and incorporating The United Church should contain, among others, provisions to the following effect:

(1) Ratifying and confirming the Basis of Union as agreed upon, and empowering The United Church to acquire and hold property.

(2) Making clear *(a)* that The United Church shall have the powers of legislation mentioned in sub-paragraph (2) of paragraph 24 of the Polity Section of the Basis of Union, subject to the safeguards thereby imposed, in such full and ample manner as to render impossible the existence in connection with The United Church of the conditions which have arisen in Scotland in connection with The United Free Church of Scotland, under the decision of the House of Lords, touching its property and doctrine.

(b) That all the estate, real and personal, belonging to or held in trust for or to the use of the negotiating Churches, or belonging to or held in trust for or to the use of any corporation under the government or control of, or in connection with, any of the said negotiating Churches, shall be vested in The United Church or in Boards, Committees or Corporations under the control thereof, and shall be used and administered in accordance with the terms and provisions of the Basis of Union.

Note.—This provision would cover all property which might properly be described as denominational property.

(c) That, subject to the provisions of the next succeeding paragraph hereof, all property, real and personal, under the jurisdiction of the Parliament of Canada held in trust for or to the use of a church, charge, circuit or congregation of any of the negotiating Churches, shall be held by trustees appointed by or on behalf of such church, charge, circuit or congregation, upon trusts set forth and declared in a Model Trust Deed.

This Model Trust Deed should be a schedule to the Act, and should contain, among others a provision to the following effect: That the property is held for the church charge, circuit, or congregation as a part of the United Church, and that no property so held shall be sold, exchanged, or in any manner encumbered unless the Presbytery shall, at the instance of the church, charge, circuit or congregation, have given its sanction, subject to an appeal, if desired, to the Conference.

(d) That any property or funds owned by a church, charge, circuit or congregation at the time of the union solely for its own benefit, or vested in trustees for the sole benefit of such church, charge, circuit or congregation, and not for the denomination of which the said church, charge, circuit or congregation formed a part, shall not be affected by the legislation giving effect to the union or by any legislation of The United Church without the consent of the church, charge, circuit or congregation for which said property is held in trust.

Note.—To avoid uncertainty as to title, all churches, charges, circuits or congregations coming within the provision of this clause should be named in a schedule attached to the Act, and the provisions of this section should be limited to the churches, charges, circuits or congregations so enumerated in the schedule.

(e) That all lands, premises and property acquired for the use of a local church or a pastoral charge of The United Church shall be held, used and administered upon the trusts of the said Model Trust Deed above referred to.

3. Special acts of the Legislatures of the several Provinces of the Dominion and of Newfoundland and the Bermudas and any other country in which the negotiating Churches hold property should be obtained, containing similar provisions and vesting in the manner above indicated the above and like classes of property and interests over which the said Legislatures may respectively have jurisdiction, and rendering effective in the said several jurisdictions the other provisions relating to the said union.

SCHEDULE B.

TRUSTS OF MODEL DEED

AND it is hereby declared that the said Trustees and their successors or the Trustee or Trustees for the time being acting in the trusts herein shall hold the said lands upon the following trusts:—

COLUMN ONE	COLUMN TWO
1. Upon trust to use the trust property for purposes directed by congregation and maintenance of public worship.	1. For the use and benefit of the said church, charge, circuit, preaching station or congregation, as the case may be (hereinafter called the congregation), as a part of The United Church of Canada, as well for the site of a church, chapel, meeting house, school, manse, parsonage or minister's dwelling or other place for religious, charitable, educational, congregational or social purposes, glebe or burial ground, as the said congregation may direct, as for the support and maintenance of public worship, and the propagation of Christian knowledge, according to the doctrine, discipline, by-laws, rules and regulations of The United Church of Canada.
2. To erect and repair buildings.	2. And upon further trust, out of all moneys received by them for that purpose, to build, erect, add to, alter, repair, enlarge or rebuild any of the buildings aforesaid from time to time as they may deem expedient, and where they deem it necessary, to take down and remove any of said buildings for any of the purposes aforesaid.
3. To obey all lawful orders and directions.	3. And upon further trust, that they shall and will obey, perform and fulfil and suffer to be obeyed, performed and fulfilled with respect to the said lands, and to any building or buildings at any time thereon, or to any burial ground, the lawful orders and directions respectively of the Official Board of the said congregation, the Presbytery and Conference respectively within whose bounds and under whose ecclesiastical jurisdiction the said congregation shall from time to time be, and of the General Council of The United Church of Canada.
4. To permit use of the trust property for church, manse, and Sunday-school purposes.	4. And upon further trust, to permit, in conformity with the doctrines, discipline, by-laws, rules and regulations of The United Church of Canada and not otherwise, the following:— (a) The use of the said church, chapel or meeting-house, as a place of religious worship by a congregation of The United Church of Canada and for meetings or services of religious or spiritual character or such benevolent or congregational purposes as may be approved by the Session of such congregation, and the conduct of public worship and the various services and ordinances of religious worship therein by the minister of the said congregation or, with the approval of the Session or of the said minister, by any other minister of The United Church of Canada or by any minister of any other religious denomination. (b) The performance of burial services in any burial ground or cemetery belonging to or under the control of the congregation; (c) The use of the manse, parsonage or minister's dwelling or dwellings with the appurtenances thereof by the minister or ministers of the congregation free from payment of any rent; (d) The use of any church, chapel, meeting-house, school or other building for the purposes of a Sunday school at such hours and times as will not interfere with public worship, and (e) The use of any buildings erected upon the said lands, other than a church, chapel or meeting-house, for such purposes as may from time to time be approved by the Session of the congregation.

5. To let and sell pews and burial plots and to let manses.

5. And upon further trust, to let any pews and seats at a reasonable rent, if so authorized by the Official Board of the congregation, with power to delegate any such letting to any person or persons whom they may appoint for that purpose; to let any buildings, not required for purposes of worship, at a reasonable rent; and if there shall be a burial ground or cemetery, to sell or let vaults, tombs or burial plots at a reasonable price or rent; and to account for and pay all moneys received in respect of any such letting or sale, less any expense incurred in the execution of these trusts, to the Treasurer of the congregation, or should there be no Treasurer, then to the Committee of Stewards of the congregation, or such person as shall be designated by the said Committee for the purpose of receiving the same. In case the Trustees are of opinion that any manse, parsonage or minister's dwelling is not required for the use of the minister or ministers of the congregation, or is not desirable for the use of such minister or ministers, they may, with the consent in writing of said minister or ministers, let the same and use and apply the rent derived therefrom towards paying the board and lodging of such minister or ministers or the rent for a more suitable and convenient residence for such minister or ministers.

6. The trustees shall have power to sell, mortgage, exchange, or lease the trust property with the consent of the Presbytery.

6. The Trustees or a majority of them may, but only with the consent in writing of the Presbytery within the bounds of which the lands are situate (such consent to be under the hand of the presiding officer or secretary or clerk thereof), sell the said lands or any part thereof either by public sale or private contract and either for cash or upon credit and upon such terms as to price and for such price and upon such terms as to payment or otherwise as they may deem expedient; mortgage, hypothecate or exchange the said lands or any part thereof; let any church, chapel or meeting-house upon the same for such rent and upon such terms as they may deem expedient; and make all such conveyances, mortgages, leases and assurances as may be required to complete any such sale, mortgage, hypothecation, exchange or lease. The said Trustees after first paying or otherwise providing for all indebtedness of the Trustees shall apply the moneys arising from such sale, mortgage, hypothecation, lease or exchange for the purposes of such congregation as the Official Board thereof shall direct, but should such congregation cease to exist as an organized body, such proceeds, less any expense incurred in the execution of these trusts, shall be paid to The United Church of Canada to be applied for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council. Every application by Trustees for the consent of a Presbytery as aforesaid shall be in writing and shall state the purpose for which the moneys arising from such intended sale, mortgage, hypothecation, lease or exchange will be applied. Any decision of a Presbytery with regard to the sale, mortgage, hypothecation, lease or exchange of the said lands or any part thereof shall be subject to appeal to the Conference within the bounds of which the said lands are situate, at the instance of not fewer than any five members of the congregation affected thereby. In every case where the consent of such Presbytery or Conference has been obtained as aforesaid it shall not be incumbent upon the purchaser, mortgagee or lessee of the said lands or of any part thereof to enquire into the necessity, expediency or propriety of any such sale, mortgage, hypothecation, lease or exchange, or to see to the application of the moneys paid to the Trustees. A certificate of the secretary or clerk of any Presbytery or Conference that any such consent has been given shall be sufficient and conclusive evidence of such consent.

7. The said Trustees shall keep a proper book or books of account showing all moneys received and disbursed by them, and a book or books of minutes showing correctly all minutes of their meetings and of resolutions passed and proceedings taken thereat, and such book or books shall at all reasonable times be open for inspection by the minister in charge of the congregation and by the Chairman of the Committee of Stewards, and any person or persons named by them or either of them, and the said minister or the said chairman and any person named by them or either of them as aforesaid shall have the right to make such copies or abstracts of or extracts from the said accounts or minutes, as he or they may desire, and upon request from the Committee of Stewards the Trustees shall submit all books of accounts and minutes, and all vouchers, receipts, papers and documents relating to the said accounts, for audit by the Committee of Stewards, or such person or persons as the said Committee may appoint for the purpose.

7. The trustees shall keep proper accounts and minutes.

8. Every meeting of Trustees for considering the making of any alteration of or addition to any building on the said lands, or any part thereof, or for considering the sale, mortgage, hypothecation, lease or exchange of the said lands, or any part thereof, except the letting or sale of pews, seats, vaults, tombs or burial plots, or for considering any litigation or legal proceedings in connection with the trust estate, shall be deemed a special meeting, and each member shall be entitled to seven days' notice in writing thereof, specifying the time, place and purpose of such meeting. Such notice shall be either personally delivered to each Trustee, or mailed to or delivered to him or her at his or her usual place of abode or business. Ordinary meetings may be called at any time by giving at least one day's notice in writing to each Trustee in the manner aforesaid, or by public announcement at a service for public worship at least one day prior to such meeting. Meetings may be called by the minister in charge of the congregation, or by at least two of the Trustees. Notwithstanding anything herein contained no meeting or any business transacted thereat shall be invalid by reason of any lack or defect of service of notice arising from inability to ascertain the usual place of abode or business of any Trustee. All questions shall be determined by the majority vote of the Trustees present at a meeting, and the Chairman shall have a casting vote in the event of a tie. The minister of such congregation shall have the right to preside as Chairman at all meetings of the Trustees and may appoint a deputy to act in his place in his absence, and in the absence of the Minister and of any such deputy the Trustees present may elect a Chairman from among themselves.

8. The trustees shall have seven days' notice of all special meetings and one day's notice of other meetings.

9. The number of said Trustees shall not be fewer than three or more than fifteen provided that where the number of existing Trustees is more than fifteen all such Trustees shall remain in office but that no vacancy in the office of trustee shall be filled until the number of Trustees is reduced below fifteen, in which case the number shall not again exceed fifteen. In case any of the said Trustees or any Trustee appointed under this provision shall, during his or her term of office, die, resign or, having been, cease to be a member of The United Church of Canada in full communion, or remove to such a distance, or fail to attend meetings for such period not less than one year, as shall in the opinion of his or her co-trustees expressed by a two-thirds vote of said co-trustees, render it inexpedient for him or her to remain a Trustee, or in case the said congregation shall think proper to remove a Trustee from his or her office as Trustee, it shall be lawful for the said congregation, at any meeting called by notice from the pulpit during public worship on each of the two next preceding Sundays on which public worship is held, to declare by the votes of two-thirds of the members then present that such Trustee

9. The number of trustees shall not be fewer than three or more than fifteen, and vacancies shall be filled by election by the congregation, or in default of such election, by the Presbytery, and the property of a congregation which ceases to exist shall be subject to the trusts determined by the Conference.

has ceased to be a Trustee of the said congregation, and such person shall thereupon cease to be a Trustee, and at the same meeting it shall be lawful for the said congregation by a like vote to appoint a successor to such Trustee provided, however, that no Trustee who is personally liable for payment of any indebtedness in respect of the property of a congregation shall be removed without his consent unless indemnified to his satisfaction in respect of any such liability and unless at least eight days' notice in writing of such meeting shall have been mailed to each of the Trustees at his or her last known address, which notice shall state the business to be transacted at such meeting. If no successor shall be appointed at such meeting a meeting may be called in like manner for the purpose of filling such vacancy, and at such meeting a new Trustee or new Trustees (as the case may require) shall be appointed by the votes of the majority of the members then present. The notice calling a meeting for the purpose of declaring or filling a vacancy or vacancies in the office of Trustee shall be read from the pulpit by the minister or person officiating as minister, at the request of any Trustee, or of any seven members of the congregation, and every such meeting may be adjourned from time to time by the vote of the majority of the members present. During any vacancy in the office of Trustee, the remaining Trustees, not being fewer than three in number, shall have all the powers of the full board. A majority of the Trustees shall form a quorum save when the number of Trustees exceeds nine, in which case five shall form a quorum. The majority of the Trustees shall be members of The United Church of Canada.

A minute of every such appointment of a Trustee shall be entered in a book to be kept for the purpose, and signed by the person presiding at the meeting, and such minute so signed shall be sufficient evidence of the fact that the person or persons therein named was or were appointed and elected at such meeting, but any omission or neglect to make or sign such minute shall not invalidate such appointment or election.

And it is hereby further declared that in case there shall be at any time fewer than three Trustees, the presiding officer or clerk of the Presbytery within whose bounds and under whose jurisdiction the said congregation shall be, shall, with the remaining Trustee or Trustees, be the Trustees under these presents until the full Board is duly appointed, and at any time thereafter the Presbytery may cause notice to be given from the pulpit on two consecutive Sundays requiring the said congregation to proceed with the appointment of new Trustees. And if the said congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Presbytery at any time after four weeks from the last giving of such notice, by resolution duly entered in the minutes of the Presbytery, to appoint new Trustees. Such appointment shall be communicated to the congregation by notice from the pulpit as soon as conveniently may be thereafter, and from the time of such communication the Trustee or Trustees so appointed shall be a Trustee or Trustees hereunder.

And it is further declared that if at any time there shall cease to be an organized congregation entitled to the use, benefit and enjoyment of the said lands, it shall be lawful at any time or times for the said Presbytery to fill any vacancy in the number of Trustees, and the said lands shall thenceforth be held subject to such trusts and for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council.

10. A Trustee shall not be responsible for the failure of any investment or security made or taken by the Trustees or for anything done in connection with the trust estate except for his own acts and to account for any moneys coming into his own hands, and shall not be liable for injury done by others to the said trust premises, or to any part thereof.

10. Trustees shall not be liable for involuntary loss.

11. In congregations existing previous to the Union which have not adopted the plan of organization prescribed for pastoral charges as provided by the Basis of Union, the words "Official Board" and "Committee of Stewards" and "Session" in this schedule shall mean such Board or Committee or other body respectively discharging similar functions in such congregations, as to which in case of doubt the opinion of the Presbytery to which such congregation belongs shall be final and conclusive.

SCHEDULE C.

The Colleges.

Westminster Hall.
Roberston College.
Presbyterian Theological College at Saskatoon.
Moose Jaw College.
Manitoba College.
Knox College.
Queen's Theological College.
The Ottawa Ladies' College.
The Presbyterian College, Montreal.
The Presbyterian College, Halifax.

Columbian Methodist College.
Ryerson College.
Alberta College North.
Alberta College South.
Mount Royal College.
Regina College.
Wesley College.
Victoria College.
Albert College.
Alma Ladies' College.
Ontario Ladies' College.
Wesleyan Theological College.
The Stanstead Wesleyan College.
The Mount Allison University.
The Mount Allison Ladies' College.
The Mount Allison Academy.

The Congregational College of British Columbia.
The Congregational College of Canada.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 47.

An Act incorporating The United Church of Canada.

(Reprinted as amended and reported by the Select Standing Committee on Miscellaneous Private Bills.)

(PRIVATE BILL.)

Mr. FORKE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
80776 1924

3rd Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act incorporating The United Church of Canada.

Preamble.

WHEREAS The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches of Canada have by their petition represented that, believing the promotion of Christian unity to be in accordance with the Divine Will, they recognize the obligation to seek and promote union with other churches adhering to the same fundamental principles of the Christian faith, and that, having the right to unite with one another without loss of their identity upon terms which they find to be consistent with such principles, they have adopted a Basis of Union which is set forth in Schedule A to this Act and have agreed to unite and form one body or denomination of Christians under the name of "The United Church of Canada;" and have prayed that it may be enacted as hereinafter set forth; And whereas doubts have arisen as to the power of the General Assembly of the Presbyterian Church in Canada to agree to the union mentioned herein and as to the jurisdiction of the Parliament of Canada with regard to certain of the powers asked for; and whereas it is expedient to grant the prayer of the said petition subject to the provisions hereinafter set forth in section two of this Act: 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 United Church of Canada Act.*

Date of coming into force subject to decision in pending action and reference to Supreme Court.

2. This Act shall not come into force until the first day of July, 1926, and not then,—

(1) Unless the courts shall have finally decided in the action now pending in the Supreme Court of Ontario that the General Assembly of the Presbyterian Church in

Explanatory Note.

The amendments as reported by the Private Bills Committee are underlined.

The Appendix on Law, on pages 38 and 39 of the Bill as introduced, is taken out of the Bill as reported by the Committee.

Canada had the power, under its constitution and rules, to agree to a union of the Presbyterian Church in Canada with the Methodist and Congregational Churches upon the basis of union, including the appendix on law as set out in Schedule A of this Act.

(2) Unless the courts shall have finally decided that the Parliament of Canada can constitutionally enact this Act in whole or in part; and if the courts should decide that this Act is constitutional only in part, then it shall come into force only as to such parts as are declared constitutional: Provided further that the latter question shall be submitted to the Supreme Court of Canada by a reference by the Minister of Justice.

Reference.

Power to suspend operation.

(3) If during the session of Parliament immediately preceding the first day of July, 1926, the courts have not finally decided the questions involved in subsections 1 and 2, the Parliament of Canada may further suspend the operation of this Act.

Definitions.

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

"The negotiating churches."

(a) "The negotiating churches" means the churches mentioned in the preamble, and shall include also every congregation heretofore in connection or in communion with any of the negotiating churches which, prior to the coming into force of this section, has joined with any one or more congregation or congregations of any of the other negotiating churches for purposes of worship, and every congregation affiliated with any of the negotiating churches, and every congregation ordinarily known as a local union church, whether it holds its property separately from or as a part of any of the negotiating churches, and every congregation having any representation in or connection with the General Council of local union churches;

"The Basis of Union."

(b) "The Basis of Union" means the Basis of Union set forth in Schedule A to this Act;

"Congregation."

(c) "Congregation" means any local church, charge, circuit, congregation, preaching station or other local unit for purposes of worship in connection or in communion with any of the negotiating churches or of The United Church of Canada;

"College."

(d) "College" means any college, school or other educational institution, incorporated or unincorporated, under the government or control of, or in connection with, any of the negotiating churches, or

established or maintained in whole or in part by any of them, and shall include the colleges and institutions set out in Schedule C to this Act;

"The Presbyterian Church in Canada."

(e) "The Presbyterian Church in Canada" shall include The Board of The Presbyterian College, Halifax; The Board of Trustees of The Presbyterian Church in Canada; The Board of Trustees of The Presbyterian Church in Canada, Eastern Section; The Board of Trustees of The Century Church and Manse Fund of The Presbyterian Church in Canada, Eastern Section; The Church and Manse Board of the Presbyterian Church in Canada; The Board of Trustees of The Presbytery of Montreal; The Board for the management of the Temporalities Fund of The Presbyterian Church of Canada: The Trustees of the Ministers', Widows' and Orphans' Fund of the Synod in the Maritime Provinces of The Presbyterian Church in Canada; The Presbytery of Miramichi, and all Presbyterian congregations separately incorporated under any statute of the Dominion of Canada or of any Province thereof, and all congregations heretofore and now connected or in communion with The Presbyterian Church in Canada whether the same shall have been organized under the provision of any statute or deed of trust or as union or as joint stock churches or otherwise howsoever;

"The Methodist Church."

(f) "The Methodist Church" shall include the body corporate known as The Methodist Church and all bodies corporate established or created by The Methodist Church or any conference thereof under the provisions of any statute of the Parliament of Canada, or the Legislature of any Province thereof, The Methodist Union of Toronto, The Winnipeg Church Extension and City Mission Association of the Methodist Church, The Methodist Camp Meeting Association of Nova Scotia, and all Methodist congregations separately incorporated under any statute of any Province of the Dominion of Canada;

"Congregational Churches."

(g) "The Congregational Churches" shall include The Congregational Union of Canada; The Congregational Union of Nova Scotia and New Brunswick; The Canada Congregational Missionary Society; The Canada Congregational Foreign Missionary Society; The Montreal Congregational Church Building Fund Society; The Congregational Provident Fund Society, Congregational Church Extension Society of Western Canada; and all congregations of the Congregational denomination which are represented by The Congregational Union of Canada for the purposes of this legislation, whether the same are separately incor-

Section 3 (g).
R.S.O., 1914, ch. 109, s. 2. (g)

porated under any statute of the Dominion of Canada or of any Province thereof, or have been organized under the provisions of any statute or deed of trust, or as union or as joint stock churches or otherwise howsoever;

"Property." *(h)* Where the context admits thereof the word "property" shall include any debt and any thing in action and any right or interest.

"Non-concurring congregations." *(i)* "Non-concurring congregations" shall mean those congregations which decide, as hereinafter provided, not to enter the union hereinafter mentioned.

Incorporation. **4.** *(a)* The union of the said Churches, The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches, shall become effective upon the day upon which this Act comes into force and the said Churches as so united are hereby constituted a body corporate and politic under the name of "The United Church of Canada," hereinafter called "The United Church;"

Corporations and Local Union Congregations. *(b)* The several corporations referred to in subsections (e), (f) and (g) of section two hereof are hereby merged in The United Church and the congregations referred to in subsection (a) of said section two are hereby admitted to and declared to be congregations of The United Church;

Members of Non-concurring Congregations. *(c)* Notwithstanding anything in this Act contained, members of any non-concurring congregation hereinafter mentioned shall be deemed not to have become, by virtue of the said union or of this Act, members of The United Church;

Ministers. *(d)* Any minister of the negotiating churches may within six months after the coming into force of this Act notify the Clerk or Secretary of the General Council, in writing, of his intention not to become a minister of The United Church and in such event he shall be deemed not to have become, by virtue of the said union or of this Act, a minister of The United Church;

Members of negotiating churches. *(e)* Any member of the negotiating Churches may, within six months after the coming into force of this Act, notify in writing the Clerk of Session, or Recording Steward of the Quarterly Official Board, or the Secretary as the case may be, of the congregation of which he is a member, of his intention not to become a member of the United Church, and in such event he shall cease to be a member of such congregation and shall be deemed not to have become, by virtue of the said Union, or of this Act, a member of the United Church.

General Property Vested in The United Church.

5. Save as hereinafter provided, all property, real and personal, belonging to or held in trust for or to the use of The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches, or belonging to or held in trust for or to the use of any Corporation, Board, Committee or other body, whether incorporated or un-incorporated, created by or under the government or control of, or in connection with, any of the said churches, shall from and after the coming into force of this Act be vested in The United Church, to be held, used and administered, subject to the provisions of this Act, in accordance with the terms and provisions of the Basis of Union.

Property of Congregations.

6. Subject to the provisions of section seven hereof, all property, real and personal, belonging to or held by or in trust for or to the use of any congregation of any of the negotiating churches, shall, from and after the coming into force of this Act be held, used and administered for the benefit of the same congregation as a part of The United Church in the manner and upon the trusts and subject to the terms and provisions set forth in Schedule B to this Act, and all property, real and personal, thereafter acquired for or belonging to or held by or in trust for or to use of any congregation of The United Church shall be held, used and administered for the benefit of the said congregation as a part of The United Church upon the said trusts and subject to the said terms and provisions. Provided that any property, real or personal, held at the time of the coming into force of this Act or thereafter, acquired by devise, bequest, transfer or gift, in trust for any special use of any congregation, shall be held, used and administered in accordance with the special trusts so declared in respect thereof, not being contrary to law or to any by-law, rule or regulation of The United Church, and that in the event of failure or partial failure of any of the said trusts, the said property, in the absence of any express provision for such event, may be held, used, administered or disposed of as may be provided by any by-law, rule or regulation made from time to time by The United Church, but subject always to such laws of any Province of Canada as may be applicable thereto.

Short Form of Trust Deed.

7. In any deed, conveyance or transfer to trustees upon the trusts set forth in said Schedule B the form of words contained in Column One of said Schedule B and distinguished by any number therein, shall have the same effect as if it contained the form of words in Column Two of said Schedule B, distinguished by the same number as is annexed to the form of words used in such deed, conveyance or transfer, but it shall not be necessary in any such deed, conveyance or transfer to insert any such number.

Section 5.

Pres. Church Act, 1874, Ont. c. 75.
Meth. Church Union Act, 1884, Can., c. 106.

Section 6.

Basis of Union, Sch. A., p. 25, s. 6; p. 27, s. 18.
Pres. Church Union Act, 1874, Ont. c. 75, ss. 1 and 6.
Methodist Ch. Union Act, 1884, Can. c. 106,
(amended 1912, c. 116, s. 1.)

Section 7.

R.S.O. 1914, ch. 115, s. 3.
Meth. Church Union Act, 1884, c. 106, s. 6.

Special Property of Certain Congregations.

8. Any real or personal property belonging to or held by or in trust for or to the use of any congregation, whether a congregation of the negotiating churches or a congregation received into The United Church after the coming into force of this Act, solely for its own benefit, and in which the denomination to which such congregation belongs has no right or interest, reversionary or otherwise, shall not be subject to the provisions of sections four and five hereof or to the control of The United Church, unless and until any such congregation at a meeting thereof regularly called for the purpose shall consent that such provisions shall apply to any such property or a specified part thereof.

Existing Trustees Continued

9. All trustees acting in any trust for or to the use of any congregation as first referred to in section five hereof shall, nothwithstanding any irregularity in their appointment, and notwithstanding that their number shall not correspond with the number named in the deed of conveyance of the property subject to such trusts or any of them, be deemed to be and shall be the trustees of the said properties respectively, and shall henceforth hold the same upon and subject to the trusts set out in Schedule B hereto.

Property of Non-concurring Congregations.

10. *(a)* If any congregation in connection or communion with any of the negotiating churches shall, at a meeting of the congregation regularly called and held at any time within six months before the coming into force of this Act, or within the time limited by any statute respecting The United Church of Canada passed by the legislature of the Province in which the property of the congregation is situate, before such coming into force, decide by a majority of votes of the persons present at such meeting and entitled to vote thereat not to enter the said Union of the said Churches, then and in such case the property, real and personal, belonging to or held in trust for or to the use of such non-concurring congregation shall remain unaffected by this Act, except that any church formed by non-concurring congregations of the respective negotiating Churches into which such congregation enters shall stand in the place of the respective negotiating Churches in respect of any trusts relating to such property, and except that in respect of any such congregation which does not enter any church so formed such property shall be held by the existing trustees or other trustees elected by the congregation free from any trust or reversion in favour of the

Church formed will stand in place of negotiating churches.

Property to be held by trustees.

Section 8.

Basis of Union, Sch. A. p. 25, ss. 7 and 8.

Section 9.

1887, c. 62, s. 1 (Manitoba)

Section 10 (a).

Presbyterian Union Act, 1874, Ont. s. 2.

respective negotiating Churches and free from any control thereof or connection therewith. In cities having a population of ten thousand people or over, according to the last Dominion census, the voting aforesaid shall not take place during the months of July or August.

No vote in July or August in cities.

(b) The persons entitled to vote under the provisions of the first clause of this section shall be only those persons who are in full membership and whose names are on the roll of the Church at the time of the passing of this Act. In any Province where by an Act of the Legislature respecting The United Church of Canada passed prior to the passing of this Act, a different qualification for voting has been prescribed, the qualification for voting under this section shall be as provided in such Act. In every other Province the persons so entitled to vote shall be those who by the constitution of the congregation, if so provided, or by the practice of the Church with which they are connected, are entitled to vote at a meeting of the congregation.

Persons entitled to vote.

Qualification under Local Acts.

(c) The non-concurring congregations in connection, or in communion with any or all of the negotiating Churches may use, to designate the said congregations, any names other than the names of the negotiating Churches, as set forth in the Preamble of this Act, and nothing in this Act contained shall prevent such congregations from constituting themselves a Presbyterian Church, a Methodist Church, or a Congregational Church, as the case may be, under the respective names so used.

Names of non-concurring congregations and churches.

(d) A meeting of the congregation for the purpose aforesaid may be called by the authority of the Session or Quarterly Board of its own motion and shall be called by the Session or Quarterly Board on requisition to the Session or Quarterly Board in writing of ten members entitled to vote under the provisions of this section in a congregation of one hundred members or less; or twenty-five such members in congregations having over one hundred and not more than five hundred members; and fifty members in congregations of over five hundred and not more than one thousand members; and one hundred such members in congregations of over one thousand members. Such meeting shall be called by public notice read before the congregation at each diet of worship on two successive Lord's Days on which public service is

Calling of meeting for voting on Union.

Notice.

Section 10 (b).

Basis of Union Sch. A., p. 26, s. 11 (b)

held and such notice shall specify the object of the meeting. Provided further that such meeting shall be held within thirty days of the receipt of the requisition by the Clerk of Sessions or Recording Steward of the Quarterly Board, or in case of any congregation not having a Session or Quarterly Board, by the ordained minister recognized as in charge thereof by Presbytery or District meeting.

To be held within 30 days after requisition.

(e) "Congregation" in this section and the succeeding section means a local church as mentioned in the Basis of Union.

"Congregation."

(f) The Clerk of Session, the Recording Steward of the Quarterly Official Board, or the Secretary, as the case may be, of any non-concurring congregation shall within one week after the taking of the vote referred to in subsection *(a)* of this section certify to the Clerk of the Presbytery, the Secretary of the Annual Conference, or the Secretary of the Congregational Association or Union, as the case may be, the result of the said vote.

Certificate of result of vote.

11. *(a)* Notwithstanding anything in this Act contained, such non-concurring congregations or any one or more of them as may be determined, shall be entitled to whatever, the Commission hereinafter mentioned shall determine to be a fair and equitable share of the property, real and personal, rights, powers, authorities and privileges of or in connection with the respective parent church or churches, that is to say, The Presbyterian Church in Canada, The Methodist Church or The Congregational Churches, as the case may be, vested in The United Church by this Act.

Commission to determine Equities of Non-concurring Congregations.

(b) All the equities (if any) of the non-concurring congregations, or any of them, under this section, shall be determined exclusively by a Commission to consist of nine members, of whom three shall be appointed by the non-concurring congregations at a conference of representatives thereof, three by The United Church from its members, and the remaining three by the six members so appointed. The names of such persons shall be submitted to the Chief Justice of Canada, and if he is satisfied after making such inquiry as he deems proper or desirable that they fairly represent the parties so appointing them, their names shall be approved by him in writing and they shall thereupon be deemed for all purposes to be duly appointed. In case the said six members are unable to agree, or in case of failure or refusal on the part of the non-concurring congregations or of The United

Appointment of Commission.

Section 11.

The establishment of a Commission is suggested in the report of counsel for The Presbyterian Church in Canada. A Commission with wide powers was established by The Churches (Scotland) Act, Imp. Statutes, 1905, c. 12.

Church to appoint the required number of members as aforesaid within twelve months after the coming into force of this Act, the Chief Justice of Canada, upon the application of any interested party, shall appoint sufficient members to complete the Commission of nine members, and any appointment so made by him or to fill any vacancy among the members of the Commission, or any order of the Chief Justice on the application of any interested party confirming the appointment of the Commission, shall be final and conclusive and shall not be subject to review by any Court. If a vacancy occurs in the Commission by reason of death, resignation, incapacity or otherwise, it shall be filled by a member to be appointed as in the case of the original appointment of the member whose office is so vacated, and in case of inability to agree or of failure or refusal to appoint as aforesaid, as the case may be, the Chief Justice of Canada may appoint a member to fill the vacancy and so from time to time as occasion requires.

Vacancies.

Conference of non-concurring congregations.

(c) (i) Conference of representatives of non-concurring congregations shall be held on a date nine months from the date of the coming into force of this Act at St. Andrew's Church on King Street in the City of Toronto, at the hour of half past two o'clock in the afternoon, or at such other time and place as may be fixed by Proclamation of the Governor in Council.

Representatives.

(ii) Each non-concurring congregation shall be entitled to one representative and to one vote, and the three persons to be appointed to the said Commission by the non-concurring congregations shall be appointed in such manner as the said representatives may determine by a majority vote.

Commissioners appointed and certified.

(iii) The chairman of the said conference shall certify the names of members of the said Commission who may be chosen at the said conference.

Power to determine Equities and make Orders and Directions.

(d) The Commission shall have exclusive power to determine all the equities of the non-concurring congregations, or any one or more of them, in, or with respect to, the property, real and personal, belonging to or held in trust for or to the use of the respective parent church or any corporation, board, committee or other body, incorporated or unincorporated, created by or under the government or control of or in connection with such parent church, and all rights, powers, authorities and privileges of or in connection with the

parent church, vested by this Act in The United Church as aforesaid, or in or to any part of such property, rights, powers, authorities and privileges, and to make such orders and give such directions for the conveyance, assignment, transfer or other assurance by The United Church, or by any corporation, board, committee or other body in this Act mentioned, of any such property, rights, powers, authorities, and privileges to the non-concurring congregations or to any one or more of them or to trustees for any such congregations or any one or more of them, in such manner and upon such terms and subject to such charges or conditions as the Commission may deem fair and equitable for the enjoyment and assurance of any such equities so determined.

Power in respect to Colleges.

(e) The Commission shall also have power to make such orders and to give such directions with respect to any of the colleges of or in connection with the parent church in Schedule C of this Act named as it may deem fair and equitable to secure adequate provision for the education and training of students to minister to such non-concurring congregations, and shall have power to declare and order that such non-concurring congregations shall be placed in the position of the parent church as it was immediately prior to the passing of this Act with respect to any one or more of such colleges as the Commission may determine subject to such terms and conditions as the Commission may deem fair and equitable.

Quorum and Procedure.

(f) The quorum of the Commission shall be five and its organization, times and places of meeting and procedure shall be such as it may at any time from time to time determine and the decision of a majority of the members present at any meeting shall prevail.

Assistance.

(g) The Commission may retain counsel and engage all such professional or other assistance and may appoint and employ all such officers, stenographers, clerks or servants as it may deem expedient and may dismiss any officer or person so appointed or employed.

Remuneration.

(h) The fees, salaries and remuneration of all persons so retained, engaged, appointed or employed, and all expenses in connection with the exercise of the powers hereby conferred shall be paid in such manner and out of such funds of The United Church or the non-concurring congregations or both, as the Commission may direct. The compensation (if any) of the Commissioners shall be determined by the General Council of The United Church and the non-concurring congregations prior to their appointment, and in default of such determination, by the Chief Justice of Canada, and shall be paid as aforesaid.

Witnesses and Evidence.

(i) The Commission shall have the powers conferred on commissioners by Part I of the *Inquiries Act* and such other powers as may be conferred upon it by any Act of any Province of Canada, together with right of access to all property affected by this Act it may find necessary to inspect and the right to call for the production of any books, papers, accounts, correspondence or other writing of any of the parties interested before it and to make abstracts thereof or take extracts therefrom. The Commission shall not be bound by legal rules of evidence but may make such enquiries and may accept such opinions, valuations, reports and statements, written or verbal as it may deem expedient, and the decisions, orders or directions of the Commission shall be final and conclusive and not subject to review by any Court.

Delegation of Certain Powers.

(j) The Commission may authorize any one or more of its members to inquire into and report to it upon any question or matter arising in connection with the business of the Commission, and when so authorized, such one or more of its members shall have all the powers of the Commission for the purpose of taking evidence or acquiring the necessary information for the purpose of such report, and upon such report being made to the Commission, it may be adopted as the order of the Commission, or otherwise dealt with as to the Commission seems proper.

Commission to use due diligence.

(k) The Commission shall proceed with all due diligence in the determination of all matters committed to it by this Act and The United Church and the non-concurring congregations shall in every reasonable way facilitate and expedite the work of the Commission so as to enable it to make its investigation and its determination in respect of the matters aforesaid at the earliest possible date.

Enforcement of Orders.

(l) Any determination, decision or order made by the Commission may be made a rule, order or decree of the Exchequer Court or any Superior Court of any Province of Canada, and shall be enforced in like manner as any rule, order or degree of such Court. To make such determination, decision or order, a rule, order or decree of any such Court the usual practice and procedure of the Court in such matters may be followed, and a copy of any such determination, decision or order, certified under the hand of the Chairman or Acting Chairman of the Commission, and verified by affidavit or statutory declaration of a witness thereto, shall be sufficient evidence of the due making and validity of any such determination, decision or order.

Applications to Chief Justice or Judge of Supreme Court.

(m) The powers conferred on the Chief Justice of Canada by this section may be exercised by any Judge of the Supreme Court of Canada designated by him for that purpose and all applications to the said Chief Justice or such Judge in this section mentioned shall be upon such notice and be served upon such parties and in such manner as the Chief Justice or such Judge shall direct.

Sections 13, 14, 15 not to apply after allocation.

(n) The provisions of sections thirteen, fourteen and fifteen shall not apply to any college or property allocated to non-concurring congregations under the provisions of this section after the date of such allocation.

Rights of claimants on benevolent funds.

(o) The Commission shall make such provisions as it may deem fair and equitable to protect the rights of all claimants on the benevolent funds of the negotiating Churches who do not become ministers or members of The United Church.

Liability for Congregational Debts.

12. *(a)* All property belonging to or held by or in trust for or to the use of any congregation of the negotiating churches henceforth to be held, used and administered for the benefit of the same congregation as a part of The United Church, shall remain liable for the payment or satisfaction of any debts or obligations contracted or incurred in respect thereto to the same extent as it would have been liable had this Act not been passed, but The United Church shall not be or become liable for any of said debts or obligations, and, save as aforesaid, no property of The United Church shall be liable for any debts or obligations contracted or incurred by any congregation in connection or in communion with any of the negotiating churches.

Liability for Denominational Debts.

(b) Upon the vesting of the property of the negotiating churches or of any corporation, board, committee or other body whether incorporated or unincorporated, created by or under the government or control of or connected with any of the negotiating churches, pursuant to the provisions of section five hereof, The United Church shall become liable for all their respective debts and obligations, provided, however, that this subsection shall not be deemed to include or apply to any of the property first mentioned in the next preceding subsection.

Colleges.

13. The provisions of section four hereof shall not apply to any property, real or personal, belonging to or held in trust for or to the use of any college named in Schedule C to this Act, or belonging to or held by or vested in any board of trustees, board of directors, board of governors,

Section 12.

Methodist Church Union Act (Can.), 1884, s. 18.

Section 13.

Basis of Union, Sch. A., p. 29, s. 24 (3) (7); p. 35, s. 1
Presbyterian Church Union Act, (Ont.) 1874, c. 75, s. 7

regents, or other board or committee or body having the control or management of the property or affairs of any college named in said Schedule C. From and after the coming into force of this section the colleges named in said Schedule C and all such boards, regents or other committees or bodies as aforesaid shall have the same connection with and stand in the same relation to The United Church as they respectively had and stood with and to any of the negotiating churches immediately prior to the passing of this Act, and all rights, powers, authorities and privileges in respect of the said colleges, or any of them, of or vested in any Assembly, Conference, Synod, Presbytery, Council or other governing body of any of the negotiating churches or any officers or board thereof, shall be vested in the General Council of The United Church, provided that the General Council may declare that the said rights, powers, authorities and privileges, or any of them, shall be vested in a Conference, Presbytery or other governing body of The United Church, or otherwise, as it may deem expedient, and from and after such declaration, such rights, powers, authorities and privileges, or any of them, shall vest in accordance with the terms of such declaration. In all cases where a college corporation consists of the ministers and members, or the members, or any officers of any of the negotiating churches, or of any governing body thereof (whether with or without named persons) such corporation shall, after the coming into force of this section, consist of the ministers and members of The United Church. All rights, powers, authorities and privileges in respect of the said colleges vested in any congregation in connection or in communion with any of the negotiating churches, or in any minister and congregation thereof, shall continue to be held and exercised by the said congregation or by the said minister and congregation in connection with The United Church. Nothing in this section contained shall be construed so as in anywise to repeal, alter, affect or vary any existing legislation relating to any of the said colleges except in so far as may be necessary to give full force and effect to the provisions of this Act.

Religious Teaching in Colleges.

14. Notwithstanding anything contained in any Act of the Parliament of Canada, or in any Act, by-law, rule, regulation, declaration or other proceeding of any of the negotiating churches, or of any governing or subordinate court or body of any of them, or in the constitution, by-laws, rules or regulations of or in relation to any of the said colleges, respecting the principles, doctrines or religious standards to be taught and maintained in any such college, from and after the coming into force of this section the colleges shall, in respect of the principles, doctrines and religious standards to be taught and maintained therein,

Section 14.

Basis of Union, Sch. A., p. 29, s. 24 (2), (3), (7); p. 35, s. 1

be subject to the direction and control of the General Council of The United Church, and the teaching or maintenance hereafter in any of the colleges of the principles, doctrines or religious standards set out in the Basis of Union or hereafter determined or prescribed from time to time by the General Council of The United Church in accordance therewith or at any meeting held pursuant to the provisions of section twenty of this Act, shall not be deemed to be a change of adherence on the part of any such college or a change of its principles or doctrines or religious standards or a breach of the provisions of any statute, Act, by-law, rule, regulation, declaration or other proceeding, or constitution, and shall not be deemed to be a breach of any trust relating to property devised, bequeathed, given to or otherwise acquired by or for the benefit of any such college with respect to the teaching or maintenance of any principles, doctrines or religious standards in any of the said colleges, but shall be deemed to be in compliance with and a performance of any such provisions or trusts.

Existing Trusts Continued.

15. Where, prior to the coming into force of this section, any existing trust has been created or declared in any manner whatsoever for any special purpose or object having regard to the teaching, preaching or maintenance of any principles, doctrines or religious standards, or to the support, assistance or maintenance of any congregation or minister or charity, or to the furtherance of any religious, charitable, educational, congregational or social purpose, in connection with any of the negotiating churches, such trust shall continue to exist and to be performed as nearly as may be for the like purposes or objects in connection with The United Church as The United Church may determine, and anything done in pursuance of this Act shall not be deemed to be a breach of any such trust but shall be deemed to be in compliance therewith and a performance thereof, and the entry of any congregation into The United Church shall not be deemed a change of its adherence or principles or doctrines or religious standards within the meaning of any such trust.

Property situate without Canada.

16. The United Church shall have capacity to take and hold all such property, real and personal, and all such rights, authorities, privileges and benefits as it may acquire without Canada, and subject to the laws of the province, colony or country in which such property may be situate, shall have the right to call for and receive conveyances, transfers or other appropriate assurances of all property, real or personal, situate without Canada, held by or in trust for any of the negotiating churches or any governing or subordinate body thereof, or any Corporation, Board, Committee, or other body, whether incorporated or unin-

Section 15.

Basis of Union, Sch. A, p. 29, s. 24 (2);
Presbyterian Church Union Act, (Ont.) 1874, c. 5, s. 6;
Methodist Church Union Act, 1884, (Can.) c. 106, s. 15.
1875, c. 99, s. 2 (Nova Scotia)
1884, c. 36, s. 3 (New Brunswick)

corporated, created by or under the government or control of or in connection with any of the negotiating churches.

Establishment of Boards and Committees.

17. *(a)* The United Church may, by resolution of the General Council, establish boards or committees of its members to hold, manage, deal with, dispose of or otherwise administer any of its property, funds, trusts, interests, institutions and religious or charitable schemes now or hereafter owned, founded or established, define and prescribe the constitution, powers, duties, officers and quorum of any such board or committee, and delegate to any of them such powers as it may deem expedient.

Establishment of Boards and Committees as Bodies Corporate.

(b) Whenever it is deemed expedient to establish as a body corporate any board, committee or other body for any of the purposes of The United Church, The United Church may establish by resolution of the General Council or may authorize and empower any Conference to establish by resolution of such Conference, any such boards, committees or other bodies, including city mission boards and church extension boards, in accordance with the by-laws, rules and regulations of The United Church in that behalf, and if any such resolution declares such board, committee or other body to be a body corporate, then, upon the filing of the certificate or certificates in this section hereinafter mentioned, the same shall be and become a body corporate with such membership, organization, powers, rights and duties, not contrary to law or inconsistent with this Act, as may be defined from time to time by the General Council, or such Conference, as the case may be, including the acquiring, holding, administering and disposing of all property, real or personal, (but when established by resolution of a Conference then only within the bounds of such Conference), which may be devised, bequeathed, granted or conveyed to any such board, committee or governing body, for the purposes of The United Church, and the borrowing of any money necessary in the opinion of such board, committee or body for the purposes thereof, and the mortgaging, hypothecating, or pledging of so much of the real or personal property held by any such board, committee or body as may be necessary to secure any amount so borrowed. In each case such board, committee or other body is established by resolution of the General Council, the General Council shall file a certified copy of such resolution under the hand of its presiding officer and its secretary or clerk with the Secretary of State for Canada, and in case such board, committee or other body is established by resolution of any Conference, such Conference shall file a certified copy of such

Section 17 (a).

Basis of Union, Sch. A, p. 30, s. 24 (8); pp. 34-37 incl., under "Administration"

Methodist Church Union Act, 1884, (Can.) c. 106, s. 8 (1)

Section 17 (b).

Basis of Union, Sch. A, p. 29, s. 24 (8), pp. 34-37 inc. under "Administration."

Methodist Church Union Act, 1884, (Can.) c. 106, s. 8 (2) (3).

1912, c. 116, s. 2 (Canada).

resolution under the hand of its presiding officer and its secretary or clerk with the Provincial Secretary of the Province in which the said conference is situate, or, where the bounds of such conference lie within more than one Province, then with the Provincial Secretary of each of such Provinces. A certificate under the official seal of the General Council, or of the Conference by which any such board, committee or body is established, as the case may be, signed by its secretary or clerk, shall be sufficient evidence in all Courts of the establishment of such board, committee or body and of its constitution and powers.

Powers of the United Church.

18. The United Church shall have power—

Acquiring and Selling Property.

(a) To acquire by purchase, lease, gift, devise or bequest any real or personal property, or any estate or interest therein, either absolutely or in trust, and, subject to the provisions of sections five and seven of this Act, to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise dispose of the same or any part thereof, and apply the proceeds of any such property for its purposes, provided that no land at any time acquired by the United Church and not required for its actual use and occupation or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than ten years after it shall have ceased to be so required, but this proviso shall not be deemed in anywise to vary or otherwise affect any trust relating to such property.

Disposal of Property to Other Religious Bodies.

(b) To give, grant, convey, lease or otherswie alienate any property, real or personal, to any other church or religious body or organization or to any trustees, board, committee or governing body thereof, as it may deem expedient, in pursuance of any agreement or understanding with such church or religious body or organization for the purpose of co-operation in the prosecution of religious work.

Loan and Investment.

(c) To lend money upon the security of real estate and to invest and re-invest any of its funds and moneys in any debentures of municipal or public-school corporations or public-school districts, Dominion or Provincial debentures, bonds, stock or other Dominion or Provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any Province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for the collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

Section 18.

Various statutes incorporating Boards of The Presbyterian Church in Canada;

Congregational Church Union Act, (Can.), 1910, c. 86;

Methodist Church Union Act, (Can.), 1884, c. 106, ss. 9–14.

1912, c. 116, s. 3 (Canada).

Loan or Disposal of Property for Building Purposes.

(d) To lend or give any of its property, funds or moneys for, or to assist in, the erection or maintenance of any building or buildings deemed necessary for any church, college, manse, school or hospital, or for any other religious, charitable, educational, congregational or social purpose, upon such terms and securities as it may deem expedient, and it shall have in respect of any such loan the rights and remedies mentioned in the next preceding subsection.

Borrowing.

(e) To borrow money for its purposes upon its credit and to mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan.

Negotiable Instruments.

(f) To make, accept, draw, endorse and execute bills of exchange, promissory notes and other negotiable instruments.

Annuities.

(g) To receive and accept for its own use as to the principal sum or corpus thereof any moneys or other personal property subject to and in consideration of the payment of interest thereon or of an annuity in respect thereof.

By-laws, Rules and Regulations.

(h) To make such by-laws, rules or regulations as it may deem expedient for the exercise of any powers conferred by this Act.

Appointment of Subordinate Bodies.

(i) To exercise the powers conferred by this section, or any of them, by and through such boards, committees or other bodies as the General Council or any Conference or any Presbytery acting within their respective jurisdictions under the provisions of the Basis of Union may from time to time establish or appoint, and to determine the method of appointement or election thereof, and to define and prescribe the constitution, powers, duties, officers and quorum of such boards, committees or other bodies.

Incidental Powers.

(j) To do all such lawful acts or things as may be requisite to carry out the terms, provisions and objects of the Basis of Union and of this Act.

Not to issue notes for circulation.

(k) Nothing in this section shall be construed to authorize The United Church 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.

Approval of Conference Required in Certain Cases.

19. The provision in the Basis of Union that the approval of the Conference in which property is situated is required to enable the General Council to legislate in respect thereof shall be deemed to apply only to such property as belongs to or is held in trust for or to the use of a congregation or as belongs to or is held in trust for or is set apart for or used for the purposes of such Conference.

Issue of Debentures.

20. The United Church, and any board or committee thereof or appointed thereby or by any Confernece thereof, having charge of any of the funds or property of The United Church, and the trustees of any congregation of The United Church, provided that such trustees first obtain the consent in writing of the Presbytery within the bounds of which the lands of such congregation are situate, may issue debentures in such denominations and upon such terms as it or they may deem expedient, under the hand or hands of such officer or officers as may be thereto authorized and the seal (if any) of such United Church board, committee or trustees issuing the same, for any money borrowed under the authority of this Act, and the payment of such debentures and the interest thereon may be secured by mortgage in favor of a trustee or trustees for the holders of such debentures upon any real estate under the control of The United Church or of such board or committee thereof or of the trustees of such congregation.

21. *(a)* Notwithstanding anything in this Act or in the Basis of Union contained, the first meeting of the General Council shall consist of one hundred and fifty members heretofore appointed by the General Assembly of The Presbyterian Church in Canada, one hundred and fifty members heretofore appointed by the General Conference of The Methodist Church, forty members heretofore appointed by The Congregational Union of Canada and ten members heretofore appointed by the General Council of local Union churches and the roll of members so appointed signed by the presiding officer and the secretary or clerk of such respective bodies, holding office at the date of the coming into force of this section, shall be final and conclusive as to the due and proper appointment of such members.

First Meeting of the General Council.

(b) The said meeting shall be held in the City of Toronto on the day that this Act comes into force, at such place and at such hour as may be agreed upon by the Moderator of the General Assembly of the Presbyterian Church in Canada, the General Superintendent of The Methodist Church and the Chairman of The Congregational Union of Canada, or any two of them.

(c) The said General Council at such meeting, or any adjourned meeting thereof, shall exercise all such powers conferred on the General Council by this Act or by the Basis of Union as it may deem expedient for the conduct and management of the affairs of The United Church until a General Council is convened in accordance with the provisions of the Basis of Union.

(d) The said General Council at such first meeting, or any adjournment thereof, shall determine the number and boundaries of the Conferences to be established

under the provisions of the Basis of Union and the number of ministers and non-ministerial representatives to be chosen by the said Conferences to constitute the next General Council, which may be convened at any time within a period of two years from the date of such first meeting of the General Council.

(e) All acts or things done by or under the authority of the General Council at such meeting, or any adjournment thereof, not being inconsistent with the provisions of this Act or the Basis of Union, shall be valid and binding until a General Council is convened in accordance with the provisions of the Basis of Union and thereafter until the same shall be altered, amended or rescinded by a General Council so convened.

(f) The General Council at its first meeting as aforesaid, or any adjourned meeting thereof, may, in addition to its other powers, appoint such boards, committees or other bodies, as it may deem expedient, to inquire into any matters relating to the conduct and management of the affairs of The United Church or of any property, fund, trust, interest, institution or religious or charitable scheme in connection therewith or with any of the negotiating churches and to report upon the same to a General Council convened in accordance with the provisions of the Basis of Union.

Interim Exercise of Powers.

22. Notwithstanding anything in this Act contained,—

(a) The General Assembly of The Presbyterian Church in Canada, the General Conference of The Methodist Church and The Congregational Union of Canada shall, save as to non-concurring congregations, continue to have, exercise and enjoy all their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed, until the first meeting of the General Council.

(b) All Synods and Presbyteries of The Presbyterian Church in Canada, all Conferences and District Meetings of The Methodist Church and all Associations of The Congregational Churches of Canada and all other courts or governing bodies of any of the negotiating Churches shall, save as to non-concurring congregations, continue to have, exercise and enjoy all or any of their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed until such time or times as The United Church by its General Council shall declare that the said powers, rights, authorities and privileges, or any of them, shall cease and determine.

(c) Every Corporation, Board, Committee and other body, whether incorporated or unincorporated, created by or under the government or control of or in connection with any of the negotiating churches, shall continue to have, exercise and enjoy all their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed, until such time or times as The United Church by its General Council, or otherwise, shall declare that the said powers, rights, authorities and privileges, or any of them, shall cease or determine or be modified or altered as set out in such declaration, and thereupon such powers, rights, authorities and privileges, or any of them, shall cease or determine or be modified or altered, as the case may be, in accordance with the terms of such declaration or declarations from time to time made.

Incorporated Congregations.

23. Notwithstanding anything in this Act contained, any congregations of the negotiating churches heretofore separately incorporated shall continue to be corporate bodies but subject in all respects to the provisions of this Act.

Resolutions of General Council.

24. All resolutions passed by the General Council shall have the force and effect of by-laws, and no formal by-law shall be required for the purpose of managing the affairs of The United Church.

Copies of Certain Documents to be Evidence.

25. All copies of the Basis of Union and of any by-laws, resolutions, rules or regulations in this Act referred to or of any amendment or alteration thereof, purporting to be published under the direction or authority of the General Council of The United Church, or a copy of any by-law, resolution, rule or regulation of the General Council purporting to be under the seal of The United Church and to be signed by the secretary, shall be *prima facie* evidence in all Courts of the contents thereof without proof of the authenticity of such seal or signature.

Basis of Union Ratified and Confirmed.

26. The Basis of Union set forth in Schedule A to this Act is hereby ratified and confirmed as such, and in so far as the terms and provisions thereof relating to polity and administration are not inconsistent with the provisions of this Act they shall have the same force and effect as if expressly set out herein.

Repeal of Inconsistent Enactments.

27. All Acts and portions of Acts of the Parliament of Canada inconsistent with the provisions of this Act are hereby repealed in so far as may be necessary to give full effect to this Act.

Declarations.

28. Notwithstanding anything in this Act contained, it is hereby declared:—

(a) That the said union of the negotiating churches has been formed by the free and independent action of the said churches through their governing bodies and in accordance with their respective constitutions, and that this Act has been passed at the request of the said churches in order to incorporate The United Church and to make necessary provision with respect to the property of the negotiating churches and the other matters dealt with by this Act.

(b) That nothing in this Act contained shall be deemed to limit the independent and exclusive right and power of The United Church to legislate in all matters concerning its doctrine, worship, discipline and government, including therein the right and power from time to time to frame, adopt, alter, change, add to or modify its laws, subordinate standards and formulas and to determine and declare the same or any of them, but subject to the conditions and safeguards in that behalf contained in the Basis of Union.

(c) That the United Church by virtue of its independent and exclusive right and power to legislate in respect of the matters mentioned in the next preceding subsection has the right to unite with any other church or religious denomination without loss of its identity upon such terms as it may find to be consistent with the principles, doctrines and religious standards set forth in the Basis of Union, or any amendment thereof made by the General Council under the provisions of the Basis of Union.

Section 28 (a).

Basis of Union, Sch. A, p. 38, ss. 1 and 2

Section 28 (b).

Basis of Union, Sch. A, p. 29, s. 24 (2) *(a)*
Church of Scotland Act, 1921, c. 29, (Imperial)

Section 28 (c).

Church of Scotland Act, 1921, c. 29 (Imperial)

SCHEDULE A.

THE BASIS OF UNION

AS PREPARED BY THE JOINT COMMITTEE OF THE PRESBYTERIAN, METHODIST AND CONGREGATIONAL CHURCHES, AND APPROVED BY THE SUPREME COURTS OF THESE CHURCHES.

GENERAL

1. The name of the Church formed by the union of the Presbyterian, Methodist, and Congregational Churches in Canada, shall be "The United Church of Canada."

2. It shall be the policy of The United Church to foster the spirit of unity in the hope that this sentiment of unity may in due time, so far as Canada is concerned, take shape in a Church which may fittingly be described as national.

DOCTRINE

We, the representatives of the Presbyterian, the Methodist, and the Congregational branches of the Church of Christ in Canada, do hereby set forth the substance of the Christian faith, as commonly held among us. In doing so, we build upon the foundation laid by the apostles and prophets, Jesus Christ himself being the chief cornerstone. We affirm our belief in the Scriptures of the Old and New Testaments as the primary source and ultimate standard of Christian faith and life. We acknowledge the teaching of the great creeds of the ancient Church. We further maintain our allegiance to the evangelical doctrines of the Reformation, as set forth in common in the doctrinal standards adopted by the Presbyterian Church in Canada, by the Congregational Union of Ontario and Quebec, and by the Methodist Church. We present the accompanying statement as a brief summary of our common faith and commend it to the studious attention of the members and adherents of the negotiating Churches, as in substance agreeable to the teaching of the Holy Scriptures.

ARTICLE I.—*Of God.*—We believe in the one only living and true God, a Spirit, infinite, eternal and unchangeable, in His being and perfections; the Lord Almighty, who is love, most just in all His ways, most glorious in holiness, unsearchable in wisdom, plenteous in mercy, full of compassion, and abundant in goodness and truth. We worship Him in the unity of the Godhead and the mystery of the Holy Trinity, the Father, the Son and the Holy Spirit, three persons of the same substance, equal in power and glory.

ARTICLE II.—*Of Revelation.*—We believe that God has revealed Himself in nature, in history, and in the heart of man; that He has been graciously pleased to make clearer

revelation of Himself to men of God who spoke as they were moved by the Holy Spirit; and that in the fulness of time He has perfectly revealed Himself in Jesus Christ, the Word made flesh, who is the brightness of the Father's glory and the express image of His person. We receive the Holy Scriptures of the Old and New Testaments, given by inspiration of God, as containing the only infallible rule of faith and life, a faithful record of God's gracious revelations, and as the sure witness to Christ.

ARTICLE III.—*Of the Divine Purpose.*—We believe that the eternal, wise, holy and loving purpose of God so embraces all events that while the freedom of man is not taken away, nor is God the author of sin, yet in His providence He makes all things work together in the fulfilment of His sovereign design and the manifestation of His glory.

ARTICLE IV.—*Of Creation and Providence.*—We believe that God is the creator, upholder and governor of all things; that He is above all His works and in them all; and that He made man in His own image, meet for fellowship with him, free and able to choose between good and evil, and responsible to his Maker and Lord.

ARTICLE V.—*Of the Sin of Man.*—We believe that our first parents, being tempted, chose evil, and so fell away from God and came under the power of sin, the penalty of which is eternal death; and that, by reason of this disobedience, all men are born with a sinful nature, that we have broken God's law and that no man can be saved but by His grace.

ARTICLE VI.—*Of the Grace of God.*—We believe that God, out of His great love for the world, has given His only begotten Son to be the Saviour of sinners, and in the Gospel freely offers His all-sufficient salvation to all men. We believe also that God, in His own good pleasure, gave to His Son a people, an innumerable multitude, chosen in Christ unto holiness, service and salvation.

ARTICLE VII.—*Of the Lord Jesus Christ.*—We believe in and confess the Lord Jesus Christ, the only Mediator between God and man, who, being the Eternal Son of God, for us men and for our salvation became truly man, being conceived of the Holy Spirit and born of the Virgin Mary, yet without sin. Unto us He has revealed the Father, by His word and Spirit, making known the perfect will of God. For our redemption He fulfilled all righteousness, offered Himself a perfect sacrifice on the cross, satisfied Divine Justice and made propitiation for the sins of the whole world. He rose from the dead and ascended into Heaven, where He ever intercedes for us. In the hearts of believers He abides forever as the indwelling Christ; above us and over us all He rules; wherefore, unto Him we render love, obedience and adoration as our Prophet, Priest and King.

ARTICLE VIII.—*Of the Holy Spirit.*—We believe in the Holy Spirit, the Lord and Giver of life, who proceeds from the Father and the Son, who moves upon the hearts of men to restrain them from evil and to incite them unto good, and whom the Father is ever willing to give unto all who ask Him. We believe that he has spoken by holy men of God in making known His truth to men for their salvation; that, through our exalted Saviour, He was sent forth in power to convict the world of sin, to enlighten men's minds in the knowledge of Christ, and to persuade and enable them to obey the call of the Gospel; and that He abides with the Church, dwelling in every believer as the spirit of truth, of power, of holiness, of comfort and of love.

ARTICLE IX.—*Of Regeneration.*—We believe in the necessity of regeneration, whereby we are made new creatures in Christ Jesus by the Spirit of God, who imparts spiritual life by the gracious and mysterious operation of His power, using as the ordinary means the truths of His word and the ordinances of divine appointment in ways agreeable to the nature of man.

ARTICLE X.—*Of Faith and Repentance.*—We believe that faith in Christ is a saving grace whereby we receive Him, trust in Him and rest upon Him alone for salvation as He is offered to us in the Gospel, and that this saving faith is always accompanied by repentance, wherein we confess and forsake our sins with full purpose of and endeavor after a new obedience to God.

ARTICLE XI.—*Of Justification and Sonship.*—We believe that God, on the sole ground of the perfect obedience and sacrifice of Christ, pardons those who by faith receive Him as their Saviour and Lord, accepts them as righteous and bestows upon them the adoption of sons, with a right to all the privileges therein implied, including a conscious assurance of their sonship.

ARTICLE XII.—*Of Sanctification.*—We believe that those who are regenerated and justified grow in the likeness of Christ through fellowship with Him, the indwelling of the Holy Spirit, and obedience to the truth; that a holy life is the fruit and evidence of saving faith; and that the believer's hope of continuance in such a life is in the preserving grace of God. And we believe that in this growth in grace Christians may attain that maturity and full assurance of faith whereby the love of God is made perfect in us.

ARTICLE XIII.—*Of Prayer.*—We believe that we are encouraged to draw near to God, our Heavenly Father, in the name of His Son, Jesus Christ, and on our own behalf and that of others to pour out our hearts humbly yet freely before Him, as becomes His beloved children, giving Him the honour and praise due His holy name, asking

Him to glorify Himself on earth as in heaven, confessing unto Him our sins and seeking of Him every gift needful for this life and for our everlasting salvation. We believe also that, inasmuch as all true prayer in prompted by His Spirit, He will in response thereto grant us every blessing according to His unsearchable wisdom and the riches of His grace in Jesus Christ.

ARTICLE XIV.—*Of the Law of God.*—We believe that the moral law of God, summarized in the Ten Commandments, testified to by the prophets and unfolded in the life and teachings of Jesus Christ, stands forever in truth and equity, and is not made void by faith, but on the contrary is established thereby. We believe that God requires of every man to do justly, to love mercy, and to walk humbly with God; and that only through this harmony with the will of God shall be fulfilled that brotherhood of man wherein the kingdom of God is to be made manifest.

ARTICLE XV.—*Of the Church.*—We acknowledge one holy Catholic Church, the innumerable company of saints of every age and nation, who being united by the Holy Spirit to Christ their Head are one body in Him and have communion with their Lord and with one another. Further, we receive it as the will of Christ that His Church on earth should exist as a visible and sacred brotherhood, consisting of those who profess faith in Jesus Christ and obedience to Him, together with their children, and other baptized children, and organized for the confession of His name, for the public worship of God, for the administration of the sacraments, for the upbuilding of the saints, and for the universal propagation of the Gospel; and we acknowledge as a part, more or less pure, of this universal brotherhood, every particular Church throughout the world which professes this faith in Jesus Christ and obedience to Him as divine Lord and Saviour.

ARTICLE XVI.—*Of the Sacraments.*—We acknowledge two sacraments, Baptism and the Lord's Supper, which were instituted by Christ, to be of perpetual obligation as signs and seals of the covenant ratified in His precious blood, as means of grace, by which, working in us, He doth not only quicken, but also strengthen and comfort our faith in Him, and as ordinances through the observance of which His Church is to confess her Lord and be visibly distinguished from the rest of the world.

(1) Baptism with water into the name of the Father and of the Son and of the Holy Spirit is the sacrament by which are signified and sealed our union to Christ and participation in the blessings of the new covenant. The proper subjects of baptism are believers, and infants presented by their parents or guardians in the Christian faith. In the latter case the parents or guardians should train up their children in the nurture and admonition of

the Lord, and should expect their children will, by the operation of the Holy Spirit, receive the benefits which the sacrament is designed and fitted to convey. The Church is under the most solemn obligation to provide for their Christian instruction.

(2) The Lord's Supper is the sacrament of communion with Christ and with His people in which bread and wine are given and received in thankful remembrance of Him and His sacrifice on the cross; and they who in faith receive the same do, after a spiritual manner, partake of the body and blood of the Lord Jesus Christ to their comfort, nourishment and growth in grace. All may be admitted to the Lord's Supper who make a credible profession of their faith in the Lord Jesus Christ and of obedience to His law.

ARTICLE XVII.—*Of the Ministry.*—We believe that Jesus Christ, as the Supreme Head of the Church, has appointed therein a ministry of the word and sacraments, and calls men to this ministry; that the Church, under the guidance of the Holy Spirit, recognizes and chooses those whom He calls, and should thereupon duly ordain them to the work of the ministry.

ARTICLE XVIII.—*Of Church Order and Fellowship.*—We believe that the Supreme and only Head of the Church is the Lord Jesus Christ; that its worship, teaching, discipline and government should be administered according to His will by persons chosen for their fitness and duly set apart to their office; and that although the visible Church may contain unworthy members and is liable to err, yet believers ought not lightly to separate themselves from its communion, but are to live in fellowship with their brethren, which fellowship is to be extended, as God gives opportunity, to all who in every place call upon the name of the Lord Jesus.

ARTICLE XIX.—*Of the Resurrection, the Last Judgment and the Future Life.*—We believe that there shall be a resurrection of the dead, both of the just and of the unjust, through the power of the Son of God, who shall come to judge the living and the dead; that the finally impenitent shall go away into eternal punishment and the righteous into life eternal.

ARTICLE XX.—*Of Christian Service and the Final Triumph.*—We believe that it is our duty as disciples and servants of Christ, to further the extension of His Kingdom, to do good unto all men, to maintain the public and private worship of God, to hallow the Lords' Day, to preserve the inviolability of marriage and the sanctity of the family, to uphold the just authority of the State, and so to live in all honesty, purity and charity that our lives shall testify of Christ. We joyfully receive the word of Christ, bidding His people go into all the world and make disciples of all nations, declaring unto them that God was in Christ

reconciling the world unto Himself, and that He will have all men to be saved, and come to the knowledge of the truth. We confidently believe that by His power and grace all His enemies shall finally be overcome, and the kingdoms of this world be made the kingdom of our God and of His Christ.

POLITY

The Joint Committee, after an examination of the forms of church government of the negotiating Churches and the practical working thereof, is greatly gratified to find:

1. That while the officers and courts of the negotiating Churches may bear difierent names, there is a substantial degree of similarity in the duties and functions of these officers and courts.

2. That, engaged in the same work, with the same object in view, and earnestly endeavoring to meet the conditions confronting the Churches in Canada, the negotiating Churches have been steadily approximating more nearly to each other, both in forms of church government and methods of administration.

3. That there are distinctive elements in each which would add to the efficiency of a united Church, and which can be preserved with great advantage in the form of polity to be adopted for The United Church.

4. That in this view it is possible to provide for substantial local freedom, and at the same time secure the benefits of a strong connexional tie and co-operative efficiency.

The following recommendations are submitted as setting forth the Polity proposed for The United Church of Canada.

I.—The Church

1. The members of The United Church shall be the members of the negotiating Churches, and such others as may hereafter become members.

2. The unit of organization for The United Church shall be The Pastoral Charge. A pastoral charge may consist of more than one local church; a local church is a body of persons meeting for public worship in one place.

3. The governing bodies or courts of the Church, higher than those of the pastoral charge, shall be:

(a) The Presbytery.

(b) The Conference.

(c) The General Council.

II.—The Pastoral Charge (Circuit or Congregation)

A.—*Charges existing previous to the Union*

4. In the management of their local affairs the various churches, charges, circuits or congregations of the negotiating Churches shall be entitled to continue the organization and practices (including those practices relating to membership, church ordinances, Sunday schools and Young People's Societies) enjoyed by them at the time of the union, subject in general affairs to the legislation, principles and discipline of The United Church. Their representatives in the next higher governing body or court shall be chosen as at present.

5. The plan of organization prescribed for pastoral charges to be formed subsequent to the union may at any time be adopted by any church, charge, circuit or congregation existing at the time of the union.

6. Subject to the provisions of the next succeeding paragraph hereof, all property, real and personal, under the jurisdiction of the Parliament of Canada held in trust for or to the use of a church, charge, circuit or congregation of any of the negotiating Churches, shall be held by trustees appointed by or on behalf of such church, charge, circuit or congregation, upon trusts set forth and declared in a Model Trust Deed. This Model Trust Deed should be a schedule to the Act, and should contain, among others, a provision to the following effect: That the property is held for the church, charge, circuit or congregation as a part of The United Church, and that no property so held shall be sold, exchanged, or in any manner encumbered, unless the Presbytery shall, at the instance of the church, charge, circuit or congregation, have given its sanction, subject to an appeal, if desired, to the Conference.

7. Any property or funds owned by a church, charge, circuit or congregation at the time of the union solely for its own benefit, or vested in trustees for the sole benefit of such church, charge, circuit or congregation, and not for the denomination of which the said church, charge, circuit or congregation formed a part, shall not be affected by the legislation giving effect to the union or by any legislation of The United Church without the consent of the church, charge, circuit or congregation for which such property is held in trust.

8. Churches, charges, circuits, or congregations, received subsequent to the union, into The United Church, with the approval of Presbyteries, shall be entitled, if they so desire, to the privileges of sections 4, 5 and 7.

B.—*Charges to be formed subsequent to the Union*

9. The liberty of the pastoral charge shall be recognized to the fullest extent compatible with:

(a) The oversight of the spiritual interests of the charge by the minister (or ministers) and a body of men specially chosen and set apart or ordained for that work, who shall jointly constitute the session;

(b) The efficient co-operation of the representatives of the various departments of the work of the charge by means of a meeting to be held at least quarterly;

(c) The hearty co-operation of the various pastoral charges in the general work of the Church, and

(d) The exercise by the higher governing bodies or courts of their powers and functions, hereinafter set forth.

10. New pastoral charges or local churches shall be formed with the consent of a Presbytery by persons residing within its bounds, who declare their adherence to the principles of The United Church, and their desire for the formation of such charge or church. Missions may be organized as pastoral charges by Presbytery of its own motion, or on the suggestion of the Missionary Superintendent or the Minister, under such regulations as the General Council may pass.

Before sanctioning the formation of a pastoral charge or local church, the Presbytery shall be required to hear and consider the representations of any pastoral charge that may be affected by the proposed action.

11. *(a)* The members of the Church entitled to all church privileges are those who, on a profession of their faith in Jesus Christ and obedience to Him, have been received into full membership. The children of such persons and all baptized children are members of the Church, and it is their duty and privilege, when they reach the age of discretion, to enter into full membership. Admission to full membership, and granting of certificates of removal, shall be by the action of the session, and by the action of those in full membership where desired by the pastoral charge.

(b) The members of a local church who are entitled to vote at all meetings are persons in full membership, whose names are on the roll of the church. With the consent of these, adherents who contribute regularly to the support of the church may vote on temporal matters.

12. The members of a local church shall meet annually, and more frequently if they deem it advisable.

13. The Session shall have oversight of the spiritual interests of the pastoral charge. The management of its temporal and financial affairs shall be entrusted to a Committee of Stewards. The Official Board, consisting of the Session and Committee of Stewards, with representatives in full church membership of such other departments of church work as may be agreed upon by the General

Council, shall meet quarterly, and more frequently if they deem it advisable, for the consideration of matters of joint interest.

14. The members of the session, other than the minister, shall be chosen by those in full church membership, and shall hold office under regulations to be passed by the General Council.

15. *(a)* It shall be the duty of the session to have the oversight of:

(1) The admission of persons into full membership, and the granting of certificates of removal.

(2) The conduct of members, with power to exercise discipline.

(3) The administration of the sacraments.

(4) The religious training of the young, and the organization of meetings for Christian fellowship, instruction and work.

(5) The order of public worship, including the service of praise and the use of the church edifice.

(6) The care of the poor, and the visiting of the sick.

(b) It shall also be its duty:

(7) To receive and judge petitions, etc., from members.

(8) To transmit petitions, appeals, etc., to Presbytery.

(9) To recommend suitable laymen to Presbyteries for license to preach.

(10) To recommend suitable candidates for the ministry.

16. The stewards shall be chosen by the local church, and, wherever practicable, should be persons in full membership.

It shall be the duty of the Committee of Stewards to secure contributions for the purposes of the local church, and to disburse the moneys received for these purposes.

17. It shall be the duty of the Official Board:

(1) To secure contributions for missionary and other general objects of the Church.

(2) To select representatives, in full church membership, of the pastoral charge to the Presbytery.

(3) To submit to the pastoral charge or local church for its consideration reports on life and work, including a full statement of receipts and expenditures, of indebtedness and of estimates for the ensuing year.

(4) To transmit from the pastoral charge, through the Presbytery, to the Settlement Committee, representations concerning the pastoral relation.

(5) To attend to matters affecting the pastoral charge not assigned to any of the other bodies.

18. All lands, premises and property acquired for the use of a local church or a pastoral charge of The United Church, shall be held, used and administered under the trusts of the above Model Trust Deed. (See "Polity," par. 6).

III.—The Presbytery

19. The Presbytery shall consist of:

(1) The ordained ministers within the bounds—

(a) Who are engaged in some department of church work; and

(b) Who have been placed on the roll by special enactment of the Conference in accordance with regulations to be made by the General Council.

(The rights to membership in Presbyteries, District Meetings, and Associations, enjoyed by ministers at the time of the union, shall be conserved.)

(2) The elders, deacons, leaders or other non-ministerial representatives of pastoral charges, within the bounds, equal in number to the number of ministers, and chosen in accordance with regulations to be made by the General Council.

20. It shall be the duty of the Presbytery:

(1) To have the oversight of the pastoral charges within its bounds, review their records, and form new pastoral charges, or local churches.

(2) To receive and dispose of petitions and appeals from the lower governing bodies or courts.

(3) To transmit petitions and appeals to the higher governing bodies or courts.

(4) To license as preachers laymen who are duly recommended and who after examinations are approved.

(5) To superintend the education of students looking forward to the ministry, and to certify them to theological colleges.

(6) To enquire, each year, into the personal character, doctrinal beliefs and general fitness of candidates for the ministry, recommended by sessions, official boards or local churches; and, when they have fulfilled the prescribed requirements, to license them to preach and to recommend them for the ordination of the Conference.

(7) To induct or install ministers.

(8) To deal with matters sent down by the higher governing bodies or courts.

(9) To adopt measures for promoting the religious life of the pastoral charges within its bounds.

(10) To select non-ministerial representatives to the Conference, of whom at least a majority shall have been previously chosen by pastoral charges to represent them in Presbyteries, and to nominate representatives on the Conference Settlement Committee.

(11) To have the oversight of the conduct of ministers within its bounds.

IV.—The Conference.

21. The Conference shall consist of the ministers on the rolls of the Presbyteries within its bounds, and an equal number of non-ministerial representatives of pastoral charges chosen as provided for in subsection 20 (par. 10).

22. It shall be the duty of the Conference:

(1) To meet every year.

(2) To determine the number and boundaries of the Presbyteries within its bounds, have oversight of them, and review their records.

(3) To receive and dispose of appeals and petitions, subject to the usual right of appeal.

(4) To see that, as far as possible, every pastoral charge within its bounds shall have a pastorate without interruption, and that every effective minister shall have a pastoral charge, and to effect this through a Settlement Committee which it shall appoint annually.

(5) To examine and ordain candidates for the ministry who have fulfilled the prescribed requirements and have been recommended by Presbyteries.

(6) To receive ministers from other Churches subject to the regulations of the General Council.

(7) To deal with matters referred to it by the General Council.

(8) To select an equal number of ministerial and non-ministerial representatives to the General Council.

(9) To have oversight of the religious life of the Church within its bounds, and to adopt such measures as may be judged necessary for its promotion.

V.—The General Council.

23. The General Council shall consist of an equal number of ministers and non-ministerial representatives chosen by the Conferences. Its regular meeting shall be held every second year. Its presiding officer shall be the chief executive officer of the Church, and during his term of office he may be relieved of his pastoral or other duties.

24. The General Council shall have full power:

(1) To determine the number and boundaries of the Conferences, have oversight of them, and review their records.

(2) *(a)* To legislate on matters respecting the doctrine, worship, membership and government of the Church, subject to the conditions: First, that before any rule or law relative to these matters can become a permanent law, it must receive the approval of a majority of the Presbyteries, and, if advisable, pastoral charges also; Second, that no terms of admission to full membership shall be described other than those laid down in the New

Testament; and, Third, that the freedom of worship at present enjoyed in the negotiating Churches shall not be interfered with in The United Church.

(b) To legislate on all matters respecting property, subject to the limitations elsewhere provided in this Basis of Union, and subject also to the approval of the Conference in which the property is situated.

(3) To prescribe and regulate the course of study of candidates for the ministry and to regulate the admission of ministers from other Churches.

(4) To receive and dispose of petitions, memorials, etc.

(5) To dispose of appeals.

(6) To determine the missionary policy of the Church, and to provide for the conduct of its missions.

(7) To have charge of the colleges of the Church, and to take what measures are deemed advisable for the promotion of Christian education.

(8) To appoint committees or boards and officers for the different departments of church work, and to receive their reports and give them instructions and authority.

(9) To correspond with other Churches.

(10) And in general to enact such legislation and adopt such measures as may tend to promote true godliness, repress immorality, preserve the unity and well-being of the Church, and advance the kingdom of Christ throughout the world.

THE MINISTRY

I.—Pastoral Office, Including Term of Service.

Recognizing the desirability of preserving the essence of both the settled pastorate and the itinerancy, the Joint Committee is of the opinion that a harmony of both principles is possible, and that the best features of both systems may be retained. We, therefore, recommend as follows:

1. The pastoral relation shall be without a time limit.

2. The policy of the Church shall be that every pastoral charge shall have, as far as possible, a pastorate without interruption, and that every effective minister shall have a pastoral charge.

3. There shall be for each Conference a Settlement Committee, consisting of ministers and laymen, and appointed annually by the Conference. On this Committee each Presbytery shall be represented. It shall be the duty of this Committee to consider all applications for settlement from ministers and pastoral charges within the district over which it has jurisdiction. For this purpose it shall meet annually before the meeting of the Conference next after that by which it was appointed.

4. A minister by his own action and a pastoral charge through its constitutional representatives may, by such a date before the annual meeting of the Settlement Committee as the General Council shall determine, seek a change of pastoral relation by means of an application through the Presbytery to the Settlement Committee. All such applications shall be in writing.

5. Any pastoral charge, in view of a vacancy, may extend a call or invitation to any properly qualified minister or ministers, but the right of appointment shall rest with the Settlement Committee, which shall report to the Conference for information only.

6. *(a)* When a pastoral charge about to become vacant at the end of the Conference year, fails to give a call or invitation within the time specified by the General Council, the Settlement Committee shall make the appointment.

(b) When a pastoral charge becomes vacant during the Conference year through death or other emergency, the Presbytery concerned shall confer with the charge itself or with its constitutional representatives, and thereafter may arrange a supply for the remainder of the Conference year.

7. The Settlement Committee shall also have authority to initiate correspondence with ministers and pastoral charges with a view to completing arrangements to secure necessary and desirable settlements.

(a) Any minister shall have the right to appear before the Settlement Committee to represent his case in regard to his appointment; and any pastoral charge or Official Board may also appear by not more than two representatives, properly authorized in writing, appointed from among its members at a regular meeting, or at a special meeting of which proper notice has been given;

(b) When a minister chosen by a pastoral charge cannot be settled, the charge or its constitutional representatives may place other names before the Settlement Committee;

(c) While the right of appointment shall rest with the Settlement Committee it shall comply as far as possible with the expressed wishes of ministers and pastoral charges.

8. There shall also be a committee for the transfer of ministers from one Conference to another, which may be composed of the presiding officer of the General Council of the Church, who shall be the convener and chairman of the committee, together with the presiding officers of the several Conferences. This committee shall have authority to transfer ministers and candidates for the ministry from one Conference to another, in harmony with the plan outlined in sections 3-7.

9. The minister in charge shall be the presiding officer of the Session and of the Official Board.

10. Every minister or candidate for the ministry, duly appointed regular pastor to a pastoral charge, shall have

the right to conduct services in the church, churches or other places of worship in connection with said charge; and the right of occupancy of the manse or parsonage in connection with said charge, subject, however, to the rules and regulations of The United Church.

II.—Training for the Ministry

1. No candidate for the ministry shall be received unless he has been first recommended by a session, official board, or local church.

2. The duty of inquiry into the personal character, doctrinal beliefs, and general fitness of candidates for the ministry recommended by sessions, official boards or local churches, shall be laid upon the Presbytery and such inquiry shall be repeated each year until they are recommended to the Conference for ordination.

3. (1) The attainment of a B.A. degree including Greek, to be followed by three years in the study of Theology, is strongly recommended by the Church. Before ordination every candidate shall spend twelve months in preaching and pastoral work.

(2) In cases where the B.A. degree is unattainable, there shall be two alternative courses, both starting from University matriculation.

(a) Three years, at least, in Arts, followed by three years in Theology. Before ordination every candidate shall spend twelve months in preaching and pastoral work.

(b) Two years' preaching under the supervision of a Presbytery, with appropriate studies, and four years of a mixed Arts and Theological course in college.

4. *Suggested Curricula:*

(1) Course of study in Arts under (2) *(a)*. English Language and Literature, three years. Two languages, one of which must be Greek, two years in each.

Philosophy, including Psychology, Logic and Ethics two years. Two other subjects from the Arts curriculum at the option of the student—one year in each.

(2) Course of study under (2) *(b)*:

(a) While under supervision of Presbytery, and engaged in preaching for two years:

English Bible; New Testament in Greek; Elements of Theology—Life of Christ; History of Missions; English Literature; Practical Training, including preparation of sermons.

(b) Four years of mixed Arts and Theological Course in College.

The Arts Course.—English Language and Literature; Philosophy, including Psychology; Logic and Ethics; one language; any one option from the Arts Course.

Theological Course.—Homiletics; Pastoral Theology; Systematic Theology; New Testament Languages and Literature; Old Testament Literature (English Bible); Church History; Christian Ethics and Sociology.

5. The following is suggested as a comprehensive course in Theology, from which may be selected subjects sufficient to constitute the three years' course in Theology as under 3 (1) and (2) *(a):*

Old Testament Language and Literature, including Textual Criticism. Exegesis, Biblical Theology, Introduction, Old Testament History and Old Testament Canon; New Testament Language and Literature, including Textual Criticism, Exegesis, Biblical Theology, Introduction, New Testament History and New Testament Canon; English Bible; Church History, including Symbolics; Systematic Theology; Apologetics, including Philosophy of Religion, History of Religion, and Comparative Religion; Christian Ethics and Sociology; Christian Missions; Practical Training, including preparation and delivery of sermons, preparation for and conduct of public worship, administration of the Sacraments, Church Law, the art of teaching and Sunday-school work, public speaking and voice training. Practical Training is to be understood to include not only instruction in these subjects but actual drill wherever the subject admits of it.

6. Provision shall be made in the Theological Colleges for instruction in the subjects of the above suggested course in Theology as far as practicable.

7. In every College special attention shall be given to Practical Training as specified and described above.

8. From the above (5) comprehensive course in Theology the Church shall prescribe certain subjects as compulsory, leaving others to the option of the students in consultation with the College authorities.

9, Candidates for the ministry who have entered on their course in Theology shall be allowed to complete it on the conditions which obtained when they began, but this privilege shall expire within three years from the date of the union.

10. The General Council shall possess the power of ordaining any person to the ministry if it sees fit so to do.

III.—The Relations of a Minister to the Doctrines of the Church

1. The duty of final inquiry into the personal character, doctrinal beliefs, and general fitness of candidates for the Ministry presenting themselves for ordination or for reception as ministers of The United Church, shall be laid upon the Conference.

2. These candidates shall be examined on the Statement of Doctrine of The United Church, and shall, before ordination, satisfy the examining body that they are in essential agreement therewith, and that as ministers of the Church they accept the statement as in substance agreeable to the teaching of the Holy Scriptures.

3. Further, in the ordination service before the Conference these candidates shall answer the following questions:

(1) Do you believe yourself to be a child of God, through faith in our Lord Jesus Christ?

(2) Do you believe yourself to be called of God to the office of the Christian ministry, and your chief motives to be zeal for the glory of God, love for the Lord Jesus Christ, and desire for the salvation of men?

(3) Are you persuaded that the Holy Scriptures contain sufficiently all doctrines required for eternal salvation in our Lord Jesus Christ, and are you resolved out of the said Scriptures to instruct the people committed to your charge, and to teach nothing which is not agreeable thereto?

ADMINISTRATION

The Joint Committee, after careful consideration of the Missionary, Educational, and other connexional enterprises of the negotiating Churches, submits the following recommendations in relation thereto:

I.—Missions

1. In the administration of the mission work of The United Church there shall be two departments: *(a)* Home, including all the mission work within the Dominion of Canada, Newfoundland and the Bermudas; *(b)* Foreign, including the missions already established or that may be established in other countries.

2. For the oversight and administration of these two departments there shall be two Boards to be known as the Board of Home Missions and the Board of Foreign Missions, to be elected in such a manner and endowed with such powers as the General Council may determine.

3. In recognition of the very valuable services rendered by the Woman's Missionary Societies, the union, constitution and lines of work of these societies shall be determined by the joint action of their Boards, subject to the approval of the General Council.

4. There shall be placed under the administration of the Home Mission Board of The United Church the moneys now administered under the caption of the Sustentation Fund, and Church and Parsonage Aid Fund of the Methodist

Church; the Home Mission and Augmentation Funds, French Evangelization Fund, and Church and Manse Fund (except that under the Foreign Mission Board) of the Presbyterian Church; the Home Mission Fund of the Congregational Churches; and such portion of the Mission Fund now raised by the Methodist Church, and the Foreign Mission Board of the Presbyterian Church, as is now expended in Canada, Newfoundland and the Bermudas.

5. There shall be placed under the administration of the Foreign Mission Board of the United Church the Foreign Mission Fund of the Congregational Churches and that portion of the Mission Fund of the Methodist Church and of the Foreign Mission Fund of the Presbyterian Church now expended in other lands.

6. There shall be placed under the administration of the Board of Social Service and Evangelism and the Board of Sunday Schools and Young People's Societies of the United Church the funds now raised for the work of the Departments of Social Service and Evangelism and the Departments of Sunday Schools and Young People's Societies of the negotiating churches.

7. Inasmuch as certain expenses in connection with the various courts of the Church will have to be met, the ways and means of raising these funds shall be left to the General Council.

II.—Publishing Interests.

It shall be left to the General Council of The United Church to determine how far the publications now issued by the negotiating Churches shall be amalgamated.

III.—Colleges.

The Colleges at present connected with the negotiating Churches exist, each under its own charter, and in various relations to the respective Churches. These relations affect, first, the appointment of the Governing Board, second, the appointment of Professors in the Faculty of Theology; third, assistance or maintenance from funds controlled by the Church.

1. All the Colleges connected with the three negotiating Churches shall, as far as possible, sustain the same relation to The United Church as, under their charter, they now sustain to their respective Churches, until the General Council shall determine otherwise and necessary legislation shall give effect to changes made thereby.

2. The policy of the Church shall be the maintenance of a limited number of thoroughly equipped Colleges, due regard being paid to the needs of different parts of the country, and in furtherance of this policy amalgamation shall be effected as soon as possible in localities where two or more Colleges are doing the same class of work.

3. In addition to the Governing Boards of the several Colleges there shall be appointed by the General Council a Board of Education, which shall have such a general oversight of the Educational interests of the Church as the General Council may assign to it, and carry out such measures as may be decided in reference thereto.

4. There shall be a general Educational Fund, administered by the Board of Education, for the purpose of supplementing the revenues of the several colleges and assisting students in their preparation for the ministry, and for such other purposes and under such regulations as the General Council may from time to time determine.

5. The several educational institutions shall be encouraged to obtain permanent endowments for their maintenance, may receive contributions for this and other purposes at any time, and, upon receiving the consent of the Board of Education, may proceed to appeal for such funds.

IV.—Benevolent Funds.

Whereas there exist, in some form, in all the negotiating Churches funds to aid aged and retired ministers, and widows and orphans of ministers, provision for similar purposes shall be made in the constitution of The United Church by such amalgamation or modification of existing methods as may be found practicable; and such provision shall embrace the following particulars:

1. The rights of present and prospective claimants on existing funds in any of the negotiating churches shall be adequately protected. To this end:

(1) The present capital investments of the various benevolent funds of the negotiating Churches, and the income now contributed to those funds by publishing interests shall be combined into a "common trust," if practicable. The rights of present claimants and of prospective claimants (the latter being computed as of the date of the union) shall be a first charge on the revenue from this trust. If it be found that differences in the constitution and administration of the several funds are such as to necessitate separate trusts, instead of a common trust, this shall be no bar to the carrying out of the general plan, because in that case their revenues shall be combined.

(2) The General Council of The United Church shall provide for *(a)* the assessing of each minister who is a member of any of the existing funds at the date of the union and of all ministers received into or ordained in The United Church after the union, on the basis of stipend or age, or both stipend and age, as the General Council may determine, and *(b)* the collecting of contributions, which shall be obligatory upon all local churches, based upon an equitable allocation or assessment under the rules to

be formulated by the General Council, the minimum of such allocation or assessment being the amount which, together with the revenue from said trust or trusts and the foregoing assessment upon ministers, is requisite to make good the claims of claimants upon the Superannuation Fund to be instituted by the General Council.

2. Claimants on the proposed Fund shall include the following:

(a) All ministers who, at the time of the union, are beneficiaries of existing funds.

(b) All ministers who, at the time of the union, are regular contributors to existing funds on the scale provided by their respective denominations.

(c) All ministers' widows and orphans who are now, or may hereafter become, entitled to participate in the proposed Fund.

(d) All ministers, not members of or contributors to existing funds, who may signify their desire to become members of and contributors to the proposed Fund, on the basis of payments sanctioned by the General Council of The United Church.

Provision shall be made whereby ministers so applying may, by a certain scale of payments, be entitled to have their claim upon the proposed Fund date from the time of their reception into the ministry of any of the negotiating Churches instead of from the date of the union.

(e) All ministers received into or ordained in the Church after the union inasmuch as they shall be required at the time of their reception or ordination to become members of and contributors to the proposed Fund.

3. The sources of revenue of the proposed Fund shall be the following:

(a) Contributions of ministers who are members of said Fund at its inception, or afterwards become such, on a scale to be adopted by the General Council of the Church.

(b) Offerings in all local churches based upon an equitable allocation to be made by the Board of Management of said Fund, under regulations sanctioned by the General Council.

(c) Legacies and donations given for the purpose.

(d) Such grants from the profits of the publishing interests of the Church as may from time to time be determined under regulations to be framed by the General Council.

(e) Proceeds of any investments that may be made in the interests of the said Fund.

SCHEDULE B.

Trusts as Above Given.

Also it is hereby declared that the said Trustee and their successors or the Trustee or Trustees for the time being acting in the trusts herein shall hold the said lands upon the following trusts:—

COLUMN ONE	COLUMN TWO
1. Upon trust to use the trust property for purposes directed by congregation and maintenance of public worship.	1. For the use and benefit of the said church, charge, church, preaching station or congregation, as the case may be (hereinafter called the congregation), as a part of The United Church of Canada, as well for the site of a church, chapel, meeting house, school house, parsonage or manse or a dwelling or other place for religious, charitable, educational, congregational or social purposes, glebe or burial ground, as the said congregation may direct, or for the support and maintenance of public worship, and the propagation of Christian knowledge, according to the doctrine, discipline, by-laws, rules and regulations of The United Church of Canada.
2. To erect and repair buildings.	2. And upon further trust, out of all moneys received by them for that purpose, to build, erect, add to, alter, repair, enlarge or rebuild any of the buildings aforesaid from time to time as they may deem expedient, and when they deem it necessary, to take down and remove any of said buildings for any of the purposes aforesaid.
3. To obey all lawful orders and directions.	3. And upon further trust, that they shall and will obey, perform and fulfil and suffer to be obeyed, performed and fulfilled with respect to the said lands, and to any building or buildings at any time thereon, or to any burial ground, the lawful orders and directions respectively of the Official Board of the said congregation, the Presbytery and Conference respectively within whose bounds and under whose authority the said congregation shall from time to time be, and of the General Council of The United Church of Canada.
4. To permit use of the trust property for church, manse, and Sunday-school purposes.	4. And upon further trust, to permit in conformity with the doctrines, discipline, by-laws, rules and regulations of The United Church of Canada and not otherwise, the following uses:—
	(a) The use of the said church, choral or meeting-house, as a place of religious worship by a congregation of The United Church of Canada and for meetings or services of religious or spiritual character or with reference to congregational purposes as may be approved by the Session of such congregation, and the conduct of public worship and the various services and ordinances of religion according thereto by the ministers of the said congregation or with the approval of the Session or of the said ministers, by any other ministers of The United Church of Canada or by any member of any other religious denomination.
	(b) The performance of burial services in any burial ground or cemetery belonging to or under the control of the congregation.
	(c) The use of the manse, parsonage or minister's dwelling or dwellings with the appurtenances thereof by the minister or ministers of the congregation free from payment of any rent.
	(d) The use of any church, chapel, meeting-house, school or other building for the purposes of a Sunday school at such hours and times as will not interfere with public worship, and
	(e) The use of any building erected upon the said lands, other than a church, chapel or meeting-house, for such purposes as may from time to time be approved by the Session of the congregation.

SCHEDULE B.

TRUSTS OF MODEL DEED

AND it is hereby declared that the said Trustees and their successors or the Trustee or Trustees for the time being acting in the trusts herein shall hold the said lands upon the following trusts:—

COLUMN ONE	COLUMN TWO
1. Upon trust to use the trust property for purposes directed by congregation and maintenance of public worship.	1. For the use and benefit of the said church, charge, circuit, preaching station or congregation, as the case may be (hereinafter called the congregation), as a part of The United Church of Canada, as well for the site of a church, chapel, meeting house, school, manse, parsonage or minister's dwelling or other place for religious, charitable, educational, congregational or social purposes, glebe or burial ground, as the said congregation may direct, as for the support and maintenance of public worship, and the propagation of Christian knowledge, according to the doctrine, discipline, by-laws, rules and regulations of The United Church of Canada.
2. To erect and repair buildings.	2. And upon further trust, out of all moneys received by them for that purpose, to build, erect, add to, alter, repair, enlarge or rebuild any of the buildings aforesaid from time to time as they may deem expedient, and where they deem it necessary, to take down and remove any of said buildings for any of the purposes aforesaid.
3. To obey all lawful orders and directions.	3. And upon further trust, that they shall and will obey, perform and fulfil and suffer to be obeyed, performed and fulfilled with respect to the said lands, and to any building or buildings at any time thereon, or to any burial ground, the lawful orders and directions respectively of the Official Board of the said congregation, the Presbytery and Conference respectively within whose bounds and under whose ecclesiastical jurisdiction the said congregation shall from time to time be, and of the General Council of The United Church of Canada.
4. To permit use of the trust property for church, manse, and Sunday-school purposes.	4. And upon further trust, to permit, in conformity with the doctrines, discipline, by-laws, rules and regulations of The United Church of Canada and not otherwise, the following:— (a) The use of the said church, chapel or meeting-house, as a place of religious worship by a congregation of The United Church of Canada and for meetings or services of religious or spiritual character or such benevolent or congregational purposes as may be approved by the Session of such congregation, and the conduct of public worship and the various services and ordinances of religious worship therein by the minister of the said congregation or, with the approval of the Session or of the said minister, by any other minister of The United Church of Canada or by any minister of any other religious denomination. (b) The performance of burial services in any burial ground or cemetery belonging to or under the control of the congregation; (c) The use of the manse, parsonage or minister's dwelling or dwellings with the appurtenances thereof by the minister or ministers of the congregation free from payment of any rent; (d) The use of any church, chapel, meeting-house, school or other building for the purposes of a Sunday school at such hours and times as will not interfere with public worship, and (e) The use of any buildings erected upon the said lands, other than a church, chapel or meeting-house, for such purposes as may from time to time be approved by the Session of the congregation.

5. To let and sell pews and burial plots and to let manses.

5. And upon further trust, to let any pews and seats at a reasonable rent, if so authorized by the Official Board of the congregation, with power to delegate any such letting to any person or persons whom they may appoint for that purpose; to let any buildings, not required for purposes of worship, at a reasonable rent; and if there shall be a burial ground or cemetery, to sell or let vaults, tombs or burial plots at a reasonable price or rent; and to account for and pay all moneys received in respect of any such letting or sale, less any expense incurred in the execution of these trusts, to the Treasurer of the congregation, or should there be no Treasurer, then to the Committee of Stewards of the congregation, or such person as shall be designated by the said Committee for the purpose of receiving the same. In case the Trustees are of opinion that any manse, parsonage or minister's dwelling is not required for the use of the minister or ministers of the congregation, or is not desirable for the use of such minister or ministers, they may, with the consent in writing of said minister or ministers, let the same and use and apply the rent derived therefrom towards paying the board and lodging of such minister or ministers or the rent for a more suitable and convenient residence for such minister or ministers.

6. The trustees shall have power to sell, mortgage, exchange, or lease the trust property with the consent of the Presbytery.

6. The Trustees or a majority of them may, but only with the consent in writing of the Presbytery within the bounds of which the lands are situate (such consent to be under the hand of the presiding officer or secretary or clerk thereof), sell the said lands or any part thereof either by public sale or private contract and either for cash or upon credit and upon such terms as to price and for such price and upon such terms as to payment or otherwise as they may deem expedient; mortgage, hypothecate or exchange the said lands or any part thereof; let any church, chapel or meeting-house upon the same for such rent and upon such terms as they may deem expedient; and make all such conveyances, mortgages, leases and assurances as may be required to complete any such sale, mortgage, hypothecation, exchange or lease. The said Trustees after first paying or otherwise providing for all indebtedness of the Trustees shall apply the moneys arising from such sale, mortgage, hypothecation, lease or exchange for the purposes of such congregation as the Official Board thereof shall direct, but should such congregation cease to exist as an organized body, such proceeds, less any expense incurred in the execution of these trusts, shall be paid to The United Church of Canada to be applied for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council. Every application by Trustees for the consent of a Presbytery as aforesaid shall be in writing and shall state the purpose for which the moneys arising from such intended sale, mortgage, hypothecation, lease or exchange will be applied. Any decision of a Presbytery with regard to the sale, mortgage, hypothecation, lease or exchange of the said lands or any part thereof shall be subject to appeal to the Conference within the bounds of which the said lands are situate, at the instance of not fewer than any five members of the congregation affected thereby. In every case where the consent of such Presbytery or Conference has been obtained as aforesaid it shall not be incumbent upon the purchaser, mortgagee or lessee of the said lands or of any part thereof to enquire into the necessity, expediency or propriety of any such sale, mortgage, hypothecation, lease or exchange, or to see to the application of the moneys paid to the Trustees. A certificate of the secretary or clerk of any Presbytery or Conference that any such consent has been given shall be sufficient and conclusive evidence of such consent.

7. The said Trustees shall keep a proper book or books of account showing all moneys received and disbursed by them, and a book or books of minutes showing correctly all minutes of their meetings and of resolutions passed and proceedings taken thereat, and such book or books shall at all reasonable times be open for inspection by the minister in charge of the congregation and by the Chairman of the Committee of Stewards, and any person or persons named by them or either of them, and the said minister or the said chairman and any person named by them or either of them as aforesaid shall have the right to make such copies or abstracts of or extracts from the said accounts or minutes, as he or they may desire, and upon request from the Committee of Stewards the Trustees shall submit all books of accounts and minutes, and all vouchers, receipts, papers and documents relating to the said accounts, for audit by the Committee of Stewards, or such person or persons as the said Committee may appoint for the purpose.

7. The trustees shall keep proper accounts and minutes.

8. Every meeting of Trustees for considering the making of any alteration of or addition to any building on the said lands, or any part thereof, or for considering the sale, mortgage, hypothecation, lease or exchange of the said lands, or any part thereof, except the letting or sale of pews, seats, vaults, tombs or burial plots, or for considering any litigation or legal proceedings in connection with the trust estate, shall be deemed a special meeting, and each member shall be entitled to seven days' notice in writing thereof, specifying the time, place and purpose of such meeting. Such notice shall be either personally delivered to each Trustee, or mailed to or delivered to him or her at his or her usual place of abode or business. Ordinary meetings may be called at any time by giving at least one day's notice in writing to each Trustee in the manner aforesaid, or by public announcement at a service for public worship at least one day prior to such meeting. Meetings may be called by the minister in charge of the congregation, or by at least two of the Trustees. Notwithstanding anything herein contained no meeting or any business transacted thereat shall be invalid by reason of any lack or defect of service of notice arising from inability to ascertain the usual place of abode or business of any Trustee. All questions shall be determined by the majority vote of the Trustees present at a meeting, and the Chairman shall have a casting vote in the event of a tie. The minister of such congregation shall have the right to preside as Chairman at all meetings of the Trustees and may appoint a deputy to act in his place in his absence, and in the absence of the Minister and of any such deputy the Trustees present may elect a Chairman from among themselves.

8. The trustees shall have seven days' notice of all special meetings and one day's notice of other meetings.

9. The number of said Trustees shall not be fewer than three or more than fifteen provided that where the number of existing Trustees is more than fifteen all such Trustees shall remain in office but that no vacancy in the office of trustee shall be filled until the number of Trustees is reduced below fifteen, in which case the number shall not again exceed fifteen. In case any of the said Trustees or any Trustee appointed under this provision shall, during his or her term of office, die, resign or, having been, cease to be a member of The United Church of Canada in full communion, or remove to such a distance, or fail to attend meetings for such period not less than one year, as shall in the opinion of his or her co-trustees expressed by a two-thirds vote of said co-trustees, render it inexpedient for him or her to remain a Trustee, or in case the said congregation shall think proper to remove a Trustee from his or her office as Trustee, it shall be lawful for the said congregation, at any meeting called by notice from the pulpit during public worship on each of the two next preceding Sundays on which public worship is held, to declare by the votes of two-thirds of the members then present that such Trustee

9. The number of trustees shall not be fewer than three or more than fifteen, and vacancies shall be filled by election by the congregation, or in default of such election, by the Presbytery, and the property of a congregation which ceases to exist shall be subject to the trusts determined by the Conference.

has ceased to be a Trustee of the said congregation, and such person shall thereupon cease to be a Trustee, and at the same meeting it shall be lawful for the said congregation by a like vote to appoint a successor to such Trustee provided, however, that no Trustee who is personally liable for payment of any indebtedness in respect of the property of a congregation shall be removed without his consent unless indemnified to his satisfaction in respect of any such liability and unless at least eight days' notice in writing of such meeting shall have been mailed to each of the Trustees at his or her last known address, which notice shall state the business to be transacted at such meeting. If no successor shall be appointed at such meeting a meeting may be called in like manner for the purpose of filling such vacancy, and at such meeting a new Trustee or new Trustees (as the case may require) shall be appointed by the votes of the majority of the members then present. The notice calling a meeting for the purpose of declaring or filling a vacancy or vacancies in the office of Trustee shall be read from the pulpit by the minister or person officiating as minister, at the request of any Trustee, or of any seven members of the congregation, and every such meeting may be adjourned from time to time by the vote of the majority of the members present. During any vacancy in the office of Trustee, the remaining Trustees, not being fewer than three in number, shall have all the powers of the full board. A majority of the Trustees shall form a quorum save when the number of Trustees exceeds nine, in which case five shall form a quorum. The majority of the Trustees shall be members of The United Church of Canada.

A minute of every such appointment of a Trustee shall be entered in a book to be kept for the purpose, and signed by the person presiding at the meeting, and such minute so signed shall be sufficient evidence of the fact that the person or persons therein named was or were appointed and elected at such meeting, but any omission or neglect to make or sign such minute shall not invalidate such appointment or election.

And it is hereby further declared that in case there shall be at any time fewer than three Trustees, the presiding officer or clerk of the Presbytery within whose bounds and under whose jurisdiction the said congregation shall be, shall, with the remaining Trustee or Trustees, be the Trustees under these presents until the full Board is duly appointed, and at any time thereafter the Presbytery may cause notice to be given from the pulpit on two consecutive Sundays requiring the said congregation to proceed with the appointment of new Trustees. And if the said congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Presbytery at any time after four weeks from the last giving of such notice, by resolution duly entered in the minutes of the Presbytery, to appoint new Trustees. Such appointment shall be communicated to the congregation by notice from the pulpit as soon as conveniently may be thereafter, and from the time of such communication the Trustee or Trustees so appointed shall be a Trustee or Trustees hereunder.

And it is further declared that if at any time there shall cease to be an organized congregation entitled to the use, benefit and enjoyment of the said lands, it shall be lawful at any time or times for the said Presbytery to fill any vacancy in the number of Trustees, and the said lands shall thenceforth be held subject to such trusts and for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council.

10. A Trustee shall not be responsible for the failure of any investment or security made or taken by the Trustees or for anything done in connection with the trust estate except for his own acts and to account for any moneys coming into his own hands, and shall not be liable for injury done by others to the said trust premises, or to any part thereof.

10. Trustees shall not be liable for involuntary loss.

11. In congregations existing previous to the Union which have not adopted the plan of organization prescribed for pastoral charges as provided by the Basis of Union, the words "Official Board" and "Committee of Stewards" and "Session" in this schedule shall mean such Board or Committee or other body respectively discharging similar functions in such congregations, as to which in case of doubt the opinion of the Presbytery to which such congregation belongs shall be final and conclusive.

SCHEDULE C.

The Colleges.

Westminster Hall.
Roberston College.
Presbyterian Theological College at Saskatoon.
Moose Jaw College.
Manitoba College.
Knox College.
Queen's Theological College.
The Ottawa Ladies' College.
The Presbyterian College, Montreal.
The Presbyterian College, Halifax.

Columbian Methodist College.
Ryerson College.
Alberta College North.
Alberta College South.
Mount Royal College.
Regina College.
Wesley College.
Victoria College.
Albert College.
Alma Ladies' College.
Ontario Ladies' College.
Wesleyan Theological College.
The Stanstead Wesleyan College.
The Mount Allison University.
The Mount Allison Ladies' College.
The Mount Allison Academy.

The Congregational College of British Columbia.
The Congregational College of Canada.

SCHEDULE C.

The Colleges.

Westminster Hall.
Robertson College.
Presbyterian Theological College at Saskatoon.
Moose Jaw College.
Manitoba College.
Knox College.
Queen's Theological College.
The Ottawa Ladies' College.
The Presbyterian College, Montreal.
The Presbyterian College, Halifax.

Columbian Methodist College.
Ryerson College.
Alberta College North.
Alberta College South.
Mount Royal College.
Regina College.
Wesley College.
Victoria College.
Albert College.
Alma Ladies' College.
Ontario Ladies' College.
Wesleyan Theological College.
The Stanstead Wesleyan College.
The Mount Allison University.
The Mount Allison Ladies' College.
The Mount Allison Academy.

The Congregational College of British Columbia.
The Congregational College of Canada.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 47.

An Act incorporating The United Church of Canada.

AS PASSED BY THE HOUSE OF COMMONS, 4th JULY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74766 1924

3rd Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act incorporating The United Church of Canada.

Preamble.

WHEREAS The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches of Canada have by their petition represented that, believing the promotion of Christian unity to be in accordance with the Divine Will, they recognize the obligation to seek and promote union with other churches adhering to the same fundamental principles of the Christian faith, and that, having the right to unite with one another without loss of their identity upon terms which they find to be consistent with such principles, they have adopted a Basis of Union which is set forth in Schedule A to this Act and have agreed to unite and form one body or denomination of Christians under the name of "The United Church of Canada;" and have prayed that it may be enacted as hereinafter set forth; and whereas 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 United Church of Canada Act.*

Date of coming into force.

2. This Act shall come into force on the tenth day of June, 1925, except the provisions required to permit the vote provided for in section ten being taken, which shall come into force on the tenth day of December, 1924.

Definitions.

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

"The negotiating churches."

(a) "The negotiating churches" means the churches mentioned in the preamble, and shall include also every congregation heretofore in connection or in communion with any of the negotiating churches which, prior to the coming into force of this Act

Explanatory Note.

The amendments as adopted by the House are underlined.

The Appendix on Law, on pages 38 and 39 of the Bill as introduced, is taken out of the Bill as reported by the Committee, and passed by the House.

has joined with any one or more congregation or congregations of any of the other negotiating churches for purposes of worship, and every congregation affiliated with any of the negotiating churches, and every congregation ordinarily known as a local union church, whether it holds its property separately from or as a part of any of the negotiating churches, and every congregation having any representation in or connection with the General Council of local union churches;

"The Basis of Union."

(b) "The Basis of Union" means the Basis of Union set forth in Schedule A to this Act;

"Congregation."

(c) "Congregation" means any local church, charge, circuit, congregation, preaching station or other local unit for purposes of worship in connection or in communion with any of the negotiating churches or of The United Church of Canada;

"College."

(d) "College" means any college, school or other educational institution, incorporated or unincorporated, under the government or control of, or in connection with, any of the negotiating churches, or established or maintained in whole or in part by any of them, and shall include the colleges and institutions set out in Schedule C to this Act;

"The Presbyterian Church in Canada."

(e) "The Presbyterian Church in Canada" shall include The Board of The Presbyterian College, Halifax; The Board of Trustees of The Presbyterian Church in Canada; The Board of Trustees of The Presbyterian Church in Canada, Eastern Section; The Board of Trustees of The Century Church and Manse Fund of The Presbyterian Church in Canada, Eastern Section; The Church and Manse Board of the Presbyterian Church in Canada; The Board of Trustees of The Presbytery of Montreal; The Board for the management of the Temporalities Fund of The Presbyterian Church of Canada: The Trustees of the Ministers', Widows' and Orphans' Fund of the Synod in the Maritime Provinces of The Presbyterian Church in Canada; The Presbytery of Miramichi, and all Presbyterian congregations separately incorporated under any statute of the Dominion of Canada or of any Province thereof, and all congregations heretofore and now connected or in communion with The Presbyterian Church in Canada whether the same shall have been organized under the provision of any statute or deed of trust or as union or as joint stock churches or otherwise howsoever;

"The Methodist Church."

(f) "The Methodist Church" shall include the body corporate known as The Methodist Church and all bodies corporate established or created by The Methodist

Church or any conference thereof under the provisions of any statute of the Parliament of Canada, or the Legislature of any Province thereof, The Methodist Union of Toronto, The Winnipeg Church Extension and City Mission Association of the Methodist Church, The Methodist Camp Meeting Association of Nova Scotia, and all Methodist congregations separately incorporated under any statute of any Province of the Dominion of Canada;

"Congregational Churches."

(g) "The Congregational Churches" shall include The Congregational Union of Canada; The Congregational Union of Nova Scotia and New Brunswick; The Canada Congregational Missionary Society; The Canada Congregational Foreign Missionary Society; The Montreal Congregational Church Building Fund Society; The Congregational Provident Fund Society, Congregational Church Extension Society of Western Canada; and all congregations of the Congregational denomination which are represented by The Congregational Union of Canada for the purposes of this legislation, whether the same are separately incorporated under any statute of the Dominion of Canada or of any Province thereof, or have been organized under the provisions of any statute or deed of trust, or as union or as joint stock churches or otherwise howsoever;

"Property."

(h) Where the context admits thereof the word "property" shall include any debt and any thing in action and any right or interest.

"Non-concurring congregations."

(i) "Non-concurring congregations" shall mean those congregations which decide, as hereinafter provided, not to enter the union hereinafter mentioned.

Incorporation.

4. *(a)* The union of the said Churches, The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches, shall become effective upon the day upon which this Act comes into force and the said Churches as so united are hereby constituted a body corporate and politic under the name of "The United Church of Canada," hereinafter called "The United Church;"

Corporations and Local Union Congregations.

(b) The several corporations referred to in subsections *(e)*, *(f)* and *(g)* of section three hereof are hereby merged in The United Church and the congregations referred to in subsection *(a)* of said section three are hereby admitted to and declared to be congregations of The United Church;

Members of Non-concurring Congregations.

(c) Notwithstanding anything in this Act contained, members of any non-concurring congregation hereinafter mentioned shall be deemed not to have become, by

Section 3 (g).

R.S.O., 1914, ch. 109, s. 2. (g)

virtue of the said union or of this Act, members of The United Church;

Ministers.

(d) Any minister of the negotiating churches may within six months after the coming into force of this Act notify the Clerk or Secretary of the General Council, in writing, of his intention not to become a minister of The United Church and in such event he shall be deemed not to have become, by virtue of the said union or of this Act, a minister of The United Church;

Members of negotiating churches.

(e) Any member of the negotiating Churches may, within six months after the coming into force of this Act, notify in writing the Clerk of Session, or Recording Steward of the Quarterly Official Board, or the Secretary as the case may be, of the congregation of which he is a member, of his intention not to become a member of the United Church, and in such event he shall cease to be a member of such congregation and shall be deemed not to have become, by virtue of the said Union, or of this Act, a member of the United Church.

General Property Vested in The United Church.

5. Save as hereinafter provided, all property, real and personal, belonging to or held in trust for or to the use of The Presbyterian Church in Canada, The Methodist Church and The Congregational Churches, or belonging to or held in trust for or to the use of any Corporation, Board, Committee or other body, whether incorporated or un-incorporated, created by or under the government or control of, or in connection with, any of the said churches, shall from and after the coming into force of this Act be vested in The United Church, to be held, used and administered, subject to the provisions of this Act, in accordance with the terms and provisions of the Basis of Union.

Property of Congregations.

6. Subject to the provisions of section eight hereof, all property, real and personal, belonging to or held by or in trust for or to the use of any congregation of any of the negotiating churches, shall, from and after the coming into force of this Act be held, used and administered for the benefit of the same congregation as a part of The United Church in the manner and upon the trusts and subject to the terms and provisions set forth in Schedule B to this Act, and all property, real and personal, thereafter acquired for or belonging to or held by or in trust for or to use of any congregation of The United Church shall be held, used and administered for the benefit of the said congregation as a part of The United Church upon the said trusts and subject to the said terms and provisions. Provided that

Section 5.

Pres. Church Act, 1874, Ont. c. 75.
Meth. Church Union Act, 1884, Can., c. 106.

Section 6.

Basis of Union, Sch. A., p. 25, s. 6; p. 27, s. 18.
Pres. Church Union Act, 1874, Ont. c. 75, ss. 1 and 6.
Methodist Ch. Union Act, 1884, Can. c. 106,
(amended 1912, c. 116, s. 1.)

any property, real or personal, held at the time of the coming into force of this Act or thereafter, acquired by devise, bequest, transfer or gift, in trust for any special use of any congregation, shall be held, used and administered in accordance with the special trusts so declared in respect thereof, not being contrary to law or to any by-law, rule or regulation of The United Church, and that in the event of failure or partial failure of any of the said trusts, the said property, in the absence of any express provision for such event, may be held, used, administered or disposed of as may be provided by any by-law, rule or regulation made from time to time by The United Church, but subject always to such laws of any Province of Canada as may be applicable thereto.

Short Form of Trust Deed.

7. In any deed, conveyance or transfer to trustees upon the trusts set forth in said Schedule B the form of words contained in Column One of said Schedule B and distinguished by any number therein, shall have the same effect as if it contained the form of words in Column Two of said Schedule B, distinguished by the same number as is annexed to the form of words used in such deed, conveyance or transfer, but it shall not be necessary in any such deed, conveyance or transfer to insert any such number.

Special Property of Certain Congregations.

8. Any real or personal property belonging to or held by or in trust for or to the use of any congregation, whether a congregation of the negotiating churches or a congregation received into The United Church after the coming into force of this Act, solely for its own benefit, and in which the denomination to which such congregation belongs has no right or interest, reversionary or otherwise, shall not be subject to the provisions of sections five and six hereof or to the control of The United Church, unless and until any such congregation at a meeting thereof regularly called for the purpose shall consent that such provisions shall apply to any such property or a specified part thereof.

Existing Trustees Continued

9. All trustees acting in any trust for or to the use of any congregation as first referred to in section six hereof shall, nothwithstanding any irregularity in their appointment, and notwithstanding that their number shall not correspond with the number named in the deed of conveyance of the property subject to such trusts or any of them, be deemed to be and shall be the trustees of the said properties respectively, and shall henceforth hold the same upon and subject to the trusts set out in Schedule B hereto.

Section 7.

R.S.O. 1914, ch. 115, s. 3.

Meth. Church Union Act, 1884, c. 106, s. 6.

Section 8.

Basis of Union, Sch. A. p. 25, ss. 7 and 8.

Section 9.

1887, c. 62, s. 1 (Manitoba)

Property of Non-concurring Congregations.

10. *(a)* If any congregation in connection or communion with any of the negotiating churches shall, at a meeting of the congregation regularly called and held at any time within six months before the coming into force of this Act, or within the time limited by any statute respecting The United Church of Canada passed by the legislature of the Province in which the property of the congregation is situate, before such coming into force, decide by a majority of votes of the persons present at such meeting and entitled to vote thereat not to enter the said Union of the said Churches, then and in such case the property, real and personal, belonging to or held in trust for or to the use of such non-concurring congregation shall remain unaffected by this Act, except that any church formed by non-concurring congregations of the respective negotiating Churches into which such congregation enters shall stand in the place of the respective negotiating Churches in respect of any trusts relating to such property, and except that in respect of any such congregation which does not enter any church so formed such property shall be held by the existing trustees or other trustees elected by the congregation free from any trust or reversion in favour of the respective negotiating Churches and free from any control thereof or connection therewith. In cities having a population of ten thousand people or over, according to the last Dominion census, the voting aforesaid shall not take place during the months of July or August.

Church formed will stand in place of negotiating churches.

Property to be held by trustees.

No vote in July or August in cities.

Persons entitled to vote.

(b) The persons entitled to vote under the provisions of the first clause of this section shall be only those persons who are in full membership and whose names are on the roll of the Church at the time of the passing of this Act. In any Province where by an Act of the Legislature respecting The United Church of Canada passed prior to the passing of this Act, a different qualification for voting has been prescribed, the qualification for voting under this section shall be as provided in such Act. In every other Province the persons so entitled to vote shall be those who by the constitution of the congregation, if so provided, or by the practice of the Church with which they are connected, are entitled to vote at a meeting of the congregation on matters affecting the disposal of property.

Qualification under Local Acts.

Section 10 (a).

Presbyterian Union Act, 1874, Ont. s. 2.

Section 10 (b).

Basis of Union Sch. A., p. 26, s. 11 (b)

Names of non-concurring congregations and churches.

(c) The non-concurring congregations in connection, or in communion with any or all of the negotiating Churches may use, to designate the said congregations, any names other than the names of the negotiating Churches, as set forth in the Preamble of this Act, and nothing in this Act contained shall prevent such congregations from constituting themselves a Presbyterian Church, a Methodist Church, or a Congregational Church, as the case may be, under the respective names so used.

Calling of meeting for voting on Union.

(d) A meeting of the congregation for the purpose aforesaid may be called by the authority of the Session or Quarterly Board of its own motion and shall be called by the Session or Quarterly Board on requisition to the Session or Quarterly Board in writing of ten members entitled to vote under the provisions of this section in a congregation of one hundred members or less; or twenty-five such members in congregations having over one hundred and not more than five hundred members; and fifty members in congregations of over five hundred and not more than one thousand members; and one hundred such members in congregations of over one thousand members. Such meeting shall be called by public notice read before the congregation at each diet of worship on two successive Lord's Days on which public service is held and such notice shall specify the object of the meeting.

Notice.

To be held within 30 days after requisition.

Provided further that such meeting shall be held within thirty days of the receipt of the requisition by the Clerk of Sessions or Recording Steward of the Quarterly Board, or in case of any congregation not having a Session or Quarterly Board, by the ordained minister recognized as in charge thereof by Presbytery or District meeting.

"Congregation."

(e) "Congregation" in this section and the succeeding section means a local church as mentioned in the Basis of Union.

Certificate of result of vote.

(f) The Clerk of Session, the Recording Steward of the Quarterly Official Board, or the Secretary, as the case may be, of any non-concurring congregation shall within one week after the taking of the vote referred to in subsection *(a)* of this section certify to the Clerk of the Presbytery, the Secretary of the Annual Conference, or the Secretary of the Congregational Association or Union, as the case may be, the result of the said vote.

Commission to determine Equities of Non-concurring Congregations.

11. *(a)* Notwithstanding anything in this Act contained, such non-concurring congregations or any one or more of them as may be determined, shall be entitled to whatever, the Commission hereinafter mentioned shall determine to be a fair and equitable share of the property, real and personal, rights, powers, authorities and privileges of or in connection with the respective parent church or churches, that is to say, The Presbyterian Church in Canada, The Methodist Church or The Congregational Churches, as the case may be, vested in The United Church by this Act.

Appointment of Commission.

(b) All the equities (if any) of the non-concurring congregations, or any of them, under this section, shall be determined exclusively by a Commission to consist of nine members, of whom three shall be appointed by the non-concurring congregations at a conference of representatives thereof, three by The United Church from its members, and the remaining three by the six members so appointed. The names of such persons shall be submitted to the Chief Justice of Canada, and if he is satisfied after making such inquiry as he deems proper or desirable that they fairly represent the parties so appointing them, their names shall be approved by him in writing and they shall thereupon be deemed for all purposes to be duly appointed. In case the said six members are unable to agree, or in case of failure or refusal on the part of the non-concurring congregations or of The United Church to appoint the required number of members as aforesaid within twelve months after the coming into force of this Act, the Chief Justice of Canada, upon the application of any interested party, shall appoint sufficient members to complete the Commission of nine members, and any appointment so made by him or to fill any vacancy among the members of the Commission, or any order of the Chief Justice on the application of any interested party confirming the appointment of the Commission, shall be final and conclusive and shall not be subject to review by any Court. If a vacancy occurs in the Commission by reason of death, resignation, incapacity or otherwise, it shall be filled by a member to be appointed as in the case of the original appointment of the member whose office is so vacated, and in case of inability to agree or of failure or refusal to appoint as aforesaid, as the case may be, the Chief Justice of Canada may appoint a member to fill the vacancy and so from time to time as occasion requires.

Vacancies.

Section 11.

The establishment of a Commission is suggested in the report of counsel for The Presbyterian Church in Canada. A Commission with wide powers was established by The Churches (Scotland) Act, Imp. Statutes, 1905, c. 12.

Conference of non-concurring congregations.

(c) (i) The conference of representatives of non-concurring congregations shall be held on a date nine months from the date of the coming into force of this Act at St. Andrew's Church on King Street in the City of Toronto, at the hour of half past two o'clock in the afternoon, or at such other time and place as may be fixed by Proclamation of the Governor in Council.

Representatives.

(ii) Each non-concurring congregation shall be entitled to one representative and to one vote, and the three persons to be appointed to the said Commission by the non-concurring congregations shall be appointed in such manner as the said representatives may determine by a majority vote.

Commissioners appointed and certified.

(iii) The chairman of the said conference shall certify the names of members of the said Commission who may be chosen at the said conference.

Power to determine Equities and make Orders and Directions.

(d) The Commission shall have exclusive power to determine all the equities of the non-concurring congregations, or any one or more of them, in, or with respect to, the property, real and personal, belonging to or held in trust for or to the use of the respective parent church or any corporation, board, committee or other body, incorporated or unincorporated, created by or under the government or control of or in connection with such parent church, and all rights, powers, authorities and privileges of or in connection with the parent church, vested by this Act in The United Church as aforesaid, or in or to any part of such property, rights, powers, authorities and privileges, and to make such orders and give such directions for the conveyance, assignment, transfer or other assurance by The United Church, or by any corporation, board, committee or other body in this Act mentioned, of any such property, rights, powers, authorities, and privileges to the non-concurring congregations or to any one or more of them or to trustees for any such congregations or any one or more of them, in such manner and upon such terms and subject to such charges or conditions as the Commission may deem fair and equitable for the enjoyment and assurance of any such equities so determined.

Power in respect to Colleges.

(e) The Commission shall also have power to make such orders and to give such directions with respect to any of the colleges of or in connection with the parent church in Schedule C of this Act named as it may deem fair and equitable to secure adequate provision for the education and training of students to minister

to such non-concurring congregations, and shall have power to declare and order that such non-concurring congregations shall be placed in the position of the parent church as it was immediately prior to the passing of this Act with respect to any one or more of such colleges as the Commission may determine subject to such terms and conditions as the Commission may deem fair and equitable.

Quorum and Procedure.

(f) The quorum of the Commission shall be five and its organization, times and places of meeting and procedure shall be such as it may at any time from time to time determine and the decision of a majority of the members present at any meeting shall prevail.

Assistance.

(g) The Commission may retain counsel and engage all such professional or other assistance and may appoint and employ all such officers, stenographers, clerks or servants as it may deem expedient and may dismiss any officer or person so appointed or employed.

Remuneration.

(h) The fees, salaries and remuneration of all persons so retained, engaged, appointed or employed, and all expenses in connection with the exercise of the powers hereby conferred shall be paid in such manner and out of such funds of The United Church or the non-concurring congregations or both, as the Commission may direct. The compensation (if any) of the Commissioners shall be determined by the General Council of The United Church and the non-concurring congregations prior to their appointment, and in default of such determination, by the Chief Justice of Canada, and shall be paid as aforesaid.

Witnesses and Evidence.

(i) The Commission shall have the powers conferred on commissioners by Part I of the *Inquiries Act* and such other powers as may be conferred upon it by any Act of any Province of Canada, together with right of access to all property affected by this Act it may find necessary to inspect and the right to call for the production of any books, papers, accounts, correspondence or other writing of any of the parties interested before it and to make abstracts thereof or take extracts therefrom. The Commission shall not be bound by legal rules of evidence but may make such enquiries and may accept such opinions, valuations, reports and statements, written or verbal as it may deem expedient, and the decisions, orders or directions of the Commission shall be final and conclusive and not subject to review by any Court.

Delegation of Certain Powers.

(j) The Commission may authorize any one or more of its members to inquire into and report to it upon any question or matter arising in connection with the business of the Commission, and when so authorized, such one or more of its members shall have all the

powers of the Commission for the purpose of taking evidence or acquiring the necessary information for the purpose of such report, and upon such report being made to the Commission, it may be adopted as the order of the Commission, or otherwise dealt with as to the Commission seems proper.

Commission to use due diligence.

(k) The Commission shall proceed with all due diligence in the determination of all matters committed to it by this Act and The United Church and the non-concurring congregations shall in every reasonable way facilitate and expedite the work of the Commission so as to enable it to make its investigation and its determination in respect of the matters aforesaid at the earliest possible date.

Enforcement of Orders.

(l) Any determination, decision or order made by the Commission may be made a rule, order or decree of the Exchequer Court or any Superior Court of any Province of Canada, and shall be enforced in like manner as any rule, order or degree of such Court. To make such determination, decision or order, a rule, order or decree of any such Court the usual practice and procedure of the Court in such matters may be followed, and a copy of any such determination, decision or order, certified under the hand of the Chairman or Acting Chairman of the Commission, and verified by affidavit or statutory declaration of a witness thereto, shall be sufficient evidence of the due making and validity of any such determination, decision or order.

Applications to Chief Justice or Judge of Supreme Court.

(m) The powers conferred on the Chief Justice of Canada by this section may be exercised by any Judge of the Supreme Court of Canada designated by him for that purpose and all applications to the said Chief Justice or such Judge in this section mentioned shall be upon such notice and be served upon such parties and in such manner as the Chief Justice or such Judge shall direct.

Sections 13, 14, 15 not to apply after allocation.

(n) The provisions of sections thirteen, fourteen and fifteen shall not apply to any college or property allocated to non-concurring congregations under the provisions of this section after the date of such allocation.

Rights of claimants on benevolent funds.

(o) The Commission shall make such provisions as it may deem fair and equitable to protect the rights of all claimants on the benevolent funds of the negotiating Churches who do not become ministers or members of The United Church.

Liability for Congregational Debts.

12. *(a)* All property belonging to or held by or in trust for or to the use of any congregation of the negotiating churches henceforth to be held, used and administered for the benefit of the same congregation as a part of The

Section 12.

Methodist Church Union Act (Can.), 1884, s. 18.

United Church, shall remain liable for the payment or satisfaction of any debts or obligations contracted or incurred in respect thereto to the same extent as it would have been liable had this Act not been passed, but The United Church shall not be or become liable for any of said debts or obligations, and, save as aforesaid, no property of The United Church shall be liable for any debts or obligations contracted or incurred by any congregation in connection or in communion with any of the negotiating churches.

Liability for Denominational Debts.

(b) Upon the vesting of the property of the negotiating churches or of any corporation, board, committee or other body whether incorporated or unincorporated, created by or under the government or control of or connected with any of the negotiating churches, pursuant to the provisions of section five hereof, The United Church shall become liable for all their respective debts and obligations, provided, however, that this subsection shall not be deemed to include or apply to any of the property first mentioned in the next preceding subsection.

Colleges.

13. The provisions of section five hereof shall not apply to any property, real or personal, belonging to or held in trust for or to the use of any college named in Schedule C to this Act, or belonging to or held by or vested in any board of trustees, board of directors, board of governors, regents, or other board or committee or body having the control or management of the property or affairs of any college named in said Schedule C. From and after the coming into force of this section the colleges named in said Schedule C and all such boards, regents or other committees or bodies as aforesaid shall have the same connection with and stand in the same relation to The United Church as they respectively had and stood with and to any of the negotiating churches immediately prior to the passing of this Act, and all rights, powers, authorities and privileges in respect of the said colleges, or any of them, of or vested in any Assembly, Conference, Synod, Presbytery, Council or other governing body of any of the negotiating churches or any officers or board thereof, shall be vested in the General Council of The United Church, provided that the General Council may declare that the said rights, powers, authorities and privileges, or any of them, shall be vested in a Conference, Presbytery or other governing body of The United Church, or otherwise, as it may deem expedient, and from and after such declaration, such rights, powers, authorities and privileges, or any of them, shall vest in accordance with the terms of such declaration. In all cases where a college corporation consists of the ministers and members, or the members, or any officers of any of the

Section 13.

Basis of Union, Sch. A., p. 29, s. 24 (3) (7); p. 35, s. 1
Presbyterian Church Union Act, (Ont.) 1874, c. 75, s. 7

negotiating churches, or of any governing body thereof (whether with or without named persons) such corporation shall, after the coming into force of this section, consist of the ministers and members of The United Church. All rights, powers, authorities and privileges in respect of the said colleges vested in any congregation in connection or in communion with any of the negotiating churches, or in any minister and congregation thereof, shall continue to be held and exercised by the said congregation or by the said minister and congregation in connection with The United Church. Nothing in this section contained shall be construed so as in anywise to repeal, alter, affect or vary any existing legislation relating to any of the said colleges except in so far as may be necessary to give full force and effect to the provisions of this Act.

Religious Teaching in Colleges.

14. Notwithstanding anything contained in any Act of the Parliament of Canada, or in any Act, by-law, rule, regulation, declaration or other proceeding of any of the negotiating churches, or of any governing or subordinate court or body of any of them, or in the constitution, by-laws, rules or regulations of or in relation to any of the said colleges, respecting the principles, doctrines or religious standards to be taught and maintained in any such college, from and after the coming into force of this section the colleges shall, in respect of the principles, doctrines and religious standards to be taught and maintained therein, be subject to the direction and control of the General Council of The United Church, and the teaching or maintenance hereafter in any of the colleges of the principles, doctrines or religious standards set out in the Basis of Union or hereafter determined or prescribed from time to time by the General Council of The United Church in accordance therewith or at any meeting held pursuant to the provisions of section twenty-one of this Act, shall not be deemed to be a change of adherence on the part of any such college or a change of its principles or doctrines or religious standards or a breach of the provisions of any statute, Act, by-law, rule, regulation, declaration or other proceeding, or constitution, and shall not be deemed to be a breach of any trust relating to property devised, bequeathed, given to or otherwise acquired by or for the benefit of any such college with respect to the teaching or maintenance of any principles, doctrines or religious standards in any of the said colleges, but shall be deemed to be in compliance with and a performance of any such provisions or trusts.

Existing Trusts Continued.

15. Where, prior to the coming into force of this section, any existing trust has been created or declared in any manner whatsoever for any special purpose or object having regard to the teaching, preaching or maintenance

Section 14.

Basis of Union, Sch. A., p. 29, s. 24 (2), (3), (7);
p. 35, s. 1

Section 15.

Basis of Union, Sch. A, p. 29, s. 24 (2);
Presbyterian Church Union Act, (Ont.) 1874, c. 5, s. 6;
Methodist Church Union Act, 1884, (Can.) c. 106, s. 15.
1875, c. 99, s. 2 (Nova Scotia)
1884, c. 36, s. 3 (New Brunswick)

of any principles, doctrines or religious standards, or to the support, assistance or maintenance of any congregation or minister or charity, or to the furtherance of any religious, charitable, educational, congregational or social purpose, in connection with any of the negotiating churches, such trust shall continue to exist and to be performed as nearly as may be for the like purposes or objects in connection with The United Church as The United Church may determine, and anything done in pursuance of this Act shall not be deemed to be a breach of any such trust but shall be deemed to be in compliance therewith and a performance thereof, and the entry of any congregation into The United Church shall not be deemed a change of its adherence or principles or doctrines or religious standards within the meaning of any such trust.

Property situate without Canada.

16. The United Church shall have capacity to take and hold all such property, real and personal, and all such rights, authorities, privileges and benefits as it may acquire without Canada, and subject to the laws of the province, colony or country in which such property may be situate, shall have the right to call for and receive conveyances, transfers or other appropriate assurances of all property, real or personal, situate without Canada, held by or in trust for any of the negotiating churches or any governing or subordinate body thereof, or any Corporation, Board, Committee, or other body, whether incorporated or unincorporated, created by or under the government or control of or in connection with any of the negotiating churches.

Establishment of Boards and Committees.

17. *(a)* The United Church may, by resolution of the General Council, establish boards or committees of its members to hold, manage, deal with, dispose of or otherwise administer any of its property, funds, trusts, interests, institutions and religious or charitable schemes now or hereafter owned, founded or established, define and prescribe the constitution, powers, duties, officers and quorum of any such board or committee, and delegate to any of them such powers as it may deem expedient.

Establishment of Boards and Committees as Bodies Corporate.

(b) Whenever it is deemed expedient to establish as a body corporate any board, committee or other body for any of the purposes of The United Church, The United Church may establish by resolution of the General Council or may authorize and empower any Conference to establish by resolution of such Conference, any such boards, committees or other bodies, including city mission boards and church extension boards, in accordance with the by-laws, rules and regulations of The United Church in that behalf, and if any such resolution declares such board, committee or other body to be a body corporate, then, upon the

Section 17 (a).

Basis of Union, Sch. A, p. 30, s. 24 (8); pp. 34-37 incl., under "Administration"

Methodist Church Union Act, 1884, (Can.) c. 106, s. 8 (1)

Section 17 (b).

Basis of Union, Sch. A, p. 29, s. 24 (8), pp. 34-37 inc. under "Administration."

Methodist Church Union Act, 1884, (Can.) c. 106, s. 8 (2) (3).

1912, c. 116, s. 2 (Canada).

filing of the certificate or certificates in this section hereinafter mentioned, the same shall be and become a body corporate with such membership, organization, powers, rights and duties, not contrary to law or inconsistent with this Act, as may be defined from time to time by the General Council, or such Conference, as the case may be, including the acquiring, holding, administering and disposing of all property, real or personal, (but when established by resolution of a Conference then only within the bounds of such Conference), which may be devised, bequeathed, granted or conveyed to any such board, committee or governing body, for the purposes of The United Church, and the borrowing of any money necessary in the opinion of such board, committee or body for the purposes thereof, and the mortgaging, hypothecating, or pledging of so much of the real or personal property held by any such board, committee or body as may be necessary to secure any amount so borrowed. In each case such board, committee or other body is established by resolution of the General Council, the General Council shall file a certified copy of such resolution under the hand of its presiding officer and its secretary or clerk with the Secretary of State for Canada, and in case such board, committee or other body is established by resolution of any Conference, such Conference shall file a certified copy of such resolution under the hand of its presiding officer and its secretary or clerk with the Provincial Secretary of the Province in which the said conference is situate, or, where the bounds of such conference lie within more than one Province, then with the Provincial Secretary of each of such Provinces. A certificate under the official seal of the General Council, or of the Conference by which any such board, committee or body is established, as the case may be, signed by its secretary or clerk, shall be sufficient evidence in all Courts of the establishment of such board, committee or body and of its constitution and powers.

Powers of the United Church.

18. The United Church shall have power—

(a) To acquire by purchase, lease, gift, devise or bequest any real or personal property, or any estate or interest therein, either absolutely or in trust, and, subject to the provisions of sections five and seven of this Act,

Acquiring and Selling Property.

to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise dispose of the same or any part thereof, and apply the proceeds of any such property for its purposes, provided that no land at any time acquired by the United Church and not required for its actual use and occupation or by way of security

Section 18.

Various statutes incorporating Boards of The Presbyterian Church in Canada;
Congregational Church Union Act, (Can.), 1910, c. 86;
Methodist Church Union Act, (Can.), 1884, c. 106, ss. 9–14.
1912, c. 116, s. 3 (Canada).

for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than ten years after it shall have ceased to be so required, but this proviso shall not be deemed in anywise to vary or otherwise affect any trust relating to such property.

Disposal of Property to Other Religious Bodies.

(b) To give, grant, convey, lease or otherswie alienate any property, real or personal, to any other church or religious body or organization or to any trustees, board, committee or governing body thereof, as it may deem expedient, in pursuance of any agreement or understanding with such church or religious body or organization for the purpose of co-operation in the prosecution of religious work.

Loan and Investment.

(c) To lend money upon the security of real estate and to invest and re-invest any of its funds and moneys in any debentures of municipal or public-school corporations or public-school districts, Dominion or Provincial debentures, bonds, stock or other Dominion or Provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any Province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for the collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

Loan or Disposal of Property for Building Purposes.

(d) To lend or give any of its property, funds or moneys for, or to assist in, the erection or maintenance of any building or buildings deemed necessary for any church, college, manse, school or hospital, or for any other religious, charitable, educational, congregational or social purpose, upon such terms and securities as it may deem expedient, and it shall have in respect of any such loan the rights and remedies mentioned in the next preceding subsection.

Borrowing.

(e) To borrow money for its purposes upon its credit and to mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan.

Negotiable Instruments.

(f) To make, accept, draw, endorse and execute bills of exchange, promissory notes and other negotiable instruments.

Annuities.

(g) To receive and accept for its own use as to the principal sum or corpus thereof any moneys or other personal property subject to and in consideration of the payment of interest thereon or of an annuity in respect thereof.

By-laws, Rules and Regulations.

(h) To make such by-laws, rules or regulations as it may deem expedient for the exercise of any powers conferred by this Act.

Appointment of Subordinate Bodies.

(i) To exercise the powers conferred by this section, or any of them, by and through such boards, com-

mittees or other bodies as the General Council or any Conference or any Presbytery acting within their respective jurisdictions under the provisions of the Basis of Union may from time to time establish or appoint, and to determine the method of appointement or election thereof, and to define and prescribe the constitution, powers, duties, officers and quorum of such boards, committees or other bodies.

Incidental Powers.

(j) To do all such lawful acts or things as may be requisite to carry out the terms, provisions and objects of the Basis of Union and of this Act.

Not to issue notes for circulation.

(k) Nothing in this section shall be construed to authorize The United Church 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.

Approval of Conference Required in Certain Cases.

19. The provision in the Basis of Union that the approval of the Conference in which property is situated is required to enable the General Council to legislate in respect thereof shall be deemed to apply only to such property as belongs to or is held in trust for or to the use of a congregation or as belongs to or is held in trust for or is set apart for or used for the purposes of such Conference.

Issue of Debentures.

20. The United Church, and any board or committee thereof or appointed thereby or by any Confernece thereof, having charge of any of the funds or property of The United Church, and the trustees of any congregation of The United Church, provided that such trustees first obtain the consent in writing of the Presbytery within the bounds of which the lands of such congregation are situate, may issue debentures in such denominations and upon such terms as it or they may deem expedient, under the hand or hands of such officer or officers as may be thereto authorized and the seal (if any) of such United Church board, committee or trustees issuing the same, for any money borrowed under the authority of this Act, and the payment of such debentures and the interest thereon may be secured by mortgage in favor of a trustee or trustees for the holders of such debentures upon any real estate under the control of The United Church or of such board or committee thereof or of the trustees of such congregation.

21. *(a)* Notwithstanding anything in this Act or in the Basis of Union contained, the first meeting of the General Council shall consist of one hundred and fifty members heretofore appointed by the General Assembly of The Presbyterian Church in Canada, one hundred and fifty members heretofore appointed by the General Conference

of The Methodist Church, forty members heretofore appointed by The Congregational Union of Canada and ten members heretofore appointed by the General Council of local Union churches and the roll of members so appointed signed by the presiding officer and the secretary or clerk of such respective bodies, holding office at the date of the coming into force of this section, shall be final and conclusive as to the due and proper appointment of such members.

First Meeting of the General Council.

(b) The said meeting shall be held in the City of Toronto on the day that this Act comes into force, at such place and at such hour as may be agreed upon by the Moderator of the General Assembly of the Presbyterian Church in Canada, the General Superintendent of The Methodist Church and the Chairman of The Congregational Union of Canada, or any two of them.

(c) The said General Council at such meeting, or any adjourned meeting thereof, shall exercise all such powers conferred on the General Council by this Act or by the Basis of Union as it may deem expedient for the conduct and management of the affairs of The United Church until a General Council is convened in accordance with the provisions of the Basis of Union.

(d) The said General Council at such first meeting, or any adjournment thereof, shall determine the number and boundaries of the Conferences to be established under the provisions of the Basis of Union and the number of ministers and non-ministerial representatives to be chosen by the said Conferences to constitute the next General Council, which may be convened at any time within a period of two years from the date of such first meeting of the General Council.

(e) All acts or things done by or under the authority of the General Council at such meeting, or any adjournment thereof, not being inconsistent with the provisions of this Act or the Basis of Union, shall be valid and binding until a General Council is convened in accordance with the provisions of the Basis of Union and thereafter until the same shall be altered, amended or rescinded by a General Council so convened.

(f) The General Council at its first meeting as aforesaid, or any adjourned meeting thereof, may, in addition to its other powers, appoint such boards, committees or other bodies, as it may deem expedient, to inquire into any matters relating to the conduct and management of the affairs of The United Church or of any property, fund, trust, interest, institution or religious or charitable scheme in connection therewith or with any of the negotiating churches and to report upon the same to a General Council convened in accordance with the provisions of the Basis of Union.

Interim Exercise of Powers.

22. Notwithstanding anything in this Act contained,—

(a) The General Assembly of The Presbyterian Church in Canada, the General Conference of The Methodist Church and The Congregational Union of Canada shall, save as to non-concurring congregations, continue to have, exercise and enjoy all their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed, until the first meeting of the General Council.

(b) All Synods and Presbyteries of The Presbyterian Church in Canada, all Conferences and District Meetings of The Methodist Church and all Associations of The Congregational Churches of Canada and all other courts or governing bodies of any of the negotiating Churches shall, save as to non-concurring congregations, continue to have, exercise and enjoy all or any of their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed until such time or times as The United Church by its General Council shall declare that the said powers, rights, authorities and privileges, or any of them, shall cease and determine.

(c) Every Corporation, Board, Committee and other body, whether incorporated or unincorporated, created by or under the government or control of or in connection with any of the negotiating churches, shall continue to have, exercise and enjoy all their respective powers, rights, authorities and privileges in the same manner and to the same extent as if this Act had not been passed, until such time or times as The United Church by its General Council, or otherwise, shall declare that the said powers, rights, authorities and privileges, or any of them, shall cease or determine or be modified or altered as set out in such declaration, and thereupon such powers, rights, authorities and privileges, or any of them, shall cease or determine or be modified or altered, as the case may be, in accordance with the terms of such declaration or declarations from time to time made.

Incorporated Congregations.

23. Notwithstanding anything in this Act contained, any congregations of the negotiating churches heretofore separately incorporated shall continue to be corporate bodies but subject in all respects to the provisions of this Act.

Resolutions of General Council.

24. All resolutions passed by the General Council shall have the force and effect of by-laws, and no formal by-law shall be required for the purpose of managing the affairs of The United Church.

Copies of Certain Documents to be Evidence.

25. All copies of the Basis of Union and of any by-laws, resolutions, rules or regulations in this Act referred to or of any amendment or alteration thereof, purporting to be published under the direction or authority of the General Council of The United Church, or a copy of any by-law, resolution, rule or regulation of the General Council purporting to be under the seal of The United Church and to be signed by the secretary, shall be *prima facie* evidence in all Courts of the contents thereof without proof of the authenticity of such seal or signature.

Basis of Union Ratified and Confirmed.

26. The Basis of Union set forth in Schedule A to this Act is hereby ratified and confirmed as such, and in so far as the terms and provisions thereof relating to polity and administration are not inconsistent with the provisions of this Act they shall have the same force and effect as if expressly set out herein.

Repeal of Inconsistent Enactments.

27. All Acts and portions of Acts of the Parliament of Canada inconsistent with the provisions of this Act are hereby repealed in so far as may be necessary to give full effect to this Act.

Declarations.

28. Notwithstanding anything in this Act contained, it is hereby declared:—

(a) That the said union of the negotiating churches has been formed by the free and independent action of the said churches through their governing bodies and in accordance with their respective constitutions, and that this Act has been passed at the request of the said churches in order to incorporate The United Church and to make necessary provision with respect to the property of the negotiating churches and the other matters dealt with by this Act.

(b) That nothing in this Act contained shall be deemed to limit the independent and exclusive right and power of The United Church to legislate in all matters concerning its doctrine, worship, discipline and government, including therein the right and power from time to time to frame, adopt, alter, change, add to or modify its laws, subordinate standards and formulas and to determine and declare the same or any of them, but subject to the conditions and safeguards in that behalf contained in the Basis of Union.

(c) That the United Church by virtue of its independent and exclusive right and power to legislate in respect of the matters mentioned in the next preceding subsection has the right to unite with any other church or religious denomination without loss of its identity upon such terms as it may find to be consistent with the

Section 28 (a).

Basis of Union, Sch. A, 38, ss. 1 and 2

Section 28 (b).

Basis of Union, Sch. A, p. 29, s. 24 (2) *(a)*

Church of Scotland Act, 1921, c. 29, (Imperial)

Section 28 (c).

Church of Scotland Act, 1921, c. 29 (Imperial)

principles, doctrines and religious standards set forth in the Basis of Union, or any amendment thereof made by the General Council under the provisions of the Basis of Union.

Provisions effective as far as Parliament has jurisdiction.

29. Inasmuch as questions have arisen and may arise as to the powers of the Parliament of Canada under the *British North America Act* to give legislative effect to the provisions of this Act, it is hereby declared that it is intended by this Act to sanction the provisions therein contained in so far and in so far only as it is competent to the Parliament so to do.

SCHEDULE A.

THE BASIS OF UNION

AS PREPARED BY THE JOINT COMMITTEE OF THE PRESBYTERIAN, METHODIST AND CONGREGATIONAL CHURCHES, AND APPROVED BY THE SUPREME COURTS OF THESE CHURCHES.

GENERAL

1. The name of the Church formed by the union of the Presbyterian, Methodist, and Congregational Churches in Canada, shall be "The United Church of Canada."

2. It shall be the policy of The United Church to foster the spirit of unity in the hope that this sentiment of unity may in due time, so far as Canada is concerned, take shape in a Church which may fittingly be described as national.

DOCTRINE

We, the representatives of the Presbyterian, the Methodist, and the Congregational branches of the Church of Christ in Canada, do hereby set forth the substance of the Christian faith, as commonly held among us. In doing so, we build upon the foundation laid by the apostles and prophets, Jesus Christ himself being the chief cornerstone. We affirm our belief in the Scriptures of the Old and New Testaments as the primary source and ultimate standard of Christian faith and life. We acknowledge the teaching of the great creeds of the ancient Church. We further maintain our allegiance to the evangelical doctrines of the Reformation, as set forth in common in the doctrinal standards adopted by the Presbyterian Church in Canada, by the Congregational Union of Ontario and Quebec, and by the Methodist Church. We present the accompanying statement as a brief summary of our common faith and commend it to the studious attention of the members and adherents of the negotiating Churches, as in substance agreeable to the teaching of the Holy Scriptures.

ARTICLE I.—*Of God.*—We believe in the one only living and true God, a Spirit, infinite, eternal and unchangeable, in His being and perfections; the Lord Almighty, who is love, most just in all His ways, most glorious in holiness, unsearchable in wisdom, plenteous in mercy, full of compassion, and abundant in goodness and truth. We worship Him in the unity of the Godhead and the mystery of the Holy Trinity, the Father, the Son and the Holy Spirit, three persons of the same substance, equal in power and glory.

ARTICLE II.—*Of Revelation.*—We believe that God has revealed Himself in nature, in history, and in the heart of man; that He has been graciously pleased to make clearer

revelation of Himself to men of God who spoke as they were moved by the Holy Spirit; and that in the fulness of time He has perfectly revealed Himself in Jesus Christ, the Word made flesh, who is the brightness of the Father's glory and the express image of His person. We receive the Holy Scriptures of the Old and New Testaments, given by inspiration of God, as containing the only infallible rule of faith and life, a faithful record of God's gracious revelations, and as the sure witness to Christ.

ARTICLE III.—*Of the Divine Purpose.*—We believe that the eternal, wise, holy and loving purpose of God so embraces all events that while the freedom of man is not taken away, nor is God the author of sin, yet in His providence He makes all things work together in the fulfilment of His sovereign design and the manifestation of His glory.

ARTICLE IV.—*Of Creation and Providence.*—We believe that God is the creator, upholder and governor of all things; that He is above all His works and in them all; and that He made man in His own image, meet for fellowship with him, free and able to choose between good and evil, and responsible to his Maker and Lord.

ARTICLE V.—*Of the Sin of Man.*—We believe that our first parents, being tempted, chose evil, and so fell away from God and came under the power of sin, the penalty of which is eternal death; and that, by reason of this disobedience, all men are born with a sinful nature, that we have broken God's law and that no man can be saved but by His grace.

ARTICLE VI.—*Of the Grace of God.*—We believe that God, out of His great love for the world, has given His only begotten Son to be the Saviour of sinners, and in the Gospel freely offers His all-sufficient salvation to all men. We believe also that God, in His own good pleasure, gave to His Son a people, an innumerable multitude, chosen in Christ unto holiness, service and salvation.

ARTICLE VII.—*Of the Lord Jesus Christ.*—We believe in and confess the Lord Jesus Christ, the only Mediator between God and man, who, being the Eternal Son of God, for us men and for our salvation became truly man, being conceived of the Holy Spirit and born of the Virgin Mary, yet without sin. Unto us He has revealed the Father, by His word and Spirit, making known the perfect will of God. For our redemption He fulfilled all righteousness, offered Himself a perfect sacrifice on the cross, satisfied Divine Justice and made propitiation for the sins of the whole world. He rose from the dead and ascended into Heaven, where He ever intercedes for us. In the hearts of believers He abides forever as the indwelling Christ; above us and over us all He rules; wherefore, unto Him we render love, obedience and adoration as our Prophet, Priest and King.

ARTICLE VIII.—*Of the Holy Spirit.*—We believe in the Holy Spirit, the Lord and Giver of life, who proceeds from the Father and the Son, who moves upon the hearts of men to restrain them from evil and to incite them unto good, and whom the Father is ever willing to give unto all who ask Him. We believe that he has spoken by holy men of God in making known His truth to men for their salvation; that, through our exalted Saviour, He was sent forth in power to convict the world of sin, to enlighten men's minds in the knowledge of Christ, and to persuade and enable them to obey the call of the Gospel; and that He abides with the Church, dwelling in every believer as the spirit of truth, of power, of holiness, of comfort and of love.

ARTICLE IX.—*Of Regeneration.*—We believe in the necessity of regeneration, whereby we are made new creatures in Christ Jesus by the Spirit of God, who imparts spiritual life by the gracious and mysterious operation of His power, using as the ordinary means the truths of His word and the ordinances of divine appointment in ways agreeable to the nature of man.

ARTICLE X.—*Of Faith and Repentance.*—We believe that faith in Christ is a saving grace whereby we receive Him, trust in Him and rest upon Him alone for salvation as He is offered to us in the Gospel, and that this saving faith is always accompanied by repentance, wherein we confess and forsake our sins with full purpose of and endeavor after a new obedience to God.

ARTICLE XI.—*Of Justification and Sonship.*—We believe that God, on the sole ground of the perfect obedience and sacrifice of Christ, pardons those who by faith receive Him as their Saviour and Lord, accepts them as righteous and bestows upon them the adoption of sons, with a right to all the privileges therein implied, including a conscious assurance of their sonship.

ARTICLE XII.—*Of Sanctification.*—We believe that those who are regenerated and justified grow in the likeness of Christ through fellowship with Him, the indwelling of the Holy Spirit, and obedience to the truth; that a holy life is the fruit and evidence of saving faith; and that the believer's hope of continuance in such a life is in the preserving grace of God. And we believe that in this growth in grace Christians may attain that maturity and full assurance of faith whereby the love of God is made perfect in us.

ARTICLE XIII.—*Of Prayer.*—We believe that we are encouraged to draw near to God, our Heavenly Father, in the name of His Son, Jesus Christ, and on our own behalf and that of others to pour out our hearts humbly yet freely before Him, as becomes His beloved children, giving im the honour and praise due His holy name, asking

Him to glorify Himself on earth as in heaven, confessing unto Him our sins and seeking of Him every gift needful for this life and for our everlasting salvation. We believe also that, inasmuch as all true prayer in prompted by His Spirit, He will in response thereto grant us every blessing according to His unsearchable wisdom and the riches of His grace in Jesus Christ.

ARTICLE XIV.—*Of the Law of God.*—We believe that the moral law of God, summarized in the Ten Commandments, testified to by the prophets and unfolded in the life and teachings of Jesus Christ, stands forever in truth and equity, and is not made void by faith, but on the contrary is established thereby. We believe that God requires of every man to do justly, to love mercy, and to walk humbly with God; and that only through this harmony with the will of God shall be fulfilled that brotherhood of man wherein the kingdom of God is to be made manifest.

ARTICLE XV.—*Of the Church.*—We acknowledge one holy Catholic Church, the innumerable company of saints of every age and nation, who being united by the Holy Spirit to Christ their Head are one body in Him and have communion with their Lord and with one another. Further, we receive it as the will of Christ that His Church on earth should exist as a visible and sacred brotherhood, consisting of those who profess faith in Jesus Christ and obedience to Him, together with their children, and other baptized children, and organized for the confession of His name, for the public worship of God, for the administration of the sacraments, for the upbuilding of the saints, and for the universal propagation of the Gospel; and we acknowledge as a part, more or less pure, of this universal brotherhood, every particular Church throughout the world which professes this faith in Jesus Christ and obedience to Him as divine Lord and Saviour.

ARTICLE XVI.—*Of the Sacraments.*—We acknowledge two sacraments, Baptism and the Lord's Supper, which were instituted by Christ, to be of perpetual obligation as signs and seals of the covenant ratified in His precious blood, as means of grace, by which, working in us, He doth not only quicken, but also strengthen and comfort our faith in Him, and as ordinances through the observance of which His Church is to confess her Lord and be visibly distinguished from the rest of the world.

(1) Baptism with water into the name of the Father and of the Son and of the Holy Spirit is the sacrament by which are signified and sealed our union to Christ and participation in the blessings of the new covenant. The proper subjects of baptism are believers, and infants presented by their parents or guardians in the Christian faith. In the latter case the parents or guardians should train up their children in the nurture and admonition of

the Lord, and should expect their children will, by the operation of the Holy Spirit, receive the benefits which the sacrament is designed and fitted to convey. The Church is under the most solemn obligation to provide for their Christian instruction.

(2) The Lord's Supper is the sacrament of communion with Christ and with His people in which bread and wine are given and received in thankful remembrance of Him and His sacrifice on the cross; and they who in faith receive the same do, after a spiritual manner, partake of the body and blood of the Lord Jesus Christ to their comfort, nourishment and growth in grace. All may be admitted to the Lord's Supper who make a credible profession of their faith in the Lord Jesus Christ and of obedience to His law.

ARTICLE XVII.—*Of the Ministry.*—We believe that Jesus Christ, as the Supreme Head of the Church, has appointed therein a ministry of the word and sacraments, and calls men to this ministry; that the Church, under the guidance of the Holy Spirit, recognizes and chooses those whom He calls, and should thereupon duly ordain them to the work of the ministry.

ARTICLE XVIII.—*Of Church Order and Fellowship.*—We believe that the Supreme and only Head of the Church is the Lord Jesus Christ; that its worship, teaching, discipline and government should be administered according to His will by persons chosen for their fitness and duly set apart to their office; and that although the visible Church may contain unworthy members and is liable to err, yet believers ought not lightly to separate themselves from its communion, but are to live in fellowship with their brethren, which fellowship is to be extended, as God gives opportunity, to all who in every place call upon the name of the Lord Jesus.

ARTICLE XIX.—*Of the Resurrection, the Last Judgment and the Future Life.*—We believe that there shall be a resurrection of the dead, both of the just and of the unjust, through the power of the Son of God, who shall come to judge the living and the dead; that the finally impenitent shall go away into eternal punishment and the righteous into life eternal.

ARTICLE XX.—*Of Christian Service and the Final Triumph.*—We believe that it is our duty as disciples and servants of Christ, to further the extension of His Kingdom, to do good unto all men, to maintain the public and private worship of God, to hallow the Lords' Day, to preserve the inviolability of marriage and the sanctity of the family, to uphold the just authority of the State, and so to live in all honesty, purity and charity that our lives shall testify of Christ. We joyfully receive the word of Christ, bidding His people go into all the world and make disciples of all nations, declaring unto them that God was in Christ

reconciling the world unto Himself, and that He will have all men to be saved, and come to the knowledge of the truth. We confidently believe that by His power and grace all His enemies shall finally be overcome, and the kingdoms of this world be made the kingdom of our God and of His Christ.

POLITY

The Joint Committee, after an examination of the forms of church government of the negotiating Churches and the practical working thereof, is greatly gratified to find:

1. That while the officers and courts of the negotiating Churches may bear difierent names, there is a substantial degree of similarity in the duties and functions of these officers and courts.

2. That, engaged in the same work, with the same object in view, and earnestly endeavoring to meet the conditions confronting the Churches in Canada, the negotiating Churches have been steadily approximating more nearly to each other, both in forms of church government and methods of administration.

3. That there are distinctive elements in each which would add to the efficiency of a united Church, and which can be preserved with great advantage in the form of polity to be adopted for The United Church.

4. That in this view it is possible to provide for substantial local freedom, and at the same time secure the benefits of a strong connexional tie and co-operative efficiency.

The following recommendations are submitted as setting forth the Polity proposed for The United Church of Canada.

I.—The Church

1. The members of The United Church shall be the members of the negotiating Churches, and such others as may hereafter become members.

2. The unit of organization for The United Church shall be The Pastoral Charge. A pastoral charge may consist of more than one local church; a local church is a body of persons meeting for public worship in one place.

3. The governing bodies or courts of the Church, higher than those of the pastoral charge, shall be:

(a) The Presbytery.

(b) The Conference.

(c) The General Council.

II.—The Pastoral Charge (Circuit or Congregation)

A.—*Charges existing previous to the Union*

4. In the management of their local affairs the various churches, charges, circuits or congregations of the negotiating Churches shall be entitled to continue the organization and practices (including those practices relating to membership, church ordinances, Sunday schools and Young People's Societies) enjoyed by them at the time of the union, subject in general affairs to the legislation, principles and discipline of The United Church. Their representatives in the next higher governing body or court shall be chosen as at present.

5. The plan of organization prescribed for pastoral charges to be formed subsequent to the union may at any time be adopted by any church, charge, circuit or congregation existing at the time of the union.

6. Subject to the provisions of the next succeeding paragraph hereof, all property, real and personal, under the jurisdiction of the Parliament of Canada held in trust for or to the use of a church, charge, circuit or congregation of any of the negotiating Churches, shall be held by trustees appointed by or on behalf of such church, charge, circuit or congregation, upon trusts set forth and declared in a Model Trust Deed. This Model Trust Deed should be a schedule to the Act, and should contain, among others, a provision to the following effect: That the property is held for the church, charge, circuit or congregation as a part of The United Church, and that no property so held shall be sold, exchanged, or in any manner encumbered, unless the Presbytery shall, at the instance of the church, charge, circuit or congregation, have given its sanction, subject to an appeal, if desired, to the Conference.

7. Any property or funds owned by a church, charge, circuit or congregation at the time of the union solely for its own benefit, or vested in trustees for the sole benefit of such church, charge, circuit or congregation, and not for the denomination of which the said church, charge, circuit or congregation formed a part, shall not be affected by the legislation giving effect to the union or by any legislation of The United Church without the consent of the church, charge, circuit or congregation for which such property is held in trust.

8. Churches, charges, circuits, or congregations, received subsequent to the union, into The United Church, with the approval of Presbyteries, shall be entitled, if they so desire, to the privileges of sections 4, 5 and 7.

B.—*Charges to be formed subsequent to the Union*

9. The liberty of the pastoral charge shall be recognized to the fullest extent compatible with:

(a) The oversight of the spiritual interests of the charge by the minister (or ministers) and a body of men specially chosen and set apart or ordained for that work, who shall jointly constitute the session;

(b) The efficient co-operation of the representatives of the various departments of the work of the charge by means of a meeting to be held at least quarterly;

(c) The hearty co-operation of the various pastoral charges in the general work of the Church, and

(d) The exercise by the higher governing bodies or courts of their powers and functions, hereinafter set forth.

10. New pastoral charges or local churches shall be formed with the consent of a Presbytery by persons residing within its bounds, who declare their adherence to the principles of The United Church, and their desire for the formation of such charge or church. Missions may be organized as pastoral charges by Presbytery of its own motion, or on the suggestion of the Missionary Superintendent or the Minister, under such regulations as the General Council may pass.

Before sanctioning the formation of a pastoral charge or local church, the Presbytery shall be required to hear and consider the representations of any pastoral charge that may be affected by the proposed action.

11. *(a)* The members of the Church entitled to all church privileges are those who, on a profession of their faith in Jesus Christ and obedience to Him, have been received into full membership. The children of such persons and all baptized children are members of the Church, and it is their duty and privilege, when they reach the age of discretion, to enter into full membership. Admission to full membership, and granting of certificates of removal, shall be by the action of the session, and by the action of those in full membership where desired by the pastoral charge.

(b) The members of a local church who are entitled to vote at all meetings are persons in full membership, whose names are on the roll of the church. With the consent of these, adherents who contribute regularly to the support of the church may vote on temporal matters.

12. The members of a local church shall meet annually, and more frequently if they deem it advisable.

13. The Session shall have oversight of the spiritual interests of the pastoral charge. The management of its temporal and financial affairs shall be entrusted to a Committee of Stewards. The Official Board, consisting of the Session and Committee of Stewards, with representatives in full church membership of such other departments of church work as may be agreed upon by the General

Council, shall meet quarterly, and more frequently if they deem it advisable, for the consideration of matters of joint interest.

14. The members of the session, other than the minister, shall be chosen by those in full church membership, and shall hold office under regulations to be passed by the General Council.

15. *(a)* It shall be the duty of the session to have the oversight of:

(1) The admission of persons into full membership, and the granting of certificates of removal.

(2) The conduct of members, with power to exercise discipline.

(3) The administration of the sacraments.

(4) The religious training of the young, and the organization of meetings for Christian fellowship, instruction and work.

(5) The order of public worship, including the service of praise and the use of the church edifice.

(6) The care of the poor, and the visiting of the sick.

(b) It shall also be its duty:

(7) To receive and judge petitions, etc., from members.

(8) To transmit petitions, appeals, etc., to Presbytery.

(9) To recommend suitable laymen to Presbyteries for license to preach.

(10) To recommend suitable candidates for the ministry.

16. The stewards shall be chosen by the local church, and, wherever practicable, should be persons in full membership.

It shall be the duty of the Committee of Stewards to secure contributions for the purposes of the local church, and to disburse the moneys received for these purposes.

17. It shall be the duty of the Official Board:

(1) To secure contributions for missionary and other general objects of the Church.

(2) To select representatives, in full church membership, of the pastoral charge to the Presbytery.

(3) To submit to the pastoral charge or local church for its consideration reports on life and work, including a full statement of receipts and expenditures, of indebtedness and of estimates for the ensuing year.

(4) To transmit from the pastoral charge, through the Presbytery, to the Settlement Committee, representations concerning the pastoral relation.

(5) To attend to matters affecting the pastoral charge not assigned to any of the other bodies.

18. All lands, premises and property acquired for the use of a local church or a pastoral charge of The United Church, shall be held, used and administered under the trusts of the above Model Trust Deed. (See "Polity," par. 6).

III.—The Presbytery

19. The Presbytery shall consist of:

(1) The ordained ministers within the bounds—

(a) Who are engaged in some department of church work; and

(b) Who have been placed on the roll by special enactment of the Conference in accordance with regulations to be made by the General Council.

(The rights to membership in Presbyteries, District Meetings, and Associations, enjoyed by ministers at the time of the union, shall be conserved.)

(2) The elders, deacons, leaders or other non-ministerial representatives of pastoral charges, within the bounds, equal in number to the number of ministers, and chosen in accordance with regulations to be made by the General Council.

20. It shall be the duty of the Presbytery:

(1) To have the oversight of the pastoral charges within its bounds, review their records, and form new pastoral charges, or local churches.

(2) To receive and dispose of petitions and appeals from the lower governing bodies or courts.

(3) To transmit petitions and appeals to the higher governing bodies or courts.

(4) To license as preachers laymen who are duly recommended and who after examinations are approved.

(5) To superintend the education of students looking forward to the ministry, and to certify them to theological colleges.

(6) To enquire, each year, into the personal character, doctrinal beliefs and general fitness of candidates for the ministry, recommended by sessions, official boards or local churches; and, when they have fulfilled the prescribed requirements, to license them to preach and to recommend them for the ordination of the Conference.

(7) To induct or install ministers.

(8) To deal with matters sent down by the higher governing bodies or courts.

(9) To adopt measures for promoting the religious life of the pastoral charges within its bounds.

(10) To select non-ministerial representatives to the Conference, of whom at least a majority shall have been previously chosen by pastoral charges to represent them in Presbyteries, and to nominate representatives on the Conference Settlement Committee.

(11) To have the oversight of the conduct of ministers within its bounds.

IV.—The Conference.

21. The Conference shall consist of the ministers on the rolls of the Presbyteries within its bounds, and an equal number of non-ministerial representatives of pastoral charges chosen as provided for in subsection 20 (par. 10).

22. It shall be the duty of the Conference:

(1) To meet every year.

(2) To determine the number and boundaries of the Presbyteries within its bounds, have oversight of them, and review their records.

(3) To receive and dispose of appeals and petitions, subject to the usual right of appeal.

(4) To see that, as far as possible, every pastoral charge within its bounds shall have a pastorate without interruption, and that every effective minister shall have a pastoral charge, and to effect this through a Settlement Committee which it shall appoint annually.

(5) To examine and ordain candidates for the ministry who have fulfilled the prescribed requirements and have been recommended by Presbyteries.

(6) To receive ministers from other Churches subject to the regulations of the General Council.

(7) To deal with matters referred to it by the General Council.

(8) To select an equal number of ministerial and non-ministerial representatives to the General Council.

(9) To have oversight of the religious life of the Church within its bounds, and to adopt such measures as may be judged necessary for its promotion.

V.—The General Council.

23. The General Council shall consist of an equal number of ministers and non-ministerial representatives chosen by the Conferences. Its regular meeting shall be held every second year. Its presiding officer shall be the chief executive officer of the Church, and during his term of office he may be relieved of his pastoral or other duties.

24. The General Council shall have full power:

(1) To determine the number and boundaries of the Conferences, have oversight of them, and review their records.

(2) *(a)* To legislate on matters respecting the doctrine, worship, membership and government of the Church, subject to the conditions: First, that before any rule or law relative to these matters can become a permanent law, it must receive the approval of a majority of the Presbyteries, and, if advisable, pastoral charges also; Second, that no terms of admission to full membership shall be described other than those laid down in the New

Testament; and, Third, that the freedom of worship at present enjoyed in the negotiating Churches shall not be interfered with in The United Church.

(b) To legislate on all matters respecting property, subject to the limitations elsewhere provided in this Basis of Union, and subject also to the approval of the Conference in which the property is situated.

(3) To prescribe and regulate the course of study of candidates for the ministry and to regulate the admission of ministers from other Churches.

(4) To receive and dispose of petitions, memorials, etc.

(5) To dispose of appeals.

(6) To determine the missionary policy of the Church, and to provide for the conduct of its missions.

(7) To have charge of the colleges of the Church, and to take what measures are deemed advisable for the promotion of Christian education.

(8) To appoint committees or boards and officers for the different departments of church work, and to receive their reports and give them instructions and authority.

(9) To correspond with other Churches.

(10) And in general to enact such legislation and adopt such measures as may tend to promote true godliness, repress immorality, preserve the unity and well-being of the Church, and advance the kingdom of Christ throughout the world.

THE MINISTRY

I.—Pastoral Office, Including Term of Service.

Recognizing the desirability of preserving the essence of both the settled pastorate and the itinerancy, the Joint Committee is of the opinion that a harmony of both principles is possible, and that the best features of both systems may be retained. We, therefore, recommend as follows:

1. The pastoral relation shall be without a time limit.

2. The policy of the Church shall be that every pastoral charge shall have, as far as possible, a pastorate without interruption, and that every effective minister shall have a pastoral charge.

3. There shall be for each Conference a Settlement Committee, consisting of ministers and laymen, and appointed annually by the Conference. On this Committee each Presbytery shall be represented. It shall be the duty of this Committee to consider all applications for settlement from ministers and pastoral charges within the district over which it has jurisdiction. For this purpose it shall meet annually before the meeting of the Conference next after that by which it was appointed.

4. A minister by his own action and a pastoral charge through its constitutional representatives may, by such a date before the annual meeting of the Settlement Committee as the General Council shall determine, seek a change of pastoral relation by means of an application through the Presbytery to the Settlement Committee. All such applications shall be in writing.

5. Any pastoral charge, in view of a vacancy, may extend a call or invitation to any properly qualified minister or ministers, but the right of appointment shall rest with the Settlement Committee, which shall report to the Conference for information only.

6. *(a)* When a pastoral charge about to become vacant at the end of the Conference year, fails to give a call or invitation within the time specified by the General Council, the Settlement Committee shall make the appointment.

(b) When a pastoral charge becomes vacant during the Conference year through death or other emergency, the Presbytery concerned shall confer with the charge itself or with its constitutional representatives, and thereafter may arrange a supply for the remainder of the Conference year.

7. The Settlement Committee shall also have authority to initiate correspondence with ministers and pastoral charges with a view to completing arrangements to secure necessary and desirable settlements.

(a) Any minister shall have the right to appear before the Settlement Committee to represent his case in regard to his appointment; and any pastoral charge or Official Board may also appear by not more than two representatives, properly authorized in writing, appointed from among its members at a regular meeting, or at a special meeting of which proper notice has been given;

(b) When a minister chosen by a pastoral charge cannot be settled, the charge or its constitutional representatives may place other names before the Settlement Committee;

(c) While the right of appointment shall rest with the Settlement Committee it shall comply as far as possible with the expressed wishes of ministers and pastoral charges.

8. There shall also be a committee for the transfer of ministers from one Conference to another, which may be composed of the presiding officer of the General Council of the Church, who shall be the convener and chairman of the committee, together with the presiding officers of the several Conferences. This committee shall have authority to transfer ministers and candidates for the ministry from one Conference to another, in harmony with the plan outlined in sections 3-7.

9. The minister in charge shall be the presiding officer of the Session and of the Official Board.

10. Every minister or candidate for the ministry, duly appointed regular pastor to a pastoral charge, shall have

the right to conduct services in the church, churches or other places of worship in connection with said charge; and the right of occupancy of the manse or parsonage in connection with said charge, subject, however, to the rules and regulations of The United Church.

II.—Training for the Ministry

1. No candidate for the ministry shall be received unless he has been first recommended by a session, official board, or local church.

2. The duty of inquiry into the personal character, doctrinal beliefs, and general fitness of candidates for the ministry recommended by sessions, official boards or local churches, shall be laid upon the Presbytery and such inquiry shall be repeated each year until they are recommended to the Conference for ordination.

3. (1) The attainment of a B.A. degree including Greek, to be followed by three years in the study of Theology, is strongly recommended by the Church. Before ordination every candidate shall spend twelve months in preaching and pastoral work.

(2) In cases where the B.A. degree is unattainable, there shall be two alternative courses, both starting from University matriculation.

(a) Three years, at least, in Arts, followed by three years in Theology. Before ordination every candidate shall spend twelve months in preaching and pastoral work.

(b) Two years' preaching under the supervision of a Presbytery, with appropriate studies, and four years of a mixed Arts and Theological course in college.

4. *Suggested Curricula:*

(1) Course of study in Arts under (2) *(a)*. English Language and Literature, three years. Two languages, one of which must be Greek, two years in each.

Philosophy, including Psychology, Logic and Ethics two years. Two other subjects from the Arts curriculum at the option of the student—one year in each.

(2) Course of study under (2) *(b)*:

(a) While under supervision of Presbytery, and engaged in preaching for two years:

English Bible; New Testament in Greek; Elements of Theology—Life of Christ; History of Missions; English Literature; Practical Training, including preparation of sermons.

(b) Four years of mixed Arts and Theological Course in College.

The Arts Course.—English Language and Literature; Philosophy, including Psychology; Logic and Ethics; one language; any one option from the Arts Course.

Theological Course.—Homiletics; Pastoral Theology; Systematic Theology; New Testament Languages and Literature; Old Testament Literature (English Bible); Church History; Christian Ethics and Sociology.

5. The following is suggested as a comprehensive course in Theology, from which may be selected subjects sufficient to constitute the three years' course in Theology as under 3 (1) and (2) *(a)*:

Old Testament Language and Literature, including Textual Criticism. Exegesis, Biblical Theology, Introduction, Old Testament History and Old Testament Canon; New Testament Language and Literature, including Textual Criticism, Exegesis, Biblical Theology, Introduction, New Testament History and New Testament Canon; English Bible; Church History, including Symbolics; Systematic Theology; Apologetics, including Philosophy of Religion, History of Religion, and Comparative Religion; Christian Ethics and Sociology; Christian Missions; Practical Training, including preparation and delivery of sermons, preparation for and conduct of public worship, administration of the Sacraments, Church Law, the art of teaching and Sunday-school work, public speaking and voice training. Practical Training is to be understood to include not only instruction in these subjects but actual drill wherever the subject admits of it.

6. Provision shall be made in the Theological Colleges for instruction in the subjects of the above suggested course in Theology as far as practicable.

7. In every College special attention shall be given to Practical Training as specified and described above.

8. From the above (5) comprehensive course in Theology the Church shall prescribe certain subjects as compulsory, leaving others to the option of the students in consultation with the College authorities.

9, Candidates for the ministry who have entered on their course in Theology shall be allowed to complete it on the conditions which obtained when they began, but this privilege shall expire within three years from the date of the union.

10. The General Council shall possess the power of ordaining any person to the ministry if it sees fit so to do.

III.—The Relations of a Minister to the Doctrines of the Church

1. The duty of final inquiry into the personal character, doctrinal beliefs, and general fitness of candidates for the Ministry presenting themselves for ordination or for reception as ministers of The United Church, shall be laid upon the Conference.

2. These candidates shall be examined on the Statement of Doctrine of The United Church, and shall, before ordination, satisfy the examining body that they are in essential agreement therewith, and that as ministers of the Church they accept the statement as in substance agreeable to the teaching of the Holy Scriptures.

3. Further, in the ordination service before the Conference these candidates shall answer the following questions:

(1) Do you believe yourself to be a child of God, through faith in our Lord Jesus Christ?

(2) Do you believe yourself to be called of God to the office of the Christian ministry, and your chief motives to be zeal for the glory of God, love for the Lord Jesus Christ, and desire for the salvation of men?

(3) Are you persuaded that the Holy Scriptures contain sufficiently all doctrines required for eternal salvation in our Lord Jesus Christ, and are you resolved out of the said Scriptures to instruct the people committed to your charge, and to teach nothing which is not agreeable thereto?

ADMINISTRATION

The Joint Committee, after careful consideration of the Missionary, Educational, and other connexional enterprises of the negotiating Churches, submits the following recommendations in relation thereto:

I.—Missions

1. In the administration of the mission work of The United Church there shall be two departments: *(a)* Home, including all the mission work within the Dominion of Canada, Newfoundland and the Bermudas; *(b)* Foreign, including the missions already established or that may be established in other countries.

2. For the oversight and administration of these two departments there shall be two Boards to be known as the Board of Home Missions and the Board of Foreign Missions, to be elected in such a manner and endowed with such powers as the General Council may determine.

3. In recognition of the very valuable services rendered by the Woman's Missionary Societies, the union, constitution and lines of work of these societies shall be determined by the joint action of their Boards, subject to the approval of the General Council.

4. There shall be placed under the administration of the Home Mission Board of The United Church the moneys now administered under the caption of the Sustentation Fund, and Church and Parsonage Aid Fund of the Methodist

Church; the Home Mission and Augmentation Funds, French Evangelization Fund, and Church and Manse Fund (except that under the Foreign Mission Board) of the Presbyterian Church; the Home Mission Fund of the Congregational Churches; and such portion of the Mission Fund now raised by the Methodist Church, and the Foreign Mission Board of the Presbyterian Church, as is now expended in Canada, Newfoundland and the Bermudas.

5. There shall be placed under the administration of the Foreign Mission Board of the United Church the Foreign Mission Fund of the Congregational Churches and that portion of the Mission Fund of the Methodist Church and of the Foreign Mission Fund of the Presbyterian Church now expended in other lands.

6. There shall be placed under the administration of the Board of Social Service and Evangelism and the Board of Sunday Schools and Young People's Societies of the United Church the funds now raised for the work of the Departments of Social Service and Evangelism and the Departments of Sunday Schools and Young People's Societies of the negotiating churches.

7. Inasmuch as certain expenses in connection with the various courts of the Church will have to be met, the ways and means of raising these funds shall be left to the General Council.

II.—Publishing Interests.

It shall be left to the General Council of The United Church to determine how far the publications now issued by the negotiating Churches shall be amalgamated.

III.—Colleges.

The Colleges at present connected with the negotiating Churches exist, each under its own charter, and in various relations to the respective Churches. These relations affect, first, the appointment of the Governing Board, second, the appointment of Professors in the Faculty of Theology; third, assistance or maintenance from funds controlled by the Church.

1. All the Colleges connected with the three negotiating Churches shall, as far as possible, sustain the same relation to The United Church as, under their charter, they now sustain to their respective Churches, until the General Council shall determine otherwise and necessary legislation shall give effect to changes made thereby.

2. The policy of the Church shall be the maintenance of a limited number of thoroughly equipped Colleges, due regard being paid to the needs of different parts of the country, and in furtherance of this policy amalgamation shall be effected as soon as possible in localities where two or more Colleges are doing the same class of work.

3. In addition to the Governing Boards of the several Colleges there shall be appointed by the General Council a Board of Education, which shall have such a general oversight of the Educational interests of the Church as the General Council may assign to it, and carry out such measures as may be decided in reference thereto.

4. There shall be a general Educational Fund, administered by the Board of Education, for the purpose of supplementing the revenues of the several colleges and assisting students in their preparation for the ministry, and for such other purposes and under such regulations as the General Council may from time to time determine.

5. The several educational institutions shall be encouraged to obtain permanent endowments for their maintenance, may receive contributions for this and other purposes at any time, and, upon receiving the consent of the Board of Education, may proceed to appeal for such funds.

IV.—Benevolent Funds.

Whereas there exist, in some form, in all the negotiating Churches funds to aid aged and retired ministers, and widows and orphans of ministers, provision for similar purposes shall be made in the constitution of The United Church by such amalgamation or modification of existing methods as may be found practicable; and such provision shall embrace the following particulars:

1. The rights of present and prospective claimants on existing funds in any of the negotiating churches shall be adequately protected. To this end:

(1) The present capital investments of the various benevolent funds of the negotiating Churches, and the income now contributed to those funds by publishing interests shall be combined into a "common trust," if practicable. The rights of present claimants and of prospective claimants (the latter being computed as of the date of the union) shall be a first charge on the revenue from this trust. If it be found that differences in the constitution and administration of the several funds are such as to necessitate separate trusts, instead of a common trust, this shall be no bar to the carrying out of the general plan, because in that case their revenues shall be combined.

(2) The General Council of The United Church shall provide for *(a)* the assessing of each minister who is a member of any of the existing funds at the date of the union and of all ministers received into or ordained in The United Church after the union, on the basis of stipend or age, or both stipend and age, as the General Council may determine, and *(b)* the collecting of contributions, which shall be obligatory upon all local churches, based upon an equitable allocation or assessment under the rules to

be formulated by the General Council, the minimum of such allocation or assessment being the amount which, together with the revenue from said trust or trusts and the foregoing assessment upon ministers, is requisite to make good the claims of claimants upon the Superannuation Fund to be instituted by the General Council.

2. Claimants on the proposed Fund shall include the following:

(a) All ministers who, at the time of the union, are beneficiaries of existing funds.

(b) All ministers who, at the time of the union, are regular contributors to existing funds on the scale provided by their respective denominations.

(c) All ministers' widows and orphans who are now, or may hereafter become, entitled to participate in the proposed Fund.

(d) All ministers, not members of or contributors to existing funds, who may signify their desire to become members of and contributors to the proposed Fund, on the basis of payments sanctioned by the General Council of The United Church.

Provision shall be made whereby ministers so applying may, by a certain scale of payments, be entitled to have their claim upon the proposed Fund date from the time of their reception into the ministry of any of the negotiating Churches instead of from the date of the union.

(e) All ministers received into or ordained in the Church after the union inasmuch as they shall be required at the time of their reception or ordination to become members of and contributors to the proposed Fund.

3. The sources of revenue of the proposed Fund shall be the following:

(a) Contributions of ministers who are members of said Fund at its inception, or afterwards become such, on a scale to be adopted by the General Council of the Church.

(b) Offerings in all local churches based upon an equitable allocation to be made by the Board of Management of said Fund, under regulations sanctioned by the General Council.

(c) Legacies and donations given for the purpose.

(d) Such grants from the profits of the publishing interests of the Church as may from time to time be determined under regulations to be framed by the General Council.

(e) Proceeds of any investments that may be made in the interests of the said Fund.

SCHEDULE B.

TRUSTS OF MODEL DEED

AND it is hereby declared that the said Trustees and their successors or the Trustee or Trustees for the time being acting in the trusts herein shall hold the said lands upon the following trusts:—

COLUMN ONE	COLUMN TWO
1. Upon trust to use the trust property for purposes directed by congregation and maintenance of public worship.	1. For the use and benefit of the said church, charge, circuit, preaching station or congregation, as the case may be (hereinafter called the congregation), as a part of The United Church of Canada, as well for the site of a church, chapel, meeting house, school, manse, parsonage or minister's dwelling or other place for religious, charitable, educational, congregational or social purposes, glebe or burial ground, as the said congregation may direct, as for the support and maintenance of public worship, and the propagation of Christian knowledge, according to the doctrine, discipline, by-laws, rules and regulations of The United Church of Canada.
2. To erect and repair buildings.	2. And upon further trust, out of all moneys received by them for that purpose, to build, erect, add to, alter, repair, enlarge or rebuild any of the buildings aforesaid from time to time as they may deem expedient, and where they deem it necessary, to take down and remove any of said buildings for any of the purposes aforesaid.
3. To obey all lawful orders and directions.	3. And upon further trust, that they shall and will obey, perform and fulfil and suffer to be obeyed, performed and fulfilled with respect to the said lands, and to any building or buildings at any time thereon, or to any burial ground, the lawful orders and directions respectively of the Official Board of the said congregation, the Presbytery and Conference respectively within whose bounds and under whose ecclesiastical jurisdiction the said congregation shall from time to time be, and of the General Council of The United Church of Canada.
4. To permit use of the trust property for church, manse, and Sunday-school purposes.	4. And upon further trust, to permit, in conformity with the doctrines, discipline, by-laws, rules and regulations of The United Church of Canada and not otherwise, the following:— (a) The use of the said church, chapel or meeting-house, as a place of religious worship by a congregation of The United Church of Canada and for meetings or services of religious or spiritual character or such benevolent or congregational purposes as may be approved by the Session of such congregation, and the conduct of public worship and the various services and ordinances of religious worship therein by the minister of the said congregation or, with the approval of the Session or of the said minister, by any other minister of The United Church of Canada or by any minister of any other religious denomination. (b) The performance of burial services in any burial ground or cemetery belonging to or under the control of the congregation; (c) The use of the manse, parsonage or minister's dwelling or dwellings with the appurtenances thereof by the minister or ministers of the congregation free from payment of any rent; (d) The use of any church, chapel, meeting-house, school or other building for the purposes of a Sunday school at such hours and times as will not interfere with public worship, and (e) The use of any buildings erected upon the said lands, other than a church, chapel or meeting-house, for such purposes as may from time to time be approved by the Session of the congregation.

5. And upon further trust, to let any pews and seats at a reasonable rent, if so authorized by the Official Board of the congregation, with power to delegate any such letting to any person or persons whom they may appoint for that purpose; to let any buildings, not required for purposes of worship, at a reasonable rent; and if there shall be a burial ground or cemetery, to sell or let vaults, tombs or burial plots at a reasonable price or rent; and to account for and pay all moneys received in respect of any such letting or sale, less any expense incurred in the execution of these trusts, to the Treasurer of the congregation, or should there be no Treasurer, then to the Committee of Stewards of the congregation, or such person as shall be designated by the said Committee for the purpose of receiving the same. In case the Trustees are of opinion that any manse, parsonage or minister's dwelling is not required for the use of the minister or ministers of the congregation, or is not desirable for the use of such minister or ministers, they may, with the consent in writing of said minister or ministers, let the same and use and apply the rent derived therefrom towards paying the board and lodging of such minister or ministers or the rent for a more suitable and convenient residence for such minister or ministers.

5. To let and sell pews and burial plots and to let manses.

6. The Trustees or a majority of them may, but only with the consent in writing of the Presbytery within the bounds of which the lands are situate (such consent to be under the hand of the presiding officer or secretary or clerk thereof), sell the said lands or any part thereof either by public sale or private contract and either for cash or upon credit and upon such terms as to price and for such price and upon such terms as to payment or otherwise as they may deem expedient; mortgage, hypothecate or exchange the said lands or any part thereof; let any church, chapel or meeting-house upon the same for such rent and upon such terms as they may deem expedient; and make all such conveyances, mortgages, leases and assurances as may be required to complete any such sale, mortgage, hypothecation, exchange or lease. The said Trustees after first paying or otherwise providing for all indebtedness of the Trustees shall apply the moneys arising from such sale, mortgage, hypothecation, lease or exchange for the purposes of such congregation as the Official Board thereof shall direct, but should such congregation cease to exist as an organized body, such proceeds, less any expense incurred in the execution of these trusts, shall be paid to The United Church of Canada to be applied for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council. Every application by Trustees for the consent of a Presbytery as aforesaid shall be in writing and shall state the purpose for which the moneys arising from such intended sale, mortgage, hypothecation, lease or exchange will be applied. Any decision of a Presbytery with regard to the sale, mortgage, hypothecation, lease or exchange of the said lands or any part thereof shall be subject to appeal to the Conference within the bounds of which the said lands are situate, at the instance of not fewer than any five members of the congregation affected thereby. In every case where the consent of such Presbytery or Conference has been obtained as aforesaid it shall not be incumbent upon the purchaser, mortgagee or lessee of the said lands or of any part thereof to enquire into the necessity, expediency or propriety of any such sale, mortgage, hypothecation, lease or exchange, or to see to the application of the moneys paid to the Trustees. A certificate of the secretary or clerk of any Presbytery or Conference that any such consent has been given shall be sufficient and conclusive evidence of such consent.

6. The trustees shall have power to sell, mortgage, exchange, or lease the trust property with the consent of the Presbytery.

7. The said Trustees shall keep a proper book or books of account showing all moneys received and disbursed by them, and a book or books of minutes showing correctly all minutes of their meetings and of resolutions passed and proceedings taken thereat, and such book or books shall at all reasonable times be open for inspection by the minister in charge of the congregation and by the Chairman of the Committee of Stewards, and any person or persons named by them or either of them, and the said minister or the said chairman and any person named by them or either of them as aforesaid shall have the right to make such copies or abstracts of or extracts from the said accounts or minutes, as he or they may desire, and upon request from the Committee of Stewards the Trustees shall submit all books of accounts and minutes, and all vouchers, receipts, papers and documents relating to the said accounts, for audit by the Committee of Stewards, or such person or persons as the said Committee may appoint for the purpose.

7. The trustees shall keep proper accounts and minutes.

8. Every meeting of Trustees for considering the making of any alteration of or addition to any building on the said lands, or any part thereof, or for considering the sale, mortgage, hypothecation, lease or exchange of the said lands, or any part thereof, except the letting or sale of pews, seats, vaults, tombs or burial plots, or for considering any litigation or legal proceedings in connection with the trust estate, shall be deemed a special meeting, and each member shall be entitled to seven days' notice in writing thereof, specifying the time, place and purpose of such meeting. Such notice shall be either personally delivered to each Trustee, or mailed to or delivered to him or her at his or her usual place of abode or business. Ordinary meetings may be called at any time by giving at least one day's notice in writing to each Trustee in the manner aforesaid, or by public announcement at a service for public worship at least one day prior to such meeting. Meetings may be called by the minister in charge of the congregation, or by at least two of the Trustees. Notwithstanding anything herein contained no meeting or any business transacted thereat shall be invalid by reason of any lack or defect of service of notice arising from inability to ascertain the usual place of abode or business of any Trustee. All questions shall be determined by the majority vote of the Trustees present at a meeting, and the Chairman shall have a casting vote in the event of a tie. The minister of such congregation shall have the right to preside as Chairman at all meetings of the Trustees and may appoint a deputy to act in his place in his absence, and in the absence of the Minister and of any such deputy the Trustees present may elect a Chairman from among themselves.

8. The trustees shall have seven days' notice of all special meetings and one day's notice of other meetings.

9. The number of said Trustees shall not be fewer than three or more than fifteen provided that where the number of existing Trustees is more than fifteen all such Trustees shall remain in office but that no vacancy in the office of trustee shall be filled until the number of Trustees is reduced below fifteen, in which case the number shall not again exceed fifteen. In case any of the said Trustees or any Trustee appointed under this provision shall, during his or her term of office, die, resign or, having been, cease to be a member of The United Church of Canada in full communion, or remove to such a distance, or fail to attend meetings for such period not less than one year, as shall in the opinion of his or her co-trustees expressed by a two-thirds vote of said co-trustees, render it inexpedient for him or her to remain a Trustee, or in case the said congregation shall think proper to remove a Trustee from his or her office as Trustee, it shall be lawful for the said congregation, at any meeting called by notice from the pulpit during public worship on each of the two next preceding Sundays on which public worship is held, to declare by the votes of two-thirds of the members then present that such Trustee

9. The number of trustees shall not be fewer than three or more than fifteen, and vacancies shall be filled by election by the congregation, or in default of such election, by the Presbytery, and the property of a congregation which ceases to exist shall be subject to the trusts determined by the Conference.

has ceased to be a Trustee of the said congregation, and such person shall thereupon cease to be a Trustee, and at the same meeting it shall be lawful for the said congregation by a like vote to appoint a successor to such Trustee provided, however, that no Trustee who is personally liable for payment of any indebtedness in respect of the property of a congregation shall be removed without his consent unless indemnified to his satisfaction in respect of any such liability and unless at least eight days' notice in writing of such meeting shall have been mailed to each of the Trustees at his or her last known address, which notice shall state the business to be transacted at such meeting. If no successor shall be appointed at such meeting a meeting may be called in like manner for the purpose of filling such vacancy, and at such meeting a new Trustee or new Trustees (as the case may require) shall be appointed by the votes of the majority of the members then present. The notice calling a meeting for the purpose of declaring or filling a vacancy or vacancies in the office of Trustee shall be read from the pulpit by the minister or person officiating as minister, at the request of any Trustee, or of any seven members of the congregation, and every such meeting may be adjourned from time to time by the vote of the majority of the members present. During any vacancy in the office of Trustee, the remaining Trustees, not being fewer than three in number, shall have all the powers of the full board. A majority of the Trustees shall form a quorum save when the number of Trustees exceeds nine, in which case five shall form a quorum. The majority of the Trustees shall be members of The United Church of Canada.

A minute of every such appointment of a Trustee shall be entered in a book to be kept for the purpose, and signed by the person presiding at the meeting, and such minute so signed shall be sufficient evidence of the fact that the person or persons therein named was or were appointed and elected at such meeting, but any omission or neglect to make or sign such minute shall not invalidate such appointment or election.

And it is hereby further declared that in case there shall be at any time fewer than three Trustees, the presiding officer or clerk of the Presbytery within whose bounds and under whose jurisdiction the said congregation shall be, shall, with the remaining Trustee or Trustees, be the Trustees under these presents until the full Board is duly appointed, and at any time thereafter the Presbytery may cause notice to be given from the pulpit on two consecutive Sundays requiring the said congregation to proceed with the appointment of new Trustees. And if the said congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Presbytery at any time after four weeks from the last giving of such notice, by resolution duly entered in the minutes of the Presbytery, to appoint new Trustees. Such appointment shall be communicated to the congregation by notice from the pulpit as soon as conveniently may be thereafter, and from the time of such communication the Trustee or Trustees so appointed shall be a Trustee or Trustees hereunder.

And it is further declared that if at any time there shall cease to be an organized congregation entitled to the use, benefit and enjoyment of the said lands, it shall be lawful at any time or times for the said Presbytery to fill any vacancy in the number of Trustees, and the said lands shall thenceforth be held subject to such trusts and for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council.

10. A Trustee shall not be responsible for the failure of any investment or security made or taken by the Trustees or for anything done in connection with the trust estate except for his own acts and to account for any moneys coming into his own hands, and shall not be liable for injury done by others to the said trust premises, or to any part thereof.

10. Trustees shall not be liable for involuntary loss.

11. In congregations existing previous to the Union which have not adopted the plan of organization prescribed for pastoral charges as provided by the Basis of Union, the words "Official Board" and "Committee of Stewards" and "Session" in this schedule shall mean such Board or Committee or other body respectively discharging similar functions in such congregations, as to which in case of doubt the opinion of the Presbytery to which such congregation belongs shall be final and conclusive.

SCHEDULE C.

The Colleges.

Westminster Hall.
Roberston College.
Presbyterian Theological College at Saskatoon.
Moose Jaw College.
Manitoba College.
Knox College.
Queen's Theological College.
The Ottawa Ladies' College.
The Presbyterian College, Montreal.
The Presbyterian College, Halifax.

Columbian Methodist College.
Ryerson College.
Alberta College North.
Alberta College South.
Mount Royal College.
Regina College.
Wesley College.
Victoria College.
Albert College.
Alma Ladies' College.
Ontario Ladies' College.
Wesleyan Theological College.
The Stanstead Wesleyan College.
The Mount Allison University.
The Mount Allison Ladies' College.
The Mount Allison Academy.

The Congregational College of British Columbia.
The Congregational College of Canada.

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 48.

An Act respecting the Construction of a Canadian National Railway Line from Turtleford to near Hafford in the Province of Saskatchewan.

First reading, April 10, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76341 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 48.

An Act respecting the Construction of a Canadian National Railway Line from Turtleford to near Hafford in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From Turtleford in a generally southeasterly direction to a point at or near Hafford, in the Province of Saskatchewan.	23	102	2,313,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 48.

An Act respecting the Construction of a Canadian National Railway Line from Turtleford to near Hafford in the Province of Saskatchewan.

AS PASSED BY THE HOUSE OF COMMONS, 16th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76569 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 48.

An Act respecting the Construction of a Canadian National Railway Line from Turtleford to near Hafford in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Turtleford in a generally south-easterly direction to a point at or near Hafford, in the Province of Saskatchewan.	23	102	2,313,000 00	22,677 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 49.

An Act respecting the Construction of a Canadian National Railway Line between Dunblane and Mawer in the Province of Saskatchewan.

First reading, April 10, 1924.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76342 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 49.

An Act respecting the Construction of a Canadian National Railway Line between Dunblane and Mawer in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the cost of construction thereof as mentioned or referred to in the schedule to this Act show merely the estimated distance and cost prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

5. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

6. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

7. The Minister shall present to Parliament during each session held prior to the date mentioned in Section one of this Act a statement showing the nature and extent of the work done under the authority of this Act during the previous calendar year, and the cost thereof, and the estimated expenditure for the current calendar year.

SCHEDULE.

Location.	Mileage already graded.	Estimated.	
		Mileage including existing grading.	Cost.
			$ cts.
From Dunblane on the Canadian Northern Railway in a generally southeasterly direction to Mawer on the Grand Trunk Pacific Railway in the Province of Saskatchewan.	0	42	2,767,000 00

Third Session, Fourteenth Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA

BILL 49.

An Act respecting the Construction of a Canadian National Railway Line between Dunblane and Mawer or a point west thereof, in the Province of Saskatchewan.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1924.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
76570 1924

3rd Session, 14th Parliament, 14-15 George V, 1924

THE HOUSE OF COMMONS OF CANADA.

BILL 49.

An Act respecting the Construction of a Canadian National Railway Line between Dunblane and Mawer or a point west thereof in the Province of Saskatchewan.

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

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction or completion prior to the thirty-first day of August, one thousand nine hundred and twenty-seven, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act.

Company may issue securities and Governor in Council may authorize guarantee thereof.

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and interest of such securities.

Certificates of Minister as to mileage of said line of railway.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and cost are estimates only but not to be exceeded by more than 15%.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither the Minister in the issuance of such certificates,

nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

6. The kind of securities to be issued and guaranteed in respect of the said line of railway and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

7. To enable the work of construction and completion of the said line of railway to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such securities.

Statement to Parliament annually.

8. The Minister shall present to Parliament during the first ten days of each session held prior to the date mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year together with the amount of any advances made under the provisions of section seven of this Act and the amount of such advances reimbursed.

SCHEDULE.

Location	Mileage already graded	Estimates		
		Mileage including existing grading	To be expended	Average expenditure per mile
			$ cts.	$ cts.
From Dunblane on the Canadian Northern Railway in a generally southeasterly direction to Mawer or a point west thereof on the Grand Trunk Pacific Railway in the Province of Saskatchewan.	0	42	2,767,000 00	65,881 00