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F 8 APR 1884

# ACTS

OF THE

## PARLIAMENT OF THE UNITED KINGDOM

OF

# GREAT BRITAIN AND IRELAND

PASSED IN THE SESSION HELD IN THE

46TH & 47TH YEARS OF THE REIGN OF HER MAJESTY,

## QUEEN VICTORIA,

BEING THE FOURTH SESSION OF THE TWENTY-SECOND PARLIAMENT OF THE UNITED KINGDOM.

*Office of the Peace,  
Luebee 31<sup>st</sup> July 1884*

*J. Murray  
Clerk of the Peace*



OTTAWA:

PRINTED BY BROWN CHAMBERLIN,  
LAW PRINTER (FOR CANADA) TO THE QUEEN'S MOST EXCELLENT MAJESTY.  
ANNO DOMINI, 1884.



CHAPTER 30.

An Act to authorize Companies registered under the A.D. 1883.  
Companies Act, 1862, to keep Local Registers of their  
Members in British Colonies.

[20th August, 1883.]

**W**HEREAS many companies registered under the Companies Act, 1862, carry on business in British colonies, and dealings in their shares are frequent in such colonies, but delay, inconvenience and expense are occasioned by reason of the absence of any legal provision for keeping local registers of members; and it is expedient that such provisions as this Act contains be made in that behalf:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1.** This Act may be cited for all purposes as the Companies Short title and construction.  
(Colonial Registers) Act, 1883; and this Act shall, so far as is consistent with the tenor thereof, be construed as one with the Companies Act, 1862 to 1880, and the said Acts and this Act may be referred to as the Companies Acts, 1862 to 1883.

**2.** In this Act the term "company" means a company Definitions.  
registered under the Companies Act, 1862, and having a capital divided into shares; the term "shares" includes stock; the term "colony" does not include any place within the United Kingdom, the Isle of Man, or the Channel Islands, but includes such territories as may, for the time being, be vested in Her Majesty by virtue of an Act of Parliament for the Government of India, and any plantation, territory or settlement, situate elsewhere within Her Majesty's dominions.

**3.** (1.) Any company whose objects comprise the trans- Power for companies to keep Colonial registers.  
action of business in a colony may, if authorized so to do by its regulations, as originally framed or as altered by special resolution, cause to be kept in any colony in which it transacts business a branch register or registers of members resident in such colony.



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*Companies (Colonial Registers) Act, 1883.*

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(2.) The company shall give to the registrar of joint stock companies notice of the situation of the office where any such branch register (in this Act called a colonial register) is kept, and of any change therein, and of the discontinuance of any such office in the event of the same being discontinued.

(8.) A colonial register shall, as regards the particulars entered therein, be deemed to be a part of the company's register of members, and shall be *prima facie* evidence of all particulars entered therein. Any such register shall be kept in the manner provided by the Companies Acts, 1862 to 1880, with this qualification, that the advertisement mentioned in section thirty-three† of the Companies Act, 1862, shall be inserted in some newspaper circulating in the district wherein the register to be closed is kept,—and that any competent court in the colony where such register is kept shall be entitled to exercise the same jurisdiction of rectifying the same as is by section thirty-five‡ of the Companies Act, 1862, vested, as respects a register, in England and Ireland, in Her Majesty's superior courts of law or equity,—and that all offences under section thirty-two\* of the Companies Act, 1862, may, as regards a colonial register, be prosecuted summarily before any tribunal in the colony where such register is kept having summary criminal jurisdiction.

25 & 26 V., c.  
89.

(4.) The company shall transmit to its registered office a copy of every entry in its colonial register or registers as soon as may be after such entry is made, and the company shall cause to be kept at its registered office, duly entered up from time to time, a duplicate or duplicates of its colonial register or registers. The provisions of section thirty-two\* of the Companies Acts, 1862, shall apply to every such duplicate, and every such duplicate shall, for all the purposes of the Companies Act, 1862 to 1880, be deemed to be part of the register of members of the company.

(5.) Subject to the provisions of this Act with respect to the duplicate register, the shares registered in a colonial register shall be distinguished from the shares registered in the principal register, and no transaction with respect to any shares registered in a colonial register shall, during the continuance of the registration of such shares in such colonial register, be registered in any other register.

(6.) The company may discontinue to keep any colonial register, and thereupon all entries in that register shall be transferred to some other colonial register kept by the com-

*Companies (Colonial Registers) Act, 1883.*

pany in the same colony, or to the register of members kept at the registered office of the company.

(7.) In relation to stamp duties the following provisions shall have effect :—

- (a) An instrument of transfer of a share registered in a colonial register under this Act shall be deemed to be a transfer of property situated out of the United Kingdom, and unless executed in any part of the United Kingdom shall be exempt from British stamp duty.
- (b) Upon the death of a member registered in a colonial register under this Act, the share or other interest of the deceased member shall, for the purposes of this Act, so far as relates to British duties, be deemed to be part of his estate and effects situated in the United Kingdom for or in respect of which probate or letters of administration is or are to be granted, or whereof an inventory is to be exhibited and recorded, in like manner as if he were registered in the register of members kept at the registered office of the company.

(8.) Subject to the provisions of this Act, any company may, by its regulations, as originally framed, or as altered by special resolution, make such provisions as it may think fit respecting the keeping of colonial registers.

(Extracts from 25 and 26 Vict., chap. 89, above referred to.)

\*32 The register of members, commencing from the date of the registration of the Company, shall be kept at the registered office of the Company hereinafter mentioned : except when closed, as hereinafter mentioned, it shall during business hours, but subject to such reasonable restrictions as the Company in general meeting may impose (so that not less than two hours in each day be appointed for inspection), be open to the inspection of any member gratis, and to the inspection of any other person on the payment of one shilling, or such less sum as the Company may prescribe, for each inspection ; and every such member or other person may require a copy of such register, or of any part thereof, or of such list or summary of members as is hereinbefore mentioned, on payment of six pence for every hundred words required to be copied ; if such inspection or copy is refused, the Company shall incur for each refusal a penalty not exceeding two pounds, and a further penalty, not exceeding two pounds, for every day during which such refusal continues ; and every director and manager of the Company who shall knowingly authorize or permit such refusal shall incur the like penalty ; and in addition to the above penalty, as respects Companies registered in England and Ireland, any judge sitting in chambers, or the Vice-Warden of the Stannaries, in the case of Companies subject to his jurisdiction, may, by order, compel an immediate inspection of the register. Inspection of Register.

†33. Any Company under this Act may, upon giving notice by advertisement in some newspaper circulating in the district in which the registered office of the Company is situated, close the register of members for any time or times not exceeding, in the whole, thirty days in each year. Power to close Register

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*Companies (Colonial Registers) Act, 1883, &c.*

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Remedy for improper entry or omission of entry in register.

135. If the name of any person is, without sufficient cause, entered in or omitted from the register of members of any Company under this Act, or if default is made, or unnecessary delay takes place in entering on the register, the fact of any person having ceased to be a member of the Company, the person or member aggrieved, or any member of the Company, or the Company itself, may, as respects Companies registered in England or Ireland, by motion in any of Her Majesty's Superior Courts of Law or Equity, or by application to a judge sitting in chambers, or to the Vice-Warden of the Stannaries in the case of Companies subject to his jurisdiction; and as respects Companies registered in Scotland, by summary petition to the Court of Sessions, or in such other manner as the said courts may direct, apply for an order of the court that the register may be rectified; and the court may either refuse such application, with or without costs, to be paid by the applicant, or it may, if satisfied of the justice of the case, make an order for the rectification of the register, and may direct the Company to pay all the costs of such motion, application or petition, and any damages the party aggrieved may have sustained. The court may, in any proceeding under this section, decide on any question relating to the title of any person who is a party to such proceeding, to have his name entered in or omitted from the register, whether such question arises between two or more members, or alleged members, or between any members or alleged members, and the Company; and generally the court may, in any such proceeding, decide any question that it may be necessary or expedient to decide for the rectification of the register; provided that the court, if a Court of common law, may direct an issue to be tried, in which any question of law may be raised, and a writ of error or appeal, in the manner directed by "The Common Law Procedure Act, 1854," shall lie.

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## CHAP. 41.

A.D. 1883.

An Act to amend the Merchant Shipping Acts, 1854 to 1880, with respect to Fishing Vessels and Apprenticeship to the Sea Fishing Service and otherwise.

[25th August, 1883.]

**W**HEREAS the enactments of the Merchant Shipping Acts, 1854 to 1880, with respect to fishing vessels, require amendment, and it is desirable to make further provision for the encouragement and regulation of the fishing trade; and whereas it is expedient to amend the Acts relating to merchant shipping in certain particulars:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same as follows:—

Title and construction of the Act.

1. This Act may be cited as the Merchant Shipping (Fishing Boats) Act, 1883.

This Act and the Merchant Shipping<sup>\*</sup> Acts, 1854 to 1880, the Merchant Shipping (Colonial) Act, 1869, and the Merchant Shipping (Colonial Inquiries) Act, 1882, may be cited collectively as the Merchant Shipping Acts, 1854 to

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*Merchant Shipping (Fishing Boats) Act, 1883.*

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1883, and shall be construed as though they formed one Act. This Act shall not apply to Scotland.

2. This Act shall be divided into two parts, the first part relating to fishing boats and the sea fishing service, and the second part to miscellaneous matters. Division of Act into parts.

### PART. I.

#### FISHING BOATS AND SEA FISHING SERVICE.

3. Such portions of the first part of this Act as in any way relate to indentures of apprenticeship to the sea fishing service or agreements with boys under sixteen years of age with respect to such service, shall apply to all fishing vessels of twenty-five tons register tonnage and upwards; and such portions of the first part of this Act as in any way relate to discipline, or the settlement of disputes between a skipper or owner and a seaman, or to deaths, injuries, punishments, ill-treatment and casualties; and section twenty-five shall apply to all fishing boats and to the whole fishing service. The remainder of the first part of the Act shall apply to trawlers of twenty-five tons register tonnage and upwards only, and to no other fishing boats. Application of the first part of this Act, and definition.

The Board of Trade, by order under the hand of the President of the Board of Trade, to be published in the *London Gazette* may exempt any class of such trawler or trawlers, belonging to any port, from the whole or any portion of the said part of this Act, from the date in such order mentioned, and may, in like manner, extend all or any of the provisions of the said part of this Act to any fishing boat in such order referred to, and may, in like manner, from time to time, revoke, alter or amend any order made by the Board as aforesaid. The Board of Trade may, before making any order under this section, institute such inquiry as, in their opinion, may be required for the purpose of enabling them to make such order by such person or persons as the President may appoint for the purpose, and the person or persons so appointed shall have power to take evidence on oath or otherwise, and shall have all the powers of an inspector appointed under the first part of the "*Merchant Shipping Act, 1854.*"

In this Act "fishing boat" means a vessel for the time being employed in the sea fishing service, but shall not include a boat used by its navigators for catching fish otherwise than for profit. The onus of establishing any exemption or exception under or in the said part of this Act, shall be upon

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*Merchant Shipping (Fishing Boats) Act, 1883.*

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the person or persons claiming or asserting such exemption. The "second hand" of a fishing boat in this Act means the mate or person next to the skipper in authority or command on board of her.

The registered tonnage of a fishing boat registered under the "*Merchant Shipping Act, 1854 to 1883*," and in the case of an unregistered fishing boat, a certificate stating her register tonnage (ascertained according to the method sanctioned by the said Acts for the ascertainment of a ship's register tonnage) and purporting to be given under the hand of a Board of Trade surveyor, shall be conclusive of the tonnage of such boat.

APPRENTICESHIP TO THE SEA FISHING SERVICE AND  
AGREEMENTS WITH BOYS UNDER SIXTEEN WITH  
RESPECT TO SUCH SERVICE.

Apprentice-  
ship inden-  
tures and  
agreements  
with boys  
under 16, how  
to be entered  
into.

4. All indentures of apprenticeship to the sea fishing service, and all agreements with boys under sixteen years of age with respect to such service, shall be entered into before a superintendent of a mercantile marine office, who, before allowing the same to be completed, shall satisfy himself that the indenture or agreement complies with all the requirements of this Act, and that the master to whom the boy is to be bound is a fit person for the purpose, and that the boy is not under thirteen years of age, and is of sufficient health and strength, and that the nearest relations of the boy or his guardian or guardians assent to the boy's being apprenticed (in the case where the boy is apprenticed), and to the stipulations in the indenture or agreement, and shall make and sign an endorsement, that he is so satisfied, on the indenture or agreement. Where the nearest relations or guardian or guardians cannot readily be found, or are not known, or if there are none, the superintendent shall act as guardian for the occasion and state in the said endorsement that he has so acted. The said endorsement shall be evidence of the facts therein stated, and the superintendent's signature or appointment as superintendent shall not require proof. All such indentures or agreements shall be in triplicate—one to be kept by the master, one by the boy, and one by the superintendent.

Indentures of  
apprentice-  
ship and  
agreements to  
contain  
provisions  
set forth in  
second  
schedule;  
otherwise to  
be void.

5. All such indentures of apprenticeship or agreements as are, in section four, referred to shall be in the forms in the second schedule to this Act set forth, and shall contain all the covenants, provisions, stipulations and certificates set forth in the said forms in the second schedule and also the endorsements in the forms in the said schedule; and the directions therein shall be complied with.

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*Merchant Shipping (Fishing Boats) Act, 1883.*

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Her Majesty may, from time to time, on the recommendation of the Board of Trade, by Order-in-Council, annul, modify or alter any of the said covenants, provisions, stipulations or certificates, or make new covenants, provisions, stipulations or certificates in addition thereto, or in substitution therefor, and any alterations or modifications in or additions to or substitutions for such covenants, provisions, stipulations or certificates made in manner aforesaid, shall be of the same force as the covenants, provisions, stipulations and certificates in the said schedule.

6. No boy under the age of thirteen years shall enter into any indenture or apprenticeship to the sea fishing service, or agreement with respect to such service. Every indenture or agreement entered into contrary to this section shall be void.

Limits of age for lads employed in sea fishing.

7. Every person who receives any money or valuable consideration from the person to whom a boy is bound apprentice to the sea fishing service, or to whom a boy under sixteen years of age is bound by any agreement with respect to the sea fishing service, or from any one on his behalf, or from the boy or any one on his behalf, in consideration of the boy being so bound, and every person who makes or causes to be made any such payment shall be guilty of a misdemeanor, whether such boy was or was not validly bound apprentice or was or was not validly bound by such agreement.

Penalty on persons receiving money for binding apprentice.

8. Every such indenture of apprenticeship or agreement as aforesaid with respect to the sea fishing service not complying with the provisions of this Act or not entered into before a superintendent of a mercantile marine office and endorsed by him as aforesaid, or otherwise not made as by this Act required, shall be void, and the person to whom such indenture or agreement purported to bind the boy shall, if he takes or causes the boy to be taken to sea, be liable to a penalty not exceeding twenty pounds. Every person who takes or causes to be taken to sea for the purpose of serving in some capacity connected with the sea fishing service a boy not bound by an indenture or agreement as aforesaid, or purporting to be bound by an indenture or agreement which is void under this Act, shall, for every such offence, incur a penalty not exceeding twenty pounds. Nothing in this Act shall prevent the daily employment in a fishing boat of any boy under sixteen years of age, who is under no obligation to remain in such employment for a longer period than one day, and with whom no written agreement has been made.

Indentures and agreements with boys to be void if not entered into before a superintendent of mercantile marine.

*Merchant Shipping (Fishing Boats) Act, 1883.*

Penalty for taking boy to sea under void indenture or agreement, and powers of superintendent in such case.

9. The superintendent of a mercantile marine office at the port from which a boy is taken to sea may, for the benefit of the boy, if he thinks it just so to do, enforce by action or other appropriate legal proceedings brought or taken in his own name against the master, all or any of the stipulations in a void indenture or agreement which are in favor of the boy to such extent as he may deem just, and may (so far as necessary) apply any sums recovered by him in payment of the costs of recovering the same; and if there is no superintendent at such port, then the superintendent of the nearest port shall have the same powers.

Power of mercantile superintendents to enforce indentures or agreements.

10. The superintendent of the mercantile marine office before whom an indenture of apprenticeship or agreement as aforesaid with respect to the sea fishing service is completed, or his successor, may, if he thinks fit, by action or other appropriate legal proceedings, brought or taken in his name, enforce on behalf of the boy, against the master, the stipulations in such indenture or agreement, and may (so far as necessary) apply any sums recovered by him in payment of the costs of recovering the same; and the superintendent of a mercantile marine office, referred to in the apprenticeship indentures and agreements entered into under this Act, shall have and, when necessary, execute the powers and authority therein given to them.

Shipping masters to assist in binding apprentices and making agreements, and to be under the control of the Board of Trade.

11. All superintendents of mercantile marine offices shall, when applied to by any person desirous of entering into indentures of apprenticeship to the sea fishing service, or agreement with respect to such service under this Act, or desirous of causing the same to be entered into, render such assistance as in their power in reference thereto, and supply forms of articles of agreements at such reasonable rates (if any) as the Board of Trade may fix, and may take from masters such fees (if any) as the said Board may fix in respect of articles or agreements entered into before them. All such indentures and agreements shall be exempt from stamp duty. Superintendents of mercantile marine offices shall, in carrying out this Act, be subject to the control of the Board of Trade, and shall obey any directions the Board of Trade may think fit to give to them.

Guardians and overseers of the poor to apprentice in conformity with this Act.

12. Guardians and overseers of the poor, and persons having the authority of guardians or overseers of the poor, desirous of apprenticing boys to the sea fishing service, shall not permit or cause articles of apprenticeship for that purpose to be entered into, except in conformity with the provisions of this Act.

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*Merchant Shipping (Fishing Boats) Act, 1883.*


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## AGREEMENTS WITH SEAMEN.

**13.** The skipper of every fishing boat shall enter into an agreement with every seaman (not being a boy under such an agreement as is by this Act required) whom he carries to sea from any port in the United Kingdom as one of his crew; and every such agreement shall be in a form sanctioned by the Board of Trade, and shall be dated on the date of the first signature thereof, and shall be signed by the skipper before any seaman signs the same, and shall contain the following particulars as terms thereof; that is to say:—

Agreements to be made with seamen containing certain particulars.

1. The nature, and, as far as practicable, the duration of the intended voyage or engagement;
2. The number and description of the crew;
3. The time at which each seaman is to be on board or to begin work;
4. The capacity in which each seaman is to serve;
5. The remuneration which each seaman is to receive, whether in wages or by a share in the catch, or in both ways, and the time from which each seaman's remuneration is to commence;
6. A scale of the provisions which are to be furnished to each seaman;
7. Any regulations as to conduct on board, and as to fines, short allowance of provisions, or other lawful punishments for misconduct which have been sanctioned by the Board of Trade as regulations proper to be adopted, and which the parties agree to adopt;

And every such agreement shall be so framed as to admit of stipulations, to be adopted at the will of the skipper and seaman in each case, as to advance and allotment of wages, and may contain any other stipulations which are not contrary to law.

**14.** The following rules shall be observed with respect to agreements; that is to say:—

Manner of entering into agreements.

1. Every agreement made in the United Kingdom shall be signed by each seaman;
2. The skipper shall cause the agreement to be read over and explained to each seaman, or otherwise ascertain that



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*Merchant Shipping (Fishing Boats) Act, 1883.*

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each seaman understands the same before he signs it, and shall attest each signature ;

3. When the crew is first engaged the agreement shall be signed in duplicate, and one part shall be sent by the skipper to the superintendent of the mercantile marine office at the port of departure and retained by him, and the other part shall contain a special place or form for the descriptions or signatures of substitutes, or persons engaged subsequently to the first departure of the fishing boat, and shall be retained by the skipper ;

4. In the case of substitutes engaged in the place of seamen who have duly signed the agreement, and whose services are lost after the fishing boats putting to sea, by death, desertion, the failure of any seaman duly engaged to join, or other unforeseen cause, the skipper shall, before the fishing boat puts to sea, if practicable, and if not, as soon afterwards as possible, cause the agreement to be read over and explained to the seamen, and the seamen shall thereupon sign the same in the presence of the skipper, who shall attest their signatures.

Special agreements may be made for several fishing boats belonging to the same owners, and owners may enter into agreements instead of skippers.

15. The agreement with the seamen may be made by the owner (or in the case of there being several owners, the registered managing owner) instead of the skipper ; and the seamen may be engaged to serve in any two or more vessels belonging to the same owner, provided that the names of the vessels and the length and nature of the service and the rate, periods and method of payment, are specified in the agreement ; and with the foregoing exceptions, all provisions of this Act which relate to ordinary agreements for fishing boats shall be applicable to agreements made in pursuance of this section as if the owner were therein named instead of the skipper, and every person engaged thereunder shall be discharged in the manner by this Act required for the discharge of seamen belonging to fishing boats.

Fishing boats making short voyages may have running agreements.

16. In the case of fishing boats making voyages averaging less than six months in duration, running agreements with the crew may be made to extend over two or more voyages or any number of weeks, so that no such agreement shall extend beyond the next following thirtieth day of June or the thirty-first day of December, or the first arrival of the fishing boat at her port of destination in the United Kingdom after such date, or the discharge of cargo consequent upon such arrival : with the foregoing exception, all provisions of this Act which relate to ordinary agreements for fishing boats shall be applicable to agreements made in pursuance of this

*Merchant Shipping (Fishing Boats) Act, 1883.*

section, and every person engaged thereunder shall be discharged in the manner by this Act required for the discharge of seamen belonging to fishing boats.

**17.** The skipper of every fishing boat for which such a running agreement as aforesaid is made, shall, upon every return to a port in the United Kingdom before the final termination of the agreement, discharge or engage in accordance with the provisions of this Act any seaman whom he discharges or engages at such port, and shall, upon every such return, endorse on the agreement the statement (as the case may be) either that no such discharges or engagements have been made, or are intended to be made, before the fishing boat again leaves port, or that all such discharges or engagements have been duly made as hereinbefore required, and shall sign the same. Any skipper who knowingly makes a false statement in such endorsement shall incur a penalty not exceeding five pounds.

Engagement and discharge of seamen pending a running agreement.

**18.** In this Act a "voyage" of a fishing boat shall mean a fishing trip, commencing with a departure from a port for the purpose of fishing, and ending with the first return to a port thereafter upon the conclusion of the trip. A return due to distress only shall not be deemed to be a return, if it is followed by a resumption of the trip.

Definition of "voyage" of a fishing boat.

**19.** The owners of every fishing boat shall within forty-eight hours of the fishing boat's departure from port on any voyage send or cause to be sent to the superintendent of the mercantile marine office at the port of departure a true report, in a form to be sanctioned by the Board of Trade, stating the names of the skipper, seamen and apprentices who have gone to sea in her, and containing such other particulars as the said Board may require, and signed by an owner or the registered managing owner. Where the sole or the registered managing owner or all the owners of a fishing boat goes or go to sea in her on the voyage, or the voyage commences at a port where there is no owner or registered managing owner, the said report may be made and signed on his or their behalf by his or their agent for that purpose.

Report of a fishing boat's crew on a voyage, to be made.

For every non-compliance with the requirements of this section, each owner and the registered managing owner (if any) shall incur a penalty not exceeding five pounds.

**20.** If, in any case, a skipper carries to sea any seamen with whom no agreement has been entered into in the form and manner and at the place and time by this Act in such case required, the skipper shall, for each seaman so carried to sea, incur a penalty not exceeding five pounds.

Penalty for shipping seamen without agreement duly executed.

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*Merchant Shipping (Fishing Boats) Act, 1883.*

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Changes in crew to be reported.

**21.** The skipper of every fishing boat shall before finally leaving any port for sea during the continuance of a running agreement after the first making of the same, sign and send to the nearest superintendent of a mercantile marine office a full and accurate statement in a form sanctioned by the Board of Trade, of every change which has taken place in his crew, and in default shall for each offence incur a penalty not exceeding five pounds, and such statement shall be evidence of the matters therein stated pursuant to this section.

Alterations, &c., in agreements to be void unless attested.

**22.** Every erasure, interlineation or alteration in any such agreement as is required by this Act (except additions so made as hereinbefore directed for shipping substitutes or persons engaged subsequently to the first departure of the fishing boat) shall be wholly inoperative unless proved to have been made with the consent of all the persons interested in such erasure, interlineation or alteration.

Penalty for falsifying or delivering false copy of an agreement.

**23.** Every skipper who fraudulently alters or is privy to the fraudulent altering, or makes or is privy to the making of any false entry in, or delivers or is privy to the delivering of a false copy of any such agreement as is required by this Act, shall for each such offence, incur a penalty not exceeding twenty pounds.

WAGES AND DISCHARGE OF SEAMEN.

Skipper to deliver accounts of wages.

**24.** Every owner or skipper shall, not less than four hours before paying off or discharging any seaman, unless the seaman gives notice to the skipper that he does not require it, deliver to him a full and true account, in a form sanctioned by the Board of Trade, of his wages (not being a share in the catch), and of all deductions to be made therefrom, on any account whatever, and in default shall, for each offence, incur a penalty not exceeding five pounds; and no deduction from the wages of any seaman (except in regard of matters happening after such delivery) shall be allowed unless it is included in the account so delivered.

Seamen to have inspection of owner's accounts and books relating to catch.

**25.** When any seaman is under an agreement to be paid, by a share in the catch, and any dispute arises as to his share, such seaman shall be entitled to inspect, at all reasonable times, the owner's accounts and books relating to such catch; and if any owner refuses or neglects to submit such accounts or books to such seaman's inspection, upon demand made at a reasonable time, he shall for each offence incur a penalty not exceeding twenty pounds.

*Merchant Shipping (Fishing Boats) Act, 1883.*

**26.** Upon the discharge of any seaman, or upon payment of his wages, the skipper shall sign and deliver to him a certificate of his discharge, in a form sanctioned by the Board of Trade, specifying the period of his service and the time and place of his discharge; and if any skipper fails to sign and deliver to any such seaman such certificate of discharge he shall, for each such offence, incur a penalty not exceeding five pounds.

Skipper to give seamen certificate of discharge.

**27.** Every seaman who has signed an agreement and is discharged before the commencement of the voyage, or at any time during the voyage or engagement, without fault on his part justifying the discharge, and without his consent, shall be entitled to recover, in addition to an amount of wages proportionate to the time he has served, sufficient compensation for the damage thereby caused to him, in the same manner as wages would be recoverable by him.

Seamen discharged without fault to recover compensation in same manner as wages.

## DISCIPLINE.

**28.** Whenever any seaman who has been lawfully engaged to serve on any fishing boat, or any apprentice to the sea fishing service, commits any of the following offences, he shall be liable to be punished summarily, as follows:—

Offences of seamen and apprentices, and their punishment.

(1.) For desertion, he shall be liable to forfeit all or any part of the clothes and effects he leaves on board, and all or any part of the wages or emoluments which he has then earned, and to satisfy any excess of wages paid by the skipper or owner of the fishing boat from which he deserts, to any substitute engaged in his place at a higher rate of wages than the rate stipulated to be paid to him;

Desertion.

(2.) For neglecting or refusing, without reasonable cause, to join his fishing boat, or to proceed to sea in his fishing boat, or for absence without leave at any time within twenty-four hours of the boat's sailing from any port, either at the commencement or during the progress of the engagement, or for absence at any time without leave and without sufficient reason, from his boat, not amounting to desertion, or not treated as such by the skipper, he shall be liable to forfeit a sum not exceeding the amount of two days' pay, and in addition, for every twenty-four hours of absence, either a sum not exceeding four days' pay, or any expenses which have been properly incurred in respect of a substitute;

Neglect or refusal to join or proceed to sea, and absence without leave.

(3.) For quitting the boat without leave after her arrival in port, and before she is placed in security, he shall be liable to forfeit a sum not exceeding two weeks' pay;

Quitting boat before it is in security.

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Disobedience and neglect of duty. (4.) For wilful disobedience to any lawful command during the engagement, he shall be liable to imprisonment not exceeding four weeks, with or without hard labor, and also, at the discretion of the court, to forfeit a sum not exceeding two days' pay ;

Continuous disobedience or neglect of duty. (5.) For continued wilful disobedience to lawful commands during the engagement, or continued wilful omission to do his duty during the engagement, he shall be liable to imprisonment for any period not exceeding twelve weeks, with or without hard labor, and also, at the discretion of the court, to forfeit, for every twenty-four hours' continuance of such disobedience or omission, either a sum not exceeding six days' pay, or any expenses which have been properly incurred in respect of a substitute ;

Assaults. (6.) For assaulting any skipper or second hand he shall be liable to imprisonment for any period not exceeding twelve weeks, with or without hard labor ;

Combination to disobey or neglect duty. (7.) For combining with any other, or others, of the crew, to disobey lawful commands, or to neglect duty, or to impede the navigation of the boat, or the progress of the trip, he shall be liable to imprisonment for any period not exceeding twelve weeks, with or without hard labor ;

Damage to boat or stores or cargo, and embezzlement. (8.) For wilfully damaging the boat, or embezzling or wilfully damaging any of her stores or cargo, he shall be liable to forfeit a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, to imprisonment for any period not exceeding twelve weeks, with or without hard labor ;

Smuggling. (9.) For any act of smuggling of which he is convicted, and whereby loss or damage is caused to the skipper or owner, he shall be liable to forfeit such a sum as is sufficient to reimburse the master or owner for such loss or damage.

The court (before which the offender is prosecuted) may order any sums of money which a seaman or apprentice has forfeited under this section to be deducted from any wages coming to him, in respect of service as a seaman or apprentice, and (if they think fit) that the forfeiture shall be for the benefit of the person by whom the wages are payable, or the person who has been injured by the commission of the offence in respect whereof the forfeiture accrued. In the case of apprentices and boys serving under such an agreement as is by this Act required, paragraphs (4), (5), (6) and (7) of this section shall apply to them when ashore as

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well as when on board. Refusing or neglecting to go to sea or desertion shall in no way relieve a seaman or apprentice from any punishment he may have incurred under paragraphs (4), (5) or (7) of this section, but in addition to any such punishment, he may be punished for an offence or offences under paragraphs (1) and (2) thereof, or either of them.

**29.** Any question concerning the forfeiture of sums which may be deducted from the wages of any seaman or apprentice, or concerning deductions therefrom, may be determined in any proceeding lawfully instituted with respect to such wages, and may be so determined, notwithstanding that the offence in respect of which such question arises, though made punishable by imprisonment as well as forfeiture, has not been made the subject of any criminal proceeding.

Questions of forfeiture may be decided in suits for wages.

**30.** All clothes, effects, wages and emoluments which are forfeited for desertion, shall be applied, in the first place, towards the reimbursement of the expenses occasioned by such desertion to the skipper or owner of the fishing boat from which the desertion has taken place; and in any legal proceedings relating to such wages the court may order the same to be applied accordingly, and may order the things forfeited to be sold, in cases where the things forfeited do not consist of money; and the proceeds of such sale shall be applied in manner aforesaid. Subject to such reimbursement and to the provisions of this Act, the things forfeited or the proceeds thereof (as the case may be) and all forfeitures under this Act, shall be paid into the receipts of Her Majesty's Exchequer, in such manner as the Commissioners of the Treasury may direct, and shall be carried to and form part of the Consolidated Fund of the United Kingdom.

How things forfeited are to be disposed of.

**31.** Whenever a seaman or apprentice is brought before any court on the ground of his having neglected or refused to join or to proceed to sea in any fishing boat in which he has engaged to serve, or of having deserted or otherwise absented himself therefrom without leave, the court may, at the request of the owner or the skipper or his agent, in addition to or in lieu of imposing any punishment he may have incurred, cause him to be conveyed on board for the purpose of fulfilling his engagement, or deliver him to the skipper to be so conveyed by him, and may order any costs or expenses properly incurred to be paid by the offender, and, if necessary, to be deducted from any wages which he has then earned, or which he may thereafter earn under the engagement aforesaid.

Deserters and others may be sent back to their boats.

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How seamen and apprentices deserting, or neglecting or refusing to join or proceed to sea, or absent without leave, or guilty of disobedience or neglect of duty, may be dealt with.

**32.** The superintendent of a mercantile marine office, or the principal Board of Trade officer at a port or district, and their respective deputies, may, upon the information made, if such superintendent, principal officer or deputy so requires, on oath or affirmation, according to law, of the owner, skipper, second hand or agent of a fishing boat, issue a warrant under his hand in such form as shall be sanctioned by the Board of Trade for the apprehension of any seaman or apprentice charged with an offence under paragraphs (1), (2), (4), (5) and (7) of section twenty-eight of this Act, or any of them. Such warrant shall be executed by any police officer or constable of the county or borough where the offender may be, and shall continue valid for ninety-six hours from the time endorsed on the same by the person granting the same. The seaman or apprentice when apprehended, shall be brought by such police officer or constable without delay before the persons above named, or one of them, who shall make inquiry then and there into the reasons alleged by the seaman or apprentice for doing the acts, or omitting to do the acts, of which he is accused, and should they seem to him to be insufficient, the seaman or apprentice shall be ordered to join his fishing boat and resume his duty. On his refusal to comply, the person apprehended shall be ordered by the superintendent, principal officer or deputy aforesaid, to be detained and taken with convenient speed before such justices as have jurisdiction to hear and determine the charge brought against him, and upon which he was apprehended, in order that they may proceed, with reference to the said charge, and hear and determine the same in due course of law. Should the reason alleged by the seaman or apprentice seem sufficient to the person aforesaid, he shall forthwith discharge him. No charge or information made or laid before such superintendent, or principal officer, or deputies need be reduced to writing; and such superintendent, principal officer or deputies may take the evidence on oath or affirmation according to law (if they deem it advisable) of such persons other than the seaman or apprentice as may be able and willing to give information concerning the matters in question, and for that purpose shall have all the powers given by the "*Merchant Shipping Acts, 1854 to 1883*," to an inspector appointed under the first part of the "*Merchant Shipping Act, 1854*," Any warrant issued as aforesaid shall be good and effectual in law if in form aforesaid, and filled in reasonably in accordance with the directions in such form contained. No person shall be liable to an action for anything done pursuant to such warrant aforesaid, or under the order of such superintendent, principal officer or their deputies aforesaid. Such a warrant as is above mentioned

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shall not be avoided by reason of the person issuing the same dying or ceasing to hold office. Whenever any seaman or apprentice engaged or liable to serve on any fishing boat, neglects or refuses to join, or deserts from, or refuses to proceed to sea in, or absents himself without leave from such fishing boat, the skipper, owner or boat's husband may, with or without the assistance of the local police officers and constables, who are to give their assistance in such cases when required to do so by the master, owner or boat's husband, take and convey such seaman or apprentice before such superintendent, principal officer or deputy as aforesaid; and thereupon such seaman or apprentice shall be dealt with as if he had been arrested under a warrant issued under this section.

**33.** If a seaman (not a boy who has entered into such an agreement as is by this Act required) intends to absent himself from his fishing boat or his duty, he may give notice of his intention either to the owner or skipper of the boat, not less than forty-eight hours before the time at which he ought to be on board his fishing boat; and if such notice is duly given he shall not be compelled to go or be brought on board for the purpose of proceeding on the voyage or engagement: Provided always, that no such notice shall be given at a time when the seaman is at sea.

Notice by seaman that he intends to absent himself from his ship, and effect thereof.

**34.** Seamen's and apprentices' wages shall be deemed to accrue from day to day. When wages are contracted for by the voyage or trip or the season, or by the share, and not by a stated period of time, the amount which shall be deemed to accrue from day to day shall be an amount equal to the wages for the whole voyage or trip or season, or the whole share, divided by the number of days occupied in the voyage or trip or season: Provided always, that a seaman or apprentice shall not be entitled to more than what his share of the profits or catch made during the period he has actually served may or would have amounted to. If the whole time spent in the voyage or trip does not exceed the period for which the pay is to be forfeited by the seaman or apprentice, the forfeiture shall extend to the whole wages or share.

How wages are to accrue, and to be calculated

Forfeiture of, if whole of voyage or trip shorter than period of forfeiture.

**35.** Whenever a question whether the wages or emoluments of any seaman or apprentice are forfeited for desertion arises, it shall be sufficient for the party insisting on the forfeiture to show that such seaman or apprentice was duly engaged under this Act, and that he belonged to the fishing boat from which he is alleged to have deserted, and that he quitted such boat before the completion of the voyage or

Facilities for proving desertion so far as concerns forfeiture of wages.



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engagement ; and thereupon such desertion shall, so far as relates to any forfeiture of wages or emoluments, for desertion, be deemed to be proved, unless the seaman or apprentice can produce a proper certificate of discharge, or can otherwise show to the satisfaction of the court that he did not desert.

CERTIFICATES TO SKIPPERS AND SECOND HANDS.

Certificates for fishing boats heretofore granted to be deemed to have been granted under 17 and 18 V., c. 104, Part III.

**36.** Whereas, persons desirous of acting as masters or skippers or as mates or second hands of fishing boats or of a particular class of fishing boats have obtained from the Board of Trade certificates to the effect that they are competent to act as master or skipper or as mate or second hand of fishing boats or of a particular class of fishing boats, be it enacted that all such certificates as aforesaid, heretofore issued by the Board of Trade shall be deemed to have been granted under the third part of the "*Merchant Shipping Act, 1854.*"

Power of Board of Trade to issue certificates for fishing boats.

**37.** The Board of Trade may issue certificates under section one hundred and thirty-four of the "*Merchant Shipping Act, 1854,*" to the effect that the holder thereof is competent to act as skipper or as second hand of fishing boats or of a particular class of fishing boats, in every case according to the report made by the local examiners with reference to the applicant for a certificate, and according as the Board of Trade may, from time to time, prescribe in any rules made by them under the one hundred and thirty-second section of the "*Merchant Shipping Act, 1854*": Provided that no skipper's certificate shall be granted to any one who has not previously held a certificate as second hand for at least twelve months.

Availability of certificates referred to in this Act.

**38.** Every such certificate as in this Act referred to shall only entitle the person to whom it is given to be an officer of the class of fishing boats referred to in the certificate, and none other, and of the grade therein named, or of a lower grade, and of none other.

Provisions in the Merchant Shipping Acts to apply to certificates referred to in this Act.

**39.** All the provisions contained in the Acts relating to merchant shipping, with respect to or connected with the examination of applicants for certificates and the granting thereof, and the suspension and cancellation thereof, and enquiries and investigations into the conduct of the holders thereof, and all other provisions whatsoever in the said Acts relating to or connected with certificates of masters or mates, shall be deemed to have applied, and shall apply, to the certificates referred to in this Act, and the holders

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thereof, as if such certificates had been granted under the third part of the "*Merchant Shipping Act, 1854*," and the holders thereof shall be entitled and subject to such privileges and liabilities as they would be entitled or subjected to if such certificates had been granted under the third part of the "*Merchant Shipping Act, 1854*."

**40.** Certificates of service differing in form from certificates of competency shall be granted by the Board of Trade, as follows:—

Certificates of service to be given to certain skippers of fishing boats.

Every person who has before the first day of September, one thousand eight hundred and eighty-three, served as skipper or second hand in fishing boats to which this part of this Act applies or is applied, or such other fishing boats as the Board of Trade may think have afforded the person sufficient experience, for a period amounting in all to not less than twelve months, shall be entitled to a certificate of service as skipper or second hand (as the case may be) of a fishing boat: Provided that, if he has been exclusively employed in a particular class or classes of such fishing boats, the certificate shall be limited to such class or classes of fishing boats. Every such certificate of service shall contain particulars of the name, place, and time of birth, and of the length and nature of the previous service of the person to whom the same is given, and the Board of Trade shall deliver such certificate of service to a person entitled thereto, upon his proving to the satisfaction of the Board of Trade that he has served as aforesaid, and has been generally well conducted on board of the boats on which he has served as aforesaid.

**41.** The Board of Trade may establish a register of skippers and second hands certificated as in this Act referred to, to be kept by such person as the Board of Trade shall direct, and to be in such form and to contain such particulars as the Board of Trade may, from time to time, direct. A copy of, or extract from the said register, or the register of British shipping at any port, or of fishing boats at any port, purporting to be certified by the person having the custody thereof, or his deputy or assistant, shall be legal evidence of the matters therein stated; a certificate purporting to be given under the hand of one of the persons aforesaid, to the effect that the person or matter therein named has not been registered in the register therein mentioned, shall be evidence of the non-registration thereof, and, where the question to be determined is whether the person named has been certificated as in this Act referred to as a skipper or second hand, of his not being so certificated. A certified copy, or extract, or certificate, as aforesaid, shall be supplied to any person apply

Board of Trade may establish a register of certificates.

Copy or extract from register, or register of shipping at any port, to be evidence.

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ing at a reasonable time for the same, upon payment of such fee as the Board of Trade may, from time to time, determine.

No fishing boat to proceed to sea without duly certificated skipper, and penalty for so doing.

**42.** After the first day of January, one thousand eight hundred and eighty-four, no fishing boat shall go to sea, from any port in the United Kingdom, unless the skipper thereof is the holder of a certificate of competency or service, entitling him, under this Act, to act as skipper of such fishing boat. If any fishing boat goes to sea contrary to this section, the owner thereof shall incur, for each such offence, a penalty not exceeding twenty pounds. Every person who, having been engaged to serve as skipper of a fishing boat, and not being the holder of a certificate entitling him, under this Act, to act as skipper of such boat, serves as such skipper (except in case of necessity), and every person who employs any person as skipper of a fishing boat (except in case of necessity) without having ascertained that he is the holder of a certificate entitling him, under this Act, to act in such capacity as aforesaid, shall, for each such offence, incur a penalty not exceeding twenty pounds.

ENACTMENTS RELATING TO DEATHS, INJURIES, PUNISHMENTS,  
ILL-TREATMENT, AND CASUALTIES.

Skipper of fishing boat to record cases of death, injury, or ill-treatment.

**43.** The skipper of a fishing boat shall keep in such form as may be sanctioned by the Board of Trade, a record of every case of death, injury, ill-treatment or punishment which may occur with respect to any member of his boats' crew during the time they are at sea, or to any person on board of his boat, and every casualty to his fishing boat, or any boat belonging to her. Such record shall contain such particulars in relation to the above cases as the Board of Trade shall require. The skipper shall produce the record kept by him to any superintendent of a mercantile marine office whenever he requires its production, and shall also send the same to the superintendent of the mercantile marine office at the port to which the boat belongs, at such periods as the Board of Trade may require, by any directions endorsed in the forms sanctioned by them. A master who does not comply with any one of the requirements of this section shall for each case of non-compliance, forfeit a sum not exceeding twenty pounds.

Skippers to make special reports of deaths, injuries, ill-treatment, punishment, and casualties.

**44.** The skipper of every fishing boat, shall make a report in a form sanctioned by the Board of Trade, stating whether any and what cases of death, injury, ill-treatment, or punishment have occurred with respect to any member of his boats' crew during the time they were at sea, or to any person on board of his boat, and whether any and what casualties to

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his fishing boat, or any boat belonging to her have occurred, and such other particulars in relation to the matters aforesaid as may be prescribed in the forms to be sanctioned by the Board of Trade. The above reports shall be made to the superintendent of the mercantile marine office of the port, in the United Kingdom, at which the boat's voyage ends, within twenty-four hours of the boat's arrival in such port. Every skipper who makes any default in complying with the requirements of this section, shall incur a penalty not exceeding twenty pounds.

45. Whenever any such case of death, injury, ill-treatment or punishment, or any such casualty as is in the preceding two sections referred to, has happened or is supposed to have happened, the superintendent of the mercantile marine office at or nearest to the port where the fishing boat arrives after the happening thereof, or where the boat belongs, may inquire into the particulars and cause of the death, injury, ill-treatment, punishment or casualty, and may, in cases where a report as aforesaid is delivered to him, make an indorsement thereon, to the effect either that the statement relating to the death, injury, ill-treatment, punishment or casualty therein contained is in his opinion true or otherwise, or to such effect as in his opinion the information in his possession may warrant, and every such superintendent shall, for the purpose of such inquiry, have all the powers given by the "*Merchant Shipping Acts, 1854 to 1883,*" to inspectors appointed by the Board of Trade under the first part of the Merchant Shipping Act, 1854; and if in the course of such inquiry it appears to the superintendent that any such death, injury, ill-treatment, punishment or casualty as aforesaid, has been caused by or is accompanied by violence or the use of any improper means, he shall report the matter to the Board of Trade, and shall also, if the emergency of the case in his opinion so requires, take immediate steps for bringing the offender or offenders to justice, and may, if in his discretion he thinks it necessary, cause the offender or offenders to be arrested, and thereafter dealt with in due course of law.

Inquiry into cause of death, injury, ill-treatment, punishment, or casualty.

DISPUTES BETWEEN SKIPPERS OR OWNERS AND SEAMEN.

46. Every superintendent of a mercantile marine office shall inquire into, hear and decide any dispute between a skipper or owner of a fishing boat and a seaman of a fishing boat, as to a seaman's wages or share of the profits of the voyage or trip, or share of a fishing catch, or deductions therefrom, or concerning a seaman's engagement, service or discharge, which either the seaman, owner or skipper shall

Superintendent of Mercantile Marine Office to decide disputes between seamen and owners and masters.

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call upon him to decide, and his decision thereon shall be final and binding upon all persons, and shall, at the request of either party, be put into writing, and shall, when so put into writing, if it purports to be signed by him, be receivable as evidence of the decision, and any facts therein stated, in all legal proceedings whatsoever. Such decision may be enforced by any justice of the peace, within whose jurisdiction the person against whom the decision is given has any goods, or may be, in the same manner as if such decision were an order made by justices in the exercise of their summary jurisdiction. A seaman may also sue for, and recover any sum by such decision adjudged to be due to him in the manner in which he may sue for and recover wages due to him.

Master and others to produce documents to Superintendent of Mercantile Marine Office, and to give evidence.

**47.** In every case where any dispute is referred to a superintendent of a mercantile marine office under this Act, he may call upon the owner of a fishing boat or his agent, or upon the skipper or any member of the crew of a fishing boat, or upon any other person, to produce any books, papers or documents in their respective possession, or power, relating to any matter in question before him, and may summon before him and examine on oath or affirmation according to law any of such persons being then in or near the port where his office is; and every owner, agent, skipper, member of the crew, or other person who when called upon by such superintendent, does not produce any such log-book, paper or document as aforesaid which is in his possession or power, or does not appear, or refuses or neglects to give evidence, shall, unless he shows some reasonable excuse for such default, for each such offence, incur a penalty not exceeding five pounds. For purposes connected with such dispute, the superintendent shall have, in addition to the powers aforesaid, all the powers given by the "*Merchant Shipping Acts, 1854 to 1883,*" to an inspector appointed by the Board of Trade under the first part of the "*Merchant Shipping Act, 1854.*"

## PART II.

## MISCELLANEOUS.

Seamen's lodging houses.

**48.** The sanitary authority within whose district any seaport town is situate may, with the sanction of the President of the Board of Trade, from time to time, make, revoke, alter and amend by-laws and regulations relating to seamen's lodging houses in such town, which shall be binding upon all persons and bodies keeping houses in which seamen are lodged, and the owners thereof and persons employed

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therein. Such by-laws and regulations shall, amongst other things, provide for the licensing of seamen's lodging houses, the inspection of the same, the sanitary conditions of the same, the publication of the fact of a house being licensed, the due execution of the by-laws and regulations, and the non-obstruction of persons engaged in securing such execution, the preventing of persons not duly licensed holding themselves out as keeping, or purporting to keep, licensed houses, and the exclusion from licensed houses of persons of improper character, and sufficient penalties for the breach of such by-laws and regulations, not exceeding, in any case, the sum of fifty pounds. All offences under such by-laws and regulations shall be deemed to be offences within the "*Merchant Shipping Acts, 1854 to 1883,*" and be punishable accordingly. Such by-laws and regulations shall come into force from a date therein named, and shall be published in the *London Gazette* and one newspaper at the least, circulating in such town, to be designated by the President of the Board of Trade. If the sanitary authority do not, within a time to be, from time to time, named by the President of the Board of Trade, make, revoke, alter or amend by-laws and regulations, the President of the Board of Trade may do so. The "sanitary authority" means, in England, the local authority under the "*Public Health Act, 1875,*" and in the metropolis, as defined by the "*Metropolis Management Act, 1855,*" the Metropolitan Board of Works, and in Scotland, the local authority under the "*Public Health (Scotland) Act, 1867,*" and in Ireland, the sanitary authority under the "*Public Health (Ireland) Act, 1878.*" Whenever Her Majesty, by Order in Council, to be published in the *London Gazette*, shall think fit to order that, in any seaport town, or any part thereof, none but persons duly licensed under by-laws and regulations to be made under this section, shall keep seamen's lodging houses or let lodgings to seamen from a date therein named, any person acting in contravention of such order shall be guilty of an offence, and shall forfeit a sum not exceeding one hundred pounds. Such offence shall be deemed to be an offence within the "*Merchant Shipping Acts, 1854 to 1883,*" and be punishable accordingly. Her Majesty may, by Order in Council, to be published in like manner from time to time, revoke, alter or amend any such order as aforesaid. A sanitary authority may defray all expenses, incurred by it in the execution of this section, out of any funds at its disposal as the sanitary authority of the seaport town; and penalties recovered under the by-laws and regulations of this section shall be added to such funds. Any by-laws heretofore made for any seaport town under section nine of the "*Merchant Seamen (Payment of Wages and Rating) Act, 1880,*" shall continue in force until by-laws and

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regulations made for such town under this section, come into force.

Declaration of the meaning of 17 and 18 V., c. 104, s. 109.

**49.** An unregistered British ship (which ought to be registered under the "*Merchant Shipping Act, 1854*"), shall, for the purposes of section one hundred and nine of the "*Merchant Shipping Act, 1854*," be deemed to have been registered in the United Kingdom.

Incorporation of Part I. of 17 and 18 V., c. 104.

**50.** The first part of the "*Merchant Shipping Act, 1854*," is to be deemed to be incorporated with this Act, and shall be applicable to the provisions thereof.

Legal proceedings in cases of offences.

**51.** For the purpose of jurisdiction, punishment and legal proceedings and procedure, all offences under this Act shall be deemed to be offences under the "*Merchant Shipping Acts, 1854 to 1883*," and every of them.

Fishing tenders to be trawlers.

**52.** Vessels employed as tenders or carriers to fishing boats, or for the purpose of collecting and conveying to the land the catch of fishing boats, shall, for the purposes of this Act, be deemed to be trawlers.

Vessels engaged in certain fisheries to be deemed to be foreign-going ships.

**53.** Ships engaged in the whale, seal, walrus, or Newfoundland cod fisheries, shall be deemed to be foreign-going ships within the "*Merchant Shipping Acts, 1854 to 1883*," and not fishing vessels: Provided that the ships engaged in the Newfoundland cod fisheries do not belong to ports in Canada or Newfoundland.

17 and 18 V., c. 104, s. 243, and s. 28 of this Act, not to take away remedy for breach of contract.

**54.** Nothing in the two hundred and forty-third section of the "*Merchant Shipping Act, 1854*," or in section twenty-eight of this Act, shall be deemed to have taken away, or to limit any remedy by action or by summary procedure before justices, which an owner or master would have, but for the said sections, for any breach of contract in respect of the matters constituting an offence under the said sections; but no owner or master shall be compensated more than once, in respect of the same damage.

Repeal of enactments, and saving.

**55.** The enactments in the first schedule to this Act are hereby repealed to the extent therein specified.

No repeal effected by this section shall in any manner whatsoever affect any right accrued, liability, forfeiture or penalty incurred, any offence committed, or anything done or omitted to be done before the passing of this Act, nor any legal proceedings commenced, or hereafter to be commenced with respect to such right, liability, forfeiture, penalty,





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of hereinafter called the "Master," of the second part, Witnesseth, That the said "apprentice" hereby voluntarily binds himself apprentice unto the said master, his executors, administrators and assigns (which said master, his heirs, executors, administrators and assigns are hereinafter included in the term "master") for the term of \_\_\_\_\_ years from the date hereof.

this

18.

Registered at the Port of

day of

Signed,

(1.) And the said apprentice hereby covenants and agrees that during such time, he, the said apprentice, will faithfully serve his said master, and obey his lawful commands, and keep his secrets, and will, when required, give to him true accounts of his goods and money which may be committed to the charge, or come into the hands of the said apprentice; and will, in case the said apprentice enters Her Majesty's Service during the said term, duly account for and pay, or cause to be paid to his said master, all such wages, prize money and other moneys as may become payable to the said apprentice for such service; and that the said apprentice will not, during the said term, do any damage to his said master, nor will he consent to any such damage being done by others, but will, if possible, prevent the same, and give warning thereof; and will not embezzle or waste the goods of his master, nor give or lend the same to others without his license; nor absent himself from his service without leave; nor frequent taverns or alehouses, unless upon his master's business.

(2.) In consideration whereof, the said master hereby covenants and agrees with the said apprentice, that he, the said master, will and shall, during the said term, use all proper means to teach the said apprentice, or cause him to be taught the business of a seaman and fisherman, and will and shall provide the said apprentice with sufficient meat, drink, lodging, washing, medicine and medical and surgical assistance, sea-bedding, wearing apparel and necessaries, and will and shall, at the times and in the manner hereinafter mentioned, pay to or on account of the said apprentice the spending-money, remuneration and payments referred to in the endorsement marked A, on the back hereof.

(3.) And it is hereby agreed, that all wearing apparel provided by the said master for the use of the said apprentice shall, during the said term, remain the property of the said master, provided, however, that the said apprentice, shall, during such term, have full and undisputed right and title to the free and unfettered use thereof at all times for his own sole personal use and wear, but shall, prior to the expiration of the said term, acquire no right or title thereto

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*Merchant Shipping (Fishing Boats) Act, 1883.*

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for the purpose of selling, pledging or otherwise disposing thereof; at the expiration of the apprenticeship the apparel shall become the apprentice's property.

(4) And it is hereby further agreed, that the said master shall not, during the said term, pay to the said apprentice any wages or moneys wherewith to provide board and lodging for himself, but shall and will provide him with suitable and sufficient board and lodging to the satisfaction of the superintendent of the mercantile marine office at the port where the apprentice stays when on shore, or if there is not a superintendent at that port, the superintendent at the next port thereto.

(5.) And it is hereby further agreed, that all moneys to which the said apprentice shall become entitled as spending-money shall be paid by the said master, as they become due, into the hands of the said apprentice: Provided, however, that if the said apprentice shall, through misconduct, have, in the opinion of the said superintendent, forfeited his right to receive the same, the said moneys shall be paid to the said superintendent, to be by him placed to the credit of the said apprentice in the Seamen's Savings Bank; and that the remuneration and payments, as well as any share of salvage earned by the vessel in which the apprentice may be employed at the time such salvage is earned, referred to in the endorsement marked A, on the back hereof, to which the said apprentice shall become entitled, shall be forthwith paid by the said master to the said superintendent, and by him placed to the credit of the said apprentice in the Seamen's Savings Bank, there to remain until the expiration or sooner determination of the term of apprenticeship, subject, nevertheless, to the deduction of any fine or forfeiture inflicted by a competent court upon the said apprentice, and of any fees paid by the said master to the mercantile marine office in respect of the said apprentice.

(6.) And it is hereby further agreed and understood that the said apprentice shall not be required to serve in any smack or vessel in which such master is not, during the continuance of such service, himself serving as master, mate or seaman, or in which such master, if not so serving, does not, during the continuance of the said apprentice's service in such smack or vessel, possess an interest of at least one-eighth of the value of such smack or vessel; and the said superintendent may, in cases where the master is, in his opinion, unable to provide the apprentice with such service as is by this clause permitted, within a reasonable time, cancel this indenture and adjudge a sum to be paid to the

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*Merchant Shipping (Fishing Boats) Act, 1883.*

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apprentice by the master as compensation, which shall be recoverable as and deemed to be wages due to the apprentice.

(7.) And the said master hereby undertakes to attend with the said apprentice once at least in every half year during the continuance of this indenture, before the said superintendent with a view to the investigation by him of questions affecting the earnings and service of such apprentice, and at such times to give to the said superintendent a full, true and faithful report of the character, conduct and efficiency of the said apprentice.

(8.) And it is hereby further agreed that within twenty-eight days after the expiration of the probationary period hereinafter mentioned, or if the boat (on board of which the apprentice is) is at sea during the whole of the twenty-eight days, then immediately upon her return to port, this indenture and the said apprentice shall be brought to the said superintendent for his signature to the endorsement marked C, on the back hereof, and that in the event of the superintendent seeing sufficient grounds for withholding his signature, the apprenticeship shall cease from a date to be named by the said superintendent, and upon the terms and conditions to be by him prescribed, which said date and terms and conditions shall be recorded in the register of apprentices kept by the said superintendent, and shall be notified to and observed by the said master and the said apprentice.

(9.) And it is hereby further agreed, that the said superintendent shall have power, if the circumstances of the case appear to him to warrant such a course, at any time within the probationary period to decide that he will be unable to sign the said endorsement marked C; and thereupon the apprenticeship shall cease, from a date to be named by the said superintendent, and upon the terms and conditions to be by him prescribed,—which said date and terms and conditions shall be recorded in the said register of apprentices, and shall be notified to and observed by the said master and the said apprentice.

(10.) And it is hereby further agreed that breaches of agreement or discipline alleged to have been committed by the said apprentice within the said probationary period shall not be taken before any court for adjudication, unless and until the said superintendent shall have first had an opportunity of enquiring into the same, and have declined so to enquire, or shall upon enquiry determine to send the same for adjudication.

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*Merchant Shipping (Fishing Boats) Act, 1883.*

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(11.) And the said master and apprentice hereby consent to and undertake to abide by the covenants, obligations, agreements and provisoes herein contained.

(12.) The probationary period of \_\_\_\_\_ shall be allowed to the apprentice under this indenture; and if at the end of that period, or the next return from sea thereafter, he applies to the said superintendent to put an end to the apprenticeship, the superintendent may, after communicating with the master, if he sees sufficient grounds for cancelling this indenture and ending the apprenticeship, cancel and end the same, and thereupon the indenture shall be cancelled, and the apprenticeship ended from the date to be endorsed thereupon by the said superintendent.

And for the performance of the said covenants, obligations, agreements and provisoes, the said master doth hereby bind himself, his heirs, executors and administrators, unto the said apprentice, his executors and administrators, in the penal sum of £ \_\_\_\_\_: Provided, that notwithstanding the penal stipulation herein contained, any justice or justices of the peace may exercise such jurisdiction in respect of the said apprentice as he or they might have exercised if no such stipulations had been therein contained.

In witness whereof, the said parties have hereunto set their hands and seals the day and year above written.

Signed, sealed and delivered )		[L.S.]
in the presence of, and ap- )		<i>Master.</i>
proved by,— )		[L.S.]
		<i>Apprentice.</i>

\_\_\_\_\_ [L.S.]

*Superintendent of the  
Mercantile Marine Office.*

Port of \_\_\_\_\_

NOTE.—This indenture must be executed in triplicate; one copy will be retained and recorded by the superintendent above referred to, one retained by the master, and the other retained by the apprentice.



*Merchant Shipping (Fishing Boats) Act, 1883.*

hereby voluntarily agrees to serve as a boy on board of the fishing boats\*

of which the master is owner (or skipper) for†

And the boy agrees to conduct himself in an orderly, faithful, honest and sober manner, and to be at all times diligent in his duties, and to be obedient to the lawful commands of his master and of the skipper and officers of the fishing boat on which he is serving, in everything relating to his service, the fishing boat and the store and cargo thereof, whether on board, in boats or on shore. And the master agrees to pay to the boy the wages and remuneration stated on the back of this agreement, and to supply him with suitable and sufficient provisions to the satisfaction of the superintendent of the mercantile marine office at the port of ‡

And shall also, whenever the boy is on shore, during the duration of this agreement, with the consent of the master or skipper, provide him with suitable and sufficient board and lodging to the satisfaction of the said superintendent. And it is hereby agreed that any embezzlement, or wilful or negligent destruction of any part of said boat's cargo or stores shall be made good to the owner out of the wages of the boy, and that the regulations for maintaining discipline sanctioned by the Board of Trade, which are printed hereon, and numbered § are adopted as part of this agreement. And it is hereby further agreed that the boy shall not be required to serve on any boat in which the master is not, during the continuance of such service, himself serving as skipper, first hand or seaman, or in which the master does not, during the continuance of such service, possess an interest of at least one-eighth share. And it is agreed that the boy shall receive from the master the wages and remuneration aforesaid at the time stated on the back hereof, and that the boy shall be entitled to participate in any sum or sums of money arising from any salvage or salvage services performed or rendered by or by means of the boat on which he is serving, or the crew thereof, in such proportion as is stated on the back hereof.

, this  
 18  
 Registered at the port of  
 day of  
 Signed,

\* Here should be inserted the names of the boats on which the boy is to serve, or if he is intended to serve on no specific boats, but any boat belonging to the master or of which he is skipper, then it should be left blank.

† Here must be inserted the nature of the engagement, whether for the voyage or for a stated period.

‡ The port which the superintendent, before whom it is signed, considers most convenient.

§ The regulation sanctioned by the Board of Trade printed on this agreement and the numbers of those which are to form part of this contract must be filled in.

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*Merchant Shipping (Fishing Boats) Act, 1883.*

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\*The probationary period of \_\_\_\_\_ shall be allowed to the boy under this agreement; and if at the end of that period or the next return from sea thereafter, he applies to the said superintendent to put an end to the agreement, the superintendent may, after communicating with the master, if he sees sufficient grounds for cancelling the agreement, cancel and put an end to the same, and the agreement shall thereupon be cancelled and ended from the date endorsed thereon by the said superintendent. And it is hereby further agreed that breaches of agreement or discipline alleged to have been committed by the boy within the said probationary period shall not be taken before any court for adjudication unless and until the said superintendent shall have had an opportunity of enquiring into the same, and have declined so to enquire, or shall, upon enquiry, determine to send the same for adjudication.

And it is hereby further agreed that \_\_\_\_\_ : and it is hereby further agreed that the boy or the master may, after the expiration of the probationary period (if any) give to the other \_\_\_\_\_ days' notice to determine this agreement, and the agreement shall thereupon be determined, and the boy shall be entitled to wages and remuneration up to and including the date of the expiration of such notice, to be paid on the day of such expiration: Provided always, that such notice of dismissal shall not be capable of expiring during the continuance of a voyage, or at a place other than the port to which the boat on which the boy is serving belongs.

And it is further agreed that either the boy or the master shall be entitled to appeal to the said superintendent to decide any dispute between them arising out of this agreement or in relation to the boy's service; and the said superintendent's decision, if he thinks fit to decide the same, shall be final.

In witness whereof the said parties have hereunto set their hands on the day and in the year above written.

Signed in presence of, and approved by

\_\_\_\_\_  
*Superintendent of the Mercantile Marine Office,*  
*at the Port of*

\_\_\_\_\_ *Master.*

\_\_\_\_\_ *Boy.*

\*This and the next clause need only be inserted in cases where the agreement is to exceed one month, or where the agreement is for more than one voyage and likely to continue for more than one month.

† Here insert any stipulations not contrary to law to which the parties agree, and which the superintendent approves.

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*Merchant Shipping (Fishing Boats) Act, 1883.*

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NOTE.—This agreement must be executed in triplicate; one copy will be retained and recorded by the superintendent above referred to, one retained by the master, and the other retained by the boy.

*(To be printed on back of agreement.)*

Endorsements referred to in the body of this agreement and in the Act :

A.—Particulars of wages, remuneration and payments. (Here are to be entered full particulars of all allowances, perquisites, wages, remuneration, emoluments, shares of catch, &c., with the times when the boy is to receive the same, and also the proportion of salvage the boy is to have.)

B.—Here state, pursuant to section 4, whether the nearest relations or the guardian or guardians assent, and such other particulars as the Act requires. If the superintendent acts as guardian, he should state that the nearest relations or guardian or guardians cannot readily be found, or are not known, or that there are none, and that he has acted as guardian. (Here print the regulations with respect to boys, for maintaining discipline sanctioned by the Board of Trade.)

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



OTTAWA:  
PRINTED BY BROWN CHAMBERLIN,  
LAW PRINTER (FOR CANADA) TO THE QUEEN'S MOST EXCELLENT MAJESTY,  
ANNO DOMINI, 1864.



# ORDERS IN COUNCIL, TREATIES AND DESPATCHES.

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## IMPERIAL.

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AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT, THE  
23RD DAY OF AUGUST, 1883.

*Present :*

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

**W**HEREAS there was this day read at the Board a memorial from the Right Honorable Lords Commissioners of the Admiralty, dated the 22nd day of August, 1883, in the words following, viz:—

“Whereas by an Act passed in the twenty-second year of Your Majesty's Reign, entitled ‘Vice-Admiralty Courts Act, 1863,’ it was amongst other things provided that ‘Her Majesty may, by Order in Council, from time to time establish rules touching the practice to be observed in the Vice-Admiralty Courts, as also tables of fees to be taken by the officers and practitioners thereof for all acts to be done therein, and may repeal and alter all existing and all future rules and tables of fees, and establish new rules and table of fees in addition thereto or in lieu thereof.’”

“And whereas it appears to us expedient that in lieu of the rules and tables of fees now existing in the Vice-Admiralty Courts, the rules and tables of fees annexed hereto should, on and from the 1st day of January, 1884, be established and be in force in all the Vice-Admiralty Courts.

“Now therefore it is most humbly submitted that Your Majesty will be graciously pleased by Your Order in Council to direct that all the existing rules and tables of fees in the Vice-Admiralty Courts be repealed, and that in lieu thereof the rules and fees annexed hereto shall, from the first day of January, 1884, be the rules and tables of fees for all the Vice-Admiralty Courts.”

Her Majesty having taken the said Memorial into consideration, was pleased, by and with the advice of Her Privy Council, to approve of what is therein proposed. And the Right Honorable the Lord Commissioners of the Admiralty are to give the necessary direction herein accordingly.\*

C. L. PEEL.

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\*These rules are issued as a separate publication, and are procurable from the Queen's Printer for Canada, at Ottawa.

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*Imperial—Agreement between Great Britain and Denmark.*

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AGREEMENT between the Governments of Great Britain and Denmark for the Mutual Relief of Distressed Seamen. *Signed at London, July 25, 1883.*

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Denmark, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the undersigned, duly authorized to that effect, have agreed as follows :—

If a seaman of one of the contracting States, after serving on board a ship of the other contracting State, remains behind in a third State or in its colonies, or in the colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck, or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State or its colonies, or dies :

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition, and the causes thereof, to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship ; otherwise the aforesaid liability to afford relief lapses :

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

The relief includes maintenance, clothing, medical attendance, medicine and travelling expenses ; in case of death the funeral expenses are to be paid.

The present agreement shall come into operation on the 1st of November, 1883, and shall continue in force until one of the contracting parties shall announce to the other, one year in advance, its intention to terminate it.

In witness whereof the undersigned, duly authorized for that purpose, have signed the present agreement, and have affixed thereto the seal of their arms.

Done at London in duplicate the twenty-fifth day of July, in the year of our Lord one thousand eight hundred and eighty-three.

[L.S.] GRANVILLE.

[L.S.] FALBE.

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*Imperial—Merchant Shipping—Measurement of Tonnage.*

AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT, THE 2ND  
DAY OF FEBRUARY, 1884.

*Present :* \*

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the "Merchant Shipping Act Amendment Act, 1862," it is enacted that "whenever it is made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships for the time being in force under the principal Act have been adopted by the Government of any foreign country, and are in force in that country, it shall be lawful for Her Majesty, by Order in Council, to direct that the ships of such foreign country shall be deemed to be of the tonnage denoted in their certificates of registry, or other national papers, and thereupon it shall no longer be necessary for such ships to be re-measured in any port or place in Her Majesty's dominions, but such ships shall be deemed to be of the tonnage denoted in their certificates of registry, or other papers, in the same manner, to the same extent, and for the same purposes, in, to, and for which the tonnage denoted in the certificate of registry of British ships is to be deemed the tonnage of such ships:"

And whereas by "The Merchant Shipping Act, 1876," it is enacted that "where Her Majesty has power under the Merchant Shipping Act, 1854, or any Act passed, or hereafter to be passed, amending the same, to make an Order in Council, it shall be lawful for Her Majesty from time to time to make such Order in Council, and by Order in Council to revoke, alter or add to any Order so made:"

And whereas it was made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under "The Merchant Shipping Act, 1854," had been adopted by the Royal Norwegian Government, and came into force in Norway on the 1st day of April, 1876:

And whereas by Order in Council dated the 17th day of May, 1876, Her Majesty was pleased, by and with the advice of Her Privy Council, to direct that the merchant ships belonging to the said Kingdom of Norway, the measurement whereof had, after the said 1st day of April, 1876, been ascertained and denoted in the registers, and other national papers of such ships, testified by the dates thereof, should be deemed to be of the tonnage denoted in such registers, or other national papers, in the same manner, and to the same extent, and for the same purpose, in, to and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships; Provided nevertheless, that should the owner or master of any Norwegian steamship desire the deduction for engine room in his ships to be estimated under the rules for engine room measurement and deduction applicable to British ships instead of under the Norwegian rule, the engine room should be measured and the deduction calculated according to the British rules:

And whereas it has been made to appear to Her Majesty that a new Royal Ordinance, which came into operation on the 5th day of May,

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*Imperial—Merchant Shipping—Measurement of Tonnage.*

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1888, stipulates that the certificates of tonnage of Norwegian steamships may show the net tonnage calculated according to British rules:

And whereas it has been made to appear desirable to Her Majesty that the provisions of the said recited Order in Council of the 17th day of May, 1876, should be revoked, and a new Order in Council made and substituted in lieu thereof:—

Now, therefore, Her Majesty, in virtue of the powers vested in Her by the said recited Acts, and by and with the advice of Her Privy Council, is pleased to direct that the said recited Order of the 17th May, 1876, shall be, and the same is hereby revoked, and in lieu thereof, and in substitution therefor, Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:—

(1.) As regards sailing ships: that merchant sailing ships of the said Kingdom of Norway, the measurement whereof shall, after the said 1st day of April, 1876, have been ascertained and denoted in the certificates of registry, or other national papers of such sailing ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such certificates of registry, or other national papers, in the same manner, and to the same extent, and for the same purpose, in, to and for which the tonnage denoted in the certificate of registry of British sailing ships is deemed to be the tonnage of such ships:

(2.) As regards steamships: that merchant ships belonging to the said Kingdom of Norway which are propelled by steam or any other power requiring engine room, the measurement whereof shall, after the said 1st day of April, 1876, have been ascertained and denoted in the certificates of registry, or other national papers of such steamships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such certificates of registry, or other national papers, in the same manner, and to the same extent, and for the same purpose, in, to and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships: Provided, nevertheless, that if the owner or master of any such Norwegian steamship desires the deduction for engine room in such ship to be estimated under the rules for engine room measurement and deduction applicable to British ships, instead of under the Norwegian rule, the engine room shall be measured, and the deduction calculated, according to the British rules; and that, in the event of the net registered tonnage of such steamships estimated under the British rules being denoted in the said certificates of registry, or other national papers, the same shall be deemed to be of the tonnage so denoted therein.

C. L. PEEL.

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# ORDERS IN COUNCIL, &c.

## CANADA.

### *Governor General.*

By Order in Council of Tuesday, 24th day of July, 1883, His Excellency the Governor General with the advice of the Queen's Privy Council for Canada, declared His Disallowance of the "Act to incorporate the Fredericton and Saint Mary's Bridge Company," passed by the Legislature of the Province of New Brunswick.

*Vide Canada Gazette, Vol. XVII, p. 187.*

By Order in Council of Wednesday, 17th day of October, 1883, His Excellency the Governor General, by and with the advice of the Queen's Privy Council for Canada, declared His Disallowance of the Acts passed by the Legislature of British Columbia, entitled as follows, viz.: "An Act to incorporate the Fraser River Railway Company," and "An Act to incorporate the New Westminster Southern Railway Company."

*Vide Canada Gazette, Vol. XVII, p. 584.*

## CANADA.

By His Excellency the Most Honorable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, in the County of Somerset, Earl of Wycombe, of Chipping Wycombe, in the County of Wilts, and Lord Wycombe, Calne and Calstone, in the County of Wilts, and Lord Wycombe, Baron of Chipping Wycombe, in the County of Bucks, in the Peerage of Great Britain; Earl of Kerry and Earl of Shelburne, Viscount Clanmaurice and Fitzmaurice, Baron of Kerry, Lixnaw and Dunkerron, in the Peerage of Ireland; Governor General of Canada, and Vice-Admiral of the same.

To all to whom these presents shall come—GREETING:

### A PROCLAMATION.

**W**HEREAS Her Majesty the Queen, by Commission under Her Royal Sign Manual and Signet, bearing date at Osborne House, Isle of Wight, on the eighteenth day of August last, has been graciously pleased to constitute and appoint me to be Her Majesty's Governor General in and over the Dominion of Canada, for and during Her Majesty's will and pleasure; and Her Majesty did thereby authorize and command me to do and execute all things in due manner that should belong to my said command, and the trust reposed in me according to the several powers and directions granted or appointed me by Her Majesty's Commission, and by the Act of Parliament passed in the Thirtieth year of Her Majesty's Reign,

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*Governor General.*


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and entitled "The British North America Act, 1867," and the instructions given me with such Commission, or by such further instructions as may hereafter be given by Her Majesty under Her Sign Manual and Signet, or by Her Majesty's Order in Her Privy Council, or through one of Her Majesty's Principal Secretaries of State, and according to such laws as are now and shall hereafter be in force in the said Dominion; Now KNOW YE, and I have therefore, with the advice of the Queen's Privy Council, for Canada, thought fit to issue this Proclamation to make known Her Majesty's said appointment; and I do also hereby, and with the same advice, require and command that all and singular Her Majesty's Officers and Ministers in the said Dominion of Canada, do continue in the execution of their several and respective offices, places and employments, and that Her Majesty's loving subjects and all others whom it may concern, do take notice hereof and govern themselves accordingly.

Given under my Hand and Seal at Arms, at Quebec, this twenty-third day of October, in the year of Our Lord One Thousand Eight Hundred and Eighty-three, and in the Forty-seventh year of Her Majesty's Reign.

LANSDOWNE.

By command,

J. A. CHAPLEAU,  
*Secretary of State.*

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By a Proclamation, bearing date 9th November 1883, the Act passed in the Session of the Parliament of Canada, held in the forty-sixth year of Her Majesty's Reign, chapter eighty-six, and intituled "An Act to incorporate 'The Grange Trust' Limited," was declared to be in force and to take effect on and after the first day of January, one thousand eight hundred and eighty-four.

*Vide Canada Gazette, Vol. XVII, p. 778.*

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By Order in Council of Tuesday, the 8th day of April, 1884, His Excellency the Governor General was pleased, by and with the advice of the Queen's Privy Council for Canada, to declare His Disallowance of the Act passed by the Legislature of British Columbia, intituled "An Act to prevent the immigration of Chinese."

*Vide Canada Gazette, Vol. XVII, p. 1586.*

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*Agriculture and Statistics, &c.**Agriculture and Statistics.*

By Order in Council of Monday, 5th day of November, 1883, the following regulation was made:—

1. That Swine may be imported at any Customs Warehousing Port of Entry in Canada, in bond, subject in all respects to the provisions contained in the Orders in Council dated April 23rd and May 3rd, 1880, in relation thereto.

*Vide Canada Gazette, Vol. XVII, p. 682.*

By Order in Council of Monday, the 7th day of January, 1884, the following regulations were established;—

1st. That swine be admitted for breeding purposes only at the Quarantine Station on the River St. Clair, closely adjoining the frontier of the United States at Point Edward.

2nd. That such swine for breeding purposes shall be subject to a quarantine of twenty-one days and to the regulations and restrictions contained in the "Health of Animals Order" dated 23rd day of April, 1880.

3rd. That in order to insure that the animals imported are for *bona fide* breeding purposes, they shall consist of boars and sows and not of fattened hogs; and further that the importers of such swine shall be required to produce a certificate stating that they are intended for breeding purposes only, and further, that there is no disease among swine in the particular localities from which they come

*Vide Canada Gazette, Vol. XVII, p. 1045.*

*Customs.*

By Order in Council of Thursday, 14th day of June, 1883, the following Regulation respecting the importation of spirits was established:—

That brandy, gin, whiskey or other distilled spirit shall not be imported to any part of Canada in any undecked vessel, or in any vessel under the burden of twenty tons, registered tonnage, or in any vehicle, by land, other than a railway car, or in any package (except bottled spirits) containing less than one hundred gallons wine measure, except for the purpose of being manufactured as provided by Order in Council of 29th November, 1882, which is hereby continued in force; provided, however, that such spirits may be imported direct from Great Britain and other European countries, and from any British colony and from the West India Islands, in packages of not less capacity than octaves, or in glass.

That wine and malt liquor shall not be imported in any other conveyance than those above described, but may be thus imported in any of the packages usual, according to the ordinary custom of trade.

And that any spirits imported contrary to or in violation of this regulation or any part thereof, shall be seized and forfeited.

The Order in Council of 19th May, 1881, was also repealed.

*Vide Canada Gazette, Vol. XVII, p. 8.*

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*Customs.*


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By Order in Council of Thursday, 5th day of July, 1883, the outport of Port Mulgrave was detached from the Port of Guysboro, and attached to the port of Port Hawkesbury, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. XVII, p. 62.*

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By Order in Council of Saturday, 14th day of July, 1888, Almonte, in the Province of Ontario, was erected into an outport and placed under the survey of the Collector of Customs at the Port of Brockille.

*Vide Canada Gazette, Vol. XVII., p. 187.*

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By Order in Council of Tuesday, 24th day of July, 1883, the outport of Port Credit, in the Province of Ontario, under the Port of Oakville, was abolished.

*Vide Canada Gazette, Vol. XVII., p. 187.*

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By Order in Council of Monday, 9th day of July, 1883, it was ordered, that subject to the general restrictions and regulations governing the payment of drawback on goods manufactured and exported from Canada, there may be paid to the Canadian manufacturer of horseshoe nails so manufactured and exported, a drawback at the rate of 90 per cent. of the duty actually paid upon an equal weight of the imported iron from which such horseshoe nails were manufactured ; or in case the manufacturer cannot show the exact amount of duty so paid, then at the rate of 35 cents per 100 pounds of such nails, provided that in the latter case that they were manufactured exclusively from imported rolled rods.

And that there may be in like manner paid to the Canadian manufacturer of horseshoes so manufactured and exported, a drawback at the rate of 90 per cent. of the duty actually paid upon an equal weight of the imported iron from which such horseshoes were manufactured, or in case the manufacturer cannot show the exact amount of duty paid, then at the rate of 10 cents per hundred (100) pounds of such horseshoes.

*Vide Canada Gazette, Vol. XVII, p. 324.*

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By Order in Council of Thursday, 23rd day of August, 1883, the Outport of Cocagne, then under the survey of the Collector of Customs at the Port of Richibucto, New Brunswick, was placed, from and after the 1st day of September, 1883, under the survey of the Collector of Customs at the Port of Moncton, N.B.

*Vide Canada Gazette, Vol. XVII., p. 352.*

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*Customs.*


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By Order in Council of Thursday, 4th day of October, 1883, the Order in Council passed on the 14th day of June, 1883, regulating the importation of spirits, was amended as follows, viz. : By inserting in the clause which provides "that such spirits may be imported direct from Great Britain and other European countries and from any British colony, and from the West India Islands, in packages of not less capacity than *octaves* or in glass"—before the word *octaves*, the word *half*, so that it will read "*half octaves*, or in glass."

*Vide Canada Gazette*, Vol. XVII., p. 352.

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By Order in Council of Friday, 12th day of October, 1883, the City of St. Hyacinthe, in the Province of Quebec, was constituted a Port at which raw or leaf tobacco, may be imported.

*Vide Canada Gazette*, Vol. XVII., p. 616.

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By Order in Council of Monday, 15th day of October, 1883, Clifton, in the Province of Nova Scotia, was erected into an Outport of Customs and a Warehousing Port, and placed under the survey of the Collector of Customs at the Port of Truro, to date from the 1st day of November, 1883.

*Vide Canada Gazette*, Vol. XVII., p. 584.

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By Order in Council of Saturday, 27th day of October, 1883, under the provisions of the "Act to encourage the manufacture of Pig Iron in Canada from Canadian ore," it was ordered, that subject to the following regulations and restrictions, there may be paid by the Honorable the Minister of Customs out of the Consolidated Revenue Fund, a bounty equal to the amount named in said Act, to the manufacturers of Pig Iron, manufactured subsequent to the 1st day of July, 1883, in Canada, from Canadian ore.

The manufacturers of such Pig Iron shall, in order to be entitled to receive such bounty, furnish to the Honorable the Minister of Customs evidence under oath, in form as below, of the manufacture of such Pig Iron.

The claim for bounty shall be made and fully substantiated within three months after the completion of the manufacture of the Pig Iron on which such bounty is claimed.

The oath required shall be made by the proprietor or one of the proprietors of the smelting works at which such Pig Iron has been manufactured, or in case such smelting works are owned by an incorporated company, then by the Manager of such company.

*Form of Oath.*

I                    of                    do solemnly and truly swear that I am                    of  
the smelting works situate at                    in the Province of                    and known  
as                    and that within my own personal knowledge there has been  
manufactured thereat, wholly from Canadian ore (of a quality known as

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*Customs.*


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ore) since the day of 188 and prior to the day of 188, net tons of Pig Iron of a quality known as , on which a bounty of \$ per ton amounting to the sum of \$ is hereby claimed on behalf of the said manufacturers, and that no part of said tons of Pig Iron has been included in any claim for bounty heretofore made.

*Vide Canada Gazette, Vol. XVII, p. 650.*

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By Order in Council of Monday, 5th day of November, 1883, "re-covered Rubber and Rubber Substitute" were placed on the list of articles that may be admitted into the Dominion of Canada free of Customs duty.

*Vide Canada Gazette, Vol. XVII, p. 714.*

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By Order in Council of Friday, 16th day of November, 1883, "West Cape" in the Province of Prince Edward Island, was abolished as an Outport of Customs, to take effect on and after the 1st day of December, 1883.

*Vide Canada Gazette, Vol. XVII, p. 745.*

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By Order in Council of Thursday, 15th November, 1883, the Order in Council dated 15th May, 1880, under authority whereof drawback on ships' materials is payable, was amended by adding thereto the following words: "And in addition to the rates as above there may be paid the further sum of ten cents per net registered ton on such vessels when built and registered subsequent to the 1st day of July, 1883."

*Vide Canada Gazette, Vol. XVII, p. 746.*

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By Order in Council of Saturday, 17th day of November, 1883, on, from and after the 1st day of December, 1883, the Outport of Cascumpec, in the Province of Prince Edward Island, for all the purposes of that Act, is to be designated and known as "Alberton."

*Vide Canada Gazette, Vol. XVII, p. 780.*

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By Order in Council of Thursday, 20th day of November, 1883, Cockburn Island was erected into an Outport of Customs, and a Warehousing Port, under the survey of the Port of Sault Ste. Marie.

*Vide Canada Gazette, Vol. XVII, p. 781.*

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**REGULATIONS** for the transportation of goods in transit through the United States, approved by His Excellency the Governor General in Council, on the 4th Day of December, 1884.

1. Goods of domestic origin, duty paid or free of duty, may be transported from one port to another of Canada over the territory of the United States, with the consent of the proper United States authorities, by routes duly designated and bonded for such purpose.

*Customs.*

Cars must be specially appropriated for such transportation, placed under Customs lock and sealed by an officer of the Customs at the port of departure in Canada, and remain thus fastened and sealed until they shall have passed through such foreign territory and again arrived in Canada, when all goods of domestic origin, duty paid or free, may be released from further Customs surveillance.

Railroad iron, sugar and molasses in hogsheads, and all other merchandise in bulk which is incapable of being put in locked cars, may be transported on platform cars duly corded and sealed.

2. Imported goods in bond may be transported in like manner, under the usual transportation entry and bond.

3. The owner or shipper must, before the merchandise is laden, present to the Collector at the port of departure manifests, in triplicate, for each car, subscribed by the proper agent of the railroad or other company, which shall be prepared by the said company at the port of departure, and shall contain a particular description of the merchandise, by packages, marks, numbers and contents; the ports of destination, to whom consigned, and the route over which the transportation is to be made, distinguishing articles that are of native from those of foreign growth, production or manufacture, and those free of duty or duty paid, from goods in bond subject to duty. The manifest shall be in the following form:—

“(Form )

“Special manifest of merchandise in transit through the United States :  
 Port of \_\_\_\_\_ 188 \_\_\_\_\_

“ We certify that the following described merchandise has been laden on car No. \_\_\_\_\_ of the \_\_\_\_\_ railroad at \_\_\_\_\_ for transportation to \_\_\_\_\_, across foreign territory, by way of \_\_\_\_\_, and that said car has been duly secured with Customs seal (or) lock.

Marks.	Numbers.	Packages.	Contents.		Consigner.	nsignee.
			Articles.	Free or in bond.		

Agent of Railroad Co'y.  
 Landing Waiter.

“(Seal)

Collector.”

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*Customs.*

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4. The Landing Waiter charged with the lading and sealing of cars shall see that manifests are provided for each car, and that they are correct by an actual comparison with the lading.

He shall then seal the car, certify each of the triplicate manifests, deliver one to the conductor of the car, and immediately return the other two to the Custom House.

One of such manifests shall be filed at the Custom House, and the other verified by the signature and official seal of the Collector, forwarded by the first mail to the Collector at the Port of Entry where the car is expected to re-enter Canada: care will be taken to score with lines the blank portion of each manifest, so that no additional articles can be interpolated after signing.

5. On arrival at the frontier port of exit from Canada, the manifest accompanying the car shall be presented to the Collector, who shall cause the fastenings and seals of the car to be examined, and if they appear intact he shall so certify, with the date on the manifest, and return the same to the Conductor.

6. On arrival at the first port in Canada after the transit, a careful examination must be made of the seals and other fastenings, and the seals having been removed the contents of the cars shall be unladen and carefully compared with the manifest received from the port of departure, as well as with the copy accompanying the goods, except as hereinafter provided.

If the car arrive at such port before the manifest sent by mail, the contents of the car will be compared with the manifest accompanying it, and that manifest with the copy subsequently received by mail.

If found correct, the merchandise will, if in bond, be forwarded to its destination to be re-warehoused in like manner as other goods transported in bond—or if not in bond, delivered to the consignee. The officer who compares the manifest with the merchandise will certify the result on the back of one of the manifests, and the Collector will return the other, with a similar certificate, to the Collector from whom it issued.

If the merchandise does not correspond with the manifest, if the seals be lost or broken, or if the packages, cars or seals appear to have been tampered with, the goods will be detained, if the circumstances justify it, for seizure and condemnation. In ordinary cases a comparison by marks and numbers will be sufficient, but if there be any well-grounded suspicion of fraud, the examination will extend to the contents of packages.

7. Cars may pass to a port of destination, not on the frontier without being unladen or opened, if a careful examination at the frontier port of the seals or locks by which the cars are secured show them to be intact; if otherwise, or if any such cars be found without proper seals or locks, they will be detained and reported to the Commissioner of Customs for instructions.

*Vide Canada Gazette, Vol. XVII, p. 822.*

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*Customs.*

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By Order in Council of Tuesday, 4th day of December, 1883, it was declared, that on and after the 1st day of October, 1883, re-covered Rubber and Rubber Substitute, were placed on the list of articles that may be admitted into the Dominion of Canada free of Customs duty, and that the Order in Council of the 5th November, 1883, in this regard, be amended accordingly.

*Vide Canada Gazette*, Vol. XVII, p. 823.

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By Order in Council of Wednesday, 12th day of March, 1884, Calgary, in the North-West Territories, was erected into an Out port of Customs and a Warehousing Port, and placed under the survey of the Collector of Customs at the Port of Winnipeg, in the Province of Manitoba.

*Vide Canada Gazette*, Vol. XVII, p. 1480.

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By an Order in Council of Thursday, 20th day of March, 1884, under the provisions of "The Act to consolidate and amend the several Acts respecting the Inland Revenue," the City of Sherbrooke, in the Province of Quebec, was constituted a port at which raw or leaf tobacco may be imported.

*Vide Canada Gazette*, Vol. XVII, p. 1483.

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By Order in Council of Tuesday, 1st day of April, 1884, the Out port of Maitland, Province of Ontario, was detached from the Port of Brockville and placed under the survey of the Collector of Customs at the Port of Prescott.

*Vide Canada Gazette*, Vol. XVII, p. 1596.

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## Customs.

By a Proclamation, bearing date 25th February, 1884, and under authority of "The Customs Act, 1883," it was declared that the values of the foreign currencies as compared with the standard dollar of Canada as hereunder named, shall be the values of such foreign currencies for Customs purposes, and all invoices of foreign goods made out in such currencies shall be reduced to Canadian currency at the rates so assigned to them, viz:—

Country.	Monetary Unit.	Standard.	Value in Canadian Currency.	Standard Coin.
Argentine Republic .....	Peso .....	Gold and Silver.	.96.5	$\frac{1}{20}$ , $\frac{1}{10}$ , $\frac{1}{5}$ , $\frac{1}{2}$ , and 1 peso, Argentine and Argentine.
Austria .....	Florin .....	Silver .....	.39.8	
Belgium .....	Franc .....	Gold and Silver.	.19.3	5, 10 and 20 francs.
Bolivia .....	Boliviano .....	Silver .....	.80.6	Boliviano.
Brazil .....	Milreis of 1000 reis.	Gold .....	.54.6	
Chili .....	Peso .....	Gold and Silver.	.91.2	Condor, doubloon and escudo.
Cuba .....	Peso .....	Gold and Silver.	.93.2	$\frac{1}{16}$ , $\frac{1}{8}$ , $\frac{1}{4}$ , $\frac{1}{2}$ , and 1 doubloon.
Denmark .....	Crown .....	Gold .....	.26.8	10 and 20 crowns.
Ecuador .....	Peso .....	Silver .....	.80.6	Peso.
Egypt .....	Piastre .....	Gold .....	.04.9	5, 10, 25, 50 and 100 piastres.
France .....	Franc .....	Gold and Silver.	.19.3	5, 10 and 20 francs.
Greece .....	Drachma .....	Gold and Silver.	.19.3	5, 10, 20, 50 and 100 drachmas
German Empire .....	Mark .....	Gold .....	.23.8	5, 10 and 20 marks.
Hayti .....	Gourde .....	Gold and Silver.	.96.5	1, 2, 5 and 10 gourdes.
India .....	Rupee of 16 annas.	Silver .....	.38.3	
Italy .....	Lira .....	Gold and Silver.	.19.3	5, 10, 20, 50 and 100 lire.
Japan .....	Yen .....	Silver .....	.86.9	1, 2, 5, 10 and 20 yen, gold and silver yen.
Liberia .....	Dollar .....	Gold .....	1.00	
Mexico .....	Dollar .....	Silver .....	.87.5	Peso or dollar, 5, 10, 25 and 50 centavo.
Netherlands .....	Florin .....	Gold and Silver.	.40.2	
Norway .....	Crown .....	Gold .....	.26.8	10 and 20 crowns.
Peru .....	Sol .....	Silver .....	.80.6	Sol.
Portugal .....	Milreis of 1000 reis.	Gold .....	1.08	2, 5 and 10 milreis.
Russia .....	Rouble of 100 copecks .....	Silver .....	.64.5	$\frac{1}{4}$ , $\frac{1}{2}$ and 1 rouble.
Spain .....	Peseta of 100 centimes .....	Gold and Silver.	.19.3	5, 10, 20, 50 and 100 pesetas
Sweden .....	Crown .....	Gold .....	.26.8	10 and 20 crowns.
Switzerland .....	Franc .....	Gold and Silver.	.19.3	5, 10 and 20 francs.
Tripoli .....	Mahbub of 20 piastres .....	Silver .....	.72.7	
Turkey .....	Piastre .....	Gold .....	.04.4	25, 50, 100, 250 and 500 piastres.
United States of Columbia .....	Peso .....	Silver .....	.80.6	Peso.
Venezuela .....	Bolivar .....	Gold and Silver.	.19.3	5, 10, 20, 50 and 100 bolivar.



*Fisheries, &c.**Fisheries.*

By Order in Council of Wednesday, 6th day of February, 1884, under the provisions of the "Act for the regulation of Fishing and protection of Fisheries," the waters of Lakes Simcoe and Couchiching, in the Counties of Simcoe, Ontario and York, and Province of Ontario, were set apart for the natural and artificial propagation of fish, during the space of three years from the 1st May, 1884.

*Vide Canada Gazette, Vol. XVII, p. 1216.*

By Order in Council of Wednesday, 26th day of March, 1884, under the provisions of the "Act for the regulation of Fishing and protection of Fisheries," the waters of Lake Scugog, in the Counties of Durham, Victoria and Ontario, in the Province of Ontario, were set apart for the natural and artificial propagation of fish, during the space of three years from the 1st of April, 1884.

*Vide Canada Gazette, Vol. XVII, p. 1545.*

*Inland Revenue.*

By Order in Council of the 23rd day of June 1883, in amendment of the Order of the 18th of April, 1873, by which the distance between Montreal and Kingston was, for toll purposes, divided into two portions,—one the St. Anne's Lock, with a separate scale of charges, and the other the Ottawa and Rideau Canal, was divided into four sections, namely:—

1st. The Carillon and Grenville;

2nd. Ottawa;

3rd. Smith's Falls;

4th. Kingston Mills;

The rates payable for passage being in proportion to the number of sections traversed,—and in order to bring the classification into conformity with the statistical return of the Inland Revenue Department, it was ordered that the Rideau Canal should be treated as an entirely separate work, with distinct rates, the division of its section, however, remaining the same and the term "Ottawa River Canals" should comprise the Grenville, the Carillon and the St. Anne's, each of these three constituting a section and the tolls on each being one-third of the whole rates; and a schedule of tolls embodying the several points above mentioned was approved as follows:—

*Inland Revenue.*

TARIFF OF TOLLS to be levied on Vessels and Cargoes passing through the Dominion Canals, 1883.

	Passing Westward through the Welland Canal only.	Passing Eastward through the Welland Canal only.	Lake Erie to Montreal.	St. Lawrence Canals, each way.	Chambly Canal and St. Ours Locks, each way.	Burlington Bay Canal, each way.	Rideau Canal, each way.	Ottawa Canals and St. Anne's Lock, each way.	Ottawa to St. John's, each way.
<p>The Rates of Tolls are divided into Five Classes, as under, and are per ton, unless otherwise specified.</p>									
<i>Class No. 1.</i>									
Vessels, Steam.....per ton.	0 01½	0 01½	0 02½	0 00½	0 00½	0 01	0 01½	0 00½	0 01½
do Sail and other..... "	0 02½	0 02½	0 03½	0 01½	0 01½	0 01	0 02½	0 01	0 02½
<i>Class No. 2.</i>									
Passengers, 21 years of age and upwards, each .....	0 10	0 10	0 20	0 10	0 05		0 08	0 02½	0 09½
do under 21 years, each .....	0 05	0 05	0 10	0 05	0 02		0 04	0 01½	0 04½
<i>Class No. 3.</i>									
Bricks, Cement and Water Lime.....	} 15	} 0 20	} 0 20	} 0 15	} 0 10	} Free under O. C. of 1st April, 1873.	} 0 07	} 0 06	} 0 19½
Clay, Lime and Sand .....									
Brimstone .....									
Corn .....									
Flour .....									
Iron, Railway .....									
do Pig .....									
do all other .....									
Plaster, Gypsum.....									
Salt .....									
Salt Meats or Fish, in barrels or otherwise .....									
Agricultural Products, Vegetable, not enumerated.....									
Agricultural Products, Animal, not enumerated.....									
Stone, for cutting.....									
Wheat .....									
<i>Class No. 4.</i>									
All other Articles, not enumerated.....	0 15	0 20	0 20	0 20	0 10		0 26	0 14	0 29
<i>Class No. 5.</i>									
Bark .....	0 20	0 20	0 20	0 15	0 10		0 07	0 06	0 19½
Barrels, Empty, each .....	0 02	0 02	0 02	0 02	0 02		0 02	0 01	0 03½
Boat Knees do .....	0 05	0 05	0 05	0 02	0 02		0 02	0 01	0 03½
Floats, per 1,000 lineal feet.....	1 40	1 40	1 40	1 40	1 20		1 05	0 50	2 05
Firewood, per cord, in Vessels.....	0 20	0 20	0 20	0 20	0 10		0 15	0 08	0 23
do do Rafts.....	0 25	0 25	0 25	0 2.	0 15		0 19	0 09	0 30½
Hoops .....	0 25	0 25	0 25	0 20	0 15		0 15	0 10	0 30
Masts and Spars, Telegraph Poles, per ton of 40 cubic feet, in Vessels.....	0 15	0 15	0 15	0 05	0 05		0 08	0 07	0 13½
Masts and Spars, Telegraph Poles, per ton of 40 cubic feet, in Rafts .....	0 20	0 20	0 20	0 10	0 10		0 15	0 10	0 22½
Railway Ties in Vessels, each .....	0 01	0 01	0 01	0 00½	0 00½		0 00½	0 00½	0 01½
do Rafts, do .....	0 02	0 02	0 02	0 01	0 01		0 02	0 01	0 02½
Sawed Stuff, Boards, Plank, Scantling and Sawed Timber, per M. feet, board measure, in Vessels.....	0 30	0 30	0 30	0 15	0 10		0 11½	0 06½	0 20
Sawed Stuff, Boards, Plank, Scantling and Sawed Timber, per M. feet, board measure, in Rafts .....	0 60	0 60	0 60	0 30	0 20		0 19	0 09	0 36½

*Inland Revenue.*

**TARIFF OF TOLLS** to be levied on Vessels and Cargoes passing through the Dominion Canals, 1883—*Concluded.*

The Rates of Tolls are divided into Five Classes, as under, and are per ton, unless otherwise specified.	Passing Westward through the Welland Canal only.	Passing Eastward through the Welland Canal only.	Lake Erie to Montreal.	St. Lawrence Canals, each way.	Chambly Canal and St. Ours Locks, each way.	Burlington Bay Canal, each way.	Rideau Canal, each way.	Ottawa Canals and St. Anne's Lock, each way.	Ottawa to St. John's, each way.
	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
<i>Class No 5—Concluded.</i>									
Square Timber, per M. cubic feet, in Vessels.	3 00	3 00	3 00	1 00	1 00	Free under O. C. of 1st April, 1873.	0 56	0 44	1 69
do do Rafts ...	4 50	4 50	4 50	2 00	2 00		1 12	0 63	3 13
Wagon Stuff, Woodenware and Wood, partly manufactured, per ton of 40 cubic feet	0 40	0 40	0 40	0 40	0 25		0 30	0 20	0 55
Shingles per M.	0 06	0 06	0 06	0 06	0 04		0 04½	0 02½	0 08
Split Posts and Fence Rails, per M., in Vessels.	0 40	0 40	0 40	0 40	0 20		0 23	0 12	0 42
do do Rafts ...	0 80	0 80	0 80	0 80	0 40		0 38	0 17	0 77
Saw Logs, each standard log	0 08	0 08	0 08	0 08	0 05		0 06	0 07	0 14
Staves and Headings, Barrels, per M.	0 40	0 40	0 40	0 20	0 15		0 15	0 10	0 30
do Pipe, per M.	1 50	1 50	1 50	1 00	1 00		0 75	0 50	1 75
do W. India, per M.	0 75	0 75	0 75	0 60	0 25		0 45	0 25	0 65
do Salt Barrels, sawn or cut, per M.	0 08	0 08	0 08	0 04	0 03	0 03	0 02	0 06	
Traverses, per 100 pieces	0 50	0 50	0 50	0 50	0 40	0 38	0 15	0 67½	
Hop Poles, per 1,000 pieces	2 00	2 00	2 00	2 00	1 50	1 50	0 65	2 65	
<i>Special Class.</i>									
Gypsum, crude (per O. C. 28th October, 1882)	0 15	0 05	.....	0 05	Westward.	}	0 08	0 05	0 17½
Coal	0 20	0 20	0 20	0 15	0 10		0 28	0 24	0 77½
Stone, unwrought, corded, and not suitable for cutting, per cord	0 75	0 75	0 75	0 60	0 37½		0 05	0 05	0 05
Iron Ore, Kryolite or Chemical Ore	0 05	0 05	0 05	0 05	0 05		.....	.....	.....
Ice	0 05	0 05	0 05	.....	.....		.....	.....	.....

The following Way Rates to be levied on vessels and property passing the several Sub-Divisions of the Canals :—

**WELLAND CANAL.**

	Rate.
1. From Port Maitland, Dunnville and Port Colborne, to Port Robinson or Allanburg, not passing the Lock, each way	½
2. From Chippawa Cut, or any part thereof, to Dunnville, Port Maitland or Port Colborne	¼
3. From Dunnville to Port Colborne	¼
4. From Thorold to St. Catharines or Port Dalhousie	¼
5. From Maitland, Dunnville, Colborne or Port Robinson, to Marshville and intermediate places	¼
6. From Marshville or intermediate places to Port Maitland, Dunnville, Port Colborne and Port Robinson	¼
7. From Port Robinson to Allanburg or Thorold	¼

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*Inland Revenue.*


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	Rate.
8. From Port Robinson to St. Catharines or Port Dalhousie.....	1/2
9. From St. Catharines to Port Dalhousie.....	1/8
10. From Dunnville to Maitland.....	1/4
11. From Port Robinson, through the Lock and Chippawa Cut.....	1/4
12. From Port Colborne to Port Maitland.....	1/2
13. From Chippawa Cut through Lock to Port Robinson.....	1/4
14. From Colborne, Dunnville, Maitland and Marshville to Thorold.....	5/8
15. do do do do do St. Catharines	7/8
16. Through the Chippawa Cut only.....	1/8
17. Through the Port Robinson Lock only.....	1/8

## ST. LAWRENCE CANALS.

The navigation to be divided into four sections, viz. : Cardinal, Cornwall, Beauharnois and Lachine. Tolls to be levied on all vessels and property in proportion to the number of sections passed through.

## CHAMBLY CANAL.

Vessels and property passing from Sorel to Chambly, to pay.....	1/8
do do do Chambly to St. John's, to pay.....	3/8

## OTTAWA CANALS.

The navigation to be divided into three sections, viz. : Grenville, Carillon and St. Anne's. Tolls to be levied on all vessels and property in proportion to the number of sections passed through.

## RIDEAU CANAL.

The navigation of this canal is divided into three sections : " Ottawa," "Smith's Falls" and "Kingston Mills." Vessels and freight passing one section to be charged one-third ; two sections, two-thirds.

## GENERAL.

Any fraction of a ton freight to be charged one ton, and portions of sections to be charged as a whole section on all the above canals.

The passing of saw logs or other lumber through any of the canals or sections thereof, is to be at all times governed by the regulations for their management.

## HARBOR DUES.

Vessels receiving or discharging freight at the premises of the Welland Railway, at Ports Colborne or Dalhousie, are to be free from harbor dues ; but all other vessels discharging or receiving cargo at Port Dalhousie, Port Colborne or Port Maitland, shall pay on every ton of freight so received or discharged, two cents.

*Inland Revenue.*

ST. PETER'S CANAL.

On each and every vessel passing the said canal, two cents per ton on the vessel, and one cent per ton on the freight each way.

BOBCAYGEON, PETERBORO' AND HASTINGS LOCKS.

*Bobcaygeon Lock.*

	Cents.
For every lockage of saw log or other cribs.....	50
For every lockage of saw logs on scows, per log.....	¼
For every lockage of ties or cedar posts, per 100 pieces.....	25
For every lockage of sawn lumber, per M. feet.....	1
For cord wood, shingle bolts, or other merchandise, per cord....	5
For every lockage of ore, per ton.....	1

*Peterboro' Locks.*

Same as Boycaygeon.

*Hastings Locks.*

Same as Bobcaygeon.

STANDARD FOR ESTIMATING WEIGHTS.

	Tons.
2,000 lbs. avoirdupois.....	1
Per M. is per thousand feet.	
Per Mille is per thousand pieces.	
Green Fruit, 9 barrels are.....	1
Ashes 3 do .....	1
Bark, 4 cords .....	1
Beef, 7 barrels .....	1
Biscuits and crackers, 9 barrels .....	1
Bricks, common, 1,000.....	2
Butter, 22 kegs or 7 barrels.....	1
Cattle, 3 .....	1
Cement and Water Lime, 7 barrels.....	1
Fire Bricks, 1,000 .....	3
Fish, 7 barrels.....	1
Flour, 9 barrels.....	1
Gypsum and Manganese, 6 barrels.....	1
Horses, 2.....	1
Lard and Tallow, 7 barrels or 22 kegs.....	1
Liquors and Spirits, 215 gallons .....	1
Liquors, all others, 215 do .....	1
Nuts, 9 barrels.. ..	1
Oysters, 6 barrels....	1
Pork, 7 barrels.....	1
Salt, 7 barrels.....	1
Seeds, 9 barrels.....	1
Sheep, 20 .....	1

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	Tons.
Stone, 12 cubic feet.....	1
do 1 cord.....	7½
Whiskey, 4 barrels or 215 gallons .....	1
Empty Barrels, 10.....	1
Barrel Hoops, 10 Mille.....	1
Board and other sawed Lumber, 600 feet board measure.....	1
Boat Knees, 4.....	1
Firewood, 1 cord.....	3
Hop Poles, 60, or 40 cubic feet.....	1
Shingles, 12 M. or bundles.....	1
Split Posts and Fence Rails, 1 Mille .....	1
Staves and Headings, Pipe, 1 Mille is .....	8
do do West India, 1 Mille is.....	4
do do Barrel, 1 Mille.....	2½
do do Salt Barrel, 1 Mille.....	½
Saw Logs, Standard, 1.....	⅞
Square Timber, 50 cubic feet. ....	1
Telegraph Poles, 10 or 50 cubic feet .....	1
Masts and Spars, 40 cubic feet.....	1
Railroad Ties, 16 or 50 cubic feet.....	1
All other Woodenware, or partly manufactured Wood, 40 cubic feet, as per Tariff.....	1
Traverses, 40 cubic feet or 5 pieces.....	1
Floats, 50 lineal feet.....	1

NOTE.—By the Weights and Measures Act of 1878, the following articles are to be estimated by the cental of 100 lbs., viz.: Barley, Beans, Charcoal, Corn, Oats, Peas, Potatoes, Rye, Salt, Seeds and Wheat.

Coal to pass up all Canals, except the Welland Canal, free of toll, as per Order in Council, June 7th, 1869.

Logs, lumber or other produce shall pass free of Toll down the Chip-pawa Creek, between the Acqueduct and Port Robinson. as per O. C., 18th May, 1863.

Iron Ore, Kryolite or Chemical Ore, through one section, or all the canals, per ton, 5 cents.

All Goods having paid full toll through the whole line of the St. Lawrence Canals, or through the Lachine Canal, St. Anne's Lock, or Ottawa and Rideau Canals, shall be allowed to pass free through the Welland Canal; and if tolls have been paid at the Chambly Canal, such tolls shall be refunded at Montreal or Kingston Mills; and having paid full toll through the Welland Canal, they shall be allowed to pass free through the St. Lawrence Canals, or through the Ottawa and Rideau Canals, St. Anne's Lock, the Lachine Canal, and the Chambly Canal, provided always:—That the articles to be entitled to the above exemptions shall go downwards through the whole length of the canal to Montreal, or pass upwards from Montreal through the whole length of the St. Lawrence Canals or the Ottawa and Rideau Canals to Lake Ontario.

All articles, goods or merchandise not enumerated above, to be charged to Class No. 4.

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No Let Passes to be issued to steam tugs or other small vessels for less than 25 cents as a minimum charge, but such vessels, not carrying freight or passengers, can obtain, on payment of \$30, a season "Let Pass," which will pass them up and down the canal as often as desired.

Goods shipped to any port west of the St. Lawrence Canals, tolls upon which have already been paid for passage through such Canals, may be re-shipped from such ports and be passed through the Welland Canal free of tolls, in the same way as if they had been shipped through direct in the first instance; and goods going eastward, having paid Welland Canal tolls, may be transhipped to any port on Lake Ontario, and thereafter pass free through the St. Lawrence Canals, as if they had been shipped through direct in the first instance.

*Vide Canada Gazette, Vol. XVII, p. 4.*

GOVERNMENT HOUSE, OTTAWA,  
Thursday, 28th day of June, 1883.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

ON the recommendation of the Honorable the Minister of Inland Revenue, and under the provisions of the Act 46th Victoria, chapter 15,—

His Excellency the Governor General, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that the following Regulations in respect of Tobacco and Cigars and Tobacco and Cigar Manufactories, to come into force on and after the 1st day of July, 1883, be and the same are hereby adopted :—

ARTICLE I.—RAW MATERIAL.

FOR DEALING WITH RAW LEAF TOBACCO, SCRAPS, CUTTINGS, STEMS, LIQUORICE OR OTHER MATERIALS, WHEN BROUGHT INTO, PRODUCED OR USED IN, OR REMOVED FROM A TOBACCO OR CIGAR MANUFACTORY.

1. So soon as any tobacco or other raw material is received at the manufactory, the quantity thereof shall be ascertained by the manufacturer, under the immediate supervision of the officer in charge, whose duty it shall be to test the accuracy of all weights, and when required so to do by the manufacturer, to ascertain the deduction to be made for moisture.

2. Standard tobacco, as defined by the Act, means tobacco which contains 10 per cent. of moisture, but it is not intended to notice a discrepancy of 1 or 2 per cent. from this standard in either direction.

3. When, however, there is an evident excess of moisture beyond the proportion above mentioned, viz., 10 per cent., the manufacturer may, if he desires, have this excess ascertained, and if found to be as much as or more than 12 per cent., the excess over 10 per cent. is to be deducted from the weight found: in other words, when an account is taken of excessive moisture at all, 10 per cent. is to be understood as being the standard, and all over that is to be allowed.

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4. All samples taken for the purpose of ascertaining the percentage of moisture contained therein are to be furnished by the manufacturer or owner free of cost.

5. It is not necessary that samples should be taken from each package : when two or more packages are, after careful examination, considered by the officer to be about the same as regards moisture, one sample can be taken to represent the lot. It is the desire of the Department that the manufacturer should suffer as little loss as possible by taking his tobacco for the purpose of ascertaining the moisture, and whenever any manufacturer is satisfied that the raw leaf and other unmanufactured tobacco brought into his manufactory at any time is not above or below the standard, he may enter the actual weight upon his books, without submitting a sample to be tested, but in such case the weight shall be considered as standard and no allowance made thereafter if the production in the manufactory should fall below the standard established by law.

6. All stems, scraps, cuttings, clippings, waste or other refuse of tobacco, when produced in, taken for use, removed from, or destroyed at or from any tobacco or cigar manufactory shall, be entered in standard pounds.

7. All raw leaf tobacco, stems, scraps, cuttings, clippings, waste and tobacco in process of manufacture at the time and when stock is taken, shall be stated in standard pounds, and in all such cases care must be taken that samples for drying fairly represent the degree of moisture in each lot from which samples are taken.

8. In all cases where it becomes necessary to take an account of the moisture, samples must be carefully taken in such a manner as to give a fair sample—as to moisture—of the whole : these samples should each be from one quarter to one half of one pound in weight, and must be carefully weighed immediately they are taken, and the samples are to be taken from the packages at the time of weighing thereof and not at a date previous to or after such weighing : they are then to be carefully dried in the drying oven with which important offices have already been or will be supplied ; the difference between the weight when put in and removed from the dryer will represent the moisture contained therein.

9. The principal offices will be supplied with scales specially constructed for the purpose, by means of which the percentage of moisture in excess of the standard can be read on the arm of the scale, instead of having to resort to computations to ascertain it.

This scale is so constructed that, by filling the counterpoise bucket at the end of the arm with shot sufficient to balance the oven tray on the platform, the weight as shown will be the net weight of the tobacco : by means of the adjustable weight on the arm the sample can be either one quarter, one half, or one pound, and by placing this weight at 100 when weighing the tobacco for drying, and then reading after drying on the lower scale on the arm, the exact percentage of moisture to be deducted can be seen at a glance.

10. The officer in charge of each tobacco or cigar manufactory shall keep a record of the weight of all packages of raw leaf tobacco or other raw material received into manufactory : the entry shall be made in a book provided by the Department for that purpose.



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11. All packages of raw material received into warehouse shall be consecutively numbered, beginning with number one, on the 1st day of July, in each year.

12. A ticket, or tag, shall be placed upon each package, showing the date when put in warehouse, the serial number of the package, the gross weight, the tare, and the net actual weight of tobacco or other raw material contained therein, and in the case of raw leaf tobacco, scraps and cuttings, stems and other unmanufactured products of raw leaf tobacco, the percentage of moisture and pounds of standard tobacco contained therein. In order that there shall be uniformity of practice, the following is the form of ticket or tag to be used, until otherwise modified or altered by Departmental Regulations, which tag will be supplied by the Department upon proper requisition being made therefor:—

	Write in particulars here	Details when less than contents of whole package is taken.	
		Date.	Quantity.
Date when placed in Warehouse.....	.....18.....		
Serial Number.....	.....		
Nature of Contents.....	.....		
Gross Weight.....	..... lbs.		
Tare.....	..... lbs.		
Net Weight.....	..... lbs.		
Percentage of Moisture.....	.....		
Standard.....	..... lbs.		

(Signature).....Officer in charge.

In the case of liquorice, sugar, gum or other raw materials other than leaf tobacco, cuttings and other unmanufactured products of leaf tobacco, the last two lines will be left blank, as no deduction for moisture is to be made from these articles.

13. All leaf tobacco and other materials are, as soon as received and an account of them taken, to be placed in the warehouse provided for that purpose and secured by Crown lock, the key thereof being in the possession of the officer in charge.

14. Raw leaf tobacco and other raw materials are to be delivered to tobacco and cigar manufacturers in such quantities as may be required for use; and as they will have access to the warehouse daily, if required, and can take tobacco from as many different packages as if it were under their sole control, it is not necessary that greater quantities should be taken than is required for each day's use: when taken for use by whole packages it must be entered ex-warehouse at the weight marked on the packages when received.

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(a) If, in the opinion of the Department, the conveniences afforded by any tobacco or cigar factory will not permit of the storing of all raw leaf tobacco and other raw material within the locked apartment designated for that purpose, without unduly harassing the manufacturer, then the Collector may authorize such proportion as he may see fit to be stored in other parts of the factory; and in such case each such package so withdrawn, if not required for proximate use, shall have placed upon it by the manufacturer a red card of not less than four inches square, with the words "In Bond" printed thereupon in letters of not less than one inch in height; and the removal of such card, or of any of the contents of such package, before the weight contained in such package has been entered to the debit of the "Daily Record" as "taken for use," shall be deemed to be an illegal abstraction of goods from warehouse, and shall subject the manufacturer to like penalty as by law provided.

(b.) When the contents of any package is taken for use at various times, the last entry from the package shall be made to balance the quantity originally warehoused and marked on such package.

(c.) A manufacturer will be permitted to take whole packages or such quantities as he may require for use, but if it is at any time evident that a manufacturer is entering for use quantities far in excess of what his business demands, the Collector will apply to the Department for specific instructions.

15. All stems produced in any tobacco or cigar manufactory must, unless used or intended for immediate use in the manufactory, or held by the manufacturer with a view to their exportation, be weighed up not less frequently than once a month and either destroyed or locked up as hereinafter provided.

All stems, scraps, cutting and waste produced in any tobacco or cigar manufactory and charged back to stock and carried to debit of Stock Book No. 1, shall, unless immediately destroyed, removed or entered for use, be placed in raw leaf warehouse.

16. The destruction shall be by burning, except when some other mode is specifically permitted: Provided that the Department may authorize Collectors of Inland Revenue to furnish known gardeners with small quantities of stems to be used solely for horticultural purposes: the quantity furnished for such purposes and the security to be taken for the proper use of such stems to be within the discretion of the Collector, and the transactions in detail to be reported monthly to the Department.

17. Stems, scraps, cuttings or waste must, before they can be entered for removal or destruction, be carried to debit of Stock Book No. 1.

18. Raw leaf tobacco, after being charged in a tobacco or cigar manufacturer's Daily Record as taken for use, cannot thereafter be removed from factory in an unmanufactured state, unless by a special permission, in each case obtained from the Collector.

19. Raw leaf tobacco, when removed from a tobacco or cigar manufactory, must be entered in standard pounds.

20. Where tobacco and other raw material is secured under Crown lock, it is not necessary to weigh each package in the warehouse when taking stock; only a sufficient number, to satisfy the officer that the pack-

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ages remain as shown on tag: when not secured by Crown lock, each package must be carefully weighed.

21. Flavorings received at a tobacco or cigar manufactory are not to be examined by the officer in charge, but the weights are to be recorded by the manufacturer, as in the case of other raw material.

FOR SALE OF SCRAPS, CUTTINGS, STEMS AND SWEEPINGS OF TOBACCO IN BULK,  
BY ONE MANUFACTURER TO ANOTHER.

22. Whenever any manufacturer of tobacco or cigars desires to sell his refuse scraps, cuttings, stems and sweepings of tobacco, in bulk and as material, to another manufacturer of tobacco or cigars, to be further manipulated or manufactured, he is hereby permitted to do so under the following rules and conditions, viz. :—

(a.) The removal must be made in bond, and the goods consigned to the order of the Collector of Inland Revenue of the Division to which the goods are so consigned, in the same manner as provided for manufactured articles :

(b.) The packages containing the goods are to be consecutively numbered, and each to have marked thereon the gross weight, the tare, and the net weight, and also the standard weight of unmanufactured tobacco contained therein, and shall, in addition, have marked thereon the registered number of the manufactory, number of warehouse entry, date, and number of the Inland Revenue Division :

(c.) No persons other than manufacturers of tobacco or cigars will be allowed either to purchase or sell this description of tobacco unless it is packed, stamped, and the duty paid thereon, as provided by law.

23. Whenever any manufacturer of tobacco or cigars desires to sell his refuse scraps, cuttings, stems, or sweepings of tobacco for export to a foreign country, he will enter the same for export in bond in the same manner and under the same regulations as govern the shipment and exportation of manufactured goods.

24. Cigar manufacturers will not be permitted to put up small packages of cuttings for consumption.

FOR REMOVAL OF SNUFF-FLOUR AND FINE-CUT SHORTS, FROM ONE TOBACCO  
MANUFACTORY TO ANOTHER.

25. Snuff-flour not prepared for use, but which needs to be subjected to further process of sifting, pickling, scenting or otherwise, before it is in a condition fit for use or consumption, may be sold by one tobacco manufacturer directly to another, under the following regulations :—

(a.) The snuff-flour shall be put up in packages, and these packages consecutively numbered and marked with the gross weight, the tare, and the net weight thereof, and shall, in addition, have marked thereon the registered number of the factory from which removed, the number of the warehouse entry, date, and number of the Inland Revenue Division :

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- (b.) The snuff flour shall be removed from one manufactory to another in bond—the necessary warehouse and removal entries and removal bond being passed therefor, as in the case of other removals in bond.

26. Fine-cut shorts, the refuse of fine-cut chewing tobacco, may be sold in bulk, like scraps, cuttings, &c., by one manufacturer of tobacco to another; but when put up for sale and consumption, they must be packed in packages containing one-twentieth, one-sixteenth, one-tenth, one-eighth, one-fifth, one-fourth, or one-half pound each, and stamped like other small packages of tobacco: the law does not authorize the packing of fine-cut shorts in five or ten-pound packages, the same as fine-cut chewing.

27. Fine-cut shorts may be sold in bulk by one tobacco manufacturer to another, under the following regulations:—

- (a) They shall be put up in packages, and these packages consecutively numbered and marked with the gross weight, the tare, and the net weight thereof (the net weight being stated in apparent and also in standard pounds), and shall, in addition, have marked thereon the registered number of the manufactory where put up or from which removed, the number of the warehouse entry, the date and the number of the Inland Revenue Division.
- (b.) The fine-cut shorts, like snuff-flour, shall be removed from one manufactory to another in bond.

28. Upon the receipt of the snuff-flour or fine-cut shorts at the manufactory to which it is consigned, it shall be placed in the raw leaf warehouse, and shall be delivered to the manufacturer in such quantities as he may require, for treatment.

29. In all books, snuff-flour and fine-cut shorts shall, when entered for removal for further treatment at another licensed tobacco manufactory, be treated as raw material, and as the transactions are not likely to be such as to render it necessary to encumber the books with special columns for these articles, they will be dealt with in the books in the following manner, when removed, viz. :—

- (a) The entries to be made in red ink ;
- (b.) Enter in column No. 23 in Daily Record when produced, and in columns Nos. 10 and 26 in Stock Book No. 1, when “charged to back stock” and “removed from manufactory” respectively ;
- (c.) At receiving manufactory enter in columns Nos. 9 and 25 in Stock Book No. 1, when “brought in” and “taken for use,” respectively, and in column No. 7 in Daily Record, when “taken for use ;”
- (d) Explanations to be made in columns Nos. 2 and 19 in Stock Book No. 1, and columns Nos. 2 and 15 in Daily Record ;
- (e.) Totals of fine-cut shorts and snuff-flour to be also shown in red ink, and separate and distinct from the totals of scraps, cuttings and waste, as shown in the columns referred to.

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## RAW LEAF TOBACCO SAMPLES.

30. As some misapprehension appears to exist as to the manner of dealing with small quantities of raw leaf tobacco imported as samples, and on which the Department has no authority to collect duty, the following regulations are now issued for the guidance of Customs officers at the ports where such samples are imported :—

- (a.) Such samples must be bonded in a Customs warehouse in the same way as all other imported raw tobacco is bonded :
- (b.) The removal of such samples from Customs warehouse in quantities not exceeding one hundred and fifty pounds at any one time may be permitted on a removal bond being executed with the Collector of Customs by the parties who desire to remove the tobacco, and another surety who must be a resident householder, or other responsible person resident at or near the port at which the bond is given ; and each separate parcel or sample must be securely sealed and stamped, so that it may be identified :
- (c.) The removal entry shall accurately state the quantity, description and quality of the tobacco, as known to the trade, to be removed, which description shall also include particulars necessary for the identification of the several samples or parcels :
- (d.) Each removal paper shall have endorsed on it, by the Collector of Customs, the date at which the removal bond will expire, and shall set forth that the holder of the paper is permitted to carry with him the tobacco therein described for the purpose of exhibiting it to his customers :
- (e.) The conditions of the bond are to be that the tobacco shall, within a specified time, be delivered to and entered upon the books of a licensed tobacco or cigar manufacturer, or that it shall be exported :
- (f.) And the bond shall only be cancelled on the production of the certificate of an officer of Excise that the tobacco has been entered on the books of a licensed tobacco or cigar manufacturer, or on the certificate of a Customs officer, that the tobacco has been exported and within the time mentioned :
- (g.) In addition to the above certificate, when the tobacco is exported all the warehouse regulations then in force in reference to the exportation of Customs goods shall be complied with before the bond is cancelled :
- (h.) Whenever the bond is not cancelled in the manner above stated, and within the time stated in the bond, it will be the duty of the Collector of Customs before whom it is taken, to call upon the parties for the immediate payment of the penalty inserted in the bond, which, in accordance with the 304th section of the Inland Revenue Act of 1883, will be for a sum equal to 30 cents per pound on the tobacco to which it relates :
- (i.) When samples are sent out by the travelling agent of any person duly licensed to warehouse raw leaf tobacco under the Inland

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Revenue Act, an accurate account of such samples is to be taken by the proper officer of the Excise and entered on the warehouseman's books, and the same means adopted for their identification, as is directed with reference to samples just imported :

- (j.) A bond will be taken with reference to such samples of the same nature as is directed with reference to samples just imported ; but, in lieu of making it an alternative that such samples shall be exported, the conditions shall be that they shall be returned to the warehouse of the licensed warehouseman, and by him entered on his books :
- (k.) Whenever any importer desires to do so he may pay the fee of 20 cents per pound on the raw leaf samples, and have them stamped with the special raw leaf tobacco sample stamp provided for that purpose, and may then bring in and exhibit his samples without any restrictions as to the giving a removal bond, procuring the certificate of officers of Excise as to its being entered on a manufacturer's book, or for the exportation of the sample :
- (l.) The special raw leaf tobacco sample stamps are to be destroyed when the tobacco is taken for use in any tobacco or cigar manufactory.

## ARTICLE 2.

## STAMPS FOR TOBACCO.

1. By virtue of the authority of the " Inland Revenue Act, 1883," the following denominations of stamps for tobacco have been prepared, and their use is hereby prescribed, viz. :—

- (a.) Strip stamps, in sheets, of the denomination of one-fortieth of a pound, for cigarettes ;
- (b.) Strip stamps, in sheets, of the denomination of one-twentieth, one-sixteenth, one-tenth, one-eighth, one-fifth, one-fourth, and one-half pound, for use on all legal packages of cut and granulated tobacco, cigarettes, shorts, clippings, cuttings, and sweepings of tobacco ;
- (c.) Strip stamps, in sheets, of the denomination of five and ten pounds for pails, kegs or drums of fine-cut chewing tobacco ;
- (d.) Strip stamps, in sheets, of the denomination of one pound, for use on packages of Canada twist ;
- (e.) Strip stamps, in sheets of the denomination of five and ten pounds, for packages holding snuff when containing not more than 40 per cent. of moisture ;
- (f.) Strip stamps, in sheets, of the denomination of ten and twenty pounds, for packages holding snuff, when containing more than 40 per cent. of moisture ;
- (g.) Oblong stamps, in sheets, of the denomination of ten pounds, for packages containing cavendish, plug, or twist tobacco ;
- (h.) Coupon stamps, in books, of the denomination of ten, fifteen and twenty, with one-half pound coupons, and sixty and seventy with one pound coupons.

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2. No stamp of a denomination less than one-fifth of a pound is provided for tobacco solely the product of Canadian raw leaf.

3. It is the duty of every officer in charge of any tobacco or cigar manufactory to see that no greater quantity of tobacco or cigars is contained in the packages to which the stamps are attached than the stamp is intended to cover, and should any packages containing tobacco or cigars at any time be discovered with stamps thereon for a quantity less than the package contains, it is the duty of every officer to detain such packages as forfeited, and report the circumstances to this Department, through the Collector of the Division.

4. Stamps for use on tobacco the product in whole or in part of foreign raw leaf, are colored black: those for use on tobacco solely the product of Canadian raw leaf, are colored green: those for use on packages of imported tobacco, are colored blue.

## FOR CIGARS.

5. The Commissioner of Inland Revenue has caused to be prepared for the payment of duty on cigars, the following denominations of cigar stamps:—

- (a.) Strip stamps, issued in sheets, for boxes containing twenty five, fifty, one hundred and two hundred cigars each;
- (b.) Strip stamps issued in sheets for sample boxes of cigars containing twenty five cigars each;
- (c.) Strip stamps issued in sheets for boxes of imported cigars,—old issue, rate of duty being on the pound, as heretofore.

6. Stamps for use on boxes containing cigars, the product in whole or in part of foreign raw leaf tobacco, are colored black

Stamps for use on boxes containing cigars solely the product of Canadian leaf tobacco, are colored green:

Stamps for use on packages of imported cigars are colored blue:

Stamps for use on sample boxes of cigars are colored yellow, with the letter "F" thereon when used on cigars the product of foreign leaf, and "C" thereon when used on cigars the product of Canadian leaf.

## FOR CANADA TWIST.

7. Stamps for Canada twist are supplied of the denominations one-fourth, one-half and one pound each.

8. Stamps of the above denominations will be supplied Postmasters or other persons throughout the country who will keep a record of the names of the persons to whom they sell stamps, and of the license number and number and denomination of stamps sold to each (selling them only to licensed persons), for which purpose a suitable book is supplied: the register of sales above referred to is to be open at all times for the inspection of officers of Inland Revenue.

9. Canada twist cannot be manufactured for sale by the cultivator unless he has taken out a license, paying therefor the sum of two dollars, and the law imposes a heavy penalty on any cultivator who shall manufacture

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for sale any Canada twist without taking out such license : Collectors of Inland Revenue and others acting for this Department will, therefore, take all the means in their power to acquaint cultivators with the necessity of taking out such license and stamping the Canada twist before offering it for sale.

10. The stamps will be attached to the roll or coil by interlacing it through the coil when made and bringing the two ends of the stamp once around the coil and fastening securely by gum or paste : coils that have been made prior to the coming into effect of the provisions of this Act may have the stamp attached by cording or otherwise, securing the twist and enclosing it in a paper or other band or casing, so that the stamp may be securely attached thereto : the stamp is to be attached in all cases by means of good, strong gum, and every officer of this Department is instructed, so far as it lies in his power, to impress upon cultivators who manufacture Canada twist for sale, that the firm adherence of the stamp to the tobacco is necessary in order to protect it from seizure, for if any packages are found anywhere except in the possession of the licensed cultivator, manufacturer or in the premises of a licensed tobacco manufacturer of Canadian leaf tobacco only, without a stamp properly attached, they will certainly be seized and confiscated, in accordance with the law.

11. The law also imposes heavy penalties on any person who shall open a package of tobacco without breaking the stamp thereon, or in whose possession a package unlawfully opened shall be found, or in whose possession any used stamps shall be found.

Every officer will, therefore, avail himself of every opportunity for bringing these matters under the notice of those concerned.

## BONDED REMOVAL PERMIT STAMPS.

12. The bonded removal permit stamps to be used on packages of tobacco when ex-warehoused for removal in bond are of the following denominations, viz. :—

- (a). For use on pails, kegs, drums or other packages of fine-cut chewing tobacco, weighing five and ten pounds each ;
- (b). For use on five, ten and twenty pound packages of snuff ;
- (c). For use on packages of plug tobacco weighing from ten to twenty five pounds ;
- (d). For use on packages of plug tobacco weighing from sixty to eighty pounds ;
- (e). For use on packages of cigars :

2. They are to be attached as follows :—

- (a), (b) and (e) are to be attached to the package in such a manner as to be equally attached to the cover and the body of the package :
- (c) and (d) to be attached at the same place on caddy or box as reserved for regular duty paid stamp, viz., "over one cover or angle of the box or caddy, at equal distances from each end, attaching about equally to each side."

13. Each package of tobacco or cigars removed in bond must be covered by a bonded removal permit stamp, of a denomination provided for the class



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of package upon which it is placed, and is to be attached to the package and cancelled by the manufacturer or his agent: the cancellation will be by means of the rubber stamp used for the first cancellation on the regular duty paid stamps: if the manufacturer so desires it, the bonded removal stamps may be placed upon the packages intended for removal at the time the tobacco or cigars are put in the warehouse.

FOR CUSTOMS.

14. Arrangements having been made with the Department of Customs, that in future stamps for imported tobacco shall be supplied by this Department, through the Collectors of Inland Revenue, you will therefore, put yourself in communication with the Collector of Customs, who may require to obtain supplies through your office, and request them to make requisitions on you for such stamps as they are likely to require at their respective ports.

15. As it takes considerable time to obtain stamps, when not in stock at the time the requisition is received, you will request the Collector of Customs to make their requisitions as early as possible.

16. The following schedule gives the denominations of stamps already arranged for:—

CUSTOMS STAMPS, BLUE.

Cigarette	$\frac{1}{10}$ lb.	} for cut, cigarettes, shorts, &c.	
"	$\frac{1}{2}$ "		
"	$\frac{1}{4}$ "		
"	$\frac{1}{3}$ "		
"	$\frac{1}{8}$ "		
"	$\frac{1}{10}$ "		
"	$\frac{1}{16}$ "	} fine-cut chewing.	
"	$\frac{2}{9}$ "		
"	5 "		
"	10 "		
"	5 "		snuff not over 40 per cent. moisture.
"	10 "		" " " "
"	10 "	snuff over 40 per cent. moisture.	
"	20 "	" " " "	
"	10 plug.		
Cigarette	10 plug coup. for plug with nine $\frac{1}{2}$ lb. coups.		
"	15 " " " " " "		
"	20 " " " " " "	ten $\frac{1}{2}$ " "	
"	60 " " " " " "	nine 1 " "	
"	70 " " " " " "	ten 1 " "	

Cigar;  
Raw leaf tobacco sample.

17. Each package of imported tobacco must be covered by a stamp of the denomination which represents it, or the next higher.

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## SUPPLY OF STAMPS.

18. Stamps will be supplied by the Department upon proper requisition being made therefor by the Collector of Inland Revenue, who will make requisition sufficiently in advance to insure having a supply always on hand equal to the probable demand for three months, as required by section 270 of the "Inland Revenue Act, 1883:" on receipt of a parcel of stamps the Collector or other officer receiving them is immediately to count them, and if they are found to be in accordance with the receipt accompanying the parcel, he is to sign, date and return the receipt to the Department by the next mail, and enter the stamps so received on the debit side of his "Record of Tobacco Stamps received and issued:" if they are not found to be correct, he must immediately advise the Department of the error, and enter the exact number received by him to the debit of his stamp account: Collectors and other officers must account for every stamp acknowledged to have been received by them.

19. A separate account is to be opened for each denomination of stamp, and kept in the manner shown on first folio of stamp books, stating on the debit side the number received, and on the credit side the number issued. On opening the accounts the debit side is to commence with the number of stamps of the description to which it relates then on hand.

## MODE OF AFFIXING TOBACCO AND CIGAR STAMPS.

20. Under the authority of section 270 of the "Inland Revenue Act, 1883," it is hereby prescribed that stamps shall be affixed to packages of tobacco and cigars in the following manner, viz.:—All packages of tobacco, except fine-cut chewing and snuff, containing more than ten pounds, shall have affixed a registered coupon stamp of a denomination corresponding with the net weight of the tobacco contained therein: for example, packages containing from ten to twenty-five, and from sixty to eighty pounds, can be, and must be covered by a single stamp, by using coupons attached to stamps, when the weight of the package is not precisely ten, fifteen, twenty, sixty or seventy pounds (in which case the stamp alone is used, without the coupons attached): when the weight of the tobacco contained in the package ranges between ten and twenty-five, and between sixty and eighty pounds, the coupons are used in connection with the stamp bearing such weight, so that with one or more of the coupons attached thereto it will correspond with the weight required: half pounds will not be allowed on packages containing twenty-five pounds and upwards: all other packages of tobacco are to be covered by stamps of the denomination provided by the Department, and one stamp only is to be used on each package.

21. Upon all descriptions of boxes and caddies of cavendish, plug, twist, or other description of tobacco, the stamp shall be affixed over one corner or angle of the box or caddy, at equal distances from each end, attaching about equally to each side: and on and after 1st January, 1884, on all such packages, when made of wood, a groove not less than one-sixteenth of an inch deep shall be made to admit the stamp, and prevent its being torn or rubbed off by transportation.

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22. Upon all kegs, drums, pails, or other packages containing five and ten pounds of fine cut chewing, and five, ten and twenty pounds of snuff, as permitted by law, the stamp, being a strip stamp, shall be placed across the cover, so as to extend down each side of the package, and to effectually seal it.

23. Strip stamps, whether used for packages containing smoking tobacco, fine-cut chewing, snuff, cigars or cigarettes, must be so attached as to effectually seal the package, and render it impossible to open the same or remove its contents without destroying or breaking the stamps: stamps on cigar boxes must be placed at least three-fourths of an inch from the end of the box.

24. The strip stamps for tobacco are made sufficiently long to pass over both ends of the package and turn the opposite angles, thus effectually sealing the package, and they must be so affixed; and when applied to bags which open only at one end, they must be affixed so as to effectually close that end.

25. The stamps are to be affixed to the packages by using an adhesive material that will cause them to stick to the wood, paper or other package, securely and permanently: after the stamps on wooden or metal packages of tobacco have become dry, and the cancellation has been made, as herein described, they must be varnished over thoroughly, but not so as to obscure or obliterate the impression upon the stamp.

26. Tobacco or cigar stamps will not adhere to tin-foil with ordinary gum or paste: the manufacturer must therefore either envelope the tin-foil in an outer wrapper of paper or provide some kind of gum or paste by which the stamps may be so attached that they cannot be removed without destroying them.

27. Manufacturers or importers of cigars will not be allowed to wrap the box or package containing cigars in an outer covering of paper or other material and attach the stamp to the outer covering: the stamp must be attached to each package proper, so as to remain thereon as an evidence of its being legally in the possession of the holder thereof.

28. The following recipes for cheap and practical paste and varnish, which have been fully tested, are prescribed for use:—

For paste—Dissolve one pound of gum arabic in one and three-fourths pints of boiling water; add from two to four ounces of acetic acid, and keep it corked when not in use: apply evenly to the stamp or notice and press it firmly upon the wood or other material of which the package is composed:

For Varnish.—Place in a bottle of sufficient size one half pound of bleached gum shellac, broken fine, and add strong alcohol; shake occasionally until entirely dissolved, and keep it corked to prevent evaporation: should the varnish at any time become too thick, add a small quantity of alcohol.

29. Stamps on packages of tobacco and cigars are to be attached at the manufactory, by the manufacturer or his agent, at the licensed bonding warehouse by the warehouseman or his agent, and at the Customs bonding warehouse by the Customs officer: although the responsibility of stamping tobacco ex-warehoused from a merchant's Ex-cise bonding warehouse

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remains with the owner of the warehouse, the officer delivering the tobacco is expected to aid in the attaching and cancelling of the stamps, where this can be done immediately after the delivery of the goods from warehouse.

CANCELLING DIES AND STAMPS.

30. By virtue of the authority conferred by section 271 of the "Inland Revenue Act, 1883," the Commissioner of the Inland Revenue will furnish steel dies for the cancellation of all stamps used on wooden packages, or packages made partly of wood and partly of other materials, containing tobacco: these dies will be forwarded to the several Collectors of Inland Revenue, and they will be loaned by them to the manufacturer of tobacco or other person mentioned in their requisition therefor, and to no other, and the cost of such die shall be collected from the manufacturer or other person to whom supplied.

31. In effecting such cancellation, the die will be required to be applied twice to the stamp upon the package, once in the place on the stamp marked "cancellation by steel die," and a second time over and upon the vignette on the stamp.

32. A steel instrument is also supplied for the cancellation of stamps on tin caddies or boxes of tobacco, and which instrument is to be drawn across the stamp and on to the metal of which the package is composed: this instrument should be so used as to sever the stamp and continue the line of separation on to the metal: it is to be applied to the stamp on each side of the package, but it is to be done in such a manner as not to disfigure the cancellation made by the rubber stamp.

33. Collectors will keep an account of all steel dies and instruments entrusted to them, and a record of the names of all persons to whom they are furnished (furnishing them only to the legally authorized tobacco manufacturers and others, as instructed by the Department) and the date of their delivery: whenever any die shall have become broken or damaged in the hands of any manufacturer or other person, so as to be unfit for use, or whenever any person receiving such Government die shall have no longer any legitimate use for the same, it must be returned to the Collector (and by him transmitted to the Department) and the person accredited therefor.

34. The law makes it imperative upon every manufacturer of tobacco, putting up his tobacco in packages as heretofore described, and upon every person ex-warehousing tobacco from an Excise bonding warehouse, to use this die, and no stamps on such packages will be regarded as properly cancelled, and the packages and their contents will be liable to seizure, whenever found, unless the stamps are cancelled, and the packages and their contents will be liable to seizure, whenever found, unless the stamps are cancelled with a Government die, and in the manner hereinafter named, *viz.*, the stamp must be so cancelled that a portion of every stamp shall be *driven into and lodged within the wood* of the package, or when on metal, by severing the stamp and continuing the line of separation on to the metal of which the package is made.

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35. Rubber stamps, for the cancellation of tobacco and cigar stamps, will also be supplied by the Department, upon proper requisition being made therefor, and the cost of such rubber cancellation stamps shall be collected from the manufacturer or other person to whom supplied.

36. These rubber cancellation stamps are as follows, viz. :—

1st. For tobacco manufacturers' use in cancelling strip stamps used on tobacco put up in packages of paper, linen or other soft or yielding material, and for the first cancellation on all other stamps used on packages of tobacco ;

2nd. For cigar manufacturers' use in cancelling strip stamps used on cigar boxes ;

3rd. For the use of persons having licensed bonding warehouses, in cancelling (in addition to steel die instruments) the stamps on packages of tobacco ex-warehoused for duty from a warehouse other than the manufacturer's where tobacco was made ;

4th. For Customs officers' use in cancelling strip stamps used on imported tobacco put up in packages of paper, linen or other soft or yielding material, and for the first cancellation on all other stamps used on packages of tobacco ;

6th. For Customs officers' use in cancelling strip stamps used on cigar boxes.

37. Collectors must keep an account of all cancellation stamps entrusted to them, as in the case of the steel cancellation dies.

38. The law requires that all stamps upon packages of tobacco and cigars shall be cancelled by a Government stamp or die, and it is now prescribed that when the stamps are upon other than wooden boxes and caddies of cavendish, that the cancellation shall be by means of the rubber stamp recognized by the Department ; the stamps on wooden packages of tobacco being cancelled in addition to the above, by the steel die, and those on metal packages by the steel instrument supplied for that purpose.

## MODE OF CANCELLING TOBACCO AND CIGAR STAMPS.

39. All stamps are to be cancelled immediately after being placed upon the packages, but the cancellation by the rubber stamp may be made by the manufacturer or other party, immediately before being placed thereon.

40. Stamps for tobacco must be cancelled by imprinting upon each stamp, in the oblong blank space left for that purpose, the registered number of that manufactory, or letter of dealer's bonding warehouse, the number of the Inland Revenue Division, and the month and year of cancellation : numerals only need be used for this cancellation, as follows:—19, 16, 5, 83—the first numeral, or set of numerals, representing the registered number of the manufactory, the second the number of the Inland Revenue Division, the third the number of the month of the solar year, and the fourth the last two figures of the year. Rubber hand stamps will be furnished by the Department for that purpose, at the cost of the person to whom supplied ; but if any manufacturer desires to use a stamp applied by any other means, permission may be granted for this form of cancellation only.

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41. Stamps used on five or ten pound packages of fine-cut chewing, on five, ten and twenty pound packages of snuff, and on half caddies, caddies and boxes of tobacco, when made of wood, must, in addition to the above, also be cancelled by means of the steel dye supplied for that purpose, and which die drives a portion of the stamp into the wood of which the package is composed—the die being applied to the stamp twice, once in the space reserved for this cancellation, and again on the vignette on the stamp: the further cancellation of stamps on metal packages will be by means of the steel instrument supplied for that purpose, and which severs the stamp, and continues the line of separation beyond the stamp, and on the metal of which the package is made; the application being made to the stamp on each side of the package.

42. Stamps on packages of imported tobacco shall be cancelled as follows, viz.: Stamps on packages composed of paper, cotton, tin-foil or other soft or yielding material, by means of a rubber stamp, which shall imprint upon the stamp the month and year when entered for duty, or this information may be written in on the stamps: stamps on wooden packages of plug, fine-cut chewing, and packages of snuff shall be cancelled as above, but in addition thereto shall be further cancelled by means of the steel dye: stamps on packages made of metal, when imported, shall, in addition to the above, be cancelled by means of the steel instrument supplied for that purpose, and which severs the stamp and continues the line of separation beyond the stamp and on to the metal of which the package is made.

43. Stamps on packages of tobacco ex-warehoused for consumption by a merchant or person other than a manufacturer and at the manufactory where made or put up, shall be cancelled by the person ex-warehousing the same by means of the rubber stamps, which will imprint upon the stamp, in the oblong space reserved for that purpose, the letter of the warehouse, the number of the Inland Revenue Division, and the month and year when ex-warehoused: stamps, when on wooden packages, shall be cancelled further by means of the steel die supplied for that purpose, and which die drives a portion of the stamp into the wood of which the package is composed, and when on metal packages, by means of the steel instrument provided for that purpose, which instrument severs the stamp and continues the lines of separation beyond the stamp and on to the metal of which the package is made.

44. Stamps on packages of tobacco ex-warehoused from the manufactory where made or put up, shall be cancelled as described by sections forty-two (42) and forty-three (43).

45. The stamps on cigar boxes will be cancelled by means of a rubber hand stamp supplied for that purpose, and which stamp carries the impression beyond the duty-paid Inland Revenue stamps, and on to the wood of which the package is made: in all cases the impression is to be made across the stamp continuously, the circular centre being imprinted over space reserved for cancellation and in an effectual manner: this cancellation stamp, in addition, must imprint upon the stamp the registered number of the manufactory, the number of the Inland Revenue Division, and the month and year, as required on all other stamps.

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46. The cancellation of Customs stamps upon packages of cigars will be by means of a rubber stamp, as per preceding paragraph, but the information to be imprinted upon the space reserved for cancellation will be the number of the month and year when ex-warehoused for duty.

47. In cancelling stamps by imprinting, as herein prescribed, where blank spaces are left on the stamps for that purpose, they must always be used and until the new issue of stamps are supplied, the proper officer will see that the cancellation is made on old issue of stamps where the impression can be most easily read, and until the rubber cancellation stamps are supplied, the information may be put in, in writing.

48. The cancellation of tobacco or cigar stamps will be done by the following persons, viz.:—

(a.) At a tobacco or cigar manufactory, by the manufacturer or his agent ;

(b) At a warehouse (other than the manufacturer's where tobacco or cigars were made) by the person who ex-warehouses the tobacco or cigars ; and—

(c.) Stamps on imported tobacco and cigars by the Customs officers at the port where the tobacco or cigars were ex-warehoused for duty.

49. The importance to be attached to the cancellation of all stamps has been shown by the severe fines and penalties imposed upon any person who shall remove from any manufactory or place where tobacco or cigars are made, any such goods without stamps affixed and properly cancelled, and also the fines and penalties imposed upon any person who shall sell, or offer for sale, or have in his possession, any tobacco or cigars, the stamps upon which are *not properly cancelled*: the interest of the Government and the safety and protection of all who deal in tobacco or cigars, require that manufacturers and others should properly affix and cancel all stamps

DESTRUCTION OF THE STAMPS ON PACKAGES OF TOBACCO AND CIGARS  
WHEN EMPTIED.

50. Section 253 of the "Inland Revenue Act, 1883," makes it the duty of every person who empties any stamped box, bag, vessel, wrapper or envelope of any kind, containing tobacco or cigars, to destroy the stamp thereon ; and any person who neglects or refuses so to do, is liable to a penalty for each such offence not exceeding one hundred dollars.

51. This provision of the law applies not only to retail dealers who empty legal packages by retailing their contents, but also to every person who purchases tobacco or cigars for his own use, and empties such packages : he must destroy the stamp thereon.

CAUTION NOTICES—TOBACCO AND CIGARS.

52. Upon every package of tobacco, whether put up in wooden packages or otherwise, the law requires that there shall be printed, or securely affixed by pasting thereon, a label, on which shall be printed the number of the manufactory, and the number of the Division in which it is situated, together with the following notice:—

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“Notice.—The manufacturer of this tobacco has complied with all the requirements of the law : every person is directed to open this package in such a manner as to break the stamp, and is cautioned not to use this package for tobacco again, or the stamp thereon, nor to remove the contents of this package without destroying said stamp, under the penalties provided by law in such cases.”

53. When used on boxes, caddies, kegs, pails, drums or other packages of tobacco, weighing more than one pound, the label on which the above notice is to be printed is required to be not less than four and not more than six inches long, and not less than two and one-half inches in width, and to contain, in addition to the caution notice, the following facts, printed in plain, open, and legible letters, viz. : (1) the number of the manufactory, and (2) the number of the Inland Revenue Division. These labels will be in the following form, viz. :—

“ Factory, No.....Inland Revenue Division, No.....

“Notice.—The manufacturer of this tobacco has complied with all the requirements of the law : every person is directed to open this package in such a manner as to break the stamp, and is cautioned not to use this package for tobacco again, or the stamp thereon, nor to remove the contents of this package without destroying said stamp, under the penalties provided by law in such cases.”

54. A separate and distinct label will not be required on packages of tobacco containing one-half pound or less, provided the manufacturer shall cause to be printed on each such package the number of his manufactory and the number of the Inland Revenue Division where situated, together with the caution notice as herein required, in a clear, legible manner, where it will not be covered up by the stamp, or otherwise obscured or concealed.

55. The law provides that “Every manufacturer of cigars shall securely affix, by pasting on each box containing cigars manufactured by or for him, a label, on which shall be printed, besides the number of the manufactory, and the number of the Division in which it is situated,” a caution notice in the following form :—

Factory No..... Inland Revenue Division No.....

“Notice—The manufacturer of the cigars herein contained has complied with all the requirements of the law : every person is directed to open this package in such a manner as to break the stamp, and is cautioned not to use either this package for cigars again, or the stamp thereon, nor to remove the contents of this package without destroying said stamp, under the penalties provided by law in such cases.”

56. This label for all cigar boxes is to be not less than three inches in length and two inches in width ; or, if made in circular or oval form, it shall cover not less than six square inches of paper and be of a size sufficient to contain, in addition to the caution notice prescribed in plain, open, and legible letters, these facts : (1) the number of the manufactory, and (2) the number of the Inland Revenue Division.



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57. Importers of tobacco and cigars are also required by law to place a caution notice on each package of tobacco and cigars imported by or for them.

58. The affixing of this label or caution notice is made the duty of the manufacturer or importer: it is to be a printed label: it is to be supplied and affixed by the manufacturer or importer before the tobacco or cigars are to be removed from the places where they were made or at which imported. No person has a right or will be allowed in any case to tamper with this caution notice, to remove it from the box, or package, to substitute another label for it, or to cover it up with a label either of his own or of any other person.

59. This label or notice is to be distinctly and clearly the label required by law.

60. The labels must be affixed to the package in a conspicuous place, where they will not be broken in opening the packages and where they will be exposed as little as possible to be worn or rubbed off, and in a manner so as not to be covered up or concealed by any other labels or marks, and so as not to conceal by them any other marks or brands required by law to be placed upon the package.

61. The law imposes a penalty of \$50 on every manufacturer or importer of tobacco or cigars who neglects to affix such label to any package containing tobacco or cigars, made or imported by or for him, and on every person who removes any such label, so affixed, from any such package, such fine being for each package in respect to which such offence is committed.

If the manufacturer desires to do so, he may increase the size of the paper on which the caution notice is printed, so as to allow the printing, *separate and distinct from the label*, of his name and trade-mark

### ARTICLE 3.—MANUFACTURED TOBACCO AND CIGARS.

#### SPECIAL PROVISIONS FOR WAREHOUSING TOBACCO AND CIGARS AND FOR STAMPING SAME WHEN EX-WAREHOUSED, FOR REMOVAL IN BOND, FOR CONSUMPTION, OR FOR BRANDING SAME WHEN FOR EXPORTATION.

In addition to the general warehousing regulations established by Order in Council, the following apply specifically to tobacco and cigars:—

1. Tobacco and cigars, when placed in warehouse by the manufacturer thereof, shall not be stamped as heretofore, but all marks, numbers, weights and all other information required by law, must be written or branded upon the packages before the warehouse entry can be accepted,—which entry must be compared with the packages of tobacco or cigars, and certified correct by the officer in charge of the manufactory, before it will be accepted by the Collector of Inland Revenue: collectors will therefore permit the principal manufacturers to use out-numbers in order that these instructions may be fully complied with.

2. As all marks, numbers, weights, &c., are required to be placed upon the packages before the warehouse entry can be accepted by the officer for comparison, and as no stamps are required prior to being placed in bond,

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the tobacco, must be placed in warehouse immediately upon the receipt by the officer of the proper warrant: in large manufactories, where an exact compliance with this regulation is impossible, from the quantities involved, the Collector may, at his discretion, extend the time for placing in the warehouse,—such extension not, at any time, to exceed three days.

3. The following are the only sized packages of tobacco that may be removed in bond, viz. :—

- (a) Fine-cut chewing tobacco, in packages of five and ten pounds each;
- (b.) Snuff, in packages of five, ten and twenty pounds each ;
- (c.) Cavendish, plug or twist, in packages of ten pounds, or from fifteen to twenty-five pounds, inclusive, or from sixty to eighty, inclusive; and—
- (d.) Cigars.

4. Tobacco, in smaller packages than those above mentioned, shall not be removed in bond, nor shall the product of Canada leaf tobacco be so removed

5. Packages of tobacco or cigars when ex-warehoused at the manufactory for removal in bond to another Division, or transferred to another person within the same Division, shall be stamped by the manufacturer with the bonded removal permit stamp provided by the Department for that purpose, denoting the class of such goods: packages of tobacco or cigars which have been placed in warehouse prior to the coming into effect of the provisions of "The Inland Revenue Act, 1883," and which may or may not be covered by the old red stamp when ex-warehoused from any warehouse for removal or transfer must be covered by a bonded removal permit stamp: if previously stamped the old form of stamps must be scraped off the package and destroyed by the officer ex-warehousing the goods: each package removed or transferred in bond must bear one of these bonded removal permit stamps, which must be cancelled by the manufacturer or other person ex-warehousing the tobacco by means of the rubber stamp provided for that purpose: subsequent removals of same tobacco or cigars do not require additional stamping by bonded removal permit stamp.

6. Tobacco or cigars when entered ex-warehouse, whether for removal for transfer or for consumption, will require to be stamped with new form of stamps when so ex-warehoused, even if previously stamped under the requirements of past regulations.

7. When ex-warehoused for consumption the regular duty-paid stamp is to be attached to the package and cancelled in the manner herein provided: when tobacco or cigars are ex-warehoused for consumption from a warehouse other than the manufacturer's where made,—the packages then bearing a bonded removal permit stamp,—the duty paid stamp is to be placed over the bonded removal permit stamp, so as to cover it as much as possible and the cancellation to be made through both. The stamps for packages entered for consumption either by the manufacturer or merchant will be supplied upon receipt of proper entry papers ex-warehouse for consumption, the duty on the goods to be ex-warehoused, the warrant properly filled up, and a requisition (in duplicate) on the form prescribed and issued by the Department,—which requisition must show for tobacco, the number of stamps at each weight required to cover the tobacco ex-warehoused, and

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in the case of cigars the number of stamps of each denomination necessary to cover the cigars ex-warehoused, the aggregate number of packages and pounds of tobacco, or packages and number of cigars, agreeing with the entry ex-warehouse for consumption.

8. The stamps in all cases to be attached and cancelled by the manufacturer or person ex-warehousing the goods, and in accordance with regulations herein established.

9. Packages of tobacco or cigars, when ex-warehoused for exportation to a foreign country, shall be branded under the personal supervision of the officer in charge, with a brand of the following nature:—

“ EXPN.

“ TOBACCO-9-10-8-83.”

For tobacco read cigars when used on cigar boxes,—the first numeral or set of numerals representing the factory number, the second the number of the Inland Revenue Division, and the third and fourth numbers the month and the year respectively: when ex-warehoused from a warehouse other than that at the manufactory where tobacco or cigars were made, the factory number may be omitted and letter or number of warehouse substituted therefor.

10. When the holder of tobacco or cigars in bond, and which have already been stamped under the provisions of previous Acts, desires to export such tobacco or cigars, the stamps on the packages are to be removed by the officer in charge of the manufactory or warehouse, in the presence of another officer specially detailed therefor by the Collector of Inland Revenue: a record is to be kept by the aforesaid officers, giving the following information, which record is to be signed by them, and filed in the office of the Collector of Inland Revenue, viz.:—

- (a.) The number of each stamp removed and destroyed, and the weight of the tobacco or cigars covered thereby; and—
- (b.) The license number of the manufactory where the tobacco or cigars were put up and the name of the Division where stamp was issued:

The export papers cannot be finally accepted as complete until this has been done.

11. When packages of tobacco weighing one-half pound and less intended for exportation are packed in large cases it will only be required that the brand as given in section nine (9) be placed upon the outer cases,—which cases must be consecutively numbered and have marked on them the total number of packages at each weight and the total weight of tobacco contained therein

12. Tobacco and cigars, when exported, cannot be packed in the same case.

13. All goods entered for exportation must be examined by the officer ex-warehousing the same, and, in order to do so, packages must be opened to such extent as the Collector of Inland Revenue may determine.

14. Scraps and cuttings or stems, when put up for exportation must be packed under the personal supervision of an officer of Inland Revenue, and

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unless the whole case is packed at one time, the packing thereof shall be done in the raw leaf warehouse: each case or package, when filled, shall be marked by the officer with his name, and date when packed, and in such a manner as to be distinctly and clearly seen and so that it can be identified by him.

## ARTICLE 4.

FOR PACKING AND STAMPING IMPORTED TOBACCO AND CIGARS, CANCELLING THE STAMPS THEREON, AND FOR REMOVAL OF SAME IN BOND, FROM ONE CUSTOMS PORT TO ANOTHER, BEFORE BEING PACKED IN PACKAGES SIMILAR TO THOSE USED FOR LIKE ARTICLES MANUFACTURED IN CANADA.

1. The Inland Revenue Act states that "All manufactured tobacco or cigars imported from foreign countries shall have the stamps affixed while they are in the custody of the proper Custom House officers," and that "such tobacco and cigars shall not pass out of the custody of the said officers until the stamps have been so affixed and cancelled."

2. The cancellation of the stamps on tobacco, when put up in packages of paper, linen, or other soft or yielding material, shall be by means of the rubber stamp provided for that purpose.

3. The cancellation of the stamps on wooden packages containing imported tobacco shall be by sinking into the wood of which the package is composed a portion of the stamp by means of a steel die,—which die shall be applied twice to every stamp, once in the place on the stamp reserved for cancellation and again on the vignette; and in addition to the cancellation by the steel die, they shall be further cancelled by means of the rubber stamp supplied for that purpose,—the cancellation by rubber stamp to be made in the space reserved on the stamp for that purpose, but until the new issue of stamps is supplied the cancellation will be made on old issue of stamps where the impression can be most easily read, and it may be done immediately before the stamps are placed upon the packages if found more convenient; the cancellation of the stamps on metal packages containing tobacco, will be by means of the steel instrument supplied for that purpose, and which severs the stamp and continues the line of separation beyond the stamp and on the metal of which the package is made; the instrument is to be applied to the stamp on each side of the package; the stamp is, in addition to this cancellation, to be further cancelled by means of the rubber stamps used to cancel all stamps on packages containing tobacco.

4. The stamps upon packages containing imported cigars, will be cancelled by means of a rubber hand stamp of the design furnished by the Department; this cancelling stamp shall be so used that the lines shall project beyond the stamp and on the wood of which the box is made, the main or centre portion of the cancelling stamp being imprinted on the cigar stamp; in all cases the impression is to be made across the stamp.

5. These cancellation dies and stamps will be furnished to the different Collectors of Customs upon requisition being made therefor; and from and after the first day of July, one thousand eight hundred and eighty-three, no package containing tobacco or cigars, as defined by the Inland Revenue Acts, shall be handed over to the importer or owner until the stamps on the same are cancelled, as herein directed.

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6. The Inland Revenue Law further states that "imported tobacco and cigars shall be put up in packages as prescribed by law for like articles manufactured in Canada, before the stamps are affixed:—" every Collector of Customs will, therefore, see that these regulations are fully complied with.

7. The sizes of the different packages into which tobacco and cigars must be packed as permitted by law, are as follows, viz. :—

- (a.) All cavendish, plug and twist, in rectangular wooden boxes containing from ten to twenty-five pounds inclusive, or from sixty to eighty pounds inclusive ;
- (b.) All fine-cut chewing tobacco, and all other kinds of tobacco not otherwise provided for, in packages containing one-twentieth, one-sixteenth, one-tenth, one-eighth, one-fifth, one-fourth, or one-half pound—except that fine-cut chewing tobacco, when of a quality and description approved of by the Commissioner of Inland Revenue, may, at the option of the importer, be put up in wooden packages containing five or ten pounds each ;
- (c.) All cut and granulated tobacco, other than fine-cut chewing, all shorts, the refuse of fine-cut chewing tobacco, which has passed through a riddle of thirty six meshes to the square inch, in packages containing one-twentieth, one-sixteenth, one-tenth, one-eighth, one-fifth, one-fourth, or one-half pound each ;
- (d.) All snuff in wooden packages containing five or ten pounds each, —except that snuff when containing more than 40 per cent. of moisture, may be put up in packages containing ten or twenty pounds each, actual weight ;
- (e.) All cigarettes in packages containing one fortieth, one-twentieth, one-sixteenth, one-tenth, one-eighth, one-fifth, one-fourth or one-half pound each ;
- (f.) All cigars in boxes containing twenty five, fifty, one hundred and two hundred cigars each,—except that Manilla cigars or cheroots, but not imitations thereof, may, when imported from abroad, be contained in addition to the above-named quantities, in original packages containing five hundred each.

8. The stamps are to be put on or affixed to the packages in the following manner :—

- (a.) All packages of tobacco, except fine-cut chewing and snuff, containing more than ten pounds, should have affixed a registered coupon stamp of a denomination corresponding with the net weight of the tobacco contained therein : for example, packages containing from ten to twenty-five pounds and from sixty to eighty pounds, can be and must be covered by a single stamp, by using coupons attached to stamps when the weight of the package is not precisely ten, fifteen, twenty, sixty or seventy pounds (in which case the stamp alone is used without the coupons attached) : when the weight of the tobacco contained in the package ranges between ten and twenty five pounds, and between sixty and eighty pounds, the coupons are used in connection with the stamp bearing such weight, so that with one

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or more coupons attached thereto it will correspond with the weight required; half pounds will not be allowed on packages containing twenty five pounds and upwards :

- (b.) All other packages of tobacco are to be covered by stamps of the denomination provided by law, and one stamp only is to be used on each package :
- (c.) Upon all descriptions of boxes and caddies of cavendish, plug, twist or other description of tobacco, the stamp shall be affixed over one corner or angle of the box or caddy, at equal distances from each end, attaching about equally to each side :
- (d.) Upon all kegs, drums, pails or other packages containing five and ten pounds of fine-cut chewing, and five, ten and twenty pounds of snuff, as permitted by law, the stamp, being a strip stamp, shall be placed across the cover, so as to extend down each side of the package and to effectually seal it :
- (e.) Strip stamps, whether used for packages containing smoking tobacco, fine-cut chewing, snuff or cigarettes, must be so attached as to effectually seal the package and render it impossible to open the same or remove the contents without destroying or breaking the stamp ;
- (f.) Strip stamps, used for cigar boxes, must be so attached as to effectually seal the package :
- (g.) The stamps are to be affixed to the packages by using an adhesive material that will cause them to stick to the wood, paper or other package, securely and permanently : after the stamps on wooden packages have become dry and the cancellation has been made, as herein described, they must be varnished thoroughly but not so as to obscure or obliterate the impressions upon the stamps :
- (h.) Tobacco stamps will not adhere to tin-foil with ordinary gum or paste : the importer or owner of the goods must, therefore, either envelope the tin-foil in an outer wrapper of paper, or provide some kind of gum or paste by which the stamps may be so attached that they cannot be removed without destroying them.

9. The Inland Revenue Act further provides that "every importer of tobacco shall, in addition to all other requirements of this Act relating to imported tobacco, print on each package, or securely affix by pasting on each package containing tobacco, imported by or for him, a label, on which shall be printed the name of the port where, and the number of the entry under which, such tobacco is ex-warehoused for duty, and these words:— "Notice: The importer of this tobacco has complied with all the requirements of the law: every person is directed to open this package in such a manner as to break the stamp, and is cautioned not to use either this package for tobacco again, or the stamp thereon, nor to remove the contents of this package, without destroying the said stamp, under the penalties provided by law in such cases."

10. Every importer of cigars is also required to affix to each package of cigars imported by or for him, a label showing, in addition to the name of the port where, and the number of the entry under which, such cigars were

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ex-warehoused for duty, these words:—"Notice: The importer of the cigars herein contained has complied with all the requirements of the law: every person is directed to open this package in such a manner as to break the stamp, and is cautioned not to use either this package for cigars again, or the stamp thereon, nor to remove the contents of this package, without destroying the stamp, under the penalties provided by law in such cases."

11. This caution notice, when used on boxes, caddies, kegs, pails, drums or other large packages of tobacco, is required to be not less than four nor more than six inches long, and not less than two and one-half inches in width, and must be affixed to the package in a conspicuous place, where it will be exposed as little as possible to be worn, or rubbed off, or broken, in opening the package, and in a manner so as not to be covered up or concealed by any other marks or brands required by law to be placed upon the package: when used on small packages of tobacco, the caution notice may be of smaller dimensions than above, but must be printed in a clear, legible manner, where it will not be covered up by the stamp, or otherwise obscured or concealed.

12. The caution notice label, when used on boxes of cigars, is to be not less than three inches in length and two in width; or if made in circular or oval form, it shall cover not less than six square inches of paper, and is likewise to be affixed to the box or package, in a conspicuous place, and where it will not be covered up by the stamp, or otherwise obscured, or concealed, or broken, in opening the package.

13. If the importer desires to do so, he may increase the size of the paper on which the caution notice is printed, so as to allow the printing, *separate and distinct from the label*, of his name and trade-mark.

14. A separate and distinct label will not be required on packages of imported tobacco containing one-half pound or less, provided the importer shall cause to be printed on each such package, the caution notice as herein required, in a clear, legible manner, where it will not be covered up by the stamp or otherwise obscured or concealed: the name of the port and the number of the entry for duty, instead of being printed, may be written in on the label or imprinted with a rubber stamp.

15. The packing and stamping must be done in accordance with the provisions of the Inland Revenue Act,

16. The Inland Revenue Act also provides that "tobacco and cigars intended for removal in bond to another port or place within the Dominion of Canada, may be removed to such other port under regulations to be established by the Governor in Council," and which regulations are as follows:—

- (a.) That the tobacco or cigars must be consigned to the order of the Collector of Customs at the port to which the goods are bonded;
- (b.) A removal bond to be taken by the owner or importer by the Collector of Customs for double the Customs duty accruing on the goods so removed; and the bond shall be conditioned for the delivery of the goods into the possession of the Collector of Customs to whom consigned;
- (c.) This bond will be cancelled by the certificate of the Collector of Customs at the port to which the goods are consigned, certify-

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ing that they have been received by him and re-warehoused, and that a bond has been duly executed and that the goods shall be re-packed into packages similar to like articles when manufactured in Canada, and duly stamped or entered for exportation or destruction.

17. The following recipes for cheap and practical paste and varnish which have been fully tested, are prescribed for use:—

*See Article 2, No. 28.*

## ARTICLE 5.

## FOR SALE OF MANUFACTURED TOBACCO AND CIGARS.—SIZE AND FORM OF PACKAGES.

1. The sale of tobacco can only be made by manufacturers in whole packages,—each package bearing a stamp properly affixed and cancelled (or when entered for exportation, the package containing the same, properly branded), and the package itself being according to the description and limitation prescribed in the “Inland Revenue Act, 1883,” and no other.

2. Dealers in manufactured tobacco must also sell whole packages, each package bearing the properly cancelled stamp, except that retail dealers are permitted to sell plug tobacco at retail, from half caddies, caddies, half boxes or boxes, fine-cut chewing tobacco, from five and ten pound packages, and snuff, from five, ten and twenty pound packages, legally stamped, marked and labelled and put up as prescribed by law: with the exception of snuff, which at times may required to be dampened, the dealers must not withdraw the goods from the stamped package until actually offered for sale.

3. The stamp upon the package from which he is retailing goods is *prima facie* evidence that the duty on such goods has been paid: the absence of such stamp is *prima facie* evidence of the non-payment of the duty: dealers in manufactured tobacco will not be allowed to cut a package in two and to sell the divided portions of the package, nor to retail tobacco therefrom.

4. The law provides that all cigars shall be packed in boxes not before used for that purpose, containing definite and limited numbers, and positively prohibits the sale, in any other form, except by retail dealers: retail dealers are allowed to retail cigars from boxes packed, stamped and branded in the manner prescribed by law; but this provision does not authorize or warrant the practice of retailing cigars from show cases: sales can legally be made only from the stamped package in which originally put up and excised.

5. Manufacturers of cigars can only sell original and unbroken packages from their manufactory premises.

6. Collectors of Inland Revenue are hereby instructed to divide their Divisions into surveys, under the charge of such officers as they, or the Inspecting officer of Inland Revenue may designate: it shall be the duty of these surveying officers to visit all places where manufactured tobacco or cigars are stored or kept, or where it is exposed for sale, and ascertain if the law is being strictly complied with in respect of the stamping, brand-



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ing, cancelling and sale of tobacco and cigars, and to take such action as the law directs in case of discovery of any infraction of the law.

## ARTICLE 6.

FOR USING WOOD, METAL, PAPER OR OTHER MATERIAL, FOR PACKING TOBACCO OR CIGARS.

1. Any manufacturer of tobacco or cigars, wishing to avail himself of the privilege which the law authorizes, of substituting for the wooden box now used for packing cigars, or for packing fine-cut chewing, cavendish, plug, snuff or twist tobacco, packages made of other material, will be required to submit to the Commissioner of Inland Revenue samples of such packages, for his approval, and if the same are of such a character as to admit of the proper marks, brands, labels, &c., being applied to them, and the stamps to be securely and permanently attached, and properly cancelled, permission may be issued granting their use.

2. All sample packages forwarded to the Commissioner for his approval must be accompanied by a statement, setting forth the materials of which the packages are made, the description of goods intended to be packed therein, and the capacity of the package, in pounds, if intended for tobacco, and if intended for cigars, the number of cigars to be packed in each, and showing also, by samples, the mode in which the marks, brands, labels and stamps may be put upon the packages, and the law in those respects fully complied with.

## ARTICLE 7.

STAMPING TOBACCO OR CIGARS, ABANDONED, CONDEMNED OR FORFEITED, WHEN SOLD FOR THE BENEFIT OF THE DOMINION OF CANADA.

1. All tobacco and cigars, whether imported or of domestic manufacture, sold by any officer of the Government for the benefit of the Dominion of Canada, must, before being delivered, have affixed to the packages containing the same, the proper Inland Revenue or Customs stamps, denoting the duty thereon; and such stamps shall only be used for this purpose upon the whole circumstances of the intended sale being reported to the proper Department, and the necessary permission being obtained to use the same.

2. When abandoned, condemned, or forfeited tobacco or cigars are offered for sale, if such goods will not bring a price equal to the duty thereon, then the law forbids the sale to be made for consumption in the Dominion of Canada: such goods may, however, be sold for immediate export to a foreign country, and be covered by the ordinary exportation brand.

DESTRUCTION OF ABANDONED, CONDEMNED OR FORFEITED TOBACCO OR CIGARS.

3. Abandoned, condemned or forfeited tobacco or cigars, may be destroyed by order of the Commissioner, whenever it will not sell for an amount equal to the duty due and payable thereon.

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4. Collectors of Inland Revenue or Customs who have such goods in their custody which have been offered for sale, and have been unable to realize the amount equal to the duty thereon, and who desire permission to destroy the same, will make application therefor to the Commissioner.

5. In making such application they will give a complete history of the goods, also the kind, quantity, their present condition, and what efforts have been made to sell them, and if it shall appear to the Commissioner to be the interest of the Government that the goods shall be destroyed, he will give an order for such destruction.

## ARTICLE 8.

## FOR THE RE-WORKING OF TOBACCO.

1. Before any tobacco can be re-worked twenty-four hours' notice must be given by the manufacturer to, and special permission must be obtained therefor from the Collector of Inland Revenue of the Division where the manufactory is situated.

2. The manufacturer, in making application for permission to re-work tobacco, must give full particulars as to the quantity and description of the tobacco to be re-worked, stating whether the tobacco is of his own manufacture or the product of another manufactory, and if the latter, the name of the manufacturer: he will also state the reason for desiring permission to re-work the tobacco in question.

3. The tobacco, when taken for re-working, shall be so credited on Stock Book No. 2 (and an entry ex-warehouse passed on the form provided for that purpose, when taken from the bonding warehouse), and the quantity carried to Dr. of daily record, and treated as raw material, the product of which will be accounted for as manufactured tobacco, in the usual manner, and stamped and treated as tobacco the original product of the leaf.

4. When the tobacco to be re-worked has paid duty, the stamps upon the packages must be destroyed in the presence of two officers of Inland Revenue, one of whom shall be the officer in charge of the manufactory, and the other an officer detailed therefor by the Collector of the Division, and these officers shall keep a record of, and shall furnish the Collector with a duplicate certificate, showing the numbers on each stamp, the weight of tobacco contained in each package covered thereby, and the registered number of the manufactory (or, if manufactured prior to 1st July, 1883, the name or license number of the manufacturer), where manufactured or put up.

5. When the bonded tobacco to be re-worked has been stamped under the provisions of previous Acts, the stamps on the packages are to be removed and destroyed under the same regulations as are herein provided when the tobacco to be re-worked had paid duty.

6. The Collector of Inland Revenue will compare the numbers of these stamps and the weights thereon, with the record of stamps issued, kept in his office; and if the stamps have been issued in another Division, shall forward to the Collector of that Division a detailed statement of the number and weight on each stamp so destroyed, as well as the number of the manu-

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factory where (or the name of the manufacturer by whom) the tobacco was originally put up: the Collector so receiving the same shall compare this statement with his register of stamps issued to such manufacturer or manufacturers as are mentioned therein, and shall at once return said statement to the Collector from whom received, with a certificate as to its correctness or otherwise.

7. So soon as the stamps have been taken an account of and destroyed, the packages are to be also destroyed, and the tobacco contained therein broken up and steamed or treated in such a way that it cannot be removed from factory for sale without being re-worked.

8. No rebate will be allowed or paid when the stamps on the packages containing tobacco have not been taken an account of, and the said stamps destroyed in the presence of the officers herein mentioned, nor when the record of stamps destroyed does not accord with the stamp book of the Collector by whom issued.

9. When the tobacco to be re-worked has paid duty, a rebate of seven cents per pound on the quantity of tobacco entered for re-manufacture will be allowed the manufacturer, and will be paid by the Department upon receipt of a sworn statement from the manufacturer, that the tobacco so taken has been re-worked and entered to the debit of Stock Book No. 2, as produced, accompanied by the certificate of the officer in charge of the manufactory, that the stamps and the packages were destroyed in his presence, and that the tobacco was broken up and steamed, or so treated that it could not be removed from the manufactory for sale, without being re-worked,—and which certificate must be countersigned by the Collector of the Division.

10. No fee for supervision will be charged when the bonded tobacco re-worked is the product of the manufactory where the operation is to be carried on; or where plug tobacco is merely taken from the caddy to rub or wipe the plugs: in the latter case, however, the operation must be carried on under the supervision of the officer in charge and to the satisfaction of the Collector.

11. The re-working of the product of Canadian raw leaf tobacco is not permitted.

12. Imported tobacco can only be re-worked, duty paid.

13. Whenever it becomes necessary to re-work or re-manufacture cigars, special permission may be obtained therefor from the Commissioner of Inland Revenue,—the re-working or re-manufacturing to be governed by such regulations and restrictions as may be prescribed by him.

## ARTICLE 9.

## MARKING OR BRANDING CIGAR BOXES.

1. The law provides that there shall be burned, stamped, indented or impressed into every box containing cigars, in a legible and durable manner, the registered number of the factory, the number of the Inland Revenue Division in which the factory is situated and the number of cigars contained in each box: the number of cigars contained in each box may, however,

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if desired, be stencilled on the surface of the wood or other material of which the package is made; but the registered number of the factory, and the number of the Inland Revenue Division, must be burned, stamped, indented or impressed into every box, as required by law.

2. Empty cigar boxes which may have become broken or otherwise rendered unfit for use, may be destroyed in the presence of the officer in charge of the manufactory and credit taken therefor in daily record.

## REGISTRATION OF CIGAR MAKERS.

3. The requirements of the Act in respect of the registration of cigar makers will not be enforced at present.

## CIGAR SAMPLES.

In addition to the provision of the Act in respect of sample boxes of cigars, the following regulations are hereby prescribed:—

4. A manufacturer of cigars may be permitted to take from the warehouse, under permit from the Collector in such case, one package containing not more than one hundred cigars of each brand manufactured by him,— these packages to remain on the factory premises unstamped, for the sole purpose of exhibiting the contents to his customers, and, when required for consumption, the regular ex-warehouse entry to be passed therefor, the duty paid and the package stamped, as if just taken from the warehouse.

5. A manufacturer removing any of these packages without the ex-warehouse entry being passed, the duty paid, and the packages regularly stamped, branded and labelled, will be deemed to have illegally abstracted the same from warehouse, and will render himself liable to the penalties imposed in the Act for such offence: the goods, although in the possession of the manufacturer, will be considered as still in the warehouse and treated as such until the ex-warehouse entry is passed: the officer delivering such packages of cigars on permit, will keep a record of the number and capacity of packages so delivered and will mark such packages so that they can afterwards be identified by him.

6. Should any cigar manufacturer abuse the privilege hereby granted to him, by taking from the warehouse a greater number of packages than are deemed necessary by the Inspector of tobacco, the Department reserves the right to withdraw from such manufacturer the privilege now granted to all.

## ARTICLE 10.

## CUTTING MACHINES.

1. No person not having a license to manufacture tobacco or cigars shall be permitted to use, nor (without having notified the Collector of Inland Revenue thereof, in writing) to have in possession any machine for the purpose of cutting tobacco; except that persons dealing in manufactured tobacco at retail may, upon signing a declaration that such machine

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will be used solely for cutting duty paid "plug" or "cavendish" tobacco for immediate sale thereof to their customers, receive a permit to use the same during the pleasure of the Minister of Inland Revenue; but the said dealers will not be allowed to keep on hand any tobacco so cut, the cutting machine only to be used for cutting tobacco at the request of the customer, and for immediate delivery to him.

2. All persons (other than those hereinbefore excepted) having in their possession any tobacco cutting machine, are required to notify the Collector of Inland Revenue of the same, and it shall be the duty of the said Collector to cause the same to be fastened or sealed so as to render it incapable of being used without removal of the said seal.

3. All tobacco-cutting machines found in possession of any person other than those hereinbefore mentioned, or in the possession of a private individual not dealing in tobacco and using the same for cutting tobacco for his own use (and which machine must not be a rotary cutting machine) are forfeited and may be seized and removed by any officer of Inland Revenue.

## ARTICLE 11.—ASSESSMENT FOR DEFICIENCIES.

## TOBACCO.

1. Section 258 of the "*Inland Revenue Act, 1883*," provides that the deficiency in any tobacco manufactory shall not, at any time, exceed six per cent.

## CIGARS.

2 Section 259 provides that at least one thousand cigars shall be produced from each and every twenty-five pounds of unstemmed raw leaf, scraps, cuttings or other material taken for use in a cigar manufactory: allowance will be made for leaf tobacco sold or returned, or for cuttings and clippings when they are of such a character that they may be made into cigars, or are sold or removed for that purpose: no allowance will be made for stems, or for ordinary scraps and waste incidental to the business: in the making of finer grades of cigars, particularly of Havana tobacco, manufacturers often use only the best portion of the leaf and sell the balance to be used as filling for a lower or cheaper grade of cigars: in such cases an allowance will be made for such stock when sold or removed.

3. The annual stock statements have been prepared so that officers can readily understand the mode upon which the production is ascertained.

4. The Commissioner of Inland Revenue is empowered by Section 263 of the Act to make an assessment, and to order the collection from the manufacturer of the duty at the highest rate chargeable on the tobacco or cigars produced in the manufactory where the deficiency is found to exist

## ARTICLE 12.

## ADDITIONAL FORFEITURE.

1. Any package containing tobacco or cigars which is proven not to have been made by the manufacturer whose name or factory number is

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marked or branded thereon, shall, with the contents thereof, be seized, and shall be and remain forfeited to the Crown.

## ARTICLE 13.

## REPEAL OF FORMER REGULATIONS.

1. All Departmental Regulations and Orders in Council in respect of tobacco and cigars issued or established under authority of previous Acts (excepting only a certain order of His Excellency in Council, dated on the 5th day of October, 1880, the special privileges conferred by which are continued during the pleasure of the Minister of Inland Revenue) are hereby cancelled.

*Vide Canada Gazette, Vol. XVII, p. 9 et seq.*

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REGULATIONS for allowing the bottling of spirits in bond, in accordance with 46 Victoria, Chap. 15, Sec. 147, approved by His Excellency the Governor General in Council, on the 25th day of August, 1883 :

1. The Department of Inland Revenue may authorize any person who has obtained a license as a distiller to bottle spirits, the product of his own distillery, subject to the following regulations :—

2. A portion of the distillery premises approved by the Department must be partitioned off by a substantial close partition and secured by Crown lock,—such portion of the premises to be used solely for that purpose.

3. The distiller is to have access to the said apartment only in the presence of the officer of Inland Revenue

4. Six hours' notice is to be given of each intended removal of spirits from the bonded warehouse or distillery to the bottling apartments as aforesaid, by entering the same in a notice book, to be furnished by the Department.

5. Such notice shall set forth—

(a.) The number of packages to be removed ;

(b.) The marks and numbers, gross and net weights and tare, standard gallons, strength and proof gallons of each such package separately—as marked thereupon, in accordance with Inland Revenue Regulations.

6. The bottles to be used are, after having been cleaned and dried, to be weighed in the presence of the officer, who is to record the number and aggregate weight of such bottles in a book provided for that purpose by the Department.

7. He is then to weigh an equal number of corks, labels and all such other articles as may be used in connection with the said bottles, and to enter the aggregate weight thereof in such book—or such other book as the Department may provide for the purpose.

8. The Collector will be careful to see that in every case the conditions of Sections 28 and 29 of the Warehousing Regulations, approved on the 27th

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of April, 1868, or any amendment thereto, or any amendment hereafter to be made, are faithfully complied with.

9. Spirits when entered for removal to bottling room shall be so recorded in Manufacturers' Stock Book No. 2 and treated as a removal from the distillery proper, and the quantity so removed shall be carried to the Dr. of "Daily Record of Bottling."

10. The quantity thereof when bottled shall be entered to the Cr. of the aforesaid Daily Record and carried to Dr. of Distillers' Supplementary Stock Book No. 2, and credited therein when removed or otherwise disposed of.

11. Both books above referred to are to be balanced monthly.

12. A tank or tanks of such capacity as the distiller may deem necessary shall be provided by him, into which all spirits, before being bottled, shall be placed and from which the bottles shall be filled.

13. No less quantity than the contents of the original package or packages must be placed in the said tank or tanks.

14. At the close of each month, stock shall be taken of all unbottled spirits in the bottling room, which shall consist only of original unbroken packages and balance in tank or tanks, and an ex-warehouse entry must be passed for and duty collected for any deficiency that may be found to have occurred during the month.

15. The distiller will, on the first day of each month, make a supplementary return, on a form to be prescribed by the Department, giving such particulars of transactions which have occurred during the month next preceding the date of such return, as may be required by or in the said return.

16. Cases or other packages in which bottled spirits are removed shall contain not less than 12 bottles each.

17. All spirits so bottled when ex-warehoused or removed shall be governed by Sections 143, 150 and 152 of Act 46 Vict., Chap. 15, as to such ex-warehousing or removal, and generally shall be subject to all regulations and restrictions in respect of other spirits.

18. Each bottle so filled shall have attached thereto a label which shall be put on by the distiller and shall be placed over the cork and extend down each side of the bottle, in such a manner as to completely seal the package and prevent the removal of contents without breaking the label.

19. The label is to be furnished by the Department and to be of such design and material as the Department may decide upon, and to be supplied to the distiller upon a proper requisition being made therefor to the Collector of Inland Revenue,—the said labels to be supplied to the distiller in such quantities as may be required from time to time for immediate use, and to be supplied at the rate of one dollar (\$1.00) per hundred.

20. Each case shall be marked by the distiller, showing the number of bottles, standard gallons, strength and proof gallons contained therein, and also the registered number of distillery, month and year when bottled and the number of the Inland Revenue Division.

*Vide Canada Gazette, Vol. XVII, p. 352.*

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By Order in Council of Saturday, 1st day of December, 1883, under the provisions of the 3rd section of the Act passed in the Session of the Parliament of Canada, held in the 37th year of Her Majesty's Reign, chaptered 7, and intituled "An Act to amend 'An Act to make further provision as to duties of Customs in Manitoba and the North-West Territories,' and further to restrain the importation or manufacture of intoxicating liquors into or in the North-West Territories," Savonna's Ferry, in the Province of British Columbia, was added to the list of places mentioned in the said Act, and in subsequent Orders in Council, for which licenses to manufacture spirits or other excisable articles may be issued.

*Vide Canada Gazette*, Vol. XVII, p. 822.

By Order in Council of Thursday, 27th day of December, 1883, under the provisions of the 1st section of the Act passed in the Session of the Parliament of Canada, held in the 37th year of her Majesty's Reign, chaptered 45, intituled "An Act to make better provision, extending to the whole Dominion of Canada, respecting the inspection of certain staple articles of Canadian Produce," the County of York, in the Province of New Brunswick, was constituted an Inspection District for the purposes of the said Act.

*Vide Canada Gazette*, Vol. XVII, p. 999

By a Proclamation bearing date the 11th day of January, 1884, under the provisions of "The Liquor License Act, 1883," and of an Order of the Governor in Council, passed on the eleventh day of January, in the year of our Lord one thousand eight hundred and eighty-four, the following Counties, Electoral Districts, Cities and places, respectively, were established as "License Districts," pursuant to the provisions of "The Liquor License Act, 1883, namely:—

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The following Territorial Counties as now established by the Statutes of the said Province of Ontario:—

Brant, including the City of Brantford.	Elgin.	Hastings, including the City of Belleville.
Bruce.	Essex	Huron.
Carleton, not including the City of Ottawa.	Frontenac, not including City of Kingston.	Kent.
Dufferin.	Glengarry.	Lambton.
Dundas.	Grey.	Lanark.
Durham.	Haldimand.	Leeds and Grenville.
	Halton.	Lennox and Addington.



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Lincoln, including City of St. Catharines.	Peterborough.	Wellington.
Middlesex, not including City of London.	Prescott.	Wentworth, not including the City of Hamilton.
Norfolk	Prince Edward.	York, not including the City of Toronto.
Northumberland.	Renfrew.	And the Electoral District of Algoma, for representation in the Parliament of Canada.
Ontario.	Russell.	
Oxford.	Simcoe.	
Peel.	Stormont.	
Perth.	Victoria.	
	Waterloo.	
	Welland.	
	And also the Cities of,—	
Hamilton.	Kingston.	London.
Ottawa.	Toronto.	

*Quebec.*

The following Electoral Districts for the Parliament of Canada :

Argenteuil.	Iberville.	Portneuf.
Bagot.	Jacques-Cartier.	Quebec.
Beauce.	Joliette.	Richelieu.
Beauharnois	Kamouraska.	Richmond, not including Wolfe.
Bellechasse.	Laprairie.	Rimouski.
Bonaventure.	L'Assomption.	Rouville.
Berthier.	Laval.	St. Hyacinthe.
Brome.	Lévis.	St. Jean.
Chambly.	L'Islet.	St. Maurice.
Champlain.	Lotbinière.	Shefford.
Charlevoix.	Montcalm.	Sherbrooke.
Chateauguay.	Maskinongé.	Soulanges
Chicoutimi and Saguenay.	Mégantic.	Stanstead.
Compton.	Missisquoi.	Témiscouata.
Dorchester.	Montmagny.	Terrebonne.
Deux-Montagnes.	Montmorency	Vaudreuil.
Drummond and Arthabaska.	Napierville.	Verchères.
Gaspé.	Nicolet.	Yamaska.
Hochelaga.	Ottawa, not including City of Hull.	Wolfe, not including Richmond.
Huntington.	Pontiac.	

And also the Cities of,—

Hull.	Quebec and	Three Rivers.
Montreal.		

*Nova Scotia.*

The Counties of—

Annapolis.	Colchester.	Guysborough.
Antigonish.	Cumberland.	Halifax, not including City of Halifax.
Cape Breton.	Digby.	

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Hants.	Pictou.	Victoria.
Inyerness.	Queen's.	Yarmouth
King's.	Richmond.	And the City of Halifax.
Lunenburg.	Shelburne.	

*New Brunswick.*

The Counties of—

Albert.	Madawaska.	Sunbury.
Carleton.	Northumberland.	Victoria
Charlotte.	Queen's.	Westmoreland.
Gloucester.	Restigouche.	York
Kent.	St. John, not including	And the City of St.
King's.	the City of John.	John.

*Prince Edward Island.*

The Counties of—

King's.	Prince.	Queen's.
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*British Columbia.*

The Electoral Districts (for the Parliament of Canada) of—

Cariboo.	New Westminster.	Vancouver.
Victoria.	Yale.	

*Manitoba.*

The Electoral Districts (for the Parliament of Canada) of—

Lisgar.	Marquette.	Provencher.
Selkirk.	City of Winnipeg.	

*Vide Canada Gazette, Vol. XVII., pp 1042 & 1091.*

By a Proclamation bearing date the 9th day of February, 1884, the Order in Council of the 11th day of January, A.D. 1884, establishing License Districts under and by virtue of the authority of the "Liquor License Act, 1883," was amended, and the License Districts hereinafter mentioned (and which were established by the said Order in Council of the 11th day of January last) were altered and re-defined as follows:—

*In the Province of Quebec.*

After the word "Compton" in the list of License Districts, add the words "not including the Township of Compton."

After the words "Drummond and Arthabaska" add the words, "not including the Parishes of St. Bonaventure and St. Guillaume d'Upton," and

*Inland Revenue.*

after the words "Yamaska" add the words "including the Parishes of St. Bonaventure and St. Guillaume d'Upton,"

That the word "Sherbrooke" in the said list be struck out, and the following inserted in lieu thereof "The City of Sherbrooke."

That an additional License District be constituted and known as the License District of the Municipal County of Sherbrooke.

*In the Province of Ontario.*

After the word "Elgin" in the list of License Districts, add the words "including the City of St. Thomas."

After the word "Wellington" in said list, add the words "including the City of Guelph."

After the word "Renfrew" in said list, add the following words: "including the Judicial District of Nipissing,"

And that the following be constituted a License District:—

"The Territorial Districts of Muskoka and Parry Sound."

*Vide Canada Gazette* Vol. XVII., p. 1255.

By a Proclamation, bearing date the 21st day of February, 1884, and an Order of the Governor in Council, passed on the twenty-first day of February, in the year of Our Lord one thousand eight hundred and eighty-four, the Order in Council of the ninth day of February, one thousand eight hundred and eighty-four, was amended, and the License Districts herein-after mentioned (and which were established by the Order in Council of the said eleventh day of January last) were altered and re-defined as follows:—

*In the Province of Ontario.*

That the words "including the Judicial District of Nipissing" be struck out, and that the said Judicial District of Nipissing be constituted a License District under the provisions of the said Act.

*In the Province of Quebec.*

That after the words "Three Rivers," add the words "including the Banlieue of Three Rivers," also, add the words "Stanstead County," omitted through clerical error.

That the words "Richmond, not including Wolfe," and the words "Wolfe, not including Richmond," be struck out, and the following be inserted in lieu thereof:—

"And also the Municipal Counties of Richmond, of Wolfe, and of Sherbrooke."

*Vide Canada Gazette*, Vol. XVII, p. 1297.

*Inland Revenue.*

By Order in Council of Tuesday, 5th day of February, 1884, under the provisions of the 1st section of "The Act to make better provision extending to the whole Dominion of Canada, respecting the inspection of certain articles of Canadian Produce," the County of Ottawa, including the City of Hull, in the Province of Quebec, was constituted an Inspection District for the purposes of the said Act.

*Vide Canada Gazette*, Vol. XVII, p. 1298.

By a Proclamation, bearing date the 27th day of February, 1884, and an Order of the Governor in Council, passed on the twenty-seventh day of February, one thousand eight hundred and eighty-four, the Order in Council of the eleventh day of January, one thousand eight hundred and eighty-four, was amended, and the License Districts hereinafter mentioned (and which were established by the said Order in Council of the said eleventh day of January last) were altered and re-defined as follows:—

*In the Province of Ontario.*

That all that portion of the Electoral District of Algoma, lying West of 87°, be detached from the License District of Algoma as it now exists, and that the same be established as an independent License District, under the name of "Thunder Bay."

That that portion of said District of Algoma, lying East of 87° West Longitude, be established as the License District of Sault Ste. Marie.

*Vide Canada Gazette*, Vol. XVII, p. 1337.

**REGULATIONS** respecting the privilege of ferrying across the River Ottawa between Montebello, in Parish of Notre-Dame de Bonsecours, County of Ottawa, Province of Quebec, and the Village of St. Thomas d'Alfred, in the County of Prescott, in the Province of Ontario, approved by Order in Council, of the 3rd March, 1884, amended by Order in Council of 22nd April, 1883

*1st—Limits.*—The Limits of the Ferry shall extend to a distance of two miles below Montebello Wharf, in the Parish of Notre Dame de Bonsecours, in the County of Ottawa, in the Province of Quebec, and to a similar distance below McGovern's Point, in the Township of Alfred, in the County of Prescott, in the Province of Ontario.

*2nd—Landing Stages.*—Suitable landing stages or wharves serviceable at all states of the water in the river must be constructed and maintained on both sides of the river, subject to the approval of the Department of Inland Revenue.

*3rd—Ferry Boat.*—On the opening of navigation the lessee shall provide and maintain a vessel propelled by steam suitable for the conveyance of passengers, horses, cattle, and all ordinary vehicles with safety and

*Inland Revenue.*

reasonable despatch; and such vessel shall be not less than 53 feet in length by 24 feet beam, and shall be subject to the approval of the Department of Inland Revenue; and the lessee shall be required to produce a certificate of fitness, safety and sufficiency from the Dominion Board of Steamboat Inspectors for the said vessel.

*4th—Number of Trips.*—During the season of navigation the Ferry Boat shall commence running daily (Sundays excepted) at 6 o'clock a. m., and shall continue to cross thereafter, as may be found necessary for the convenience of the public,—the number of such crossings to be determined from time to time by the Department of Inland Revenue: until otherwise determined the lessee shall provide convenient and sufficient means of signalling, and shall cross from side to side whenever signalled to do so.

*5th—Tariff of Charges.*—From Montebello to McGovern's Point—

	Cts.
For a two horse-cart or conveyance, with driver, each way.....	40
For a two horse-cart or conveyance, with driver, go and return .....	50
For a one horse-cart or conveyance, with driver, each way.....	20
For a one horse-cart or conveyance, with driver, go and return.....	25
For one horse, each way.....	10
For each head of horned cattle, each way.....	5
For each sheep or swine, each way.....	5
For each passenger, each way.....	10
For every hundred pounds of freight.....	1
<i>From Montebello to St. Thomas d'Alfred—</i>	
For a two horse-cart or conveyance, with driver, each way.....	40
For a one horse-cart or conveyance, with driver, each way.....	25
For one horse, each way.....	10
For each head of horned cattle, each way.....	10
For each sheep or swine, each way.....	5
For each passenger, each way.....	10
For every hundred pounds of freight.....	5

*Sixth.*—The ferry boat shall be placed on the route fully completed and equipped, and the landing stages shall be fully constructed on or before the 1st day of May, 1884.

*Seventh.*—The lease will be granted for a period of five years, from the 1st day of May, 1884.

*Eighth.*—The lessee will be required to give two sureties, satisfactory to the Department of Inland Revenue, who shall be held jointly and severally in the sum of \$800 for the full compliance by the lessee with the terms of the lease.

*Ninth.*—The right is reserved to the Department of Inland Revenue of rejecting the ferry boat or landing stages, or either of them, should any of them be deemed unsuitable for the service or unsafe to the public or inadequate to meet the public wants: the right is also reserved to the Governor in Council to modify the maximum tariff should it be found expedient in the public interest to do so; and the Governor in Council may declare the lease forfeited and void whenever it shall be satisfactorily shown that the lessee fails to comply with the conditions thereof.

*Inland Revenue.*

*Tenth*—The lessee of the ferry shall, at all times during the continuance of the lease, carry over and across the ferry without fee, toll or reward, all mail matter, militiamen, soldiers or sailors when provided with proper passports or under the charge of their proper officer or officers, and it shall be lawful for the said lessee to commute the rate of passenger fees.

*Eleventh*.—A notice of the rates of fares and tolls to be charged for ferryage shall be put in a conspicuous place near the ferry landing on both sides of the river, and also on board the ferry boat employed.

By Order in Council of Wednesday, 26th day of March, 1884, under the provisions of "The Act to provide for the better auditing of the Public Accounts," the Town of Palmerston, in the County of Wellington and Province of Ontario, now attached to the Excise Division of Guelph, was transferred to the Excise Division of Stratford.

*Vide Canada Gazette, Vol XVII, p. 1545.*

GOVERNMENT HOUSE,

OTTAWA, Tuesday, 1st day of April, 1884.

*Present:*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**O**N the recommendation of the Minister of Inland Revenue, and under the provisions of the 43rd section of the Act 46 Vict., Chap. 15, intitled "An Act to consolidate and amend the several Acts respecting the Inland Revenue,"—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that the following General Warehousing Regulations for the governance of Excise bonding warehouses and the bonding of goods subject to duties of Excise, be and the same are hereby approved and adopted:—

GENERAL WAREHOUSING REGULATIONS.

1. All applications for the establishment of a warehouse for Excise purposes, must be made in writing, on such form as the Department may prescribe, by the party requiring it; and every such application must fully and minutely describe the premises, with their exact locality.

2. On receipt of such an application the Collector of Inland Revenue will survey the premises, and if satisfied that they are suitable for the purpose, and that they afford the requisite protection to the Revenue, and on their being supplied with suitable locks, he will report the facts to the Inspector of the District, whose authority will be required to use such warehouse as a bonding warehouse for Excise purposes.

*Inland Revenue.*

3. The door of every such warehouse shall be provided with two locks, one of which will be supplied to the Collector by the Department, upon requisition being made therefor, and the key of which shall be kept by the Collector, and the other provided by the owner of the goods, and he to retain the key thereof, and should there be more doors than one, all other doors, and all windows and other means of ingress, shall be fastened on the inside in a secure manner and to the satisfaction of the surveying officer.

4. When any warehouse has been surveyed and accepted as an Excise bonding warehouse, either in connection with a licensed manufactory or otherwise, it shall be designated by a letter of the alphabet.

5. Over the principal entrance to every warehouse approved for Excise purposes, there shall be placed the following designation—

## “EXCISE

## “BONDING WAREHOUSE,”

With its designating letter, the whole being in legible characters, painted in oil colors and not less than three inches in height.

6. Every package entered for warehouse must (in addition to all other marks and numbers) be distinctly marked to the satisfaction of the Collector, with the number of the entry and the date when originally warehoused, except that in the case of cigars the entry number may be omitted. In the case of spirits the above marks shall be written or stencilled on the package in oil paint. The date will be sufficiently indicated by the number of the month and the last two numerals of the year in which the entry was made. Thus, goods entered on the 20th January, 1883, may be dated 1-83, showing that the entry was made in the first month of the solar year 1883, or if 20th November, 1883, dated 11-83. All goods in any warehouse, except in the case of cigars, must also be so stowed or arranged that casks, boxes or packages, contained or described in one entry are placed together in separate lots as provided by law. Cigars shall be stowed or arranged in warehouse, in lots according to the denomination of the packages. The packages must also be so stowed or arranged that ample space will be left so that each package and the marks and numbers thereon can be examined. Officers of Inland Revenue may refuse subsequent entries for warehouse when these regulations as to arranging and stowing packages are not complied with.

7. All entries are to be numbered consecutively, and as license bonds are now made to cover the duty on goods remaining in warehouse from time to time during the currency of that license, the taking of warehouse bonds with each warehousing is dispensed with.

8. No entry shall be passed for warehouse, or ex-warehouse, upon any authorized holiday, nor before the hour of nine o'clock in the morning, nor after four o'clock in the afternoon.

9. All entry papers, bonds, notices, and other documents herein required shall be made out and signed by the owner of the goods to which they relate, or in his name by his duly authorized attorney, and all packages shall be marked and numbered as herein required by the owner or his agent.

*Inland Revenue.*

10. Entry of goods for warehouse must in all cases be made on the forms sanctioned by the Department, and every such entry shall contain a full and complete specification of the goods so entered, stating,—

(a.) The number and description of packages ;

(b.) Marks and numbers ;

(c.) Contents of each in pounds, gallons or number ; and in the case of spirits, methylated spirits and vinegar, the contents are also to be stated in gallons of the strength of proof ;

(d.) The duty due on the goods so entered for warehouse.

Every cask, barrel or package containing goods shall be whole and entire at the time it is warehoused.

11. Every warehouse entry shall be in duplicate.

## ENTRY OF GOODS EX-WAREHOUSE FOR EXPORTATION.

12. Goods subject to duties of Excise shall only be exported in bond from a port where there is an officer of Customs, and only to British and foreign ports of entry where there are Collectors or other officers of the Government having similar functions, and when ex-warehoused for exportation may be such quantity as exporter or manufacturer respectively may require, within the discretion of the Collector, but nothing less than the contents of one whole package.

13. Goods can only be entered for exportation in bond ex-warehouse from a warehouse within the limits of the port at which they are actually laden on the ship, car or other vehicle in which they are handed over to the Customs by warrant for shipment.

14. All casks, boxes, bales or other packages of goods entered for exportation shall, before leaving the warehouse, be conspicuously branded by the person entering the same ex-warehouse, and under the personal supervision of the officer in charge, with the letters EXPN., and any further information that may be required in any specific case or cases.

15. Entry of goods ex-warehouse for exportation must be made on the forms sanctioned by the Department, and must contain an exact specification of the goods intended for exportation. (*Vide* Section 10.) With every such entry, an export bond shall be taken in the prescribed form.

16. Export bonds shall be conditioned for the due delivery of the goods bonded at the place designated in the entry within a specified time,—which time in any case shall not exceed the time usually necessary for the performance of the voyage or journey by the conveyance adopted (allowing a reasonable time for detention within the discretion of the Collector) and for returning the vouchers by the next mail ; and in no case shall the period allowed for the cancellation of the export bond exceed six months, unless special authority has been granted by the Department.

17. If within the period named in said bond there be produced to the proper Collector or officer of Inland Revenue, the duly authenticated certificate of some principal officer of Customs or colonial Revenue at the place to which the goods were exported, or if such place be a foreign country, or any British or foreign Consul or Vice-Consul, resident there, stating that the goods were actually landed and left at some place (naming it) out of Canada, as provided by the said bond, such bond shall be cancelled.



*Inland Revenue.*

18. The entry ex-warehouse for exportation shall, in all cases, be made in triplicate with the Collector of Inland Revenue, who shall also take the export bond, and the copy forwarded to the Department shall bear on its face the certificate of an officer of Inland Revenue, that he has examined the goods,—such certificate being made in the form given in Schedule A to those regulations.

19. Two copies of the entry, together with a warrant to ship (H 5) shall be sent to the Collector of Customs at the port where the goods were laden on the vessel, car or other vehicle in which they are to leave the Division, who, on receipt thereof, shall grant a warrant for the lading of the goods described in the entry on the railway or vessel mentioned therein.

20. So soon as the goods have been duly laden, the Collector of Customs shall certify the fact on the entry papers, one copy whereof shall be filed at the Custom House, and the other returned to the Collector of Inland Revenue of the Division whence the goods were shipped.

21. The Collector of Customs of the port, will in each case, be charged with the responsibility of seeing them placed on board ship, the car or other vehicle in which they are to be exported, and must satisfy himself that they correspond with the description contained in the entry, and especially with reference to spirits, that they are of the strength specified.

## ENTRY OF GOODS FOR REMOVAL EX-WAREHOUSE IN BOND.

22. Entries for goods for removal ex-warehouse are to be made in triplicate, with detailed specifications, as in export entries, two copies of which are to be forwarded to the Collector of the Inland Revenue Division to which the goods are consigned.

23. The least quantity of such goods that can be ex-warehoused for removal or transfer in bond shall be that quantity which can, at the receiving point, be legally warehoused as prescribed by law.

24. Goods can only be entered for removal ex-warehouse to another licensed warehouse within the limits of a warehousing port of entry, or to an Excise bonding warehouse previously licensed or authorized in another Inland Revenue Division, or as provided by the next succeeding section, and when shipped to the order of the Collector of Inland Revenue the bond of the manufacturer or merchant for the removal of goods to warehouses in other Inland Revenue Divisions upon the prescribed form will now be used in lieu of those required when not so shipped, upon the following conditions, viz. :—

(a) Goods so removed to be consigned to the order of the Collector of the Inland Revenue Division to which they are to be removed, and in cases in which permits are by law required for the removal of such goods, the permits shall in all cases state that the goods to which they refer are to be so consigned :

(b) The receipt given by the agent of the railway company (or other public carrier), usually known as the "Bill of Lading," is to be made out correspondingly, and is to be placed in the hands of the Collector of the Inland Revenue Division whence the goods

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*Inland Revenue.*


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are to be shipped, and by him transmitted to the Collector of the Division to which they are to be removed :

- (c.) The Collector upon being advised of their arrival, shall immediately notify the party for whom intended, and after they have been examined by the proper officer and found to be in accordance with the removal papers, and after the duties to which such goods are liable have been paid or the warehouse entry passed therefor, the Collector of Inland Revenue will write across the face of the bill of lading :—

“ *Deliver to C. D. upon payment of freight and charges.* ”

“ E ——— F ——— . ”

“ *Collector, I. R.* ” :

- (d.) Collectors are particularly notified that all orders for the delivery of goods must be made expressly in writing, “ *subject to the payment of freight and charges,* ” or they may, by the omission to specify such conditions, render themselves personally liable to the company for such payment in the event of default :
- (e.) The requisition for a permit to remove spirits under § (a) shall, in every such case, state that the goods are to be “ *delivered into the possession of the Collector of the Inland Revenue Division* ” to which they are to be removed ; and across the face of such requisition is to be written the name of the party to whom (subject to the order of the Collector) the consigner desires the goods to be delivered.

25. Persons not having licensed bonding warehouses, and being desirous of receiving Excise goods in bond, and of paying the duty thereon immediately upon arrival, may do so, provided such goods are shipped to the place where the head office of an Inland Revenue Division is situated, and are consigned to the order of the Collector of the Division : the goods must be constructively warehoused and ex-warehoused for duty at such place immediately upon arrival, and if tobacco or cigars, the stamping, &c., performed there.

26. When goods removed in bond are conveyed from the place of shipment by a foreign steamer, vessel or railway—for example, by Ward’s Line of Steamers, from Windsor to Prince Arthur’s Landing, thence by Canadian Pacific Railway to Winnipeg, or when goods so removed are not consigned to the order of the Collector of Inland Revenue, a removal bond must be given, with sureties acceptable to the Collector of Inland Revenue.

27. Collectors of Inland Revenue will, on the arrival of the goods, examine them and ascertain whether they correspond with the removal entry, and as soon as the goods are placed in warehouse, or dealt with as provided in Section 25, certify to the fact on the removal entry, and return it to the Collector of the Inland Revenue Division from which the goods were shipped.

28. Removal bonds can only be cancelled upon the receipt of the removal entry, bearing the certificate of the Collector, Deputy Collector or the Acting Collector of the Division to which the goods were consigned, that they have been received and re-warehoused.

*Inland Revenue.*

## ENTRY OF GOODS EX-WAREHOUSED FOR CONSUMPTION.

29. Entry of goods ex-warehouse for consumption, will be made in duplicate on the prescribed forms; and every such entry must contain a full specification of the goods, as in an export or removal entry.

30. On receipt of the duty accruing on the goods so entered, the Collector of Inland Revenue will sign the warrant for the delivery of the goods; and the locker in charge of the warehouse must identify every package with the description contained in the warrant, before delivering it.

## MALT.

31. Malt warehoused under the "Inland Revenue Act, 1883," may be removed in bond from one Inland Revenue Division to another, or from one warehouse to another, and may be exported in bond without payment of duty: but every such removal or export shall be under the same restrictions and conditions as to entry and bonds, as are in force in respect of other goods liable to duties of Excise, except that bags or other packages containing malt are not required to be marked or numbered.

## TOBACCO AND CIGARS.

32. In addition to the regulations herein established, the warehousing and ex-warehousing of tobacco and cigars shall be further governed by the terms of the "Regulations in respect of Tobacco and Cigars," established under authority of the Act 46 Vict., Chap. 15.

## METHYLATED SPIRITS.

33. All methylated spirits removed from warehouse (or manufactory) whether duty paid or otherwise, shall be subject to the same general provisions as to permits as other spirits.

## SCHEDULE A.

I, \_\_\_\_\_, do hereby certify that I have examined \_\_\_\_\_ packages numbered \_\_\_\_\_ of the goods indiscriminately. \_\_\_\_\_ referred to in this entry, and that I find the contents as herein represented.

JOHN J. MCGEE,  
*Clerk, Privy Council.*

By a Proclamation bearing date twentieth day of March, one thousand eight hundred and eighty-four, and an Order of the Governor in Council, passed on the twentieth day of March, one thousand eight hundred and eighty-four, the Order in Council of the eleventh day of January, one thousand eight hundred and eighty-four, was amended, and the License Districts hereinafter mentioned (and which were established by the said Order in Council of the said eleventh day of January last) were altered and re-defined as follows:—

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*Inland Revenue, &c.*


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*In the Province of Quebec.*

That all that portion of the County of Hochelaga which, for municipal purposes, is added to the City of Montreal, be detached from the License District of Hochelaga, and for the purposes of the said License Act, be added to the City of Montreal,

*Vide Canada Gazette, Vol. XVII., p. 1633.*

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By an Order in Council of Thursday, third day of March, one thousand eight hundred and eighty-four, under the provision of the "Act to make better provision, extending to the whole Dominion of Canada, respecting the inspection of certain staple articles of Canadian produce," the township of Windsor, in the County of Hants and Province of Nova Scotia, was constituted a District for the purposes of the inspection of leather and raw hides.

*Vide Canada Gazette, Vol. XVII., p. 1634.*

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*Interior.*

By a Proclamation bearing date the fourth day of April, 1883, under the "North-West Territories Act, 1880," and an Order of the Governor in Council passed on the 4th day of August, in the year of Our Lord one thousand eight hundred and eighty three, two separate registration districts were set off and formed by the division of the territorial district of Alberta to be severally described and designated as follows, that is to say :

1. Calgary—being composed of the southern portion of the provisional territorial district of Alberta and bounded on the east by the eastern boundary of the said district of Alberta, on the north by the ninth correction line of the Dominion lands system of survey, on the west by the westerly boundary of the said provisional district of Alberta, being the boundary line between the Province of British Columbia and the North-West Territories, and on the south by the international boundary line, the 49th parallel of latitude; containing about 37,000 square miles.

2. Edmonton—being composed of all that portion of the provisional territorial district of Alberta north of the ninth correction line of the Dominion lands system of survey, being the northern boundary of the Calgary district hereinbefore described; containing about 68,000 square miles.

*Vide Canada Gazette, Vol. XVII., p. 260.*

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By Order in Council of the 29th November, 1883, the Order in Council of 5th July, 1882, was rescinded, and the even-numbered sections between the southern limit of the Canadian Pacific Railway belt and the inter-

*Interior.*

national boundary, which were withdrawn from homestead and pre-emption entries by that Order in Council, were re-opened for such entries, from and after the 1st day of January, 1884.

*Vide Canada Gazette*, Vol. XVII., p. 860.

By Order in Council of 29th November, 1883, so much of the "Mile Belt Reserve," (being the even-numbered sections next to and along both sides of the Canadian Pacific Railway and its branches, which were withdrawn from homestead and pre-emption entries on the 11th day of March, 1882,) being east of the 4th Principal Meridian, and remaining vested in the Crown, as has not been set apart for town sites, and reserves made in connection with town sites, railway stations, mounted police posts, mining and other special purposes, and as may not, in the opinion of the Minister of the Interior, be required for any of the purposes above mentioned or otherwise reserved by him, was re-opened for such entries from and after the 1st January, 1884, on the following conditions:—

1. Every section shall be held to be sub-divided into two homesteads and two pre-emptions, and any homesteader shall be entitled to obtain homestead entry or homestead and pre-emption entries, by making application according to the provisions of the "Dominion Lands Act, 1883," provided that in every case in which homestead and pre-emption entries are obtained, the same shall be for either the east or west half of the section.

2. The homestead entry shall be subject to the following conditions in respect to cultivation and cropping, that is to say:—

(a) That the homesteader shall, within the first year after the date of his homestead entry, break and prepare for crop 10 acres of his homestead quarter section;

(b) And shall, within the succeeding year, crop the said 10 acres, and break and prepare for crop 15 acres additional, making 25 acres;

(c) And, within the third year after the date of his homestead entry, he shall crop the said 25 acres, and break and prepare for crop 15 acres additional, so that, within three years of the date of his homestead entry, he shall have not less than 25 acres cropped, and 15 acres additional broken and prepared for crop.

3. That so soon as any homesteader shall have satisfied the Minister of the Interior that he has fulfilled the foregoing conditions in respect to cultivation and cropping, and has, in all other respects, complied with the provisions of the "Dominion Lands Act, 1883," in respect of homesteads, or homesteads and pre-emptions, he shall be entitled to receive a patent for his homestead, or for his homestead and pre-emption, as the case may be.

4. That a patent shall not issue to any homesteader before he shall have satisfied the Minister of the Interior that he has *bonâ fide* fulfilled the conditions in respect to cultivation and cropping prescribed by section 2 of this memorandum, and has, in all other respects, complied with the provisions of the "Dominion Lands Act, 1883," in respect to homesteads or homesteads and pre-emptions.

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5. If any homesteader fail to cultivate and crop his homestead in the manner prescribed by section 2 of this memorandum, or fail to comply with the provisions of the "Dominion Lands Act, 1883," in respect to homesteads or homesteads and pre-emptions, his right to the land shall be forfeited, and the entry or entries therefor shall be cancelled.

*Vide Canada Gazette*, Vol. XVII, p. 861.

REGULATIONS for the disposal of coal lands approved by His Excellency the Governor General in Council, in conformity with the 4<sup>th</sup> section of the Dominion Lands Act of 1883; approved by His Excellency the Governor General in Council on the 25<sup>th</sup> December, 1882, and the 2<sup>nd</sup> March, 1883.

The following districts have been set apart and the lands therein withdrawn from ordinary sale and from settlement, and declared to be coal districts, the same to be known as those of the Souris River, the Bow River, the Belly River, and the Saskatchewan River, the said districts for the present to be composed as follows:—

## I.—SOURIS RIVER COAL DISTRICT.

Townships 1 and south halves of 2, ranges 5 and 6, west of second meridian.

Townships 1, 2, 3, ranges 7, 8, west of second meridian.

Townships 1, 2, 3, ranges 9, 10, west of second meridian.

Townships 1, 2, 3, 4, range 11, west of second meridian.

Townships 1, 2, 3, 4, 5, ranges 12, 13, west of second meridian.

Townships 2, 3, 4, 5, range 14, west of second meridian.

Townships 3, 4, 5, range 15, west of second meridian.

Townships 4, 5, range 16, west of second meridian.

Township 5, range 17, west of second meridian.

## II.—BOW RIVER COAL DISTRICT.

Townships 19, 20, 21, ranges 18, 19, west of fourth meridian.

Townships 20, 21, 22, ranges 20, 21, west of fourth meridian.

## III.—BELLY RIVER COAL DISTRICT.

Townships 8, 9, 10, ranges 21, 22, 23, west of fourth meridian.

## IV.—SASKATCHEWAN RIVER COAL DISTRICT.

Townships 11, 12, 13, ranges 2, 3, 4, 5, 6, 7, 8, 9, 10, west of fourth meridian.

Townships 14, 15, 16, ranges 2, 3, 4, 5, west of fourth meridian.

2<sup>nd</sup>. The land within the said coal districts will be surveyed as soon as possible, and thereafter will be periodically offered for sale, by tender or

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public auction, at an upset price ; the same together with the terms and conditions of the sale, to be fixed from time to time by the Minister of the Interior.

3rd With respect to the leases which have already been granted, each lessee who has fulfilled the conditions thereof may, within two years from the date of the Order in Council authorizing his lease, convert the leasehold into freehold, by paying in cash the upset price placed by the Minister of the Interior on the lands in the coal district wherein the said leasehold is situated : but the lease shall be null and void in all cases where the conditions have not been fulfilled by the lessee, specially the conditions contained in clause 5 of the said regulations, which is as follows : "That failure to commence active operations within one year and to work the mine within two years of the commencement of the term of the lease, or to pay the ground rent or royalty, shall subject the lessee to forfeiture of the lease and resumption of the land by the Crown."

4th. In cases where the Minister of the Interior satisfies himself that companies, or persons, have expended considerable sums of money in exploring for coal within the limit of any district for which they may have applied under the regulations of the 17th December, 1881, the said lands may be sold to such companies or persons at the upset price fixed for lands in the coal district in which such tract may be situated.

5th. The boundaries beneath the surface of coal mining locations shall be the vertical planes or lines in which their surface boundaries lie.

6th. The rights of lessees, and of persons in favor of whom Orders in Council authorizing leases have been passed, shall not be affected by these regulations, except in so far as they may be consistent therewith.

*Vide Canada Gazette, Vol. XVII, p. 1045.*

### MINING REGULATIONS

To govern the disposal of Mineral Lands other than Coal Lands, sanctioned by Order in Council of the 7th March, 1884.

1. These regulations shall be applicable to all Dominion Lands containing gold, silver, cinnabar, lead, tin, copper, petroleum, iron, or other mineral deposit of economic value, with the exception of coal.

2. Any person may explore vacant Dominion Lands not appropriated or reserved by Government for other purposes, and may search therein, either by surface or subterranean prospecting, for mineral deposits, with a view to obtaining, under these regulations, a mining location for the same, but no mining location or mining claim shall be granted until the discovery of the vein, lode or deposit of mineral or metal within the limits of the location or claim.

#### I.—QUARTZ MINING.

3. A location for mining, except for iron, on veins, lodes or ledges of quartz or other rock in place, shall not exceed forty acres in area. Its surface bound.

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aries shall be straight due north and south and east and west lines, not more than four in number. Its length shall not be more than three times its breadth. Its boundaries beneath the surface shall be the vertical planes in which its surface boundaries lie.

4. Any person having discovered a mineral deposit may obtain a mining location therefor, under these regulations, in the following manner:—

(a). He shall mark the location on the ground by placing at each of its four corners a wooden post, not less than four inches square, driven not less than eighteen inches into the ground, and showing that length above it. If the ground be too rocky to admit of so driving the posts into it, he shall build about each of them, to support it and keep it in place, a cairn or mound of stones, at least three feet in diameter at the base, and eighteen inches high. On the most north-easterly post he shall mark legibly, with a cutting instrument, or with coloured chalk, or with a pencil, his name in full, the date of such marking and the letters M.L. 1, to indicate that the post is a mining location post No 1. Proceeding next to the most south-easterly post, he shall mark it M.L. 2 and with his initials; next, the most south-westerly post shall be marked M.L. 3 and with his initials; and lastly, the most north-westerly post with his initials and the letters M.L. 4. Furthermore, on one of the faces of each post, which face shall, in the planting thereof, be turned towards the post which next follows it in the order in which they are here named and numbered, there shall be marked in figures the number of yards' distance to such next following post. If means of measurement are not available, the distance to be so marked on each of the posts may be that estimated. If the corner of a location falls in a ravine, bed of a stream, or any other situation where the character of the locality may render the planting of a post impossible, the corner may be indicated by the erection, at the nearest suitable point, of a witness post, which in that case shall contain the same marks as those prescribed in this clause in regard to corner posts, as well as the letters W.P., and an indication of the bearing and distance of the site of the true corner from such witness post.

(In this manner any subsequent prospector, informed of these regulations, will, on meeting any one of the posts or mounds, be enabled to follow them all round, from one to another, and avoid encroachment, either in search of or in marking out another location in the vicinity for himself.)

(b). Having so marked out on the ground the location he desires, the claimant shall, within ninety days thereafter, file with the local agent in the Dominion Lands Office for the district in which the location is situate, a declaration on oath, according to form A in the schedule to these regulations (which may be sworn to before the said agent, or may have been previously sworn to before a Justice of the Peace or Commissioner), setting forth the circumstances of his discovery, and describing, as nearly as may be, the locality and dimensions of the claim marked out by him as aforesaid: and shall, along with such declaration, pay to the said agent an entry fee of five dollars.

(c). The agent shall then give him a receipt, according to form B in the schedule to these regulations, for such fee. This receipt shall authorize the claimant, his legal representatives or assigns, to enter into



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possession of the location applied for, and during the term of one year from its date, to take therefrom and dispose of any mineral deposit contained within its boundaries.

5. At any time before the expiration of one year from the date of his obtaining the agent's receipt as aforesaid, it shall be open to the claimant to purchase the location, on filing with the local agent proof that he has expended not less than five hundred dollars in actual mining operations on the same,—such proof to consist of his own sworn statement, accompanied and confirmed by the affidavits of two disinterested persons, setting forth in detail, the nature of such operations and the amount expended.

6. The price to be paid for a mining location shall be at the rate of five dollars per acre, cash.

7. On making the application to purchase a mining location, and paying the price therefor, as hereinbefore provided, the claimant shall also deposit with the agent the sum of fifty dollars, which shall be deemed payment by him to the Government for the survey of his location: and upon the receipt of the plans and field notes, and the approval thereof by the Surveyor-General, a patent shall issue to the claimant in the form D in the schedule hereto. If on account of its remoteness or other cause, a mining location cannot at the time of the deposit of fifty dollars by the applicant for the purpose, be surveyed by the Government for that sum, he shall be subject to the alternative of waiting until the employment of a surveyor by the Government on other work in the vicinity of the claim renders it convenient to have the survey made at a cost not exceeding fifty dollars, or of sooner procuring, at his own cost, its survey by a duly commissioned surveyor of Dominion Lands, under instructions from the Surveyor-General; in the latter case, on receipt of the plans and field notes of the survey and approval thereof by the Surveyor-General, as hereinbefore provided, the claimant shall be entitled to receive his patent, and to have returned to him the fifty dollars deposited by him to defray the cost of survey.

8. Should the claimant, or his legal representatives as aforesaid, fail to prove within one year the expenditure prescribed, or having proved such expenditure, fail within that time to pay in full, and in cash, to the local agent, the price hereinbefore fixed for such mining location, and also to pay the sum of fifty dollars hereinbefore prescribed for the survey of his location,—then any right on the part of the claimant or of his legal representatives in the location, or claim on his or their part to acquire it, shall lapse, and the location shall thereupon revert to the Crown, and shall be held, along with any immovable improvements thereon, for disposal, under these regulations, to any other person, or as the Minister of the Interior may direct: Provided, that the Minister of the Interior may, upon sufficient cause being shown, extend the time within which the claimant may purchase his mining location for the additional term of one year, upon payment, by the claimant, of a new entry fee and the relinquishment of his original receipt, in exchange for which the agent shall, when so directed by the said Minister, give him a new receipt in the form C in the schedule hereto.

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9. Where two or more persons lay claim to the same mining location, the right to acquire it shall be in him who can prove he was the first to discover the mineral deposit involved and to take possession, by demarcation in the manner prescribed in these regulations, of the location covering it.

10. Priority of discovery alone shall not give the right to acquire ; but a person subsequently and independently discovering, who has complied with the other conditions prescribed in these regulations, shall take precedence of the first discoverer if the latter has failed to comply with the said other conditions. Provided, however, that in any case where it is proved that a claimant has, in bad faith, used the prior discovery of another, and fraudulently affirms that he made independent discovery and demarcation, he shall, apart from any other legal consequences, have no claim, and shall forfeit the deposit made with his application, and shall be absolutely debarred from obtaining another mining location.

11. Not more than one mining location shall be granted to any individual claimant upon the same lode or vein.

12. Where land is used or occupied for milling purposes, reduction works or other purposes incidental to mining operations, either by the proprietor of a mining location or other person, such land may be applied for and patented, either in connection with, or separate from, a mining location, in the manner hereinbefore provided, for the application for and the patenting of, mining locations, and may be held in addition to any such mining location ; but such additional land shall in no case exceed five acres in extent, and shall be paid for at the same rate as a mining location.

13. The Minister of the Interior may grant a location for the mining of iron not exceeding 160 acres in area. Provided, that should any person making an application purporting to be for the purpose of mining iron thus obtain, whether in good faith or fraudulently, possession of a valuable mineral deposit other than iron, his right in such deposit shall be restricted to the area hereinbefore prescribed for other minerals, and the rest of the location shall thereupon revert to the Crown for such disposition as the Minister may direct.

14. When there are two or more applicants for any mining location, no one of whom is the original discoverer or his assignee, the Minister of the Interior, if he sees fit to dispose of the location, shall invite their competitive tenders, or shall put it up to public tender or auction, as he may deem expedient.

15. An assignment of the right to purchase a mining location shall be endorsed on the back of the receipt or certificate of assignment (forms B and E, in the schedule hereto), and the execution thereof shall be attested by two disinterested witnesses ; upon the deposit of the receipt or certificate with such assignment executed and attested as herein provided, in the office of the local Agent, accompanied by a registration fee of two dollars, the local Agent shall give to the assignee a receipt in the form E in the schedule hereto,—which certificate shall entitle the assignee to all the rights and privileges of the original discoverer in respect of the claim assigned ; and the said assignment shall be forwarded to the Minister of the Interior by the local agent, at the same time and in like manner as his other returns

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respecting Dominion Lands, and shall be registered in the Department of the Interior ; and no assignment of the right to purchase a mining location which is not unconditional and in all respects in accordance with the provisions of this clause, and accompanied by the registration fee herein provided for, shall be recognized by the local Agent or registered in the Department of the Interior.

16. If application be made under the next preceding clause by the assignee for the right to purchase a mining location, and such claim is duly recognized and registered, as hereinbefore provided, such assignee shall, by complying with all the provisions of clauses 5 and 7, become entitled to purchase the location for the price and on the terms prescribed in these regulations, whether or not his assignor may have previously acquired a mining location under them.

II.—PLACER MINING.

17. The regulations hereinbefore laid down in respect to quartz mining shall be applicable to placer mining, so far as they relate to entries, entry fees, assignments, marking of locations, agents' receipts, and generally where they can be applied, save that the boundaries of placer mining claims need not be due north and south and east and west lines, and except as otherwise herein provided.

*Nature and Size of Claims.*

18. The size of claims shall be as follows :—

- (a) For " bar diggings," a strip of land 100 feet wide at high water mark, and thence extending into the river to its lowest water level.
- (b) For " dry diggings," 100 feet square.
- (c) " Creek and river claims " shall be 100 feet long, measured in the direction of the general course of the stream, and shall extend in width from base to base of the hill or bench on each side ; but when the hills or benches are less than 100 feet apart, the claim shall be 100 feet square.
- (d) " Bench claims " shall be 100 feet square.
- (e) Every claim on the face of any hill, and fronting on any natural stream or ravine, shall have a frontage of 100 feet, drawn parallel to the main direction thereof, and shall be laid out, as nearly as possible, in the manner prescribed by clause 4 of these regulations.
- (f) If any miner or association of miners shall discover a new mine, and such discovery shall be established to the satisfaction of the Agent, claims of the following size, in dry, bar, bench, creek or hill diggings, shall be allowed :—

To one discoverer .....	300 feet in length.
" a party of two .....	600 do
" " three .....	800 do
" " four .....	1,000 do

and to each member of a party beyond four in number, a claim of the ordinary size only.

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A new stratum of auriferous earth or gravel, situated in a locality where the claims are abandoned shall, for this purpose, be deemed a new mine, although the same locality shall have been previously worked at a different level; and dry diggings discovered in the vicinity of bar diggings shall be deemed a new mine, and *vice versa*

*Rights and Duties of Miners.*

19. The forms of application for a grant for placer mining, and the grant of the same, shall be those contained in forms F and G in the schedule hereto.

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

21. No miner shall receive a grant of more than one mining claim in the same locality, but the same miner may hold any number of claims by purchase, and any number of miners may unite to work their claims in common, upon such terms as they may arrange, provided such agreement be registered with the local Agent.

22. Any miner or association of miners may sell, mortgage, or dispose of his or their claims, provided such disposal be registered with, and a fee of two dollars paid, to the local Agent, who shall thereupon give the assignee a certificate in form H in the schedule hereto.

23. Every miner shall, during the continuance of his grant, have the exclusive right of entry upon his own claim, for the miner-like working thereof, and the construction of a residence thereon, and shall be entitled exclusively to all the proceeds realized therefrom; but he shall have no surface rights therein; and the local Agent may grant to the holders of adjacent claims such right of entry thereon as may be absolutely necessary for the working of their claims, upon such terms as may, to him, seem reasonable.

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

25. A claim shall be deemed to be abandoned and open to occupation and entry by any person when the same shall have remained unworked on working days by the grantee thereof for the space of seventy-two hours, unless sickness or other reasonable cause be shown, or unless the grantee is absent on leave.

26. A claim granted under these regulations shall be continuously and in good faith worked, except as otherwise provided, by the grantee thereof or by some person on his behalf.

27. In tunnelling under hills, on the frontage of which angles occur, or which may be of an oblong or elliptical form, no party shall be allowed to tunnel from any of the said angles, or from either end of such hills, so as to interfere with parties tunnelling from the main frontage.

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28. Tunnels and shafts shall be considered as belonging to the claim for the use of which they are constructed, and as abandoned or forfeited by the abandonment or forfeiture of the claim itself.

29. For the more convenient working of back claims on benches or slopes, the local Agent may permit the owners thereof to drive a tunnel through the claims fronting on any creek, ravine or water-course, upon such terms as he may deem expedient.

*Leave of Absence.*

30. In cases where water is necessary to the continuance of mining operations, and the supply of water is insufficient, the Agent shall have power to grant leave of absence to the holder of the grant during such insufficiency, but no longer, except by permission of the Minister of the Interior.

31. Any miner or association of miners shall be entitled to leave of absence for one year from his or their diggings, upon proving to the satisfaction of the Agent that he or they has or have expended on such diggings, in cash, labor or machinery, an amount of not less than \$500 on each of such diggings, without any return of gold or other minerals in reasonable quantities for such expenditure.

32. The time occupied by the locator of a claim in going to and returning from the office of the local Agent to enter his claim, or for other purposes prescribed by these regulations, shall not be counted against him, but he shall, in such cases, be deemed to be absent on leave.

*Administration.*

33. In case of the death of any miner while entered as the holder of any mining claim, the provisions as to abandonment shall not apply either during his last illness or after his decease.

34. The local Agent shall take possession of the mining property of the deceased, and may cause such mining property to be duly worked, or dispense therewith, at his option; and he shall sell the property by private sale, or after ten days' notice thereof, by public auction, upon such terms as he shall deem just, and out of the proceeds pay all costs and charges incurred thereby, and pay the balance, if any, to the legal representatives of the said deceased miner.

35. The local Agent, or any person authorized by him, shall take charge of all the property of deceased miners until the issue of letters of administration.

## III.—BED-ROCK FLUMES.

36. It shall be lawful for any local Agent, upon the application hereinafter mentioned, to grant to any bed-rock flume company, for any term not exceeding five years, exclusive rights of way through and entry upon any mining ground in his district, for the purposes of constructing, laying and maintaining bed-rock flumes.

37. Three or more persons may constitute themselves into a bed-rock flume company; and every application by them for such grant shall state

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the names of the applicants and the nature and extent of the privileges sought to be acquired. Ten clear days' notice thereof shall be given between the months of June and November, and between the months of November and June one month's notice shall be given, by affixing the same to a post planted in some conspicuous part of the ground or to the face of the rock, and a copy thereof conspicuously upon the inner walls of the Land Office of the district. Prior to such application, the ground included therein shall be marked out in the manner prescribed in sub-section *a* of clause four of these regulations. It shall be competent for any person to protest before the local Agent within the times hereinbefore prescribed for the notice of such application, but not afterwards, against such application being granted. Every application for a grant shall be accompanied by a deposit of \$100, which shall be returned if the application be refused, but not otherwise.

38. Every such grant shall be in writing, in the form I, given in the schedule hereto.

39. The holders of claims through which the line of the company's flume is to run may put in a bed-rock flume in their claims to connect with the company's flume, upon giving the company ten days' notice in writing to that effect; but they shall maintain the like grade, and build their flume as thoroughly, and of as strong materials, as that built by such company.

40. Every Bed-rock Flume Company shall lay at least fifty feet of flume during the first year and one hundred feet annually thereafter, until completion of the flume.

41. Any miners lawfully working any claims where a bed rock flume exists, shall be entitled to tail their sluices, hydraulics and ground sluices into such flume, but so as not to obstruct the free working of such flume, by rocks, stones, boulders or otherwise.

42. Upon a grant being made to any Bed-rock Flume Company, the local Agent shall register the same; and the company shall pay for such registration a fee of \$10. They shall also pay, in advance, an annual rent of \$10 for each quarter of a mile of right of way legally held by them.

## IV.—DRAINAGE OF MINES.

43. The Minister of the Interior may grant to any person, or association of persons, permission to run a drain or tunnel for drainage purposes through any occupied mining land, and may give such persons exclusive rights of way through and entry upon any mining ground for any term not exceeding five years, for the purpose of constructing a drain or drains for the drainage thereof.

44. The grantee shall compensate the owners of lands or holders of claims entered upon by him for any damage they may sustain by the construction of such tunnel or drain, and such compensation, if not agreed upon, shall be settled by the local Agent and be paid before such drain or tunnel is constructed.

45. Such tunnel or drain, when constructed, shall be deemed to be the property of the person or persons by whom it shall have been so constructed.

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46. Every application for a grant shall state the names of the applicants, the nature and extent of the proposed drain or drains, the amount of toll (if any) to be charged, and the privileges sought to be acquired, and shall, save where the drain is intended only for the drainage of the claim of the person constructing the same, be accompanied by a deposit of \$25, which shall be refunded in case the application is refused, but not otherwise. Notice of the application shall be given and protests may be made in the same manner as provided in regard to bed-rock flumes.

47. The grant of the right of way to construct drains or tunnels shall be made in the form J in the schedule hereto. The grant shall be registered by the grantee in the office of the local Agent, to whom he shall at the time pay a registration fee of \$5, or, if the grant gives power to collect tolls, a fee of \$10. An annual rent of \$10 shall be paid, in advance, by the said grantee for each quarter of a mile of right of way legally held by him, save where the drain shall be for the purpose of draining only the claim of the person constructing the same.

## V.—DITCHES.

48. The Minister of the Interior may, upon the application hereinafter mentioned, grant to any person, or association of persons, for any term not exceeding five years, the right to divert and use the water from any stream or lake at any particular part thereof, and the rights of way through and entry upon any mining ground, for the purpose of constructing ditches and flumes to convey such water; provided always, that every such grant shall be deemed as appurtenant to the mining claim in respect of which it has been obtained, and whenever the claim shall have been worked out or abandoned, or whenever the occasion for the use of such water upon the claim shall have permanently ceased, the grant shall be at an end and determine. The grantee shall record the said grant with the local Agent during each year of the continuance of the same, and whilst it shall be in operation.

49. Twenty days' notice of the application shall be given by affixing the same to a post planted in some conspicuous part of the ground, and a copy thereof conspicuously upon the inner walls of the Land Office for the district, and any person may protest within such twenty days, but not afterwards, against such application being wholly or partially granted.

50. Every application for a grant of water exceeding 200 inches shall be accompanied by a deposit of \$25, which shall be refunded in case the application is refused, but not otherwise.

51. Every such application shall state the names of the applicants, the name or description of the stream or lake to be diverted, the quantity of water to be taken, the locality for its distribution, and the price (if any) to be charged for the use of such water, and the time necessary for the completion of the ditch. The grant shall be in form K in the schedule hereto.

52. Every grant of a water privilege on occupied creeks shall be subject to the rights of such miners as shall, at the time of such grant, be working on the stream above or below the ditch head, and of any other persons lawfully using such water for any purpose whatsoever.

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53. If, after the grant has been made, any miner or miners locate and *bonâ fide* work any mining claim below the ditch head, on any stream so diverted, he or they collectively shall be entitled to 40 inches of water if 200 inches be diverted, and 60 inches if 300 inches be diverted, and no more, except upon paying to the owner of the ditch, and all other persons interested therein, compensation equal to the amount of damage sustained by the diversion of such extra quantity of water as may be required; and, in computing such damage, the loss sustained by any claims using water therefrom, and all other reasonable losses, shall be considered.

54. No person shall be entitled to a grant of the water of any stream for the purpose of selling the water to present or future claim holders on any part of such stream. The Minister of the Interior may, however, grant such privileges as he may deem just, when such ditch is intended to work bench or hill claims fronting on any such stream, provided that the rights of miners then using the water so applied for be protected.

55. The Minister of the Interior may, on the report of the local Agent that such action is desirable, order the enlargement or alteration of any ditch, and fix the compensation (if any) to be paid by parties to be benefited thereby.

56. Every owner of a ditch or water privilege shall take all reasonable means for utilizing the water granted to him; and, if he wilfully take and waste any unreasonable quantity of water, the Minister may, upon the report of the local Agent, if such offence be persisted in, declare all rights to the water forfeited.

57. The owner of any ditch or water privilege may distribute the water to such persons and on such terms as he may deem advisable, within the limits mentioned in this grant; provided always that such owner shall be bound to supply water to all miners who make application therefor in a fair proportion, and shall not demand more from one person than from another, except when the difficulty of supply is enhanced.

58. Any person desiring to bridge any stream, claim or other place, for any purpose, or to mine under or through any ditch or flume, or to carry water through or over any land already occupied, may, in proper cases, do so with the written sanction of the local Agent. In all such cases the right of the party first in possession is to prevail, so as to entitle him to compensation if the same be just.

59. In measuring water in any ditch or sluice, the following rules shall be observed: The water taken into a ditch or sluice shall be measured at the ditch or sluice head: no water shall be taken into a ditch or sluice except in a trough placed horizontally at the place at which the water enters it: one inch of water shall mean half the quantity that will pass through an orifice two inches high by one inch wide, with a constant head of seven inches above the upper side of the orifice.

60. Whenever it shall be intended, in forming or upholding any ditch, to enter upon and occupy any part of a registered claim, or to dig or loosen any earth or rock, within four feet of any ditch not belonging solely to the registered owner of such claim, three days' notice, in writing, of such intention shall be given, before entering or approaching within four feet of such other property.



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61. Any person engaged in the construction of any road or work may, with the sanction of the Minister of the Interior, cross, divert or otherwise interfere with any ditch, water privilege or other mining rights whatsoever, for such period as the Minister shall approve.

62. The Minister shall order what compensation for every such damage or interference shall be paid, and when, and to whom, and whether any and what works, damaged or affected by such interference as aforesaid, shall be replaced by flumes or otherwise repaired by the person or persons inflicting any such damage.

63. The owners of any ditch, water privilege or mining right shall, at their own expense, construct, secure and maintain all culverts necessary for the passage of waste and superfluous water flowing through or over any such ditch, water privilege or right.

64. The owners of any ditch or water privilege shall construct and secure the same in a proper and substantial manner, and maintain the same in good repair to the satisfaction of the local Agent, and so that no damage shall occur to any road or work in its vicinity from any part of the works of such ditch, water privilege or right.

65. The owners of any ditch, water privilege or right shall be liable, and shall make good, in such manner as the local Agent shall determine, all damages which may be occasioned by or through any part of the works of such ditch, water privilege or right, breaking or being imperfect.

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

## VI.—GENERAL PROVISIONS.

*Interpretation.*

67. In these Regulations the following expressions shall have the following meanings respectively, unless inconsistent with the context:—

“Minister” shall mean the Minister of the Interior.

“Agent” or “Local Agent” shall mean the Agent of Dominion Lands for the district, or other officer appointed by the Government for the particular purpose referred to.

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

“Close Season” shall mean the period of the year during which placer mining is generally suspended.

“Miner” shall mean a person holding a mining location or a grant for placer mining.

“Claim” shall mean the personal right of property in a placer mine or diggings during the time for which the grant of such mine or diggings is made.

“Bar Diggings” shall mean any mine over which a river extends when in its flooded state.

“Dry Diggings” shall mean any mine over which a river never extends.

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The mines on benches shall be known as "Bench Diggings," and shall, for the purpose of defining the size of such claims, be excepted from "Dry Diggings."

"Streams and Ravines" shall include water-courses, whether usually containing water or not, and all rivers, creeks and gulches.

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

"Ditch Head" shall mean the point in a natural water-course or lake where water is first taken into a ditch.

"Claimant" shall mean a person who has obtained an entry for a mining location with a view to patent.

"Placer Mining" shall mean the working of all forms of deposits, excepting veins of quartz or other rock in place.

"Quartz Mining" shall mean the working of veins of quartz or other rock in place.

"Location" shall mean the land entered by or patented to any person for the purpose of quartz mining.

*Hearing and Decision of Disputes.*

68. The local Agent shall have power to hear and determine all disputes in regard to mining property arising within his district, subject to appeal by either of the parties to the Commissioner of Dominion Lands.

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

70. The complaint may, by leave of the local Agent, be amended at any time before or during the proceedings.

71. The complainant shall, at the time of filing his complaint, deposit therewith a bond-fee of \$10, which shall be returned to him if the complaint proves to have been well-founded, and not otherwise, except for special cause, by direction of the Minister of the Interior.

72. In the event of the decision of the local Agent being made the subject of an appeal to the Commissioner of Dominion Lands, the appellant shall, at the time of lodging the appeal, deposit with the local Agent a bond-fee of \$10, which shall be returned to the said appellant if his appeal proves to have been well-founded, and not otherwise, except for special cause, by direction of the Minister of the Interior.

73. The appeal must be in writing and must be lodged with the local Agent not more than three days after he has given his decision, and must state the grounds upon which the said decision is appealed from.

74. If the Commissioner of Dominion Lands decides that it is necessary to a proper decision of the matter in issue to have an investigation on the ground; or, in cases of disputed boundaries or measurements, to employ a surveyor to measure or survey the land in question, the expense of the inspection or re-measurement or re-survey, as the case may be, shall be borne by the litigants, who shall pay into the hands of the said Commissioner, in equal parts, such sum as he may think sufficient for the same.

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before it takes place ; otherwise, it shall not proceed, and the party who refuses to pay such sum shall be adjudged in default. The said Commissioner shall subsequently decide in what proportion the said expense should be borne by the parties respectively, and the surplusage, if any, shall then be returned to the parties, as he may order.

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

*Leave of Absence.*

76. The Agent in each district shall, under instructions from the Minister of the Interior, declare the close season in his district.

77. Each holder of a mining location or of a grant for placer mining shall be entitled to be absent from his mining location or diggings and to suspend work thereon during the close season.

78. The local Agent shall have power to grant leave of absence to the holder of a mining location or grant for placer mining pending the decision of any dispute in which he is concerned under these regulations.

79. The Minister of the Interior shall, from time to time, as he may think fit, declare the boundaries of mineral and mining districts, and shall cause a description of the same to be published in the *Canada Gazette*.

80. The Minister of the Interior may direct mineral and mining locations to be laid out within such districts wherever, from report of the Director of the Geological Survey or from other information, he has reason to believe there are mineral deposits of economic value, and may sell the same to applicants therefor, who, in his opinion, are able and intend in good faith to work the same ; or he may, from time to time, cause the said locations to be sold by public auction or tender : such sales shall be for cash, and at prices in no case lower than those prescribed for locations sold to original discoverers, and shall otherwise be subject to all the provisions of these regulations.

*Royalty.*

81. The patent for a mining or mineral location shall reserve to the Crown, for ever, a royalty of two and one-half per cent. on the sales of the products of all mines therein.

82. Returns shall be made by the grantee, sworn to by him, or by his agent or other employé in charge of the mine, at monthly or such other intervals as may be required by the Minister of the Interior, of all products of his mining location and of the price or amount he received for the same.

*Miscellaneous.*

83. The local Agent shall have the power to summarily order any mining works to be so carried on as not to interfere with or endanger the

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safety of the public, any public work or highway, or any mining property, mineral lands, mining claims, bed-rock drains or flumes; and any abandoned works may, by his order, be either filled up or guarded to his satisfaction, at the cost of the parties who may have constructed the same, or in their absence upon such terms as he shall think fit.

84. The Agent in each district, acting under instructions to be from time to time issued by the Minister of the Interior, shall cause to be laid out, at the expense of the person or persons applying for the same, a space of ground for deposits of leavings and deads from any tunnel, claim or mining ground.

*Forfeiture.*

85. In the event of the breach of these regulations, or any of them, by any person holding a grant or right of any description from the Crown, or from the Minister of the Interior, or from any duly authorized officer of Dominion Lands, such right or grant shall be absolutely forfeited *ipso facto*, and persons so offending shall be incapable thereafter of acquiring any such right or grant, unless for special cause it is otherwise decided by the Minister of the Interior.

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SCHEDULE TO MINING REGULATIONS.

FORM A.—APPLICATION AND AFFIDAVIT OF DISCOVERER OF QUARTZ MINE.

I, (A. B.) of hereby apply, under the Dominion Lands Mining Regulations, for a mining location in (here give general description of locality) for the purpose of mining for (here name the metal or mineral) and I hereby solemnly swear:—

1. That I have discovered therein a deposit of (here name the metal or mineral).

2. That I am, to the best of my knowledge and belief, the first discoverer of the said deposit.

3. That I am unaware that the land is other than vacant Dominion Land.

4. That I did, on the day of mark out on the ground, in accordance in every particular with the provisions of sub-section a of clause four of the said mining regulations, the location for which I make this application; and that in so doing I did not encroach on any mining location previously laid out by any other person.

5. That the said mining location contains, as nearly as I could measure or estimate, an area of acres, and that the description (and sketch, if any), of this date hereto attached, signed by me, set forth in detail, to the best of my knowledge and ability, its position, form and dimensions.

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6. That I make this application in good faith to acquire the land for the sole purpose of mining, to be prosecuted by myself or by myself and associates, or by my assigns.

Sworn before me at \_\_\_\_\_ day of \_\_\_\_\_ } (Signature.)  
 this 18 .

FORM B.—RECEIPT FOR FEE PAID BY APPLICANT FOR MINING LOCATION.

No.....

DEPARTMENT OF THE INTERIOR,  
 DOMINION LANDS OFFICE,  
 Agency, 18 .

Received from \_\_\_\_\_ (A. B.) of \_\_\_\_\_ of five dollars, being the fee required by sub-section *b* of clause four of the Dominion Lands Mining Regulations, accompanying his application, No. \_\_\_\_\_, dated \_\_\_\_\_ 18 , for a mining location in \_\_\_\_\_ (insert general description of locality).

This receipt authorizes the said \_\_\_\_\_ (A. B.) his legal representatives or assigns, to enter into possession of the said mining location, and, during the term of one year from the date of this receipt, to take therefrom and dispose of any mineral deposit contained within its boundaries, and, on due compliance at any time within that period with the several requirements in that behalf of the said mining regulations, entitles him or them to purchase the said location, which provisionally, and until survey thereof, may be known and described as follows: (insert description in detail).

If the said \_\_\_\_\_ (A. B.) or his legal representatives or assigns, fail to comply, as aforesaid, with the conditions that would entitle him or them to purchase, within one year from this date, or, having so complied, do not within that time make payment in full for the land, and also pay the sum of fifty dollars prescribed in the said regulations for the survey of the location, then the right to purchase shall lapse and the mining location shall revert to the Crown, to be otherwise disposed of as may be directed by the Minister of the Interior.

*Agent of the Dominion Lands.*

FORM C.—RECEIPT FOR FEE ON EXTENSION OF TIME FOR PURCHASE OF A MINING LOCATION.

No.....

DEPARTMENT OF THE INTERIOR,  
 DOMINION LANDS OFFICE,  
 Agency, 18 .

Received from \_\_\_\_\_ (A. B.) of \_\_\_\_\_ five dollars, being the fee required by clause eight of the Dominion Lands

*Interior.*

Mining Regulations, accompanying his application No. , dated 18 , for the extension of the time within which he may purchase the mining location described as follows: (insert description in detail) for which he obtained an entry, No. on the 18 .

This receipt authorizes the said (A. B.) his legal representatives or assigns, to continue in possession of the said mining location, and, during the term of one year from the 18 , to take therefrom and dispose of any mineral deposit contained within its boundaries, and, on due compliance at any time within that period with the several requirements in that behalf of the said mining regulations, entitles him or them to purchase the said location, which, provisionally, and until survey thereof, may be known and described as above.

If the said (A.B.) or his legal representatives or assigns, fail to comply, as aforesaid, with the conditions that would entitle him or them to purchase within one year from this date, or, having so complied, do not within that time make payment in full for the land, and also pay the sum of fifty dollars prescribed in the said regulations for the survey of the location, then the right to purchase shall lapse, and the mining location shall revert to the Crown, to be otherwise disposed of as may be directed by the Minister of Interior.

*Agent of Dominion Lands*

FORM D.—PATENT OF A MINING LOCATION.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.—To all to whom these presents shall come,

Greeting :

Know Ye that We do by these presents, for Us, Our heirs and successors, in consideration of [the fulfilment of the Dominion Lands Mining Regulations of Our Dominion of Canada] give and grant unto

h heirs and assigns, all that parcel or lot of land situate and numbered on the official plan or survey of the said , to have and to hold the said parcel of land, and all minerals, precious and base, which may be found therein, unto the said h heirs and assigns forever;

Provided, that it shall at all times be lawful for Us, Our heirs and successors, or for any person by Our authority, to resume any portion (not exceeding one-twentieth part) of the said lands for making roads, canals, bridges, towing paths, or other work of public utility or convenience; but no such resumption shall be made of land on which any permanent buildings may have been erected, without compensation;

Provided, also, that it shall be lawful for any person duly authorized by Us, Our heirs and successors, to take and occupy such water privileges,

*Interior.*

and to have and enjoy such right of carrying water over, through or under any parts of the hereditaments hereby granted as may be reasonably required for agricultural or other purposes in the vicinity of the said land, upon paying therefor a reasonable compensation to the aforesaid heirs and assigns ;

Provided further, that a royalty of two and one-half per cent. shall be paid to Us, Our heirs and successors, upon all the gold and silver produced from the said lands.

FORM E.—CERTIFICATE OF THE ASSIGNMENT OF A MINING LOCATION  
No.....

DEPARTMENT OF THE INTERIOR,  
DOMINION LANDS OFFICE,  
Agency, 18 .

This is to certify that (B.C.) of \_\_\_\_\_ has filed an assignment in due form, dated \_\_\_\_\_ 18 , and accompanied by a registration fee of two dollars, of the right of (A.B.) of \_\_\_\_\_ to purchase the mining location in \_\_\_\_\_ (here insert general description of locality) applied for by the said (A.B.) on the \_\_\_\_\_ 18 .

This certificate entitles the said (B.C.) or his legal representatives or assigns, to all the rights and privileges of the said (A.B.), in respect of the claim assigned and hereinafter described ; that is to say, to enter into possession of the said mining location, and during the term of one year from the date of the receipt No. \_\_\_\_\_ granted to the said (A B.), dated the \_\_\_\_\_ 18 , to take therefrom and dispose of

any mineral deposit contained within its boundaries, and on due compliance at any time within that period with the several requirements in that behalf of the said mining regulations, entitles him or them to purchase the said location, which, provisionally, and until survey thereof, may be known and described as follows :—(Insert description in detail).

If the said (B.C.) or his legal representatives or assigns, fail to comply as aforesaid with the conditions that would entitle him or them to purchase, within one year of the date of the receipt granted to (A.B.) and now deposited with me, or having so complied, do not within that time make payment in full for the land, and also pay the sum of fifty dollars prescribed in the said regulations for the survey of the location, then the right to purchase shall lapse, and the mining location shall revert to the Crown, to be otherwise disposed of, as may be directed by the Minister of the Interior.

*Agent of Dominion Lands.*

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

I, (A.B.), of \_\_\_\_\_ hereby apply, under the Dominion Lands Mining Regulations, for a grant of a claim for placer mining as

*Interior.*

defined in the said regulations, in  
(here describe locality)

and I solemnly swear :—

1. That I have discovered therein a deposit of (here name the metal or mineral).

2. That I am, to the best of my knowledge and belief, the first discoverer of the said deposit ; or—

2. That the said claim was previously granted to (here name the last grantee), but has remained unworked by the said grantee for not less than

3. That I am unaware that the land is other than vacant Dominion Land.

4. That I did, on the \_\_\_\_\_ day of \_\_\_\_\_ mark out the ground, in accordance in every particular with the provisions of sub-section *a* of clause four of the said mining regulations, the claim for which I make this application, and that in so doing I did not encroach on any other claim or mining location previously laid out by any other person.

5. That the said claim contains, as nearly as I could measure or estimate, an area of \_\_\_\_\_ square feet, and that the description (and sketch, if any) of this date hereto attached, signed by me, set forth in detail, to the best of my knowledge and ability, its position, form and dimensions.

6. That I make this application in good faith, to acquire the claim for the sole purpose of mining, to be prosecuted by myself, or by myself and associates, or by my assigins.

Sworn before me at  
this \_\_\_\_\_ day of \_\_\_\_\_ } (Signature.)  
18 .

## FORM G.—GRANT FOR PLACER MINING.

No.....

DEPARTMENT OF THE INTERIOR,  
DOMINION LANDS OFFICE,  
Agency, 18 .

In consideration of the payment of five dollars, being the fee required by the provisions of the Dominion Lands Mining Regulations, clauses four and twenty, by (A.B.) of \_\_\_\_\_, accompanying his application No. \_\_\_\_\_, dated 18 \_\_\_\_\_, for a mining claim in (here insert description of locality).

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

The said (A.B.) \_\_\_\_\_ shall be entitled to the use of so much of the water naturally flowing through or past his claim, and not already



*Interior.*

lawfully appropriated, as shall be necessary for the due working thereof, and to drain his claim free of charge.

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

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

*Agent of Dominion Lands.*

FORM H.—CERTIFICATE OF THE ASSIGNMENT OF A PLACER MINING CLAIM  
No.....

DEPARTMENT OF THE INTERIOR,  
DOMINION LANDS OFFICE,  
Agency, 18 .

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

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

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

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

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

*Agent of Dominion Lands.*

*Interior.*

## FORM I. - GRANT TO A BED-ROCK FLUME COMPANY.

No .....

DEPARTMENT OF THE INTERIOR,  
DOMINION LANDS OFFICE,  
Agency, 18 .

In consideration of the payment of a deposit of one hundred dollars, required by clause thirty-seven of the Dominion Lands mining regulations to be made with the application of a bed-rock flume company, and of the further sum of ten dollars, being the fee for registration of this grant required by clause forty-two of the said regulations,—

The Minister of the Interior hereby grants to (names of members of company) forming together a bed-rock flume company [known as the (title of company)] the following rights and privileges, that is to say :—

(a) The rights of way through and entry upon any new and unworked river, creek, gulch or ravine, and the exclusive right to locate and work a strip of ground one hundred feet wide and two hundred feet long in the bed thereof, to each individual of the company ;

(b) The rights of way through and entry upon any river, creek, gulch or ravine, worked by miners for any period longer than two years prior to such entry, and already wholly or partially abandoned, and the exclusive right to stake out and work both the unworked and abandoned portions thereof, one hundred feet in width, and one-quarter of a mile in length for each individual of the company ;

(c) The rights of way through and entry upon all claims which, at the time of the notice of application, are in good faith being worked, for the purpose of cutting a channel and laying their flume therein with such reasonable space for constructing, maintaining and repairing the flume as may be necessary ;

(d) The use of so much of the unappropriated water of the stream on which they may be located, and of other adjacent streams, as may be necessary for the use of their flumes, hydraulic power and machinery to carry on their operations, and the right of way for ditches and flumes to convey the necessary water to their works, subject to the payment of any damage which may be done to other parties by running such ditch or flume through or over their ground :

Provided, that the rights herein granted shall apply only to such claims and streams as are here specified : (insert description of claims and streams) and such other claims and streams as may, after due notice and application, be subsequently added to the above list by the Minister of the Interior, under the hand of the local Agent :

Provided also, that the said company shall pay to the local Agent, in advance, an annual rent of ten dollars for each quarter of a mile of right of way legally held by them :

Provided further, that this grant is subject to all the provisions of the Dominion Lands Mining Regulations in that behalf, whether the same are expressed herein or not.

*Interior.*

This grant shall cease and determine at the expiration of year from the date thereof.

*Agent of Dominion Lands.*

FORM J.—GRANT FOR DRAINAGE

No .....

DEPARTMENT OF THE INTERIOR,  
DOMINION LANDS OFFICE,  
Agency, 18 .

In consideration of the payment of a deposit of twenty-five dollars, required by clause forty-six of the Dominion Lands Mining Regulations, to be made with the application for a grant of right of way to construct drains, and of the further sum of dollars, being the fee for the registration of this grant required by clause forty-seven of the said regulations.

The Minister of the Interior hereby grants to (name or names of grantee or grantees) the right to run a drain or tunnel for drainage purposes through the occupied mining lands here specified: (here describe mining lands) and further, for a term of from the date hereof, exclusive rights of way through and entry upon the following mining grounds: (here insert description) for the purpose of constructing a drain or drains for the drainage thereof; and the right to charge the following tolls for the use thereof: (insert tariff of tolls):

Provided, that the grantee shall construct such drain or drains of sufficient size to meet all requirements within from the date hereof, and keep the same in thorough working order and repair, and free from all obstructions; and shall, within a reasonable time, construct proper tap drains from or into any adjacent claims, upon being requested by the owners thereof, and in default thereof shall permit such parties to make them themselves, in which case such parties shall only be chargeable with one-half the rates of drainage toll herein authorized;

Provided also, that the said grantee shall compensate the owners of lands or holders of claims entered upon by for any damage they may sustain by the construction of such tunnel or drain;

Provided further, that the said grantee shall pay to the local Agent, in advance, an annual rent of ten dollars for each quarter of a mile of right of way legally held by

Provided further, that this grant is subject to all the provisions of the Dominion Lands Mining Regulations in that behalf, whether the same are expressed herein or not.

*Agent of Dominion Lands.*

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*Interior, &c.*

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FORM K.—GRANT OF RIGHT TO DIVERT WATER AND CONSTRUCT DITCHES.  
No.....

DEPARTMENT OF THE INTERIOR.

DOMINION LANDS OFFICE,

Agency, 18 .

In consideration of the payment of a deposit of twenty-five dollars required by clause fifty of the Dominion Lands Mining Regulations, to be made with the application for the right to divert water and construct ditches :

The Minister of the Interior hereby grants to (A.B.)  
for the term of \_\_\_\_\_ years from the date hereof, the right to divert and use the water from \_\_\_\_\_ (specify stream or lake) to the extent of \_\_\_\_\_ inches, and no more, to be distributed as follows:— (describe locality of distribution) together with the right to charge the following rates for the use of the said water:— (insert rates to be charged) and the rights of way through and entry upon the following mining grounds (insert description) for the purpose of constructing ditches and flumes to convey such water, provided such ditches and flumes are constructed and in working order within \_\_\_\_\_ from the date hereof ;

Provided, that this grant shall be deemed to be appurtenant to mining claim No. \_\_\_\_\_, and shall cease and determine whenever the said claim shall have been worked out or abandoned, or the occasion for the use of such water upon the said claim shall have permanently ceased ;

Provided also, that this grant is subject to all the provisions of the Dominion Lands Mining Regulations in that behalf, whether the same are expressed herein or not.

*Agent of Dominion Lands.*

*Vide Canada Gazette, Vol. XVII., p. 1410 et seq.*

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*Justice.*

By a Proclamation bearing date the 26th day of June, 1883, it was declared that the "Act for the better preservation of the Peace, in the vicinity of Public Works and amending Act," should be no longer in force within the limits of the Town of Rat Portage, in the District of Keewatin.

*Vide Canada Gazette, Vol. XVII., p. 2.*

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By a Proclamation bearing date the 30th day of June, 1883, it was declared that "The Naturalization Act, Canada, 1881," should be in force on, from and after the fourth day of July then next.

*Vide Canada Gazette, Vol. XVII., p. 2.*

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*Justice.*

GOVERNMENT HOUSE, OTTAWA,  
Tuesday, 26th day of June, 1883.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

WHEREAS by the fifth section of the "North West Territories Act, 1880," it is amongst other things in effect enacted, that the persons to be appointed members of the Council of the North-West Territories before entering upon the duties of their offices shall "take and subscribe before the Lieutenant-Governor such oath of allegiance and such oath of office as the Governor in Council may prescribe," and the sixth section of the same Act further provides that the Clerk of the said Council shall "take before the Lieutenant-Governor such oath of office as the Governor in Council may prescribe:"

Now, in pursuance of the powers so by the said Statute conferred as aforesaid, His Excellency, by and with the advice of the Privy Council, has been pleased to order, and it is hereby ordered,—

I. That the members of the Council of the North-West Territories shall make and subscribe before the Lieutenant-Governor or some one authorized by him the oath of allegiance and of office in the following words, viz:—

*Oath of Allegiance.*

I, \_\_\_\_\_, do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Dominion of Canada, dependent on and belonging to the said Kingdom, and that I will defend Her to the utmost of my power against all traitorous conspiracies or attempts whatever, which shall be made against Her Person, Crown and Dignity, and that I will do my utmost endeavor to disclose and make known to Her Majesty, Her Heirs or Successors, all treasons or traitorous conspiracies and attempts which I shall know to be against Her or any of them; and all this I do swear without any equivocation, mental evasion or secret reservation.—So help me God.

*The Oath of the Members of the Council.*

You, \_\_\_\_\_, do solemnly promise and swear that you will serve Her Majesty truly and faithfully in the place of Her Council in these Her Majesty's North-West Territories. You will keep close and secret all such matters as shall be treated, debated and resolved on in Council relative to your Executive functions, without publishing or disclosing the same or any part thereof by word, writing or otherwise, to any person out of the same Council; and yet if any matter so propounded, treated and debated in any such Council shall touch any particular person sworn of the same Council, upon any such matter as shall in any wise concern his loyalty and fidelity to the Queen's Majesty, you will in no wise open the same to him, but keep it secret, as you would from any person until the Queen's Majesty's

*Justice.*

pleasure be known in that behalf. You will, in all things to be moved, treated and debated in any such Council faithfully, honestly and truly declare your mind and opinion to the honor and benefit of the Queen's Majesty and the good of Her subjects, without partiality or exception of persons, in no wise forbearing so to do from any manner of respect, favor, love, meed, displeasure or dread of any person or persons whatsoever. In general you will be vigilant, diligent and circumspect in all your doings touching the Queen's Majesty's affairs; all which matters and things you will faithfully observe and keep as a good Councillor ought to do, to the utmost of your power, will and discretion.—So help you God.

II. That the Clerk of the Council shall take and subscribe, before the Lieutenant-Governor, the following oath of office:—

*Oath of Office.*

I, \_\_\_\_\_, do swear that I will bear faithful and true obedience to our Sovereign Lady the Queen, Her heirs and successors. I will, according to the best of my power and ability, faithfully perform such services as may be required of me as Clerk of the Council of the North-West Territories; and moreover, I do swear that the secrets of the Lieutenant-Governor in Council I will in no way reveal. So help me God.

And whereas by the ninth section of the said Act it is further enacted that "The Lieutenant-Governor in Council, or the Lieutenant-Governor by and with the advice and consent of the Legislative Assembly, as the case may be, shall have such powers to make ordinances for the government of the North-West Territories as the Governor in Council may from time to time confer upon him: Provided always, that such powers shall not at any time be in excess of those conferred by the ninety-second and ninety-third sections of 'The British North America Act, 1867' upon the Legislatures of the several Provinces of the Dominion:"

Now, in pursuance of the said powers by the said Statute conferred, His Excellency, by and with the advice of the Privy Council, has been pleased to further order, and it is hereby ordered, that the Lieutenant-Governor in Council, or the Lieutenant-Governor, by and with the advice and consent of the Legislative Assembly, as the case may be, shall be and he is hereby empowered to make ordinances in relation to the following subjects, that is to say:—

1. The establishment and tenure of territorial offices and the appointment and payment of territorial officers;
2. The establishment, maintenance and management of prisons in and for the North-West Territories;
3. Municipal institutions in the Territories, subject to any legislation by the Parliament of Canada heretofore or hereafter enacted;
4. The issue of shop, auctioneer and other licenses, except licenses for the sale of intoxicating liquors, in order to the raising of a revenue for territorial or municipal purposes;
5. The solemnization of marriage in the Territories;
6. The administration of justice, including the constitution, organization and maintenance of territorial courts of civil jurisdiction;

*Justice.*

7. The imposition of punishment by fine, penalty or imprisonment for enforcing any territorial ordinances ;
8. Property and civil rights in the Territories—subject to any legislation by the Parliament of Canada on these subjects ;
9. Generally all matters of a merely local or private nature in the Territories.

JOHN J. MCGEE,  
*Clerk, Privy Council.*

By a Proclamation, bearing date the 31st day of July, 1883, it was declared that the "Act for the better preservation of the Peace in the vicinity of Public Works" and amending Act, should be no longer in force along the line of the Canadian Pacific Railway, nor within ten miles on either side thereof, between the Town of Selkirk, in the Province of Manitoba, and the town of Rat Portage.

*Vide Canada Gazette, Vol. XVII., p. 228.*

By a Proclamation, bearing date the 28th day of July, 1883, issued under the provisions of "An Act for the better preservation of the Peace in the vicinity of Public Works," as amended by the "Act to amend an Act for the better preservation of the Peace in the vicinity of Public Works," it was declared that, upon and after the twenty-eighth day of July, in the year of Our Lord, one thousand eight hundred and eighty-three, all the sections of the said first mentioned Act, as so amended, excepting sections two, three, four, five, six, seven, eight, nine and ten, should be in force in the following localities, that is to say : All those portions of the Province of Ontario, lying within ten miles on each side of the located line of the Canadian Pacific Railway (Eastern Division) between Sudbury Junction, the point where the main line unites with the Algoma Branch, and the River Pic, including the said Algoma Branch, as well as that portion of the main line itself.

*Vide Canada Gazette, Vol. XVII., p. 228.*

By a Proclamation, bearing date the 5th day of November, 1883, it was declared that the "Act for the better preservation of the Peace in the vicinity of Public Works" and the "Act to amend an Act for the better preservation of the Peace, in the vicinity of Public Works," should be no longer in force along the line of the Canadian Pacific Railway nor within ten miles on either side thereof, between Rat Portage and Prince Arthur's Landing.

*Vide Canada Gazette, Vol. XVII., p. 713.*

*Justice.*

REGULATIONS made under the authority of the "Naturalization Act, Canada, 1881," approved by His Excellency the Governor General in Council, on the 19th day of December, 1883.

1. The time within which an alien's three years' residence or service must be had before taking the oaths or affirmations of residence and allegiance, and procuring the same to be filed of record as provided in the tenth section of the said Act is limited to five years, immediately preceding the taking of such oaths or affirmations.

2. In the North-West Territories and in the District of Keewatin, the certificate mentioned in the twelfth section of the said Act shall be presented to one of the Stipendiary Magistrates of the North-West Territories, who shall take such measures to satisfy himself that the facts stated in the certificate are true, as shall in each case appear to him to be necessary; and when satisfied that the facts stated in the certificate are true, he shall grant to the alien a certificate of naturalization, authenticated under his hand and seal:

Each Stipendiary Magistrate shall keep a record of the certificates presented to and filed with him; also a record of all certificates of naturalization granted by him, of which he is hereby authorized at any time to give a certified copy.

3. The forms of declarations of alienage made in pursuance of the said Act shall be respectively as follows:—

THE NATURALIZATION ACT, CANADA, 1881.

*Declaration of Alienage by a Naturalized British Subject.*

I, A B., of \_\_\_\_\_, having been naturalized as a British subject on the \_\_\_\_\_ of \_\_\_\_\_, 18\_\_\_\_, do hereby, under the provisions of the Order of the Governor General in Council of the \_\_\_\_\_, and of the treaty between Great Britain and C D., renounce my naturalization as a British subject, and declare that it is my desire to resume my nationality as a subject [or citizen] of C.D.

Made and subscribed this \_\_\_\_\_ (Signed) A.B.  
day of \_\_\_\_\_, 18\_\_\_\_, before me,  
(Signed) E.F.  
Justice of the Peace,  
[or other official title].

THE NATURALIZATION ACT, CANADA, 1881.

*Declaration of Alienage by a Person born within British Dominions, but also a subject or Citizen of a Foreign State by the law thereof.*

I, A.B., of \_\_\_\_\_, being held by the common law of Great Britain to be a natural-born subject of Her Britannic Majesty by reason of my having been born within Her Majesty's dominions, and being also held by the law of C.D., to have been at my birth, and to be still, a subject [or citizen] of \_\_\_\_\_



*Justice.*

*C.D.*, hereby renounce my nationality as a British subject, and declare that it is my desire to be considered and treated as a subject [*or citizen*] of *C.D.*

(Signed) *A.B.*

Made and subscribed this day of 18 , before me,

(Signed) *E.F.*  
Justice of the Peace  
[*or other official title*].

THE NATURALIZATION ACT, CANADA, 1881.

*Declaration of Alienage by a Person who is by origin a British Subject.*

I, *A.B.*, of , having been born out of Her Britannic Majesty's Dominions of a father being a British subject, do hereby renounce my nationality as a British subject.

(Signed) *A.B.*

Made and subscribed this day of 18 , before me,

(Signed) *G.H.*  
Justice of the Peace,  
[*or other official title*].

THE NATURALIZATION ACT, CANADA, 1881.

*Declaration of British Nationality.*

I, *A.B.*, of , being a natural-born subject of Her Britannic Majesty, and having voluntarily become naturalized as a subject [*or citizen*] of *C.D.*, on the of 18 , do hereby renounce such naturalization, and declare that it is my desire to be considered and treated as a British subject.

(Signed) *A. B.*

Made and subscribed this day of 18 , before me,

(Signed) *E. F.*,  
Justice of the Peace  
[*or other official title*].

NOTE.—The Act under which this declaration is made provides that the declarant “shall not within the limits of the Foreign State in which he was naturalized be deemed within Canada to be a British subject, unless he has ceased to be a subject of the State in pursuance of the laws thereof or in pursuance of a treaty to that effect.”

4. Every declaration, whether of alienage or British nationality, made in pursuance of the said Act, shall be deposited and registered in the office of the Secretary of State of Canada :

*Justice, &c.*

The Secretary of State of Canada, the Under Secretary of State, or the Deputy Registrar-General of Canada may give certified copies of any such declaration for the purposes mentioned in the said Act.

5. With the consent of the Treasury Board, the following provision is made in regard to the imposition and application of fees:—

Matter in which fee may be taken.	Amount of fee.	How to be applied.
	\$ cts	
For taking a declaration, whether of alienage or British nationality.....	0 40	To the Justice or other official taking declaration.
For administering the oath of allegiance.....	0 40	To the Justice, Commissioner, Notary, Stipendiary or other Magistrate administering the oath.
For registration of declaration, with or without the oath of allegiance...	1 00	Consolidated Revenue of Canada.
For certified copy of declaration, with or without an oath .....	1 00	Consolidated Revenue of Canada.

Consented to by the Treasury Board.

*Vide Canada Gazette*, Vol. XVII., p. 953.

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By a Proclamation, bearing date the 23rd day of June, 1883, the Harbor Masters Acts were declared to apply to the Port of Pokemouche, in the Province of New Brunswick, and the limits of the said port were declared to be from Tracadie on the south to Shippigan on the north.

*Vide Canada Gazette*, Vol. XVII, p. 2.

By a Proclamation, bearing date the 23rd day of June, 1883, the "Act to provide for the appointment of Harbor Masters for certain ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the Port of Petite Rivière, in the Province of Nova Scotia.

*Vide Canada Gazette*, Vol. XVII, p. 2.

*Marine.*

By-LAWS of the Harbor Commissioners of Montreal, duly made and passed at a meeting of the said Harbor Commissioners of Montreal, duly called and held at their Board room in Montreal, in the Province of Quebec, on the thirteenth day of June, one thousand eight hundred and eighty-three, and approved by His Excellency the Governor General in Council, on the 30th day of June, 1883.

*By-law No. 150.*

By-law No. 142 is hereby amended by the addition thereto of the following words, namely:—

“But if by such accident such vessel shall only be temporarily delayed in the prosecution of her voyage, the suspension of such pilot shall only commence from the time at which such pilot shall cease to be in actual charge of such vessel, by her arrival at her port of destination, or if seaward bound, at the limit to which the duty of such pilot extends, as the case may be.”

And By-law No. 85 is further amended by the said addition to the said By-law No. 142.

*By-law No. 151.*

Article No. 91 of the by-laws of this corporation is hereby amended by striking out of the said by-law the words “either in addition to imposing upon him any pecuniary penalty, hereinafter provided for, or without such pecuniary penalty.” And the said by-law No. 91, shall hereafter be read and enforced as if the said words had never formed part thereof, save and except only as to all acts, matters and things done, and orders made, under the said by-law, previous to the passage hereof; all of which acts, matters, things and orders shall remain in full force.

*Vide Canada Gazette, Vol. XVII, p. 117.*

By a Proclamation, bearing date the 18th day of August, 1883, the “Act to provide for the appointment of Harbor Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick” and the Acts amending the same, were declared to apply to the Port of East Bay, in the County of Cape Breton, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. XVII, p. 324.*

## RULES AND REGULATIONS

For the Government of the Port of Halifax, in Nova Scotia, and of the office of Harbor Master for the said port, approved by His Excellency the Governor General in Council on the 18th day of August, 1883,—the Regulations of 30th May, 1873, being at the same time cancelled.

Rule I.—It shall be the duty of the Harbor Master of the said port in person, at such times and on such occasions as he shall think it necessary,

*Marine.*

to go on board every ship or vessel which shall arrive within the port of Halifax, to see that she is moored only in such a manner or position as shall be assigned to her by the following regulations.

Rule II.—In case of any dispute arising between masters, owners or other persons engaged in hauling ships or vessels in or out of any of the docks or wharves, it shall be the duty of the Harbor Master, if called upon, to give such directions in respect to the same as he may think fit, and all masters, pilots and other persons having the charge or command of any ships or vessels shall comply with the directions of the said Harbor Master, in these respects, under a penalty of fifty dollars for each and every neglect or refusal so to do.

Rule III.—If any ship or vessel arriving and anchoring, or being moored or fastened to any wharf, or vessel in the said harbor, shall be so moored or placed as to be unsafe and dangerous to any other ship or vessel previously lying at anchor in the said harbor, or moored or fastened as aforesaid, the said Harbor Master is hereby authorized and required to forthwith order and direct the situation of such ship or vessel so arriving and anchored, moored or fastened as aforesaid, to be altered in such a manner as to prevent such insecurity and danger; and the master, pilot or other person having charge of such ship or vessel, shall comply with the orders and directions of the said Harbor Master, in this respect, under a penalty of fifty dollars for each and every offence.

Rule IV.—It shall be the duty of the Harbor Master to see that a track be kept open for the ferry steamers between the city and Dartmouth, and that a space of two hundred fathoms easterly from the line of wharves be reserved as a passage for the Royal Mail and other steamers.

Rule V.—If any ship or vessel is moored or anchored in the stream in such a position as to obstruct or prevent the docking or undocking of any other ship or vessel, or in any way impeding the navigation of the harbor, the Harbor Master is hereby authorized and required to forthwith order and direct the removal of such ship or vessel so moored or anchored as aforesaid; and the master, pilot or other person having charge of such ship or vessel shall comply with the orders and directions of the Harbor Master in this respect, under a penalty of fifty dollars for each and every offence.

Rule VI.—No steamer entering or leaving Halifax harbor (those of Her Majesty and the Government of the Dominion of Canada excepted), shall, while inside of George's Island, proceed at more than half her usual speed, under a penalty of one hundred dollars, to be paid by the owner, master or agent of the vessel violating the law.

Rule VII.—Whenever it shall happen that any ship or vessel is short of hands, so that she cannot be moved when ordered under the provisions of this by-law, it shall and may be lawful for the Harbor Master to employ a sufficient number of hands to effect such removal or assist in removing such vessel as required or may be necessary, and that at the expsnse of such vessel.

Rule VIII.—The Harbor Master shall have power to order the removal of any scow, boat or other vessel, loaded or unloaded, or anything calculated to interfere with the mooring or moving of vessels from any part of the harbor to any other part thereof; and the owner or person in charge of

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such scow, boat, vessel or other obstruction failing to make such removal in one hour after having been notified so to do by the Harbor Master, shall forfeit and pay a sum not exceeding twenty-five dollars; and after one hour shall have elapsed the Harbor Master shall have power to remove the same, and that at the expense of the owner or person in charge thereof.

Rule IX.—It shall be the duty of the Harbor Master to see that the docks, water privileges and landing places belonging to, owned by or known as the "Water Property of the City of Halifax," and fronting on the harbor, be kept open and free from all obstructions. Any person or persons failing to comply with the orders and directions of the Harbor Master in this respect, shall be liable to a penalty of fifty dollars for each and every offence.

Rule X.—All ships or vessels loading or discharging, in the stream, coal, ballast and such like materials, shall have a sufficient piece of canvas or tarpaulin so placed as to prevent any portion thereof from falling into the harbor, under the penalty of fifty dollars for each and every offence, to be paid by the owner, master or person in charge of such ship or vessel.

Rule XI.—It shall be the duty of the masters or persons in charge of ships or vessels lying at the wharves, with their main jib or spanker booms projecting beyond the end of the wharves, to have the same rigged in, and in the event of non-compliance, all accidents to the same shall be at the risk of the person so offending.

Rule XII.—Whenever the Harbor Master shall find ships or vessels at the wharves or in the stream with main jib or spanker booms rigged out or yards braced so as to incommode other vessels, it shall be the duty of the Harbor Master to direct such booms to be rigged in, and such yards to be braced by or cock-billed; and the masters, pilots or other persons in charge of such ships or vessels shall comply with the directions of the Harbor Master in this respect, under a penalty of fifty dollars for each and every offence.

Rule XIII.—No vessel shall be left without some person to take care of her, by night and by day, when anchored in the stream.

Rule XIV.—All vessels lying at anchor in the harbor shall keep a clear and bright light burning, at least twelve feet from the uppermost deck, from sunset until sunrise.

Rule XV.—No vessel lying in the stream shall have any tow line, hawser, or other thing made fast to any wharf or to shore, except for the purpose of hauling in or out.

Rule XVI.—No boat or vessel which may come into any of the slips, or to any pier or wharf in the said city, laden or partly laden with hay or straw, shall have any fire on board the same, under the penalty of fifty dollars, to be paid by the owner, master or other person having charge of such boat or vessel.

Rule XVII.—No ballast, stone, gravel, earth or rubbish of any kind, shall be unladen, cast or emptied out of, or thrown overboard, from any ship or vessel whatever in the harbor of Halifax, or at the entrance thereof, (except in places set apart for that purpose by the Harbor Master), under the penalty of one hundred dollars for each and every offence, to be paid

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*Marine.*

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by the owner, master or other person having the charge of any such ship or vessel.

Rule XVIII.—No ballast, stone, gravel, earth or rubbish of any kind shall be unladen, discharged, deposited, thrown or laid, either from any vessel, boat, scow or other such craft, or in any other manner, or by any person, from any part of the beach or shore of the city, into any part of the harbor, or upon the beach and shore thereof, either below low-water mark or between high and low-water mark, under the penalty of one hundred dollars for each and every offence, to be paid by the owners, master or person having charge of any vessel, boat, scow, or other craft from which such matter as aforesaid shall have been discharged, or by any other person or persons violating this law,

Rule XIX.—No cast off wharf piles, saw logs, log ends, refuse timber or rubbish of a like nature shall be thrown into the water or allowed to go adrift into the harbor of Halifax, under a penalty of fifty dollars for each and every offence, to be paid by the person or persons violating this law.

Rule XX.—No explosive material, such as nitro-glycerine, or compounds of the same, gun cotton or petroleum, shall be landed in the City of Halifax, (except in such quantities as shall be stated in writing by the Harbor Master), under a penalty of one hundred dollars for each and every offence, to be paid by the owners, master or person having charge of the ship or vessel from which such explosive material has been landed.

Rule XXI.—If any ship or vessel arriving and coming into the harbor of the said city (those belonging to or employed by Her Majesty and the Government of the Dominion of Canada excepted), shall have any gunpowder on board exceeding the quantity of twenty-five pounds, such gunpowder exceeding that quantity shall be unladen and discharged from such ship or vessel within forty-eight hours after her arrival, and before such ship or vessel shall be brought alongside of any pier or wharf in the said city, under the pain of forfeiture of such gunpowder, and under the penalty of one hundred dollars for each and every offence, to be paid by the owner or owners of such ship or vessel, or by the master or person having charge or command thereof; and that whenever any gunpowder is discharged from any ship or vessel in the said harbor, the same shall be conveyed by water, in a boat or boats, to some safe and secure place for the deposit of gunpowder without the limits of the said city, during which conveyance such gunpowder shall be covered with a tarpaulin or other secure covering, under the penalty of fifty dollars for each and every offence, to be paid by the owner or owners of such gunpowder, or the person having charge or direction of such conveyance.

Rule XXII.—No gunpowder shall be taken or received on board of any ship or vessel bound to sea (those belonging to or employed by Her Majesty and the Government of the Dominion of Canada excepted), while such ship or vessel shall be and remain at any pier or wharf in the said city, and until such ship or vessel shall be cleared at the Custom House and ready for sea, except with the knowledge and sanction of the Harbor Master,—in which case, as soon as the gunpowder is on board, the vessel shall be removed to the stream (wind and weather permitting), under the pain of forfeiture of such gun-

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powder, and under the further penalty of one hundred dollars for each and every offence, to be paid by the owner or owners of any such ship or vessel into which such gunpowder may be so received, contrary to the true intent and meaning hereof, or by the person having charge or command of such ship or vessel; and when it is intended to take or load any gunpowder on board of any ship or vessel lying in the said harbor, the same shall be conveyed by water to such ship or vessel, during all which conveyance such gunpowder shall be covered in the manner hereinbefore mentioned, under the penalty of fifty dollars for each and every offence, to be paid by the owner or owners of such gunpowder, or the person having charge or direction of such conveyance.

Rule XXIII.—All gunpowder forfeited under and by virtue of this law shall and may be seized by the Harbor Master, or person deputed by him, and when seized shall be conveyed to and deposited in some secure place without the limits of the said city, and, upon conviction of the offender, the said Harbor Master shall and may, and he is hereby authorized and empowered, within three days after such conviction, to sell such gunpowder at public auction, by sample, in the said city, and the proceeds of such sale, after deducting the necessary costs and charges of prosecution and sale, shall be paid by the said Harbor Master to the credit of the Receiver-General of the Dominion of Canada.

Rule XXIV.—Any person or persons who shall or may hinder, oppose, molest or obstruct the Harbor Master in the discharge of his duty shall, on conviction, pay a penalty of fifty dollars for each and every offence.

Rule XXV.—The penalty for violation of, or not conforming to the provisions of the law, and for disobeying the lawful orders or directions of the Harbor Master in respect to any provision for which no penalty is hereinbefore prescribed, shall be fifty dollars, to be imposed upon the owner or person in charge of the ship or vessel not conforming to the particular requirements.

*Vide Canada Gazette, Vol. XVII., p. 325.*

By a Proclamation bearing date 29th August, 1883, the stream called the "Twelve Mile Creek" in the County of Wentworth, in the Province of Ontario, was exempted from the operation of the Act passed in the thirty-sixth year of Her Majesty's Reign, chaptered sixty-five and intituled "An Act for the better protection of navigable Streams and Rivers."

*Vide Canada Gazette, Vol. XVII, p. 383.*

By a Proclamation, bearing date the 18th day of August, 1883, the "Act to provide for the appointment of Harbor Masters for certain ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the Port of Chester, in the County of Lunenburg, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. XVII, p. 384.*

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By a Proclamation, bearing date the 17th day of September, 1883, the "Act to provide for the appointment of Harbor Masters for certain ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the Ports of Black's Harbor and Beaver Harbor, in the County of Charlotte, Province of New Brunswick.

*Vide Canada Gazette, Vol. XVII, p. 448.*

By a Proclamation, bearing date the 17th day of September, 1883, the "Act to provide for the appointment of Harbor Masters for certain ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the Port of La Tete, Back Bay and L'Etang, in the County of Charlotte, in the Province of New Brunswick—the limits of the said port to be as follows: Beginning at Clark's Point, in Passamaquoddy Bay, running west to the District of St. Andrews Harbor Master; thence through La Tete Passage and channel or along the eastern and northern line of the District of the West Isles Harbor Master, and thence around the Bay easterly and northerly until it strikes a line running south from the most westerly point of the head of the entrance of L'Etang Harbor or to the headland between L'Etang Harbour and Black's Harbor.

*Vide Canada Gazette, Vol. XVII, p. 449.*

By Order in Council of Monday, 17th day of September, 1883, under the provisions of the "Act respecting Wrecks and Salvage,"—the ports of Victoria and Esquimalt, in the Province of British Columbia, were established a district for the purposes of the said Act.

*Vide Canada Gazette, Vol. XVII, p. 450.*

## BY-LAWS AND REGULATIONS

For the guidance of Pilots for the Pilotage District embracing the Ports, Harbors and Bays in the Bras d'Or Lake and in the Great and Little Bras d'Or, belonging only to the County of Victoria, Cape Breton, approved by His Excellency the Governor General in Council, on the 26th day of September, 1883.

The subjoined by-laws and regulations for the guidance of pilots for the Pilotage District embracing the ports, harbors and bays in the Bras d'Or Lake and in the Great and Little Bras d'Or, belonging only to the County of Victoria, were passed at a meeting of the Pilotage Authority for that district, which was held in the Pilot Commissioners' office, at Baddeck, on the 11th day of August, 1883.



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1. Every pilot when taking a vessel to sea must be provided with a boat to bring him back to port when his services are ended, and every boat must be provided with a red flag, upon which shall be the number of the boat in white, and underneath the number the letters " P.B. d'O." in white not less than twelve inches in length.
2. Every pilot licensed for the first time shall pay a fee of \$4.50, and for every renewal the fee of \$3. The same fee shall be paid by masters or mates when licensed.
3. The number of pilots for this district shall not exceed twelve, and the rates of pilotage shall be as set forth in the scale of fees attached to each pilot's license. Half the prescribed pilotage shall be paid by vessels towed into or out of the lake by steamers.
4. Any pilot belonging to another district in charge of a vessel shall immediately surrender his charge when spoken by any of the pilots within the limits of this district.
5. Any pilot who shall become mentally or physically incapacitated from the discharge of his duty, or who shall, by drunkenness, become incapable while on duty, shall forfeit his license or be suspended for a period not less than three months, at the discretion of the Pilotage Authority for the District.
6. Pilots hailing or tendering their services to vessels previous to entering a port within the limits of this district shall be entitled to half pay when rejected.
7. Disputes between masters of vessels and pilots regarding pilotage shall be referred to and decided by a majority of the Pilotage Authority nearest the place where the disputed matter occurs.

SCALE of Pilotage Fees for the Pilotage District embracing the Ports, Harbours and Bays in Bras d'Or Lake and in the Great and Little Bras d'Or, belonging only to the County of Victoria.

	Bras d'Or.	Plaister Harbor.	St. Ann's.	Baddeck.	Whycocomagh.	River Dennis.	East Bay.	West Bay.	St. Peters.	Little Bras d'Or
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Vessels of 80 to 100 tons.....	3	5	5	6	12	12	10	10	15	9
" 100 150 .....	4	6	6	8	13	13	11	11	17	10
" 150 200 .....	5	8	8	9	15	15	13	13	18	12
" 200 250 .....	6	8	8	11	17	17	16	16	20	15
" 250 300 .....	7	9	9	11	18	18	16	16	21	15
" 300 350 .....	8	10	10	12	19	19	17	17	22	16
" 350 400 .....	9	12	12	13	20	20	18	18	23	17
" 400 450 .....	10	12	12	13	21	21	19	19	24	18
" 450 500 .....	11	14	14	14	24	24	20	20	26	19
" 500 600 .....	11	14	14	14	26	26	22	22	27	21
" 600 700 .....	12	15	15	16	28	28	24	24	29	23
" 700 800 .....	13	16	16	18	30	30	26	26	32	25
" 800 900 .....	14	17	17	19	32	32	28	28	35	27
" 900 1000 .....	15	18	18	20	34	34	30	30	38	29

Vide Canada Gazette, Vol. XVII., p. 480.

*Marine.*

## RULES AND REGULATIONS

For governing the examination of candidates for certificates of competency or service as masters and mates, under the provisions of the Act 46 Vict., chap. 28, intituled "An Act respecting Certificates to Masters and Mates of Inland and Coasting Vessels," approved by His Excellency the Governor General in Council on the 17th day of November, 1883, —the Order of the 7th July, 1883, being rescinded.

QUALIFICATIONS for certificates of competency for masters and mates employed in navigating the inland waters of Canada, or engaged in the coasting trade between Quebec and any of the lower ports, or in the coasting trade between Canada and Newfoundland, or between Canada and a port in the United States of America

## COMPETENCY.

*Coasting Trade.*

From one port in Canada to another port in Canada, or to a port in the United States of America or Newfoundland ;

1. All candidates must pass the examination in colors.

2. *A mate* must be 19 years of age and have served at least two years at sea.

3. *In navigation* —He must write legibly and be able to find his latitude by a meridian altitude of the sun, must be able to take a bearing by compass, and determine his position by cross-bearings on the chart, and to shape a course, and determine the distance run from any given departure.

4. *In seamanship*.—He must possess a thorough knowledge of the "Rule of the Road," as regards both steamers and sailing vessels, their regulation lights, fog and sound signals; he must know the signals to be made if in distress, he must understand both the lead and the log, knotting and splicing rigging, and stowing a cargo. He will be examined in seamanship generally, either for "square rig," "fore and aft" or "steamer," as the case may be. If in the latter, he must have a knowledge of the fittings for fire purposes, the bulk-head sluices, if any, and the "engine room telegraph," the securing and lowering of "life-boats" and "life-rafts." The examiner will ask any other questions he may think fit relating to the duties of a mate.

5. *A master* must be 21 years of age and have been at sea at least three years, one of which he must have been as mate.

6. *In navigation*.—In addition to the qualification for a mate, he will have to explain how he would shape a course to counteract the effect of a given current, and find the distance made good towards a given point in a certain time.

7. *In seamanship*.—In addition to the qualifications for a mate, he must know the principal lights upon the coast, and be well acquainted with the tides and soundings. He will be required to explain how he would lay out an anchor in case of stranding, and be able to rig a temporary rudder should the steering apparatus become disabled. He will be questioned as to his

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knowledge of protests, invoices, charter-party, bottomry bonds and bills of lading. The examiner will ask him any further questions he may think fit relating to the duties of a master.

For the great Inland Lakes or minor inland waters of Canada :—

8. This certificate shall be valid for the inland lakes and rivers of Canada, including such great waters as Lake Huron and the Georgian Bay, Lake Superior, Lake Erie and Lake Ontario.

9. All candidates must pass the examination in colors.

10. A *mate* must be 19 years of age and have served at least two years at sea, or on the inland waters.

11. *In navigation.*—He must write legibly, and be able to take a bearing by compass, and determine his position by cross-bearings on the chart. He must be able to shape a course, and determine the distance run from any given departure.

12. *In seamanship.*—He must possess a thorough knowledge of the "Rule of the Road," as regards both steamers and sailing vessels, their regulation lights, fog and sound signals; he must know the signals to be made if in distress; he must understand both the lead and the log, knotting and splicing, rigging, and stowing a cargo. He will be examined in *steamship* generally, either for "square rig," "fore and aft" or "steamer," as the case may be. If in the latter, he must have a knowledge of the fittings for fire purposes, the bulk-head sluices, if any, and the "engine room telegraph," the securing and lowering of "life-boats" and "life-rafts." The examiner will ask any other questions he may think fit relating to the duties of a *mate*.

13. A *master* must be 21 years of age and must have been at sea or on the inland waters at least three years, one of which he must have been as *mate*.

14. *In navigation.*—In addition to the qualifications for a *mate*, he will have to explain how he would shape a course to counteract the effect of a given current, and find the distance made good towards a certain point in a certain time.

15. *In seamanship.*—In addition to that required for a *mate*, he must know the principal lights upon the great inland waters; he will be required to explain how he would lay out an anchor in case of stranding, and be able to rig a temporary rudder should the steering apparatus become disabled. He will be questioned as to his knowledge of protests, invoices, charter-party and bills of lading. The examiner will ask him any further questions he may think fit relating to the duties of a *master*.

For the minor lakes and rivers of Canada, such as Lake Simcoe, Lake Memphremagog the River St. Lawrence, above Quebec, the Ottawa River, the River St. John, and adjacent lakes, or any river or lake in British Columbia, or in Manitoba or the North-West Territories, or in the District of Keewatin :

16. A *mate* must be nineteen years of age, and have been at least two years afloat.

17. All candidates must pass in colors.

18. *In navigation.*—He must be able to shape a course upon the chart, and find his position by cross-bearings of a lighthouse or other known

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object ; he must be able to measure distances upon the chart, and be able to keep the run of the vessel.

19. *In seamanship.*—He must understand how to use the lead. He must possess a thorough knowledge of the "Rule of the Road," both for sailing and steam vessels : he must be able to knot and splice, to fit, and rig a "fore and after." He must understand the stowage of a cargo and the general management of a vessel in bad weather. If examined for a "steamship" he must understand the use of springs on going to or leaving a wharf ; he will have to explain the usual modes of extinguishing fire on board ship. He will explain the securing and lowering of "life boats" and "life rafts." The examiner will put any further questions he may think fit appertaining to the duties of a mate.

20. *A master* must be twenty-one years of age, and have been at least three years afloat, one of which he must have served as mate.

21. *In navigation.*—In addition to the qualification for a mate, he must have a knowledge of the principal lights upon the lakes or rivers he is about to be employed upon ; the principal dangers in that locality ; the courses and distances to be run to avoid them.

22. *In seamanship.*—In addition to the qualifications of a mate, he will have to explain how he would lay out an anchor in case of his vessel becoming stranded. He will be examined as to his knowledge of protests, invoices, charter-party, and bills of lading. The examiner will ask any further questions he may think fit relating to the duties of a master in the inland waters.

## SERVICE.

23. A candidate for a certificate of service will require to produce satisfactory evidence of sobriety, experience, ability and general good conduct, and furnish the names and class of vessels in which he served as master or mate, as the case may be, previous to the 1st January, 1883.

24. All candidates must pass the examination in colors.

*Miscellaneous.*

25. Testimonials of character and of sobriety, experience, ability and good conduct on board ship, will be required of all applicants, and without producing them no person will be examined. As such testimonials will have to be closely examined by the examiners, for verification, before any certificates can be granted, candidates are to lodge them as early as possible. The testimonials of servitude of foreigners and British seamen serving in foreign vessels, must be confirmed either by the consul of the country to which the ship in which the candidate served belonged, or by some other official authority of that country, or by testimony of some credible person on the spot, having personal knowledge of the facts required to be established. Upon application to one of the examiners, candidates will be supplied with a form, which they will be required to fill up and lodge with their testimonials in the hands of the examiner.

26. Candidates are required to appear at the examination room punctually at the time appointed

*Marine.*

27. Candidates are prohibited from bringing into the examination room books or paper of any kind whatever. The slightest infringement of this regulation will subject the offender to all the penalties of a failure.

28. In the event of any candidate being detected in defacing, blotting, writing in or otherwise injuring any book or books belonging to the Board, the papers of such candidate shall be detained until the book or books so defaced be replaced by him. He will not, however, be at liberty to remove the damaged book, which will still remain the property of the Board.

29. In the event of any candidate being discovered copying from another, or affording any assistance or giving any information to another, or communicating in any way with another during the time of examination, he will subject himself to a failure and its consequences.

30. No candidate will be allowed to work out his problems on a slate or on waste paper.

31. No candidate will be permitted to leave the room until he has given up the paper on which he is engaged.

32. Candidates will be allowed to work out the various problems by the method and tables they have been accustomed to use, and will be allowed six hours to perform the work. At the expiration of six hours they will, if they have not finished, be declared to have failed unless the Board of Examiners see fit to lengthen the period in any special case. If however, the period is lengthened in any case, the special circumstances of that case and the reasons for lengthening the period must be reported to the Minister of Marine and Fisheries by the Examiners at the time they send in the report.

33. Candidates are expected to bring their answers to all problems within, or not to exceed, a margin of one mile of position from a correct result.

34. From masters a degree of precision will be required, both in the work and in the results, beyond what is demanded from mates.

35. In every case where problems are required to be worked out, the examination for master is to commence with the problems for mate.

36. In all cases of failure the candidate must be examined *de novo*. If a candidate fails, he will not be re-examined until after a lapse of six months' service afloat on the inland waters or sea coast, as the case may be, to give him time to gain experience.

37. Examinations may be held at the following ports, viz.:—Toronto, Ottawa, Montreal, Quebec, St. John, N.B., Yarmouth, Halifax, Sydney, Charlottetown, Winnipeg and Victoria, for the purpose of examining candidates.

## NOTE.

As the examination of masters and mates is made compulsory, the qualifications have been kept as low as possible, but it is distinctly to be understood that the Minister of Marine and Fisheries may raise the standard from time to time if deemed advisable.

*Vide Canada Gazette, Vol. XVII., p. 744.*

*Marine.*

## AMENDED BY-LAWS

For the guidance of Pilots for the Pilotage District of Nanaimo, British Columbia, passed at a meeting of the Pilotage Commissioners, held on the 29th September, 1883; approved by His Excellency the Governor General in Council, on the 13th day of December, 1883:

1. A Pilotage Authority having been established at Nanaimo, B.C., with jurisdiction extending to all other parts of Vancouver Island, excepting Victoria and Esquimalt Harbors, the following by-laws have been made by said Authority, and ratified by His Excellency the Governor General in Council:—

*Licenses.*

2. Every person desirous of being examined with a view of obtaining a license as a pilot for the district of Nanaimo, must make application (in his own handwriting) to the Pilotage Authority of said district, and enclose the following documents:—

(a). Certificate from the masters of vessels in which he has served as to his ability as a seaman, &c.;

(b) Statement of services from time of first going to sea up to date;

(c). Certificates from the Board of Trade or Local Marine Board as master or mate (if any);

(d). Certificate from last employer. Such applicants, as aforesaid, must be British subjects of not less than 25 years of age, must have resided not less than two years in the Province, and be of good moral character and temperate habits.

3. Should the requirements of clause 2 prove satisfactory to the Pilotage Authority, the applicant will be notified to that effect, and, on payment of an examination fee of twenty-five dollars (\$25), shall be examined, by examiners appointed for that purpose, touching his qualifications and practical knowledge of the management of square-rigged vessels and steamers under all circumstances of wind and weather, but more particularly as to his general knowledge of the navigation and pilotage of the district.

4. If, after such examination, the candidate shall be deemed qualified, and should there be a vacancy, he will receive a license for a term not exceeding two (2) years, on the payment of a license fee of fifty dollars (\$50), which, on expiration, may be renewed for a further term of two (2) years, at the discretion of the Pilotage Authority, on the payment of the sum of ten dollars (\$10).

5. The Pilotage Authority shall have power to fix and alter the number of pilots, from time to time, as they may deem expedient, according to the requirements of the district.

*Certificates*

6. Pilotage certificates may be issued by the Pilotage Authority to masters and mates of steamers (registered in Canada) plying regularly once a week, or oftener, between Nanaimo and any of the various ports on Puget Sound on application, in writing, to the Pilotage Authority. Such appli-

*Marine.*

cants must be not less than twenty-one (21) years of age, and if, upon examination, they shall be found qualified, and upon payment of twenty-five dollars (\$25) for the expenses of their examination, and a yearly fee of one hundred dollars (\$100), a certificate to act as pilot for a term of twelve (12) months will be granted, and may be renewed from year to year on payment of an annual fee of one hundred dollars (\$100), as the Pilotage Authority may think fit.

7. Pilotage certificates may also be issued to masters of steamers or sailing vessels of 80 tons registered tonnage and upwards, trading to and from any port in the Province of British Columbia and Nanaimo, upon payment of five dollars (\$5) per annum.

*Regulations.*

8. Pilots must comply strictly with the Act as regards offering pilotage service to vessels, and must board the nearest vessel signalling or asking for a pilot, shall carry with them, and produce when required so to do, their license from the Pilotage Authority and a copy of these by-laws.

9. Any pilot or other person assuming charge of any vessel bound to Nanaimo shall not be eligible to claim pilotage unless when no licensed pilot for this district has offered to pilot such ship or unless such ship is in distress; and any pilot belonging to any other pilotage district of British Columbia, in charge of a vessel, shall immediately surrender his charge when spoken within the limits of this district by any of the licensed pilots.

10. Any licensed pilot first offering his services to any inward bound vessel liable to pay pilotage, on being refused employment shall be entitled to demand and receive the legal pilotage due, and any pilot speaking or piloting a vessel inward shall be entitled to pilot her outwards when she leaves port, unless on complaint of the master, owner or agent of the said vessel, the Pilotage Authority shall direct otherwise.

11. It shall be the duty of every pilot to notify the Pilotage Authority of the amount due or to be collected from any ship whether for full or half pilotage.

12. All pilotage dues shall be paid to the Pilotage Authority, or their order, by the masters of vessels, or in their default by the agents or consignees thereof, and no vessel shall be entitled to receive clearance from the Custom House officer unless on certificate from the Pilotage Authority that all pilot dues have been paid or settled for.

13. Each licensed pilot shall be entitled to receive from the Secretary the amount of his earnings, less a deduction of seven and one-half per cent. (7½ p.c.) to be applied in payment of such expenses as the Pilotage Authority may duly incur. Should seven and one-half per cent. (7½ p.c.) be found insufficient to pay such expenses, a further sum shall be collected from the pilots *pro rata*, and should seven and one-half per cent. (7½ p.c.) be more than sufficient, the balance, if any, shall be divided at the end of the year amongst the pilots.

14. The Pilotage Authority shall pay to each pilot the amount due him (except in cases of dispute), at the expiration of every month.

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*Marine.*

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15. All questions or disputes, arising between pilots, masters of vessels and others, respecting pilotage or claims for extra remuneration in cases of any extraordinary nature shall be submitted to the Pilotage Authority to be adjudicated upon and decided by them ; and such decision shall be final and binding on all parties.

16. Every licensed pilot taking charge of any vessel, shall, in all cases, be strictly sober, exercise the utmost care and diligence for the safety of the vessel under a penalty not exceeding forty dollars (\$40) for every offence ; and on proof on oath to the satisfaction of the Commissioners that any pilot licensed by them has been guilty of any improper conduct, drunkenness, or wilful neglect of duty, or that he is incapacitated by age or mental or bodily infirmity, such pilot shall be suspended or deprived of his license at the discretion of the Commissioners.

17. Whenever any accident shall occur to or be caused by any vessel whilst in charge of a pilot, it shall be the duty of such pilot forthwith, after he shall have ceased to be in actual charge of such vessel, to repair to the office of the Pilotage Authority and there report in writing the accident that has occurred, and in default of his so doing, such a pilot shall, for each and every default, forfeit and pay a penalty not exceeding forty dollars (\$40) and, in the meantime, the license of such pilot shall be suspended and delivered up to the Pilotage Authority pending enquiry.

18. In cases where a vessel shall be in tow of a steamer the pilot on board the vessel being towed shall have the command and direction of both vessels so long as the steamer shall be fast to the other vessel.

19. No pilot shall absent himself from duty without first obtaining leave in writing from the Pilotage Authority, nor shall a pilot engage in any other employment under a penalty of forfeiting his license.

20. Every licensed pilot who shall refuse or neglect to appear before the Pilotage Authority after six (6) clear days' notice has been given him that his attendance is required by them on any occasion, or who shall give any unnecessary trouble or annoyance to the Commissioners, or detention to masters of vessels, shall, for every such offence, be liable to a penalty not exceeding forty dollars (\$40) and also to suspension or dismissal at the discretion of the Pilotage Authority.

21. The Pilotage Authority may, if they see fit, limit the period during which any license to a pilot granted by them shall be in force to any term not less two years from the date thereof, and may, in their discretion, after the end of such period, renew such license for a further limited term not less than two years ; and may also, in their discretion, cancel any license granted to a pilot and substitute for it a license limited and renewable as aforesaid.

*Boats.*

22. All pilots licensed for the Nanaimo district shall maintain at least one (1) pilot sloop or schooner. Such vessel shall be surveyed by or on behalf of the Pilotage Authority, and if satisfactory to said Authority, shall be licensed for a term of twelve months, on payment of the expense of such survey.



*Marine.*

23. All pilot-boats should be surveyed annually, and if found satisfactory, shall have their license renewed for a term of twelve (12) months on payment of a fee of ten dollars (\$10).

24. Every licensed pilot-boat shall have on board or attached to said vessel one suitable boat; and also one life-preserver for each pilot and crew belonging or attached to said licensed pilot-boat; and no pilot shall be allowed to board or speak any vessel from a boat not licensed by the Pilotage Authority and not belonging to the port of Nanaimo, except in cases approved by the Pilotage Authority.

25. Every licensed pilot shall be the registered owner, or part owner, of not less than two (2) tons of a licensed pilot-boat, under pain of the forfeiture of his license; and no pilot's license shall be valid and effectual until he is so registered.

26. All licensed pilot-boats shall have such marks and numbers on their hulls and sails as may be designated by the Pilotage Authority at the time of survey.

27. Any licensed pilot-boat that may subsequently be found unfit for service or insufficiently equipped, shall have her license suspended and deposited with the Pilotage Authority until she is equipped to the satisfaction of said Authority.

28. No pilot-boat shall be otherwise employed than in its legitimate business, and whenever more than one boat is licensed by the Pilotage Authority, the pilots must arrange in such a manner that one boat is constantly on the cruising ground day and night, stress of weather alone excepted

*Nanaimo Pilot Ground.*

29. The limits for speaking vessels bound for Nanaimo shall be at or outside a line drawn from Schooner Point, Gabriola Island, to Lighthouse Island, and from Lighthouse Island to Horsewell Bluff, Vancouver Island.

30. Vessels entering by way of Dodd's Narrows (it not being a ship channel) will be charged one-half pilotage, whether spoken or not, if the pilot-boat be on the cruising ground.

*Dues.*

31. The rates of pilotage, both inward and outward, shall be as follows:—

(a) For all vessels, irrespective of draught, \$3 per foot;

(b) For all vessels in tow of a steamer, \$2 per foot;

(c) For all steam vessels, other than foreign tugs or tug-boats or steamers employed as such, whose master or mate has not a pilot's license, one-third ( $\frac{1}{3}$ ) less than the above rates if a pilot be employed.

32. Any fraction of a foot not exceeding six (6) inches shall be paid for as half a foot, and any fraction of a foot exceeding six inches shall be paid for as one foot.

33. Vessels spoken by a duly licensed pilot shall pay the sum of one dollar (\$1) per foot if his services be declined.

*Marine.*

34. The Pilotage Authority may remit pilotage dues to steamers carrying Her Majesty's mails between San Francisco and the Province of British Columbia, in whole or in part, as to them may appear fit, provided such steamers call at the port of Nanaimo for the purpose of coaling.

35. Gulf of Georgia and Straits Navigation.—The pilotage rates for vessels bound between Nanaimo and Royal Roads, either way, shall be ten dollars (\$10) per day or fraction of a day of twenty-four hours, if assisted by steam, in addition to port pilotage; but for vessels similarly bound, under canvas, the rate shall be four dollars (\$4) per foot, inclusive of port pilotage.

36. Any vessel arriving at Nanaimo or Departure Bay without being spoken inwards by a pilot shall not be exempt from outward pilotage; and the first pilot offering his services and being refused employment shall be entitled to demand and receive the legal pilotage dues, except, on the written complaint of the master, owner or agent of said vessel, the Pilotage Authority shall direct otherwise.

*Offences of Pilots.*

37. Any pilot may be deprived of his license before the expiration thereof for any of the following causes:—

(1.) For neglecting or refusing, when not prevented by illness or other reasonable cause, to take charge of any ship within the limits of his license, upon the signal for a pilot being made by such ship or upon being required to do so by the master, owner, agent or consignee thereof, or by any officer of the Pilotage Authority of the district for which such pilot is licensed;

(2.) For neglecting, for twenty days after the receipt of any money, under or by virtue of these or any other By-laws, to pay the same over to the Pilotage Authority;

(3.) For rendering a false account to the Pilotage Authority of or for pilotage received or earned;

(4.) For intoxication, whether the same shall occur while in charge of a vessel, when required for duty, or for habitual drunkenness;

(5.) For incapacity through mental or bodily infirmity, or lack of practical knowledge and ability in putting into effect the theoretical knowledge apparently possessed at time of examination.

38. Under and by virtue of this by-law the Pilotage Authority is authorized and empowered, upon due investigation, to cancel or suspend the license of any pilot for any offence against the Pilotage Acts of Canada, or for sufficient breach of any or either of these by-laws, or additions to these by-laws subsequently made and confirmed.

39. The whole of the by-laws passed and ratified previous to this date, in so far as they are inconsistent with these by-laws, are hereby repealed.

## CODE OF SIGNALS BY DAY OR NIGHT.

*The Tug.*

One short whistle.....	Going slow.
Two short whistles.....	Port.
Three short whistles.....	Starboard.

*Marine, &c.*

*Signals of Vessels Towed by Day.*

Arms extended { Go slow, shortening tow rope, and stand  
by to let go.  
One arm to port.....Port.  
One arm to starboard.....Starboard.

*By Night.*

Two lamps exhibited from fore-castle, bell rung rapidly. { Go slow, shorten and stand  
by to let go.  
One bright light over red light.....Port.  
One bright light over green light.....Starboard.  
*Vide Canada Gazette, Vol. XVII., p. 905.*

*Public Works.*

REGULATION for the government of the Boom of the South-West Boom Company, Miramichi, in New Brunswick, approved by His Excellency the Governor General in Council, on the 12th day of April, 1884.

That portion of the boom of the South-West Boom Company, the plan of which was approved by Order in Council of the 19th December, 1883, extending from block number 82 to block number 83, shall be a swing boom, and for the purpose of free navigation shall, at all times, be kept open, except when it is necessary to close the same for the purpose of protecting and collecting logs or timber passing down the River Miramichi; and when the same is so closed, the company shall, at all times, keep a person in attendance to open the same and admit of the passage through it of rafts, scows, steamers, boats or other craft navigating the river.

*Vide Canada Gazette, Vol. XVII., p. 1634.*

*Railways, &c.*

MANITOBA AND NORTH-WESTERN RAILWAY COMPANY.

TARIFF of Rates and Tolls to be charged by the above Company under By-law passed by the Board of Directors, 12th December, 1883, and sanctioned by His Excellency the Governor General in Council on the 19th day of December, 1883.

*Passenger Rates.*

Four cents per mile.  
Immigrant rates, one-half first class passenger rates.

Railways, &c.

FREIGHT TARIFF.

Rates for	MERCHANDISE CLASSES.				SPECIAL CLASSES.							Coal per ton.
	1.	2.	3.	4.	1.	2.	3.	4.	5.	6.	7.	
	In Cents per 100 lbs.				Cents per 100 lbs.	Cents per brl.	Cents per brl.	\$ per car.	\$ per car.	\$ per car.	\$ per car.	
10 Miles....	0.15	0.13	0.10	0.08	0.07	0.14	0.18	10.00	10.00	13.00	12.00	1.00
15 do ...	0.18	0.15	0.12	0.09	0.08	0.16	0.21	11.00	13.00	15.00	14.00	1.20
20 do ...	0.21	0.18	0.14	0.11	0.09	0.18	0.24	12.00	16.00	17.00	16.00	1.45
25 do ...	0.24	0.20	0.16	0.12	0.10	0.20	0.26	13.00	18.00	19.00	17.00	1.50
30 do ...	0.27	0.23	0.18	0.14	0.11	0.22	0.28	14.00	19.50	21.00	18.00	1.60
35 do ...	0.29	0.24	0.20	0.15	0.11½	0.23	0.30	15.00	21.00	23.00	20.00	1.65
40 do ...	0.31	0.26	0.21	0.16	0.12	0.24	0.32	16.00	22.50	25.00	23.00	1.70
45 do ...	0.33	0.28	0.22	0.17	0.12½	0.25	0.34	17.00	24.00	27.00	23.00	1.75
50 do ...	0.35	0.29	0.24	0.18	0.13	0.26	0.36	18.00	25.00	29.00	24.00	1.80
55 do ...	0.37	0.31	0.25	0.19	0.13½	0.27	0.38	19.00	26.50	31.00	25.00	1.90
60 do ...	0.39	0.33	0.26	0.20	0.14	0.28	0.39	20.00	28.00	33.00	26.00	1.95
65 do ...	0.41	0.34	0.27	0.21	0.14½	0.29	0.40	21.00	29.50	35.00	26.00	2.00
70 do ...	0.43	0.36	0.29	0.22	0.15	0.30	0.41	22.00	31.50	36.00	27.00	2.05
75 do ...	0.45	0.38	0.30	0.23	0.15½	0.31	0.42	23.00	33.00	37.00	28.00	2.10
80 do ...	0.47	0.39	0.31	0.24	0.16	0.32	0.44	24.00	34.50	38.00	29.00	2.15
85 do ...	0.49	0.41	0.33	0.25	0.16½	0.33	0.45	25.00	36.00	39.00	30.00	2.20
90 do ...	0.51	0.43	0.34	0.26	0.17	0.34	0.46	26.00	37.00	40.00	30.00	2.25
95 do ...	0.53	0.44	0.35	0.26	0.17	0.34	0.47	27.00	38.00	41.00	31.00	2.30
100 do ...	0.54	0.45	0.36	0.27	0.17½	0.35	0.48	28.00	39.00	42.00	32.00	2.35
110 do ...	0.57	0.48	0.38	0.29	0.18	0.36	0.50	29.00	42.00	43.00	34.00	2.45
120 do ...	0.60	0.50	0.40	0.30	0.19	0.38	0.52	30.00	44.00	44.00	36.00	2.55
130 do ...	0.63	0.53	0.42	0.31	0.19½	0.39	0.54	31.00	46.00	46.00	38.00	2.65
140 do ...	0.66	0.55	0.44	0.33	0.20	0.40	0.56	31.50	48.00	48.00	40.00	2.75
150 do ...	0.69	0.58	0.46	0.35	0.21	0.42	0.58	32.00	50.00	50.00	41.00	2.80
160 do ...	0.72	0.60	0.48	0.36	0.22	0.44	0.60	33.00	52.00	52.00	42.00	2.90
170 do ...	0.74	0.62	0.49	0.37	0.22½	0.45	0.62	34.00	54.00	54.00	43.00	2.95
180 do ...	0.76	0.64	0.51	0.38	0.23	0.46	0.64	35.00	56.00	56.00	44.00	3.00
190 do ...	0.78	0.65	0.52	0.39	0.23½	0.47	0.65	36.00	58.00	58.00	45.00	3.05
200 do ...	0.80	0.67	0.54	0.40	0.24	0.48	0.66	37.00	60.00	60.00	46.00	3.10
210 do ...	0.83	0.69	0.55	0.41	0.24½	0.49	0.68	38.00	62.00	62.00	47.00	3.20
220 do ...	0.86	0.72	0.57	0.43	0.25	0.50	0.70	39.00	64.00	64.00	48.00	3.30
230 do ...	0.88	0.74	0.59	0.44	0.25½	0.51	0.72	40.00	65.50	65.50	49.00	3.40
240 do ...	0.90	0.75	0.60	0.45	0.26	0.52	0.74	40.50	67.00	67.00	50.00	3.50
250 do ...	0.92	0.77	0.61	0.46	0.26½	0.53	0.76	41.00	68.50	68.50	51.00	3.60
260 do ...	0.94	0.78	0.63	0.47	0.27	0.54	0.78	42.00	70.00	70.00	52.00	3.70
270 do ...	0.96	0.80	0.64	0.48	0.27½	0.55	0.80	43.00	71.50	71.50	53.00	3.75
280 do ...	0.99	0.82	0.65	0.49	0.28	0.56	0.82	44.00	73.00	73.00	54.00	3.80
290 do ...	1.00	0.83	0.66	0.50	0.28½	0.57	0.83	45.00	75.00	75.00	55.00	3.85
300 do ...	1.02	0.85	0.68	0.51	0.29	0.58	0.84	46.00	77.00	77.00	56.00	3.90
310 do ...	1.05	0.88	0.70	0.53	0.29½	0.59	0.86	47.00	79.00	79.00	57.00	4.00
320 do ...	1.07	0.89	0.71	0.54	0.30	0.60	0.88	48.00	81.00	81.00	58.00	4.10
330 do ...	1.09	0.91	0.73	0.55	0.30½	0.61	0.90	49.00	82.50	82.50	59.00	4.20
340 do ...	1.11	0.93	0.74	0.56	0.31	0.62	0.92	49.50	84.00	84.00	60.00	4.30
350 do ...	1.13	0.94	0.75	0.57	0.31½	0.63	0.94	50.00	85.50	85.50	61.00	4.40
360 do ...	1.15	0.96	0.76	0.58	0.32	0.64	0.95	51.00	87.00	87.00	62.00	4.50
370 do ...	1.17	0.98	0.78	0.59	0.32½	0.65	0.96	52.00	88.50	88.50	63.00	4.55
380 do ...	1.19	0.99	0.80	0.60	0.33	0.66	0.97	53.00	90.00	90.00	64.00	4.60
390 do ...	1.21	1.01	0.81	0.61	0.33½	0.67	0.98	54.00	92.00	92.00	65.00	4.65
400 do ...	1.23	1.03	0.82	0.62	0.34	0.68	0.99	55.00	94.00	94.00	66.00	4.70
410 do ...	1.25	1.04	0.83	0.63	0.34½	0.69	1.01	56.00	95.50	95.50	67.00	4.80
420 do ...	1.27	1.06	0.85	0.64	0.35	0.70	1.03	57.00	97.00	97.00	68.00	4.90
430 do ...	1.29	1.08	0.86	0.65	0.35½	0.71	1.05	58.00	98.50	98.50	69.00	5.00
440 do ...	1.31	1.09	0.87	0.66	0.36	0.72	1.07	58.50	100.00	100.00	70.00	5.10
450 do ...	1.33	1.11	0.89	0.67	0.36	0.72	1.09	59.00	101.50	101.50	71.00	5.20
460 do ...	1.35	1.13	0.90	0.68	0.36½	0.73	1.10	60.00	103.00	103.00	72.00	5.30

Railways, &c.

FREIGHT TARIFF.

Rates for	MERCHANDISE CLASSES.				SPECIAL CLASSES.							Coal per ton.
	1.	2.	3.	4.	1.	2.	3.	4.	5.	6.	7.	
	In Cents per 100 lbs.				Cents per 100 lbs.	Cents per brl.	Cents per brl.	\$ per car.	\$ per car.	\$ per car.	\$ per car.	
470 miles....	1.37	1.14	0.91	0.69	0.37	0.74	1.11	61.00	104.50	104.50	73.00	5.35
480 do ...	1.39	1.16	0.93	0.70	0.37	0.74	1.12	62.00	108.00	106.00	74.00	5.40

Note.—Car load rates are for 20,000 pounds.

Cordwood in quantities at Coal rates on special conditions.

Immigrants and Settlers' effects coming into Manitoba and the North-West, carried at half special rates.

The classification to be the same as that in force on the Western Division of the Canadian Pacific Railway.

*Vide Canada Gazette, Vol, XVII, p. 1000.*

By Order in Council dated 12th April, 1884, His Excellency the Governor General was pleased to name Robert Dunsmuir, John Bryden, James Dunsmuir, Charles Crocker, Charles F. Crocker, Leland Stanford and Collis P. Huntington, and all such other persons and corporations as shall become shareholders in the company, as a body corporate and politic by the name of "The Esquimalt and Nanaimo Railway Company," for the purpose of the construction of the railway between Esquimalt and Nanaimo, British Columbia, in accordance with the provisions of the 8th section of the Act passed at the last Session of the Legislature of British Columbia, intituled: "An Act relating to the Island Railway, the Graving Dock and Railway Lands of the Province."

*Vide Canada Gazette, Vol. XVII, p. 1648.*

Secretary of State

By Order in Council of Tuesday, 5th day of February, 1884, the second part of "The Canada Temperance Act, 1878" was declared to be in force and take effect in the County of Cumberland, Province of Nova Scotia, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said county would expire, provided such day were not less than ninety days from the day of the date thereof,—and if less, then on the like day in the following year.

*Vide Canada Gazette, Vol. XVII, p. 1256.*

## Secretary of State.

Letters Patent of incorporation under the "Joint Stock Companies Act, 1877," have been issued to the following companies, and notice thereof published in the *Canada Gazette* :—

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The Canada Railway News Company, capital \$50,000; on the 2nd day of July, 1883.....	79
The William Hamilton Manufacturing Company, capital \$200,000; on the 24th day of July, 1883.....	189
The Dominion Brick and Terra Cotta Company, capital \$100,000; on the 14th day of July, 1883.....	190
The North America Land Company, capital \$100,000; on the 4th day of August, 1883.....	265
The Dominion Paper Making and Staining Company, capital \$300,000; on the 31st day of July, 1883.....	298
The Northrop and Lyman Company, capital \$100,000; on the 18th day of August, 1883.....	327
The Yarmouth Duck and Yarn Company, capital \$150,000; on the 18th day of August, 1883.....	327
The Gerry Bros. Canadian Stock Breeders and Importers Association, capital \$100,000; on the 6th day of August, 1883.....	357
The Dominion Navigation Company of Toronto, capital \$32,000; on the 31st day of August, 1883.....	388
The Deseronto News Company, capital \$10,000; on the 24th day of September, 1883.....	585
The Ayr American Plough Company, capital \$100,000; on the 17th day of October, 1883.....	651
The Star Button Fastener Company, capital \$50,000; on the 17th day of October, 1883.....	651
The Saskatchewan Coal Mining Company, capital \$500,000; on the 5th day of November, 1883.....	685
The Dominion Combination Parlor and Sleeping Car Company, capital \$10,000; on the 18th day of October, 1883.....	714
The Prairie Printing and Publishing Company, capital, \$20,000; on the 15th day of November, 1883.....	746
The International Coal Company, capital \$300,000; on the 15th day of November, 1883.....	746
The Peterborough Review Printing and Publishing Company, capital \$40,000; on the 29th day of November, 1883.....	865
La Société de Publicité, capital \$10,000; on the 1st day of December, 1883.....	865
The Ames-Holden Company, capital \$40,000; on the 13th day of December, 1883.....	911
The Hamilton Vinegar Works Company, capital \$50,000; on the 14th day of January, 1884.....	1098
The Snowdrift Baking Powder and Grocers' Company, capital \$15,000; on the 21st day of January, 1884.....	1136
The G. T. Smith Middlings Purifier Company, capital \$150,000; on the 5th day of February, 1884.....	1259

*Secretary of State.*

The British American Ranche Company, capital \$200,000; on the 5th day of February, 1884.....	1259
The Canada Rope Serving Machine Company, capital \$18,000; on the 5th day of February, 1884 .....	1301
The Alberta Lumber Company, capital \$500,000; on the 18th day of March, 1884.....	1455
The Woodward Underground Telegraph and Telephone Company, capital \$200,000; on the 3rd day of April, 1884.....	1546
The National Electric and Stereotype Company, capital \$10,000; on the 20th day of March, 1884.....	1546
The Dominion Coal, Coke and Transportation Company, capital \$500,000; on the 18th day of March, 1884.....	1597
The North American Agricultural Implement and General Manufacturing Company, capital \$1,000,000; on the 3rd day of April, 1884.....	1648
The Moosomin Farming and Trading Company, capital \$100,000; on the 24th day of March, 1884.....	1649

## Supplementary Letters Patent were issued to:—

- The Dominion Land Company (Limited); on the 26th day of June, 1883, decreasing the capital stock to \$500,000.
- The Alberta Mining Company (Limited), on the 15th day of November, 1883, increasing the capital stock to \$2,000,000.
- A. Harris, Son & Company (Limited), on the 11th day of January, 1884, increasing the capital stock to \$750,000.
- The Globe Cattle Company (Limited), on the 5th day of February, 1884, increasing the capital stock to \$500,000.
- The Farm and Dairy Utensil Manufacturing Company (Limited), on the 5th day of February, 1884, increasing the capital stock to \$100,000.
- A by-law of the "Montreal Transportation Company," incorporated under an Act of the former Province of Canada, was passed, and published on the 29th March, 1884, increasing its capital stock by \$380,000.





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ACTS  
OF THE  
PARLIAMENT  
OF THE  
DOMINION OF CANADA,

PASSED IN THE  
FORTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA,

AND IN THE  
SECOND SESSION OF THE FIFTH PARLIAMENT,

*Begun and holden at Ottawa, on the seventeenth day of January, and closed  
by Prorogation on the nineteenth day of April, 1884.*



HIS EXCELLENCY  
THE MOST HONORABLE SIR HENRY CHARLES KRITH, MARQUESS OF LANSDOWNE,  
GOVERNOR GENERAL.

---

VOL. I.  
PUBLIC GENERAL ACTS.

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OTTAWA:  
PRINTED BY BROWN CHAMBERLIN,  
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.  
ANNO DOMINI, 1884.





# 47 VICTORIA.

## CHAP. I.

An Act to amend the Act intituled "An Act respecting the Canadian Pacific Railway," and for other purposes.

[Assented to 5th March, 1884.]

**W**HEREAS the Canadian Pacific Railway Company have represented, that although possessed of property and assets, which, if realized, would be sufficient for the completion of the Canadian Pacific Railway within one half of the time contemplated by the contract between the Government and the Company, namely, by the first day of May, one thousand eight hundred and eighty-six, yet that in consequence of the state of the market for railway securities, and of other circumstances beyond their control, and notwithstanding the agreement made with the Government on the seventh day of November last, for securing for ten years from the seventeenth day of August last, a three per centum dividend upon their outstanding stock, they are unable to procure the funds required for proceeding with the work of construction as rapidly as is necessary to complete the railway within the said earlier period, and have applied for certain modifications of the contract of construction and of the said agreement, and for an advance upon the security of their entire railway, branches, equipment and property, in order to assist them in so proceeding with such work; and whereas it is expedient, in furtherance of the early settlement of the North-West Territories and of the completion of transcontinental communication by railway through Canada, that the early completion of the said railway should be ensured: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Government may return to the Company the securities now held under the third section of the Act forty-fourth Victoria, chapter one, intituled "*An Act respecting the Canadian Pacific Railway*," and under the second clause of the construction contract, bearing date the twenty-first day of October, one thousand eight hundred and eighty, as security for the construction of the said railway.

Return of certain securities now held by Government under 44 V., c. 1.

Condition of  
payment of  
money subsidy  
hereafter.

2. The money subsidy hereafter payable to the Company, may be paid as the work on either the central or eastern section of the railway proceeds, in the proportion which the value of the work done on such section, and for which payment is demanded, bears to the value of the whole work now remaining to be done, under the contract, such section.

Time for pay-  
ment of cer-  
tain sums by  
the Company  
under agree-  
ment of 7th  
November,  
1883, extend-  
ed.

3. The time for the payment by the Company of the sum of two million eight hundred and fifty-three thousand nine hundred and twelve dollars, agreed by the said Company to be paid on or before the first day of February, one thousand eight hundred and eighty-four, as part of the fund referred to in their agreement with the Government, of the seventh day of November last, is hereby extended to the seventh day of November, one thousand eight hundred and eighty-eight, when the sum of four million five hundred and twenty-seven thousand dollars being the last instalment of the said fund payable by the Company to the Government, will fall due, the whole with interest payable half yearly at the rate of four per centum per annum as agreed upon at the time of the execution of the said agreement, and the same shall then be paid to the Government, together with the said last mentioned amount, forming together the sum of seven million three hundred and eighty thousand nine hundred and twelve dollars, bearing interest at the said last mentioned rate, until paid; and the said agreement as hereby modified is ratified and confirmed.

Agreement as  
modified con-  
firmed.

Loan to Com-  
pany not ex-  
ceeding  
\$22,500,000  
authorized

4. The Government may, out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada, make a loan to the said Company of an amount in money, not exceeding twenty-two million five hundred thousand dollars, to be repaid to the Government on or before the first day of May, one thousand eight hundred and ninety-one, with interest at the rate of five per centum per annum, payable half yearly, until full payment of the principal; and out of the said loan the Government may advance to the Company forthwith, such amount not exceeding seven million five hundred thousand dollars, as shall be required by the Company to extinguish its present floating debt, the amount and character of the items of such debt to be established to the satisfaction of the Government; and the remainder of the said loan may, if the Government is satisfied that the work of construction is being so proceeded with as to ensure its completion in the month of May, one thousand eight hundred and eighty-six, be paid to the Company as the work of construction proceeds, in the same proportion as that which is hereby provided for the payment of the balance of the money subsidy.

Interest  
thereon.

Advance of  
\$7,500,000.

Conditions of  
payment of  
the remainder.

Security by  
lien and  
charge on the

5. As security for the repayment of the said loan, with interest as aforesaid, and as additional security for the pay-  
ment

ment of the said sum of seven million three hundred and eighty thousand nine hundred and twelve dollars and interest, falling due on the seventh day of November, one thousand eight hundred and eighty-eight, the Government shall have a first lien and charge upon the entire property of the Company, real and personal, now owned or hereafter to be acquired or owned by them, including their main line of railway, the extensions thereof, their branch lines of railway, the whole of their equipment, rolling stock and plant and all their steamers and vessels, and also upon the land grant of the Company, earned and to be hereafter earned; saving always, however, the rights of the holders of the existing mortgages on the extensions of the line of the railway from Callander to Brockville and Montreal, as security for the unpaid balances of the purchase money of the lines constituting the said extensions, and subject to the mortgage upon the land grant, executed by the Company to secure their issue of land grant bonds; and the Government shall continue to hold and retain the entire amount of land grant bonds now in its custody or possession, subject to redemption under the terms of the said land grant mortgage, and with all remedies as to interest, voting power and all other matters in respect thereof, which would be held or possessed, or could be exercised by any purchaser of the said bonds; and all moneys received by the Government from the trustees of the land grant bonds in redemption of such bonds shall be applied as follows, that is to say:—

whole property of the Company; saving existing mortgages on certain extensions of their line of railway.

Government to continue to hold land grant bonds.

Application of proceeds.

1. All moneys so received in respect of ten million dollars of the said bonds shall be applied:—*Firstly*, in extinction of the interest accrued and due upon the said loan, and upon the said sum of seven million three hundred and eighty thousand nine hundred and twelve dollars:—*Secondly*, on account of the capital of the said sum of seven million three hundred and eighty thousand nine hundred and twelve dollars, and—*Thirdly*, on account of the capital of the said loan: And the Government may make such arrangement as it shall deem expedient, for securing the payment to it, after the redemption of the land grant bonds, of the proceeds of all sales of lands granted or to be granted to the Company under the contract, to be applied to the purposes and in the order aforesaid:

As to \$10,000,000.

Firstly.

Secondly.

Thirdly.

As to proceeds of sale of lands after redemption of bonds.

2. And the remaining five million dollars of land grant bonds and money received from the said trustees in redemption thereof, shall continue to be held on the conditions and for the purposes mentioned in the said contract.

Remaining five million on the conditions of the contract.

3. The Government shall cause a deed of agreement to be executed by the Company and on behalf of the Government, providing for such remedies, terms and conditions as the Government shall deem expedient, for securing the application of the said loan to the purposes for which the same is hereby authorized,

Deed of agreement to be made by the Government and the Company for performance

of certain conditions.

authorized, and the repayment of the said loan and the payment of the said sum of seven million three hundred and eighty thousand nine hundred and twelve dollars, the whole with interest (including interest on any interest in default),—for the release of the said lien and charge upon such repayment,—for continuing the sale and realization of the value of the said lands, after the redemption of the land grant bonds,—for the payment to the Government of the proceeds of such sales, and for the discharge of such lands from the said charge upon payment of the price of sale thereof,—such price not to be less than one dollar and twenty-five cents per acre :  
 Provided always, that, among such remedies, terms, and conditions, it shall be agreed and provided :—

Proviso.

Completion of central and eastern sections in May, 1886.

1. That the Company shall complete the central and eastern sections of the railway not later than the month of May, one thousand eight hundred and eighty-six, and shall from month to month, in the meantime, make such progress with the work on both sections, as will satisfy the Government that the agreement in this respect will be fulfilled; and should the Government at any time not be satisfied with the progress being made with the work, and so notify the Company, and if forthwith after such notice, the Company do not put on such additional force and thereafter maintain the same, and also take such other steps to accelerate the progress of the work, as may be sufficient to ensure the completion thereof in the said month of May, one thousand eight hundred and eighty-six, and as shall be satisfactory to the Government, then and in that case, no further advances on account of the loan aforesaid shall be made to the Company; and in that case the total amount up to that time advanced on account of the said loan shall, as additional security for the payment thereof, be a charge against and form a lien upon any cash subsidy then earned and not paid, and on any cash subsidy thereafter earned by the Company; and—

Provision for ensuring satisfactory progress of work.

On default for twelve months of payment of interest or principal as agreed, the whole property of the Company to become vested in Her Majesty and be taken possession of by Minister of Railways and Canals, &c.

2. That upon default for twelve months in the payment of any half-yearly instalment of interest upon the said loan, or any part thereof, or of interest upon the said sum of seven million three hundred and eighty thousand nine hundred and twelve dollars, or any part thereof, or in the payment of the principal of either of the said sums or any part of either of them when the same shall become due, in accordance with the provisions hereof, the right of the Company under their contract hereinbefore mentioned, to demand or receive any further cash or land subsidy shall cease and determine, and the said railway and extensions thereof, branches, equipment, rolling stock, plant, including steamers, and all lands and property of the Company and all land grant bonds then in the possession of the Government shall, upon the occurrence and continuance  
 for

for the said period of twelve months of such default, *ipso facto*, and without any notice or proceeding whatsoever, vest in Her Majesty, and shall forthwith, thereupon, be taken possession of by the Minister of Railways and Canals, on behalf of the Government of Canada; and each and every employee of the Company shall, from and after the expiry of the said period of twelve months, become and be the employee of the Government during pleasure, and shall hold and possess any matter or thing appertaining to the said Company then in his custody, as and for the Government; and the rates of interest, and the terms of payment hereby fixed, shall not be disturbed or altered by the terms of such agreement.

As to employees of Company, &c.

7. The said Company is hereby authorized to execute an agreement of the nature and purport hereinbefore provided for, and to charge its entire property and assets, in manner and form as hereinbefore described; and in such agreement to agree upon such further and other conditions as the Government may prescribe: Provided, that authority to the board of directors of the Company to accept the provisions of this Act and to execute an agreement containing the charges upon the said railway and property and the other conditions required or authorized by this Act, shall be granted by the shareholders of the Company, either by a resolution passed at a special general meeting of such shareholders called for the purpose, by a vote of at least two-thirds in value of such of the shareholders as shall be present or represented at such meeting, or by an instrument or instruments executed by at least two-thirds in value of the whole of the shareholders of the Company, in person or represented by their attorneys or proxies, respectively, duly authorized in that behalf.

Company may execute agreement and charge its property.

Proviso for authority from shareholders.

8. Until the payment in full of the indebtedness of the Company to the Government with interest, all moneys earned and to be earned by the Company as postal subsidy and for transport service shall be retained by the Government and shall be applied first on account of the interest to become due from time to time upon the indebtedness aforesaid hereby authorized, and then to the payment of the principal.

Lien on postal subsidy, &c.; and how applicable.

9. The stock of the Company, amounting to thirty-five million dollars, now in the hands of the Government, shall be held by the Minister of Finance, and may be sold by the Company with the consent of the Government, on condition that the proceeds of such sale, less the amount required to be paid to the Government to secure a half-yearly dividend thereon, at the rate of three per centum per annum, up to the seventeenth day of August, one thousand eight hundred and ninety-three inclusive, shall be applied under the direction of the Government, either to the improvement or extension of the railway or its equipment, or to the repayment of the indebtedness

Unsold stock of Company to be held by Government. Application of proceeds.

When and on what conditions it may be sold.

edness of the Company to the Government; and if at any time the stock of the Company should reach a price which, in the opinion of the Government, would render it expedient to sell the said stock or any part thereof, then and thereupon, on notice being given to the Company by the Government, requiring that the said stock or any part thereof, be sold, and specifying the minimum price at which the same shall be so sold, the Company shall cause the same to be offered for sale, and sold in conformity with such notice; and in default of their doing so, within a reasonable delay (which delay shall be in the discretion of the Government), the Government shall have the right to sell the same or any part thereof at or above such minimum price, and shall apply the proceeds thereof, as it is herein provided such proceeds shall be applied in the event of the sale of such stock by the Company.

No transfer of or charge on property of Company until loan is re-paid.

Nor any issue of stock beyond \$100,000,000.

**10.** So long as the said several sums of money loaned as aforesaid or any part thereof or of the interest thereon remain unpaid, no sale or transfer, nor any mortgage, lien or charge of any description shall be made or created of or upon the railway, property or assets of the Company, or any part thereof; nor shall any stock be issued by the Company, pending such repayment, above or beyond the amount of one hundred million dollars, to which the same is hereby limited :

Provision for negotiation of land grant bonds exclusively on unsold portion of land subsidy, in certain cases and on certain conditions.

2. But if at any time, before default in the payment of any of the said sums of money or interest shall have occurred and shall have been continued twelve months, the Company can negotiate any bonds secured exclusively upon the unsold portion of the land subsidy to such amount per acre as shall be approved by the Government, then with such approval, and with the authority of their shareholders as provided by their charter, and after the cancellation or withdrawal of, or after making full provision to the satisfaction of the Government for the balance of the present Land Grant Mortgage Bonds of the Company, they may make a new issue of Land Grant Bonds to the amount so approved by the Government, secured as described in their charter, which Land Grant Bonds shall be deposited with the Government; and upon making a sale of the whole of the said bonds, or from time to time of any portion thereof, not less than one-third thereof, the Company may notify the Government of such sale, and thereupon and upon payment to the Government of the price of such sale, at a rate satisfactory to the Government, the bonds so sold shall be delivered to the purchaser thereof; and thereupon the bonds so delivered, together with the balance thereof remaining in the hands of the Government, shall constitute a first mortgage and charge upon the unsold portion of the land subsidy to the exclusion of the charge hereby created; and any of the said bonds remaining in the hands of the Government shall have



have the right to rank on the said land subsidy *pari passu* with the portion thereof so sold and delivered; and the Government shall have all the rights and remedies in respect thereof of any holder of any part of the said issue, and on the occurrence and continuance for twelve months of any default as aforesaid, the Government may sell any of such bonds remaining in its possession; and all sums of money realized from the said bonds in any manner whatever shall be applied on account of the indebtedness of the Company to the Government hereinbefore mentioned.

Rights of the Government as holder of bonds.

And application of proceeds.

11. The Canadian Pacific Railway shall not, nor shall any of its branch lines nor any line of railway leased by the Company or under their control, be at any time amalgamated with the Grand Trunk Railway or any of its branch lines or with any branch lines leased by the Grand Trunk Railway Company, or under their control; and such amalgamation, and any arrangement for making a common fund or pooling the earnings or receipts of the said two railways or their or any of their branch lines, or of any railway lines or parts thereof leased by the said companies or either of them or under the control of either of them, shall be absolutely void: this provision, however, shall not extend to traffic or running arrangements made with the assent of the Governor in Council, nor to hinder the acquisition by the Canadian Pacific Railway Company of the railway between Quebec and Montreal, known as the North Shore Railway.

Amalgamation or pooling with Grand Trunk Railway forbidden.

2. The Supreme Court of Canada shall have jurisdiction to enforce the provisions of this section and to prevent, by injunction or otherwise, any infraction thereof, and to punish any breach or disobedience of any order, decree or judgment of the court in this behalf, and for these purposes shall have all the powers both at common law and in equity of a superior court of original jurisdiction.

Supreme Court may enforce this section.

12. So much of the Act and contract hereinabove cited and referred to as is inconsistent with the provisions of this Act, is hereby repealed.

Inconsistent enactments repealed.

## CHAP. 2.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service, for the financial years ending respectively the 30th June, 1884, and the 30th June 1885, and for other purposes relating to the public service.

[Assented to 19th April, 1884.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS it appears by Messages from His Excellency the Most Honorable the Marquess of Lansdowne, Governor General of the Dominion of Canada, and the estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the public service of the Dominion not otherwise provided for, for the financial years ending respectively the thirtieth day of June, one thousand eight hundred and eighty-four, and the thirtieth day of June, one thousand eight hundred and eighty-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 Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that :—

Sum granted  
for 1883-84,  
\$1,762,967.63.

**1.** From and out of the Consolidated Revenue Fund of Canada, there shall and may be paid and applied a sum not exceeding in the whole one million seven hundred and sixty-two thousand nine hundred and sixty-seven dollars and sixty-five cents, towards defraying the several charges and expenses of the public service of the Dominion, from the first day of July, in the year of Our Lord one thousand eight hundred and eighty-three, to the thirtieth day of June, in the year of Our Lord one thousand eight hundred and eighty-four, not otherwise provided for, and set forth in Schedule A to this Act, and also for the other purposes in the said Schedule mentioned.

Sum granted  
for 1884-85,  
\$30,304,459.07

**2.** From and out of the Consolidated Revenue Fund of Canada, there shall and may be paid and applied a sum not exceeding in the whole thirty million three hundred and four thousand four hundred and fifty-nine dollars and seven cents, towards defraying the several charges and expenses of the public service of the Dominion, from the first day of July, in the year of Our Lord one thousand eight hundred and eighty-four, to the thirtieth day of June, in the year of Our Lord, one thousand eight hundred and eighty-five, not otherwise provided for, and set forth in Schedule B to this Act, and also for the other purposes in the said Schedule mentioned.

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. Account to be rendered to Parliament.

4. And whereas there remained on the thirty-first day of December last, unborrowed and negotiable of the loans authorized by Parliament for the several works hereinafter mentioned, and for general purposes, the sums opposite to each, respectively, that is to say :— Declaratory as to certain loans authorized but not raised.

For Intercolonial Railway.....	\$2,433,333	33
For opening communication and administration of the Government in the North-West Territories.....	1,460,000	00
For improvement of the River St. Lawrence.....	2,630,000	00
do do Quebec Harbor.....	1,825,000	00
For the Quebec Graving Dock.....	600,000	00
For the Pacific Railway and Canadian Canals..	4,866,666	66
For general purposes, balance 30th June, 1883 .....	\$18,280,234	27
For Savings Banks withdrawals to 31st December, 1883.....	4,454,600	85
For Dominion Stock redeemed to 31st December, 1883.....	74,731	07
For sterling bonds redeemed to 31st December, 1883.....	1,002,533	34
	23,812,099	53
Deduct : — Domi-		
nion 4 per cent.		
currency bonds		
issued to 31st		
December, 1883 \$	974,000	00
Savings Bank De-		
posits to 31st		
December 1883..	5,912,352	85
Four p. c. Funded		
debt 1883, Cana-		
dian Pacific Rail-		
way Guarantee,	\$16,091,152.	00,
less Canadian		
Pacific Railway		
advance, \$7,380,-		
912.00.....	8,710,240	00
	\$15,596,592	85
	8,215,506	68
	\$22,080,506	67

Therefore

Such loans  
may be raised  
under 35 V.,  
c. 6, as  
amended by  
38 V., c. 4.

Application  
of sums so  
raised.

Therefore it is declared and enacted, that the Governor in Council may authorize the raising of the several sums above mentioned, as they may be required for the purposes aforesaid, respectively, under the provisions of the Act passed in the thirty-fifth year of Her Majesty's reign, intituled "*An Act respecting the Public Debt, and the raising of Loans authorized by Parliament*," as amended by the Act passed in the thirty-eighth year of Her Majesty's reign, intituled "*An Act to amend the Act respecting the Public Debt, and the raising of Loans authorized by Parliament*"; and the sums so raised shall form part of the Consolidated Revenue Fund of Canada, out of which like sums shall be applicable to the several purposes aforesaid, under the Acts and provisions thereunto relating respectively.

SCHEDULE

## SCHEDULE A.

SUMS granted to Her Majesty by this Act for the Financial Year ending 30th June, 1884, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
<b>CIVIL GOVERNMENT.</b>		
	\$ cts.	\$ cts.
Privy Council—For allowance to Private Secretary.....	\$600 00	
To pay L. J. Burpee, extra remuneration for special work authorized by Mr. Himsworth, Clerk of the Council, from June, 1878, to March, 1882 .....	200 00	
		800 00
Department of Militia and Defence—To pay the following Clerks additional to their present salary :—		
E. P. Aldrich.....	\$250 00	
E. B. Holt .....	50 00	
		300 00
Inland Revenue Department—To provide for the following payments :—		
To E. Chateauvert, for performing the duties of J. A. Doyon, during the latter's illness, \$313.42 ;—for performing other duties, \$97 .....	\$410 42	
To pay Extra Clerks in connection with operations of License Law .....	600 00	
		1,010 42
Department of the Interior—To pay to Mr. Andrew Russell, Chief Clerk, amount of annual statutory increments, not paid to him from the 1st April, 1879, to 1st January, 1883 .....	\$600 00	
Further amount required for Departmental contingencies..	10,000 00	
		10,800 00
Department of Railways and Canals—To pay F. A. Dixon the difference between the salary now payable to him under an Order in Council, dated 30th June, 1881, appointing him a First-Class Clerk from 1st January, 1881, \$1,275, and the minimum salary allowed to a First-Class Clerk, under the new Act .....		125 00
Department of Indian Affairs—To increase the salary of Henry Brooke, Book-keeper, from \$650 to \$800 a year, from 1st January, 1884 .....		75 00
To pay to the undermentioned Clerks the amounts granted under the provisions of an Order in Council of the 15th February last, being \$50 for each and every optional subject passed by them at the examination of the Civil Service Board, viz :—		
Privy Council—		
L. H. Chute .....	\$150 00	
Post Office Department—		
E. F. Taylor .....	50 00	
H. P. W. Chesley .....	100 00	
E. F. Jarvis .....	100 00	
A. Geddes .....	50 00	
W. C. E. Stewart .....	50 00	
F. E. S. Groul .....	100 00	
		600 00
Carried forward.....		13,510 42

## SCHEDULE A—Continued.

SERVICE	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	13,510 42	.....
<b>CIVIL GOVERNMENT—Concluded.</b>		
High Commissioner for Canada in England—To provide for the removal expenses of the High Commissioner from Canada to England and return .....	836 00	
Board of Civil Service Examiners—To provide for the payment of the expenses of the Board of Civil Service Examiners.....	3,909 10	
Department of Agriculture—For allowance for Secretary of Department for performing the duties of Deputy Head, absent through illness, as provided in Section 11, Canada Civil Service Act, 1882, from 1st July, 1883, to 30th June, 1884.....	\$700 00	
For difference of salary between \$1,300 and \$1,400, voted in Estimates of 1883-84 for Mr. J. F. Dionne, as First-Class Clerk in Patent Branch of the Department of Agriculture, for "special responsibility of duties and special technical qualifications" .....	100 00	
For difference of salary between \$700 and \$1,200, voted in Estimates of 1883-84, for Mr. T. McCabe, a Second-Class Clerk in the Patent Branch of the Department of Agriculture, for "special and scientific attainments as Model Examiner" .....	500 00	
	1,300 00	
<b>DOMINION POLICE.</b>		
Further amount required to meet the expenditure of the year.....		19,555 52
		4,000 00
<b>PENITENTIARIES.</b>		
To meet sundry payments in connection with the British Columbia Penitentiary, to 30th June, 1883.....	1,948 44	
Amount required to meet expenditure of Manitoba Penitentiary.....	6,500 00	
		8,448 44
<b>LEGISLATION.</b>		
<b>HOUSE OF COMMONS.</b>		
To cover expenditure for additional stationery.....	5,000 00	
To cover expenditure for French translation during recess.....	1,000 00	
To cover amount necessary to complete the publication of the Debates of the Session of 1884, under increased expenditure authorized by House last Session.....	16,000 00	
To meet additional expenses of witnesses, shorthand reporters, &c., in connection with Select Committees.....	1,000 00	
To meet additional expenditure in connection with the Sessional Messengers.....	2,000 00	
Printing, printing paper and binding .....	20,000 00	
To cover extra claims of certain Returning Officers at the last general elections.....	2,000 00	
To F. S. Bastien, to reimburse him for candidate's nomination deposit returned to candidate.....	200 00	
To pay Hon. Mr. Vail, \$232, and Mr. Robertson (Hastings), \$256, balance due them on account of Sessional Indemnity, 1882-83, and to Mr. Colby the amount which will otherwise be deducted from his allowance, on account of his absence during the present Session, \$192.....	620 00	
	47,880 00	
Carried forward.....		32,003 96

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward.....	\$ cts. 47,880 00	\$ cts. 32,003 96
LEGISLATION—Concluded.		
SENATE.		
To pay the legal representatives of the late Hon. Mr. Bourinot, \$960, balance of Sessional Indemnity, and to Hon. Mr. Nelson, \$88, which will otherwise be deducted on account of his absence this Session.....	1,048 00	
MISCELLANEOUS.		
To pay the accounts of Beauchemin & Valois \$300 for works partly for Library exchanges, and Wilson & Lamb \$80 for works wholly for the use of the Government, being copies of publications authorized by Order in Council of 16th November, 1882.....	380 00	
To purchase 400 copies of the new edition of the Dominion Annual Register and Review, at the rate of \$3 per copy, for the use of the members of the Senate and of the House of Commons, and for Library exchanges.....	1,200 00	
To pay for the purchase of 25 copies of the following works:— Sulte's "Histoire des Canadiens Français," at \$32..... \$800 00 "Biography of Sir Charles Tupper," by Thibault, at 75cts..... 18 75 "Insects injurious to Fruits," by Saunders, at \$3..... 75 00 Larocque's "Manuel d'Horticulture pratique et d'Arboriculture fruitière," at 50cts..... 12 50		
Sum required to cover the amount in excess of that authorized by Order in Council of 4th June, 1883, for the purchase from M. A. Desjardins of ten copies of "Débats de la Législature de Québec," for the year 1883, the work being valued at \$8 instead of \$6, as authorized.....	30 00	
	936 25	51,444 25
ARTS, AGRICULTURE AND STATISTICS.		
To meet expenses of Archive Service.....		800 00
QUARANTINE.		
To pay balance of account, \$6,403.20, certified in accordance with the Order in Council, dated 8th April, 1880 (less \$1,491.38, due for purchase of the site and hospital), to the Winnipeg General Hospital, for patients admitted from the 1st April to the 30th November, 1883.....		4,911 82
PENSIONS.		
For payment to Mrs. Edward Duckett, the amount short paid to her late husband, on account of superannuation (voted in 46 Victoria, chapter 2, and not paid).....		1,200 00
Carried forward.....		90,360 03

SCHEDULE

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		90,360 03
<b>MILITIA.</b>		
Clothing.....	16,000 00	
Contingencies of Militia Service.....	3,000 00	
To provide for pay of extra Militia Force in Manitoba, authorized to Drill.....	2,500 00	
Public Armories and care of Arms.....	9,544 00	
		31,044 00
<b>RAILWAYS.</b>		
(Chargeable to Capital.)		
<i>Intercolonial Railway—Halifax Extension</i> .....	\$ 27,000 00	
Increased accommodation at St. John.....	20,000 00	
Dalhousie Branch.....	33,000 00	
Rivière du Loup Town Branch.....	19,000 00	
Repairs and improvements, Rivière du Loup Branch.....	500 00	
St. Charles Branch.....	230,000 00	
Construction Account.....	10,000 00	
To pay legal expenses in the matter of the Halifax Street Railway Company vs. The Queen.....	906 59	
To pay Fabien Rochette for land taken.....	1,702 66	
To pay Alexander MacDonell & Co., contractors for Section 5, the amount due them for work done, as recommended by the Commissioners appointed to inquire into claims arising out of the construction of the Intercolonial Railway.....	47,005 98	
To pay James Falconer, of Newcastle, N.B., for land damages.....	677 85	
To pay William Ferguson, of Moncton, N.B., purchase money of land, and interest thereon.....	2,800 00	
		392,593 08
<i>Prince Edward Island Railway—Rolling Stock</i> .....		9,916 46
<i>Canadian Pacific Railway—Subsidy for Railway and Highway Bridge over Red River at Emerson (revote)</i> .....	\$20,500 00	
Salaries and expenses of inspecting engineers; land, and other unsettled accounts.....	9,000 00	
To pay Thomas Temple, for the use of the Temple & Miller Patent Flanger, on the Canadian Pacific Railway, during the winter of 1880-81.....	300 00	
To pay T. Lusted for two horse toboggans supplied in 1879, in connection with the Fort Frances Canal.....	16 00	
To settle the claims of Messrs. Smith & Ripley for work on the Georgian Bay Branch.....	83,000 00	
To settle the claims of Messrs. Sifton & Ward, contractors, between Red River and Cross Lake.....	17,400 00	
		130,216 00
		532,725 54
<b>CANALS.</b>		
(Chargeable to Capital.)		
<b>ST. PETER'S.</b>		
To pay H. F. Perley, C.E., for four years' services, to 31st December, 1883, enlargement of the St. Peter's Canal.....	1,000 00	
Carried forward.....	1,000 00	654,129 57

SCHEDULE



SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward .....	\$ cts. 1,000 00	\$ cts. 654,129 57
<b>CANALS—Concluded.</b> (Chargeable to Capital.)		
WELLAND.		
To meet payment of the balance of unpaid laborers' wages and board accounts <i>in re</i> J. V. Browne & Co.'s abandoned contract .....	2,436 08	
CARILLON CANAL.		
To pay John Page, Chief Engineer of Canals, for services as sole Arbitrator in the case of R. P. Cooke & Co., \$535, and in the case of F. B. McNamee & Co., \$635 .....	1,170 00	
WILLIAMSBURG—RAPIDE PLAT DIVISION.		
Compensation to Mrs. Clara S. Holden, Executrix to the estate of the late Mr. James Holden, for a storehouse and rent of same .....	660 00	
LACHINE.		
To pay John Page, Chief Engineer of Canals, for services as sole Arbitrator in the case of Messrs Williamson, Rodgers & Farrell, contractors for Section 9 .....	575 00	5,841 08
CANALS.		
(Chargeable to Income.)		
WELLAND.		
To purchase a steam pump .....	\$ 5,000 00	
Services of Watchmen on Canal .....	7,000 00	
To pay for the damages to the cargo and hull of the schooner "St. Andrews" .....	16,555 95	
To pay for damages to the cargo of the "Jennie Graham." .....	19,624 74	48,180 69
BEAUHARNOIS.		
To pay L. W. Marchand, Advocate, for professional services rendered in 1857-58-59, in connection with the settlement of the claims arising out of the construction of dams at head of Beauharnois Canal .....	1,207 00	
RIDEAU CANAL.		
To pay land damages between Lower Brewers and Kingston Mills .....	826 00	50,213 69
Carried forward .....		710,184 34

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....		710,184 34
<b>PUBLIC WORKS.</b>		
<i>(Chargeable to Capital.)</i>		
<b>PUBLIC BUILDINGS.</b>		
<i>Ottawa</i> —Additional compensation to Mr. Calvert Vaux, for the plans submitted by him for the embellishment and arrangement of the Parliament Grounds, Ottawa (revote of lapsed amount).....		500 00
<b>PUBLIC WORKS.</b>		
<i>(Chargeable to Income.)</i>		
<b>PUBLIC BUILDINGS.</b>		
<i>Quebec</i> —Montreal Drill Shed.....	\$ 16,000 00	
St. Vincent de Paul Penitentiary.....	2,900 00	
Quebec Fortifications—To pay H. J. Beemer in full and final settlement of all claims in connection with his contracts for Kent and St. Louis Gates.....	5,000 00	
		23,900 00
<i>Ontario</i> —Stratford Post Office, Custom House, &c.....	1,000 00	
Clifton Post Office, &c.....	5,000 00	
Port Hope Post Office, &c.....	5,000 00	
Gananoque Custom House, &c.....	4,000 00	
Lighting a portion of the Parliament Buildings by electricity.....	7,400 00	
New pump and connections for water works, Public Buildings, Ottawa.....	1,600 00	
London Post Office—Fittings and furniture.....	1,600 00	
		25,600 00
<i>Port Arthur</i> —Immigrant Shed.....		7,500 00
<i>Manitoba</i> —Lieutenant-Governor's residence and stables, Winnipeg.....	5,000 00	
New Parliament Buildings, Winnipeg.....	100,000 00	
		105,000 00
<b>REPAIRS, FURNITURE, HEATING, &amp;c.</b>		
Parliament House, Ottawa—Works in connection with experiments for lighting the House of Commons and Senate by electricity; furniture, fittings, &c.....	\$16,800 00	
Departmental Buildings, Ottawa—Western Block—Temporary offices in court-yard for use of Post Office Department.....	1,805 00	
Ottawa Geological Museum—Fittings, repairs, &c.....	1,000 00	
Ottawa Post Office—Repairs and improvements.....	1,550 00	
Removal of Snow—Public Buildings, Ottawa.....	800 00	
Victoria, B.C., Post Office—Furniture and fittings.....	2,800 00	
Ottawa Drill Shed—Making good damage by storm of 12th November, 1883.....	130 00	
Victoria Chambers, Ottawa—Rooms occupied by Technical Branch, Department of Interior—Rent and improvements.....	1,300 00	
		26,185 00
Carried forward.....	188,185 00	710,684 34

SCHEDULE

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward .....	\$ cts. 188,185 00	\$ cts. 710,684 34
<b>PUBLIC WORKS—Concluded.</b>		
<i>(Chargeable to Income.)</i>		
<b>HARBORS AND RIVERS.</b>		
<i>Prince Edward Island</i> —Payment to the Government of Prince Edward Island, in settlement of their claims for the construction and maintenance of certain wharves and piers on the said Island.....	\$53,222 19	
Rustico Harbor—(Revote of lapsed amount).....	3,000 00	
	<u>56,222 19</u>	
<i>Quebec</i> —Three Rivers—(Revote of lapsed amount)....	\$2,330 88	
St. Jean Port Joli do do	\$783 14	
do (additional amount required)...	133 39	
	<u>916 53</u>	
Cap à l'Aigle.....	345 00	
	<u>3,592 41</u>	
<i>Ontario</i> —Toronto Harbor.....	40,000 00	
<i>Manitoba</i> —Compensation to A. Tait for the loss of the steam scow "Adelaide," leased by him to the Government for use in connection with works of improvement carried out on the River Assiniboine...	3,000 00	
<b>DREDGING.</b>		
Dredging—Maritime Provinces.....	8,000 00	
<b>TELEGRAPHS.</b>		
Telegraph service generally.....	316 33	
<b>MISCELLANEOUS.</b>		
<i>Infantry School Buildings, &amp;c., at Toronto, St. John's, P.Q., and Fredericton</i> .....	\$44,000 00	
House and furniture for High Commissioner for Canada, London, England.....	42,000 00	
	<u>86,000 00</u>	
		<u>385,315 93</u>
<b>LIGHTHOUSE AND COAST SERVICE.</b>		
Further to provide for the maintenance of Lights, Buoys, Beacons, &c. To provide for the payment to the Harbor Commissioners of Montreal, of the annual cost of maintaining the Buoys and Beacons in Montreal Harbor .....	5,000 00	
	7,000 00	
		<u>12,000 00</u>
<b>OCEAN AND RIVER SERVICE.</b>		
Further to provide for the Montreal and Quebec Water Police.....		3,500 00
Carried forward.....		<u>1,111,500 27</u>

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward .....	\$ cts.	\$ cts. 1,111,500 27
<b>FISHERIES.</b>		
To pay for services performed by persons in the Customs and Marine and Fisheries Departments and other expenses in connection with the distribution of the Fishing Bounty. ....	4,000 00	
Further to provide for balance of expenses in connection with the International Fisheries Exhibition, the return of Specimens, and to pay Messrs. Samuel Wilmot, W. H. Venning, W. H. Rogers, J. H. Duvar, J. U. Gregory, and A. C. Anderson, for services in collecting and mounting Specimens.....	7,500 00	11,500 00
<b>INDIANS.</b>		
<i>Indian Fund.</i>		
To supplement the grant in aid of and to enable the Department to carry out the undermentioned improvements to the Mount Egin Industrial Institution, at Munceytown—		
Erection of new school room, bath and recreation room .....	\$700 00	
Roofing barn .....	300 00	
Windmill, pump and tank .....	200 00	
	1,200 00	
<i>Manitoba and North-West.</i>		
To enable the Department to aid in the erection of grist mills—		
At Battleford, Treaty No 6 .....	\$1,500 00	
At Fort Pitt do .....	1,500 00	
At Carlton do .....	1,500 00	
In Treaty No. 7 .....	2,000 00	
To purchase hogs for Indians of Treaty No. 6, in accordance with Treaty stipulations .....	1,000 00	
	7,500 00	
<i>British Columbia.</i>		
To enable the Department to rebuild Indian houses in the village of Kemisquit, on the west coast of Vancouver Island; the houses belonging to the natives having been destroyed during the bombardment of the village by H.M.S. "Rocket," which had visited the village for the purpose of obtaining two Indian witnesses in the matter of the steamer "G. S. Wright," which had been wrecked, and the crew of which was supposed to have been murdered by the Indians .....	1,200 00	9,900 00
<b>NORTH-WEST MOUNTED POLICE.</b>		
To complete the service of the year .....		70,000 00
Carried forward .....		1,202,900 27

SCHEDULE

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....		1,202,900 27
<b>MISCELLANEOUS.</b>		
Miscellaneous printing .....	10,000 00	
To provide for the payment of the engrossing and illuminating of the Address of the Senate and House of Commons, to His Excellency the late Governor General. ....	100 00	
Gratuity of two months' salary to be paid to the family of the late George E. McLaughlin, Engineer in charge of works, in the Maritime Provinces .....	333 33	
Gratuity to be paid to the widow of the late J. D. Lowden, Keeper of the Pictou Lighthouse, whose death was caused by disease contracted in consequence of exposure on the night of the 30th March, 1882, when an attempt was made by one Keating to murder the Keeper and his family and destroy the light. ....	500 00	
To provide for the payment of gratuities to the families of the following persons lost on the steamer "Princess Louise":—		
Lieut. D. M. Browne .....	\$1,200 00	
Alfred Hiltz .....	300 00	
John McKenzie .....	300 00	
Jacob Singer .....	300 00	
Arthur Hood .....	200 00	
	2,300 00	
To defray the burial and other expenses of persons lost on board the steamer "Princess Louise" .....	775 00	
To meet outstanding claims in connection with the International Fishery Exhibition .....	5,000 00	
To pay James Barry for preparing Tables of Imports and Exports of Fish .....	28 00	
To provide for the purchase and maintenance of a steamer, and other expenses in connection with survey of Georgian Bay .....	22,000 00	
To provide for the publication of the proceedings of the Royal Society .....	5,000 00	
To pay the account of the Honorable Boucher de la Bruère, publisher and proprietor of <i>Le Courrier de St. Hyacinthe</i> , for the printing of and the type for the Civil Service lists in French and English .....	7,688 74	
To pay one-half the expenses of publishing another volume of cases decided on the B.N.A. Act, 1867, collected and edited by J. R. Cartwright, \$600; to pay balance due on account of expense of publishing previous volumes, \$93.50; and for binding 45 copies of the same, \$136.25 .....	829 75	
For gratuity of two months' salary to the children of the late Hon. James Cockburn, Commissioner for the Consolidation of Dominion Statutes .....	666 66	
For the erection of Mounted Police Barracks .....	70,000 00	
For the purchase of new type for printing the Report of the Commissioners and for printing the Consolidated Statutes .....	11,000 00	
Payment to the Hon. Oliver Mowat for services rendered in connection with the Northern Railway Commission, 1876-77 .....	820 00	
To pay W. R. Allan in lieu of board and accommodation in the Rockwood Asylum, from May, 1867, to July, 1874 .....	1,000 00	
Rental allowance to H. Richardson, Stipendiary Magistrate, in lieu of the free quarters occupied by him at the late Seat of Government.	500 00	
To pay legal and other expenses in connection with the Boundary question .....	5,000 00	
Carried forward .....	143,541 48	1,202,900 27

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward .....	\$ cts. 143,541 48	\$ cts. 1,202,900 27
<b>MISCELLANEOUS—Concluded.</b>		
To pay Mr. Justice Gray \$275 (part of \$300) and interest thereon at 5 per cent. per annum, from the 22nd October, 1874, to the 22nd February, 1884, being for services rendered as arbitrator in a case between the Immigration Department and the British Columbia Government, in 1873, "Prince Alfred Quarantine Claims," which was charged to Quarantine in the Public Accounts, 1874-75, Part ii, page 128, but was placed towards the removal expenses of Mr. Justice Gray, and not paid to him .....	405 63	
To provide the expenses of an Expedition (by water) to Hudson's Bay, to test the practicability of the route for commercial purposes .....	30,000 00	
To meet payments to Extra Clerks for services rendered in preparation of returns ordered by Parliament.....	5,000 00	178,947 11
<b>COLLECTION OF REVENUES.</b>		
<b>RAILWAYS.</b>		
<i>Intercolonial Railway</i> —To pay to Mrs. E. C. Ennis, as indemnity for all damages consequent upon an accident which occurred on the 4th February, 1878, and whereby Mr. E. C. Ennis was injured.....	\$ 400 00	
<i>Prince Edward Island Railway</i> —Compensation for injuries received by various persons through an accident which occurred in August, 1880.....	23,250 00	
	23,650 00	
<b>CANALS.</b>		
<i>Repairs and Working Expenses.</i>		
Lachine.....	\$ 2,264 00	
Cornwall.....	3,212 50	
Welland .....	20,820 00	
Rideau .....	2,850 00	
Dredge Vessels .....	1,875 00	
Burlington Bay .....	200 00	
	31,221 50	
<b>PUBLIC WORKS.</b>		
<i>Maintenance and Repairs.</i>		
Telegraph lines and signal service generally (revote of lapsed balance) .....	\$ 7,031 04	
Retaining boom and piers, Grand Piles, River St. Maurice. ....	2,000 00	
	9,031 04	
<b>CUSTOMS.</b>		
To provide amount required to complete the Service.....	25,860 00	
<b>EXCISE.</b>		
Additional amount required to provide stamps for stamping imported and home manufactured tobacco, and for other expenditure in connection with the securing of the duty on tobacco .....	\$ 13,000 00	
Carried forward.....	13,000 00	89,762 54 1,381,847 38

SCHEDULE

SCHEDULE A—Concluded.

SERVICE.	Amount.	Total.
Brought forward.....	\$13,000 00	
	\$ cts. 89,762 54	\$ cts. 1,381,847 38
<b>COLLECTION OF REVENUES—Concluded.</b>		
<b>EXCISE—Concluded.</b>		
To refund to W. G. Reid, of Reid, Goring & Co., Hamilton, the amount paid by him as one of L. D. Bireley's sureties, whose property was seized for infraction of the Inland Revenue Act.....	\$3,000 00	
	16,000 00	
<b>CULLING TIMBER.</b>		
To pay Jas. Patton amount of salary withheld from him for the month of July, 1882, he having been appointed to office as Supervisor of Cullers on the 30th June, but not having assumed office until a month later. This, he explains, was owing to his supposition that he had to await instalment, and meantime he had relinquished his former employment .....		166 66
<b>WEIGHTS AND MEASURES.</b>		
To pay E. Miall, as Commissioner of Standards, under authority of the Weights and Measures Act, from 1st January, to 30th June, 1883.....		400 00
<b>LIQUOR LICENSE ACT.</b>		
To pay for the License and other forms required under the Act 46 Victoria, Chapter 30, and for the necessary expenditure of putting the Act into operation .....		10,000 00
<b>POST OFFICE DEPARTMENT.</b>		
Amount required to cover the expenditure of the year.....	58,500 00	174,829 20
<b>DOMINION LANDS.</b>		
<i>(Chargeable to Capital.)</i>		
To provide for further amount required for surveys.....	50,000 00	
To provide for the payment of Permanent Officers of the Civil Service, for the examination of Surveyors' plans and field notes of surveys of Dominion Lands.....	2,000 00	52,000 00
<b>DOMINION LANDS.</b>		
<i>(Chargeable to Income.)</i>		
To provide for expenses in connection with settlement of land claims at Prince Albert, Battleford, Edmonton, &c.....		5,000 00
<b>UNPROVIDED ITEMS OF 1882-83.</b>		
Unprovided items of 1882-83 ( <i>vide</i> Auditor-General's Report of 1882-83, page 44).....		149,291 07
<b>Total.....</b>		<b>1,762,967 65</b>

## SCHEDULE B.

SUMS granted to Her Majesty by this Act, for the Financial Year ending 30th June 1885, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
<b>CHARGES OF MANAGEMENT.</b>		
	\$ cts.	\$ cts.
Financial Inspector .....	2,600 00	
Office of Assistant Receiver-General, Toronto.....	7,600 00	
do do Montreal.....	5,500 00	
Auditor and do Halifax.....	11,000 00	
do do St. John.....	10,500 00	
do do Winnipeg.....	5,700 00	
do do do Board Allowance.....	900 00	
do do Victoria.....	8,200 00	
do do Charlottetown.....	4,900 00	
Country Savings Banks—New Brunswick, Nova Scotia and British Columbia.....	15,500 00	
For increases to salaries of Savings Bank Agents, and establishment of new offices.....	2,000 00	
Commission on payments of \$4,792,571.21, interest on debt.....	23,962 85	
Commission and brokerage on \$248,413.07, Consolidated Canadian Loan Sinking Fund.....	1,242 06	
Brokerage on \$286,030.27, Intercolonial Sinking Fund.....	715 07	
Brokerage on \$28,509.25, Rupert's Land Loan Sinking Fund.....	71 27	
Brokerage on \$16,899.14, British Columbia Loan Sinking Fund.....	42 22	
Brokerage on \$617,936.83, Sinking Fund Loans of 1874, 1875, 1876, 1878 and 1879.....	3,089 69	
English Bill Stamps, postages and telegrams.....	7,000 00	
Expenses in connection with the issue and redemption of Dominion Notes, including 1 extra Clerk.....	7,000 00	
Printing, advertising, inspection, express and miscellaneous charges, &c., including commutation of Stamp Duty and contingencies of Country Savings Banks.....	15,060 00	
Printing Dominion Notes.....	35,000 00	
To cover expenses, including rent, in connection with the Assistant Receiver-General's Office at Halifax.....	1,600 00	
		169,123 15
<b>CIVIL GOVERNMENT.</b>		
The Governor-General's Secretary's Office.....	9,710 00	
The Office of the Queen's Privy Council for Canada.....	18,847 50	
The Department of Justice.....	16,950 00	
do do Penitentiaries Branch.....	5,200 00	
do Militia.....	41,360 00	
do Secretary of State.....	43,230 00	
do Interior.....	107,034 00	
do Indian Affairs.....	32,310 00	
The Office of the Auditor-General.....	18,925 00	
The Department of Finance and Treasury Board.....	57,162 50	
do Inland Revenue.....	34,212 50	
do Customs.....	35,430 00	
do Postmaster-General.....	147,330 00	
do Agriculture.....	44,695 00	
do Marine and Fisheries.....	36,142 50	
do Public Works.....	42,790 00	
do Railways and Canals.....	45,227 50	
Carried forward.....	736,566 50	169,123 15

SCHEDULE



## SCHEDULE B--Continued.

Service.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	736,556 50	169,123 15
<b>CIVIL GOVERNMENT—Continued.</b>		
Departmental Contingencies.....	171,950 00	
Stationery office, for stationery .....	10,000 00	
To meet the possible amount required for new appointments by an extension of the Staff or by any other change .....	5,000 00	
Amount required to provide for contingent expenses of the High Commissioner for Canada in London, and to provide £100 for the salary of the Secretary, hitherto charged to unforeseen expenses...	4,500 00	
Post Office and Finance Departments—Contingencies—Amount required to make payment to those officers of the Savings Bank Branch, Post Office and Finance Departments, engaged in balancing and computing interest in Depositors' Accounts to 30th June, 1884:—		
Post Office Department .....	\$1,350 00	
Finance .....	1,000 00	
	2,350 00	
Amount required for salaries of Board of Examiners, and other expenses in connection with the Civil Service Act .....	4,750 00	
Department of the Interior—Further amount required for Departmental Printing .....	\$10,000 00	
Additional amount required for the Caretaker of the Geological Museum.....	50 00	
	10,050 00	
Department of Indian Affairs—To provide for the statutory annual increase of salary to four recently appointed Probationary Third Class Clerks.....	\$200 00	
To provide for the salary of a Clerk to be appointed.....	400 00	
	600 00	
Inland Revenue Department—To provide for increase and promotions (subject to the Civil Service Act as to promotion examination) under new theoretical organization, which, though estimated for 1883-84, has not yet been carried into effect. The Estimates for 1884-85 have been based upon actual pay-list, irrespective of such organization:—		
C. R. Hall, promotion to 1st Class.....	\$250 00	
N. Stewart, promotion, 3rd to 2nd.....	100 00	
W. Himsworth, as Chief Clerk of Correspondence	175 00	
John Byrne.....	100 00	
	625 00	
Department of the Secretary of State—Amount required to provide for the statutory increase, omitted in main Estimates, to the undermentioned Clerks and Messenger, from 1st April to 30th June, 1885:—		
A. O. Mousseau .....	\$12 50	
G. Andrews.....	12 50	
A. Elie .....	7 50	
	32 50	
Department of Marine and Fisheries—To provide for new appointments and other expenses in connection with the new proposed division of this Department.....	4,000 00	
Department of Railways and Canals—To pay F. A. Dixon, 1st Class Clerk, amount by which his salary was increased, as shown by the Supplementary Estimates of 1883-84. ....	125 00	
Post Office Department—To provide for the salary of one 1st Class Clerk.....	1,400 00	
Carried forward.....	951,939 00	169,123 15

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	951,939 00	169,123 15
<b>CIVIL GOVERNMENT—Continued.</b>		
To pay to the undermentioned Clerks the amounts granted under the provisions of an Order in Council of the 15th February last, being \$50.00 for each and every optional subject passed by them at the examination of the Civil Service Board, viz.:		
Privy Council—L. H. Chute.....	\$25 00	
Post Office Department—E. F. Taylor.....	50 00	
H. P. W. Chesley.....	100 00	
E. F. Jarvis.....	100 00	
A. Geddes.....	50 00	
W. C. E. Stewart.....	50 00	
F. E. S. Grout.....	100 00	
	475 00	952,414 00
<b>ADMINISTRATION OF JUSTICE.</b>		
Miscellaneous Justice, including North-West Territories.....	15,000 00	
Travelling expenses of Stipendiary Magistrates in the North-West Territories.....	3,000 00	
Circuit Allowances, British Columbia.....	6,000 00	
Travelling allowances, Supreme and County Court Judges, Manitoba.	2,500 00	
Précis Writer of the Supreme Court of Canada and the Exchequer Court.....	2,000 00	
Clerk in the office of the Registrar of the Supreme Court of Canada and the Exchequer Court.....	850 00	
Second Clerk in the office of the Registrar of the Supreme Court of Canada and the Exchequer Court.....	650 00	
Senior Messenger of the Supreme Court of Canada and the Exchequer Court.....	500 00	
Second Messenger of the Supreme Court of Canada and the Exchequer Court.....	450 00	
Third Messenger of the Supreme Court of Canada and the Exchequer Court.....	310 00	
Contingencies and disbursements, Judges' travelling expenses; also salaries of officers (Sheriff, Registrar as Editor, Usher, &c.), in the Supreme and Exchequer Courts of Canada, and \$150 for books for Judges.....	5,000 00	
Printing, binding and distributing the Supreme Court Reports.....	2,000 00	
Sundry disbursements connected with the Maritime Court of Ontario, Judges' travelling expenses, &c.....	100 00	
Salary of Registrar of Vice-Admiralty Court, Quebec.....	666 66	
Salary of Marshal of Vice-Admiralty Court, Quebec.....	333 34	
For the purchase of Law Reports and Text Books for the Supreme Court Library.....	1,500 00	
To pay G. Duval, Précis Writer of the Supreme Court, statutory increase of salary for 1883-84, \$50; and for 1884-85, \$100.....	150 00	
		41,010 00
<b>POLICE.</b>		
Dominion Police.....		15,000 00
Carried forward.....		1,177,547 15

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....		1,177,547 13
PENITENTIARIES.		
Kingston.....	98,620 17	
St. Vincent de Paul.....	80,768 48	
Dorchester.....	44,962 00	
Manitoba.....	44,874 26	
British Columbia.....	29,569 29	
		298,794 20
LEGISLATION.		
SENATE.		
Salaries and Contingent Expenses of the Senate.....	56,038 00	
To provide for increase of salary of the Law Clerk, Master of Chancery, Clerk of Committees, and English Translator.....	\$200 00	
Second Clerk Assistant, Master in Chancery, and Chief French Translator.....	300 00	
First French Translator and Clerk.....	300 00	
Clerk of French Journals and Assistant Sergeant-at-Arms	200 00	
Assistant Accountant and Junior Clerk.....	50 00	
Junior Clerk.....	50 00	
Bank Messenger.....	50 00	
	1,150 00	
Less—Reduction of salaries:—		
Assistant Accountant, \$400; Assistant Clerk of Private Bills and Clerk, \$200.....	\$600 00	
	550 00	
To provide for salary of one Messenger, unprovided for in main Estimate.....	60 00	
Postage and carriage of Mails, unprovided for in main Estimate.....	100 00	
HOUSE OF COMMONS.		
Salaries, per Clerk's Estimate.....	61,000 00	
Expenses of Committees, Extra Sessional Clerks, &c. ....	12,800 00	
Contingencies .....	20,500 00	
Publishing Debates .....	20,000 00	
Salaries and Contingencies, per Sergeant-at-Arms' Estimate.....	28,482 50	
To provide for payment of the deductions from the Sessional Indemnity of Mr. M. Catudal.....	112 00	
To provide for the increase of salary of ten clerks, viz.: one, \$200; eight, \$100 each; one, \$50.....	1,050 00	
To provide for the salary of an Assistant Clerk of Stationery and Assistant Proof-reader.....	600 00	
To provide for the difference of salary of one Junior Clerk at \$1,000, 1883-84, and two Junior Clerks, 1884-85; one at \$800 and one at \$600.....	400 00	
To provide for the increase of two permanent Sessional Clerks, at \$100 each .....	200 00	
To cover additional amount required for stationery .....	2,500 00	
Carried forward .....	204,932 50	1,476,341 35

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts	\$ cts.
Brought forward .....	204,932 50	1,476,341 35
<b>LEGISLATION—Concluded.</b>		
<b>HOUSE OF COMMONS—Concluded.</b>		
To meet additional expenditure in connection with the publication of Debates (increase of staff and additional number of copies of Debates issued to members).....	16,144 00	
To meet additional expenditure in connection with the Sessional Messengers of the House, viz.: increase of allowance from \$200 to \$250 per Session to 37 Messengers.....	1,850 00	
To meet additional amount required for contingencies, Housekeeper's Department.....	200 00	
To provide for extra Sessional Clerks for the Session of 1884 .....	650 00	
To pay the undermentioned members the amount deducted from their Sessional Allowances on account of absence—		
Hon. P. Mitchell.....	152 00	
Mr. Labrosse .....	376 00	
Mr. Rykert .....	128 00	
<b>CLERK OF THE CROWN IN CHANCERY.</b>		
Salary of the Clerk of the Crown in Chancery .....	2,100 00	
Contingencies of the Clerk of the Crown in Chancery.....	1,200 00	
To provide for the Statutory increase to the salary of this officer.....	50 00	
<b>MISCELLANEOUS.</b>		
Grant to Parliamentary Library .....	10,000 00	
Salaries of Officers and Contingencies of Library .....	19,000 00	
Library:—		
To provide for the salary of Mr. Thayne .....	200 00	
Amount required to pay Wilson & Lamb the balance due them for the supply of five volumes of Sulte's "Histoire des Canadiens Français".....	80 00	
Printing, binding and distributing the Laws.....	12,000 00	
Printing, printing paper and book-binding .....	70,000 00	
Miscellaneous printing .....	2,000 00	
For binding, newspapers, &c.....	1,000 00	
For purchase of works on America.....	1,000 00	
		343,062 50
<b>ARTS, AGRICULTURE AND STATISTICS.</b>		
To meet expenses in connection with care of Archives.....	6,000 00	
To meet expenses in connection with Patent Record.....	9,500 00	
To meet expenses in connection with preparation of Criminal Statistics.....	4,000 00	
To meet expenses in connection with Census (revote \$20,000) .....	30,000 00	
To meet expenses in connection with Dominion Exhibition .....	10,000 00	
To meet expenses in connection with Health Statistics .....	15,000 00	
For collecting and compiling Agricultural, Industrial and other Statistics in Manitoba and the North-West Territories, and also for acquiring and compiling such Statistics elsewhere (revote).....	20,000 00	
		94,500 00
Carried forward.....		1,913,903 85

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....		1,913,903 85
<b>IMMIGRATION.</b>		
Salaries of Immigration Agents and Employés :		
Agent, Quebec .....	1,700 00	
Assistant do .....	1,100 00	
Clerk do .....	1,000 00	
Norwegian Interpreter, Quebec ..	660 00	
Messenger, Quebec .....	365 00	
Agent, Montreal .....	1,300 00	
do Ottawa .....	1,300 00	
do Kingston .....	1,300 00	
do Toronto .....	1,650 00	
do Hamilton .....	1,250 00	
do London, Ont. ....	1,000 00	
do Halifax .....	1,050 00	
do St. John .....	1,000 00	
do Manitoba .....	2,400 00	
do Brandon .....	1,400 00	
do Qu'Appelle .....	1,400 00	
do North-West Territory .....	1,400 00	
do Prince Arthur's Landing .....	1,000 00	
do Victoria, B.C. ....	1,000 00	
For Interpreter's salary, Winnipeg ..	800 00	
do do Qu'Appelle .....	800 00	
do do Brandon .....	800 00	
Salaries in London, England, office ..	6,500 00	
do of Agents in Europe .....	6,900 00	
Contingencies of Canadian and other Agencies (not European) .....	30,000 00	
Travelling expenses of Agents in Europe .....	7,300 00	
Towards assisting Immigration and Immigration expenses .....	450,000 00	
Aid to Montreal Women's Protective Society .....	1,000 00	
		527,375 00
<b>QUARANTINE.</b>		
Medical Inspection, Quebec .....	1,600 00	
Quarantine, Grosse Isle .....	9,566 00	
do St. John, N.B. ....	2,600 00	
do Pictou, N.S. ....	800 00	
do Halifax, N.S. ....	3,400 00	
do Charlottetown, P.E.I. ....	1,000 00	
do Victoria, B.C. ....	1,900 00	
do Sydney, N.S. ....	1,400 00	
Tracadie Lazaretto .....	3,200 00	
To meet expenses of precautionary measures for Public Health :—		
Public Health .....	\$5,000 00	
Cattle Quarantine, Lévis .....	5,000 00	
do West .....	3,000 00	
do Halifax .....	5,000 00	
		18,000 00
Pictou Cattle Disease (revote) .....	5,000 00	
		48,466 00
<b>PENSIONS.</b>		
John Bright, Messenger, House of Assembly .....	80 00	
Lady Cartier .....	1,200 00	
Carried forward .....	1,280 00	2,489,744 85

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	1,280 00	2,489,744 85
<b>PENSIONS—Concluded.</b>		
<i>New Militia Pensions.</i>		
Mrs. Caroline McEachern.....	\$184 00	
Janet Anderson.....	110 00	
Margaret McKenzie.....	80 00	
Mary Ann Richey and one child.....	240 00	
Mary Morrison.....	80 00	
Louise Prud'homme.....	110 00	
Virginie Charron and one child.....	120 00	
Paul M. Robins.....	146 40	
Charles T. Bell.....	73 20	
Alex. Oliphant.....	109 80	
Charles Lugsden.....	91 50	
Thomas Charters.....	91 50	
Charles T. Robertson.....	110 00	
Percy G. Routh.....	400 00	
Richard S. King.....	400 00	
George A. McKenzie.....	73 20	
Edwin Hilder.....	146 40	
Fergus Schofield.....	73 20	
John Bradley.....	109 80	
James Bryan.....	109 80	
Ensign W. Fahey.....	200 00	
Mary Hodgins and three children.....	191 00	
John Martin.....	110 00	
Mrs. J. Thorburn.....	150 00	
Mrs. P. T. Worthington and one child.....	250 00	
Mrs. J. H. Elliott and one child.....	120 00	
Mrs. George Prentice and three children.....	352 00	
Mary Hannah Tempest and child.....	298 00	
T. Robinson.....	50 00	
	4,570 80	
To meet the probable amount required for Pensions to Veterans of War of 1812.....	18,000 00	
Compensation to Pensioners in lieu of land.....	5,120 00	
		28,979 80
<b>MILITIA.</b>		
Salaries, Military Branch and District Staff.....	19,800 00	
Brigade Majors' salaries, transport expenses, &c.....	16,300 00	
Ammunition, including artillery ammunition, and manufacture of small-arms ammunition at the cartridge factory at Quebec.....	55,000 00	
Clothing and great coats.....	90,000 00	
Military stores.....	60,000 00	
Public armories and care of arms, including pay of Storekeepers, Caretakers, Storemen and Armorers.....	52,000 00	
Allowance for drill instruction.....	40,000 00	
Drill pay, and other incidental expenses connected with the drill and training of the Militia.....	250,000 00	
Contingencies and general services not otherwise provided for, including grants to artillery and rifle associations and bands of efficient corps.....	38,000 00	
Government grant to the Dominion of Canada Rifle Association.....	8,000 00	
Drill sheds and rifle ranges.....	10,000 00	
Carried forward.....	639,100 00	2,518,724 65

SCHEDULE

## SCHEDULE B--Continued.

SERVICE.	Amount.	Total.
Brought forward .....	\$ cts. 639,100 00	\$ cts. 2,518,724 65
<i>MILITIA—Concluded.</i>		
Maintenance and care of military properties transferred from the Ordnance and Imperial Government, including the salary of a Military Engineer to be placed in charge of Fortifications and Military Buildings in the Dominion of Canada .....	12,000 00	
Construction and repairs of military properties .....	47,410 00	
Royal Military College .....	59,000 00	
Pay and maintenance of "A," "B" and "C" Batteries, Royal Schools of Gunnery, at Quebec, Kingston and Victoria, B.C. ....	152,700 00	
Cavalry and Infantry Schools—Pay, maintenance and equipment .....	171,000 00	
Improved rifled ordnance .....	15,000 00	
Public armories and care of arms .....	8,000 00	
Dominion of Canada Rifle Association .....	2,000 00	
Military Properties—To provide for payment to the Executor of the estate of the late Enoch Walkely compensation in full of all claims against the Government in connection with buildings or occupancy of land on the Ordnance Reserve, or other lands, south side of Maria street, City of Ottawa .....	200 00	
Construction Repairs of Military Properties—For repairs and maintenance of buildings and barracks occupied by the Cavalry and Infantry School Corps .....	18,045 00	
Ottawa Rifle Range—Repairs .....	1,800 00	
		1,126,255 00
<b>RAILWAYS AND CANALS.</b>		
<i>(Chargeable to Capital.)</i>		
<b>RAILWAYS.</b>		
<i>Canadian Pacific Railway.</i>		
Prince Arthur's Landing to Red River .....	500,000 00	
British Columbia (revote, \$1,000,000) .....	2,000,000 00	
Station accommodation .....	200,000 00	
Subsidy, Canadian Pacific Railway Company .....	6,000,000 00	
Amount awarded to Contractors on Section B .....	395,000 00	
Salaries and expenses of Inspecting Engineers, land and other contingencies .....	21,000 00	
Amount required to settle the balance of the claims of Messrs. Sifton, Ward & Co., contractors between Red River and Cross Lake .....	175 00	
<i>Intercolonial Railway.</i>		
Halifax Extension .....	18,000 00	
Increased accommodation at St. John .....	25,000 00	
St. Charles Branch .....	40,000 00	
Miscellaneous works not otherwise provided for .....	6,000 00	
To re-imburse the Government of New Brunswick for money expended by them on the construction of the section of railway between Painses Junction and the Boundary of Nova Scotia .....	150,000 00	
Carried forward .....	9,355,175 00	3,644,979 65

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	9,355,175 00	3,644,979 65
<b>RAILWAYS AND CANALS—Concluded.</b>		
<i>(Chargeable to Capital.)</i>		
<b>RAILWAYS—Concluded.</b>		
<i>Intercolonial Railway—Concluded.</i>		
Additional coal cars.....	250,000 00	
To pay contractors and others, as reported by Commissioners appointed to enquire into claims arising out of the construction of the Intercolonial Railway.....	358,200 00	
<b>CANALS.</b>		
Lachine.....	470,000 00	
Cornwall.....	174,000 00	
Williamsburg—For the construction of an entrance and lock at head of Rapide Plat Canal.....	100,000 00	
Williamsburg—Towards the enlargement of the upper entrance to Galops Canal.....	80,000 00	
St. Lawrence River and Canals.....	110,000 00	
Murray.....	300,000 00	
Welland.....	500,000 00	
Welland—Construction of a raceway between the feeder and Chipewewa River.....	17,400 00	
Trent River Navigation—For construction of locks and the improvement of navigation between Lakefield and Balsam Lake.....	185,000 00	
Ste. Anne.....	241,500 00	
Carillon—Canal, dam and approaches.....	191,000 00	
Grenville.....	179,000 00	
Tay—For construction of works.....	100,000 00	
St. Peter.....	14,500 00	
Culbute—To remove a shoal above the locks, land damages and works connected with the retaining dams.....	2,700 00	
Welland—To pay John Page, Chief Engineer of Canals, for services as sole Arbitrator in the case of F. B. McNamee & Co., contractors for Section 34.....	535 00	
		12,629,010 00
<b>RAILWAYS AND CANALS.</b>		
<i>(Chargeable to Income.)</i>		
<b>RAILWAYS.</b>		
Surveys and inspections.....	10,000 00	
Railway statistics.....	1,200 00	
<i>Intercolonial Railway.</i>		
Towards bridging the St. John River, between Grand Falls and St. Francis, the United States Government contributing an equal amount.....	10,000 00	
Carried forward.....	21,200 00	16,273,989 65

SCHEDULE



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
Brought forward .....	\$ 21,200 00	\$ 16,273,989 65
<b>RAILWAYS AND CANALS—Concluded.</b>		
<i>(Chargeable to Income.)</i>		
<b>CANALS.</b>		
<i>Beauharnois Canal.</i>		
Construction of a wharf between Grand Ile and Valley field. ....	8,000 00	
<i>Cornwall Canal.</i>		
Construction of a drain between town and Canal.....	20,000 00	
<i>Welland Canal.</i>		
Cleaning out back ditches.....	\$ 4,000 00	
Construction of a waste weir at Dunnville.....	25,000 00	
	29,000 00	
<i>St. Ours Canal.</i>		
Extension of piers above and below the lock, deepening and widening channel.....	1,200 00	
<i>Chambly Canal.</i>		
Raising banks, lowering bottom of canal, re-building lock-walls, &c....	19,100 00	
<i>Rideau Canal.</i>		
Building new office for Toll Collector, Ottawa.....	1,600 00	
<i>Miscellaneous.</i>		
Miscellaneous works not otherwise provided for .....	15,000 00	
Abitrations and awards.....	5,000 00	
Surveys and inspections .....	10,000 00	
Repairs to road dyke along Lake St. Francis.....	4,000 00	
	134,100 00	
<b>PUBLIC WORKS.</b>		
<i>(Chargeable to Capital.)</i>		
<b>PUBLIC BUILDINGS.</b>		
<i>Ottawa.</i>		
Additional Public Building, Wellington street.....	150,000 00	
Carried forward.....	150,000 00	16,408,089 65

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	150,000 00	16,408,089 65
<b>PUBLIC WORKS—Continued.</b>		
<i>(Chargeable to Capital.)</i>		
<b>PUBLIC BUILDINGS—Continued.</b>		
<i>Esquimalt Graving Dock.</i>		
To recoup payment to Government of British Columbia for amount expended on work, to be expended in 1883-84.....	\$134,512 66	
do amount advanced to Hon. J. W. Trutch, to meet necessary expenses incident to the charge and maintenance of the work, to be expended in 1883-84 .....	7,000 00	
Amount required to complete.....	475,827 12	
	617,339 78	
<i>Port Arthur.</i>		
Amount required for construction of Port Arthur Harbor—(Revote, \$50,000)—and Kaministiquia River .....	150,000 00	
<i>New Brunswick.</i>		
Cape Tormentine Harbor.....	150,000 00	1,067,339 78
<b>PUBLIC WORKS.</b>		
<i>(Chargeable to Income.)</i>		
<b>PUBLIC BUILDINGS.</b>		
<i>Nova Scotia.</i>		
Sydney Quarantine Hospital—To complete.....	\$ 2,500 00	
New Glasgow Public Buildings.....	10,000 00	
Truro Custom House, Post Office and Savings Bank—To complete.....	17,000 00	
Windsor Post Office, Custom House, &c.....	11,000 00	
Pictou Marine Hospital—Including extension .....	550 00	
Amherst Public Building.....	10,000 00	
Arichat Post Office, Custom House, &c.—Site.....	10,000 00	
Yarmouth Post Office, Custom House, &c.....	10,000 00	
North Sydney Post Office, Custom House, &c .....	7,500 00	
Baddeck Post Office, Custom House, &c.....	4,000 00	
Halifax Dominion Buildings—Improvements and repairs...	9,000 00	
Sydney (South)—Post Office, Custom House, &c.....	5,000 00	
<i>Prince Edward Island.</i>		
Summerside Public Buildings.....	12,500 00	
Charlottetown—New Dominion Building.....	30,000 00	
Carried forward.....	139,050 00	17,475,429 43

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
Brought forward ...	\$139,050 00	\$ cts. 17,475,429 43
PUBLIC WORKS—Continued.		
(Chargeable to Income.)		
PUBLIC BUILDINGS—Continued.		
<i>New Brunswick.</i>		
St. John Marine Hospital—To complete.....	\$ 12,000 00	
Woodstock Post Office, Custom House, &c.....	12,000 00	
St. Stephen's Post Office, Custom House, &c.....	7,000 00	
Moncton Post Office, Custom House, &c.....	17,000 00	
Dorchester Penitentiary.....	25,000 00	
Newcastle Post Office, &c.....	7,000 00	
Carleton Post Office.....	6,000 00	
Bathurst Post Office, Custom House, &c.....	6,000 00	
Moncton Post Office, Custom House, &c.....	3,000 00	
<i>Quebec.</i>		
Quebec Examining Warehouse.....	\$ 30,000 00	
Three Rivers, conversion of former Custom House into Post Office—To complete.....	3,550 00	
Sherbrooke Post Office, Custom House, &c.....	20,000 00	
Hull Post Office and Inland Revenue Offices—To complete	4,000 00	
Montreal Drill Shed.....	25,000 00	
Montreal Dominion Buildings—Improvements, &c.....	4,000 00	
Chicoutimi Marine Hospital—To complete.....	2,800 00	
St. Vincent de Paul Penitentiary Buildings, Materials and tools for use of convicts in construction.....	30,000 00	
Quebec Military Buildings, including Drill Shed.....	15,000 00	
Sorel Public Building.....	10,000 00	
Lévis Immigrant Buildings—Additional amount required	15,000 00	
Montreal Immigrant Buildings.....	15,000 00	
Montreal Examining Warehouse.....	28,000 00	
Montreal—Custom House.....	600 00	
Chicoutimi Marine Hospital—Additional amount required for ice house, stable and shed.....	900 00	
St. Vincent de Paul Penitentiary—Additional amount required.....	14,200 00	
Queen's Wharf Buildings.....	600 00	
Quebec Dominion Buildings—Improvements, &c. (Revote)	2,400 00	
Montreal Drill Shed—Additional amount required to cover cost of demolishing, &c., walls of Armouries, &c., condemned by City Inspector of Buildings.....	2,000 00	
Assistant Receiver-General's Office, Montreal—New safe..	2,650 00	
Montreal Post Office—Alterations and improvements.....	5,000 00	
<i>Ontario.</i>		
Cornwall Post Office, Custom House, &c.....	10,000 00	
Brockville do do.....	22,500 00	
Kingston Penitentiary.....	8,000 00	
Hamilton Post Office, Custom House, &c.....	60,000 00	
Stratford Post Office, Custom House, &c.—To complete...	2,500 00	
St. Thomas Post Office.....	15,000 00	
Carried forward.....	582,750 00	17,475,429 43

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	\$582,750 00	17,475,429 43
<b>PUBLIC WORKS—Continued.</b>		
(Chargeable to Income.)		
<b>PUBLIC BUILDINGS—Continued.</b>		
<i>Ontario—Concluded.</i>		
Chatham Post Office, Custom House, &c .....	\$ 15,000 00	
Amherstburg Post Office, Custom House, &c .....	16,000 00	
Galt Post Office, Custom House, &c .....	10,000 00	
Cobourg Post Office, Custom House, &c.—To complete....	2,000 00	
Clifton Post Office, &c.....	12,000 00	
Barrie Post Office, &c .....	16,000 00	
Port Hope Post Office .....	15,000 00	
Toronto Dominion Buildings—Alterations, renewals, &c.	1,000 00	
Toronto Examining Warehouse.....	25,000 00	
Orangeville Post Office, &c .....	6,000 00	
Peterborough Post Office, Custom House, &c.....	7,000 00	
Berlin Post Office, Custom House, &c .....	15,000 00	
Toronto—Custom House .....	1,600 00	
do Post Office .....	1,650 00	
London Custom House—Enlargement of building.....	10,000 00	
Gananoque Custom House, &c.—Additional amount required to complete.....	2,000 00	
Prescott—Post Office, Custom House, &c .....	8,000 00	
Ottawa Geological Museum.....	3,500 00	
Guelph—Custom House, &c.—Alterations, repairs, &c....	1,000 00	
Ottawa Post Office—Improvements and repairs .....	3,000 00	
St. Catharines—Post Office, &c.—To complete.....	2,200 00	
Kingston Post Office—Heating apparatus, &c.....	3,500 00	
Belleville—Post Office, Custom House, &c.—To complete.	2,200 00	
Sarnia—Immigrant Station .....	1,050 00	
Toronto Post Office—Fittings, &c.....	1,800 00	
Toronto—Immigrant Station .....	420 00	
Hamilton—Immigrant Station .....	620 00	
<i>Manitoba.</i>		
Parliament Buildings, Winnipeg—To complete .....	\$ 12,000 00	
Lieutenant-Governor's residence and stables, Winnipeg—To complete .....	7,500 00	
Winnipeg Post Office .....	40,000 00	
Winnipeg Custom House—Repairs, &c .....	1,000 00	
Manitoba Penitentiary .....	40,000 00	
Winnipeg Drill Shed .....	8,000 00	
Brandon—Immigrant Station .....	1,000 00	
Winnipeg—Immigrant Station .....	300 00	
<i>North West Territories.</i>		
Dominion Lunatic Asylum or Hospital.....	\$ 10,000 00	
New Jails and Lock-ups .....	10,000 00	
Public Buildings, North-West Territories, generally.....	5,000 00	
Qu'Appelle Immigrant Station.....	350 00	
Carried forward.....	900,440 00	17,475,429 43

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	\$ 900,440 00	17,475,429 43
<b>PUBLIC WORKS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>PUBLIC BUILDINGS—Concluded.</b>		
<i>British Columbia.</i>		
Vancouver Quarantine Station and outbuildings .....	\$ 7,500 00	
Nanaimo Post Office, Custom House, &c.—To complete ...	3,500 00	
British Columbia Penitentiary, New Westminster .....	15,000 00	
<b>PUBLIC BUILDINGS GENERALLY.</b>		
Public Buildings generally .....	15,000 00	941,440 00
<b>REPAIRS, FURNITURE, HEATING, &amp;c.</b>		
Repairs, Furniture, Heating, &c .....	\$ 175,000 00	
Grounds, Public Buildings, Ottawa .....	7,500 00	
Removal of Snow, Public Buildings, Ottawa .....	2,000 00	
Heating Public Buildings, Ottawa .....	53,000 00	
Gas, Public Buildings, Ottawa .....	22,000 00	
Water, Public Buildings, Ottawa .....	13,000 00	
Allowance for Fuel and Light, Rideau Hall .....	8,000 00	
Telephonic Service, Public Buildings, Ottawa .....	4,000 00	
Salaries of Engineers, Firemen and Caretakers, &c., of Dominion Public Buildings .....	31,000 00	
Heating Dominion Public Buildings, Fuel, &c .....	31,300 00	
Public Buildings, Ottawa—Renewals, &c .....	3,500 00	
Telephonic Service, Public Buildings, Ottawa—Additional amount required for Maintenance .....	2,000 00	352,300 00
<b>HARBORS AND RIVERS.</b>		
<i>Nova Scotia.</i>		
Cow Bay .....	\$ 3,000 00	
Benacadie Pond—To complete work .....	1,500 00	
Cheverie .....	2,500 00	
Port Hood—To complete .....	8,000 00	
Coffin's Island—To complete .....	1,000 00	
Three Fathom Harbor—To complete .....	600 00	
Great Village River—Locality furnishing \$4,000 .....	3,250 00	
Chipman's Brook—Repairs .....	1,000 00	
Harborville—Repairs .....	1,000 00	
Petite Rivière .....	5,000 00	
Five Islands .....	2,500 00	
Ogilvie Wharf .....	3,000 00	
Tasket Wedge .....	850 00	
Mabou .....	1,500 00	
Digby Pier .....	1,500 00	
Port Greville .....	4,000 00	
Tracadie .....	2,750 00	
Margaretville .....	1,500 00	
Boullarderie Wharf .....	2,000 00	
Carried forward .....	46,450 00	1,293,740 00
		17,475,429 43

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	\$ 46,450 00	1,293,740 00
PUBLIC WORKS—Continued.		
(Chargeable to Income.)		
HARBORS AND RIVERS—Continued.		
<i>Prince Edward Island.</i>		
South River, Murray Harbor—To complete .....	\$ 1,250 00	
Tignish.....	4,000 00	
St. Peter's Pay (revote of lapsed amount).....	3,000 00	
Ordinary and extraordinary repairs to breakwaters, piers, &c., acquired from Local Government, Prince Edward Island, in 1884.....	12,000 00	
<i>New Brunswick.</i>		
St. John Harbor—Breakwater at Negro Point—To com- plete.....	\$ 40,000 00	
River Tobique and River St. John, above Grand Falls.....	3,000 00	
River St. John—River des Chutes to Bear Island.....	2,000 00	
Madawaska River.....	1,000 00	
Anderson's Hollow—Addition to Pier.....	2,000 00	
Mispec Breakwater.....	3,000 00	
Hopewell Cape—Ballast Wharf, &c.—To complete.....	4,000 00	
Buctouche.....	1,000 00	
For extended railway wharf accommodation at Carlton, St. John, N.B.....	10,000 00	
West Isles.....	600 00	
Richibucto.....	3,300 00	
Caraquet.....	500 00	
Improvement of River St. John, between Bear Island and Fredericton.....	1,000 00	
<i>Maritime Provinces Generally.</i>		
General repairs and improvements, Harbors and Rivers, Maritime Provinces.....	\$ 10,000 00	
<i>Quebec.</i>		
New Carlisle—Municipality having voted \$1,000.....	\$ 4,000 00	
Trois Pistoles—To complete .....	750 00	
Rivière du Loup ( <i>en bas</i> )—To complete.....	14,000 00	
River Saguenay—Improvement of channel below Chicou- timi—To complete.....	4,500 00	
Baie St. Paul—Local authorities furnishing \$3,000—To complete.....	5,000 00	
River St. Lawrence—Removal of chains, anchors, boul- ders, &c.....	5,000 00	
River Nicolet—Harbor of Refuge.....	9,000 00	
River Yamaska.....	15,000 00	
St. Zotique—To complete.....	1,250 00	
River du Lièvre.....	6,000 00	
Etang du Nord—To continue work .....	6,000 00	
Carried forward .....	218,600 00	1,293,740 00

17,475,429 43  
SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	218,600 00	1,293,740 00
<b>PUBLIC WORKS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>HARBORS AND RIVERS—Continued.</b>		
<i>Quebec—Continued.</i>		
St. François, Island of Orleans .....	\$ 4,000 00	
Quebec—Marine Hospital wharves—To complete.....	1,500 00	
Berthier ( <i>en bas</i> ).....	4,500 00	
River St. Louis .....	5,000 00	
Lanoraie—The locality furnishing \$1,500.....	4,000 00	
Percé.....	5,000 00	
Queen's Wharf, Quebec—Improvement to Wharf and Building.....	4,000 00	
Bic Pier.....	2,500 00	
St. Jean d'Orléans—To protect Lighthouse.....	3,000 00	
Port Daniel.....	6,000 00	
Pointe aux Orignaux (Rivière Ouelle)—To complete.....	1,500 00	
Barachois de Malbaie, and Mouth of Newport River, for removal of obstructions.....	1,000 00	
Ile aux Grues.....	5,000 00	
General Repairs and Improvements—Harbors and Rivers, Quebec.....	10,000 00	
Chateau Richer.....	3,000 00	
Rivière Noire.....	1,000 00	
Rivière Bras, St. Nicholas.....	1,200 00	
Ste. Anne de la Pocatière.....	3,400 00	
New Carlisle, to complete.....	4,000 00	
St. Alphonse de Bagotville—To complete.....	3,500 00	
Trois Pistoles—Additional amount required.....	1,000 00	
Les Eboulements.....	2,200 00	
Ste. Anne de Sorel.....	1,200 00	
Longue Pointe and Boucherville Ferry.....	500 00	
Ste. Anne de Bellevue.....	4,750 00	
River Ottawa—Removal of a shoal opposite the line between the Townships of Bristol and Clarendon.....	3,000 00	
<b>Ontario.</b>		
Cobourg Harbor, Lake Ontario.....	\$14,000 00	
Port Hope Harbor, Lake Ontario.....	7,500 00	
Toronto Harbor, Lake Ontario—To complete.....	65,000 00	
Rondeau Harbor, Lake Erie.....	4,000 00	
Port Elgin, Lake Huron—To complete.....	5,000 00	
Collingwood Harbor, Lake Huron.....	18,000 00	
Kingston Harbor.....	7,000 00	
Little Current, Lake Huron—To complete.....	10,000 00	
Kingsville, Lake Erie.....	20,000 00	
Morpeth, Lake Erie—The locality having to provide \$4,000	12,000 00	
L'Orignal—Repairs to wharf, the local authorities furnishing \$1,000—To complete.....	2,000 00	
Southampton, Lake Huron.....	7,500 00	
Midland Harbor.....	10,000 00	
General repairs and improvements, Harbors and Rivers, Ontario.....	8,000 00	
Carried forward .....	495,350 00	1,293,740 00
		17,475,429 43

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	\$495,350 00	17,475,429 43
<b>PUBLIC WORKS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>HARBORS AND RIVERS—Concluded.</b>		
<i>Ontario—Concluded.</i>		
Port Albert.....	\$ 1,000 00	
Lion's Head, Lake Huron.....	5,000 00	
Bayfield, Lake Huron.....	4,000 00	
Wilson's Channel.....	5,000 00	
Sault Ste. Marie.....	4,000 00	
Cobourg, Lake Ontario.....	10,000 00	
River Ottawa—Improvement of channel, Upper to Lower Narrows, above Pembroke.....	2,000 00	
Thornbury, Lake Huron.....	1,000 00	
River Sydenham.....	2,500 00	
Little Bear Creek.....	2,500 00	
Kincardine, Lake Huron.....	3,000 00	
Kingsville, Lake Erie.....	4,000 00	
River Ottawa—Projected improvements between Matta- wan and Lake Temiskaming (examination).....	5,000 00	
Owen Sound.....	10,000 00	
Collingwood Harbor.....	5,000 00	
Meaford Harbor.....	2,000 00	
<i>Manitoba.</i>		
General repairs and improvements, Harbors and Rivers, Manitoba.....	\$ 1,000 00	
Waterhen River.....	10,000 00	
<i>North-West Territories.</i>		
Saskatchewan River.....	\$ 10,000 00	
<i>British Columbia.</i>		
General repairs and improvements, Harbors and Rivers, British Columbia.....	\$2,000 00	
Serpentine River.....	1,000 00	
Cowichan and Courtney Rivers.....	650 00	
Victoria Harbor.....	2,500 00	
Fraser River—Cottonwood Canyon.....	5,000 00	
<b>HARBORS AND RIVERS GENERALLY.</b>		
Harbors and Rivers Generally.....	\$6,000 00	
<b>DREDGING.</b>		
New dredging plant.....	\$30,000 00	
Dredge vessels—Repairs.....	30,000 00	
Carried forward.....	60,000 00	17,475,429 43

SCHEDULE



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	\$60,000 00	1,893,240 00
PUBLIC WORKS—Continued.		
(Chargeable to Income.)		
DREDGING—Conclude 1.		
Nova Scotia.....	} \$42,000 00	
Prince Edward Island.....		
New Brunswick.....		
Quebec.....	20,000 00	
Ontario.....	20,000 00	
Manitoba.....	10,000 00	
British Columbia.....	10,000 00	
General Service.....	5,000 00	
British Columbia—Additional amount required.....	3,000 00	
do do do for working snag boat.....	4,000 00	
	174,000 00	
SLIDES AND BOOMS.		
Slides and Booms.....	\$15,000 00	
River Coulonge.....	20,500 00	
River Morasse.....	1,000 00	
Ottawa District.....	10,000 00	
	46,500 00	
ROADS AND BRIDGES.		
Bridge at des Joachims Rapids, Ottawa River—To complete.....	\$13,000 00	
Aid towards the construction of a free bridge over the Old Man's River at Fort Macleod—(Local authorities furnishing \$2,500).....	2,500 00	
Bridge across the Battle River at Battleford.....	5,000 00	
Portage du Fort Bridge—Repairs.....	5,000 00	
Aid to municipality of Russell, Manitoba, towards the construction of a bridge across the Assiniboine, near the mouth of Shell River (Revote).....	10,000 00	
	35,500 00	
TELEGRAPHS.		
Land and cable telegraph lines for the sea coasts and islands of the lower Rivers and Gulf of St. Lawrence and Maritime Provinces, viz :		
Extension of land line on north shore of St. Lawrence, from River Pentecost towards Mingan.....	\$12,000 00	
Telegraph line, Chatham to Escuminac—To complete.....	2,000 00	
Telegraph line, Battleford to Edmonton.....	8,000 00	
Extension from Edmonton to Saskatchewan, the poles being furnished to the Government free of cost....	1,350 00	
Extension from Edmonton to St. Albert, the poles being furnished to the Government free of cost....	675 00	
Telegraph lines, British Columbia, viz :—		
Land line between Australian Rancho and Barkerville.....	1,500 00	
Land line between Victoria and Nanaimo.....	2,250 00	
	27,775 00	
Carried forward.....	2,177,015 00	17,475,429 43

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	2,177,015 00	17,475,429 43
<b>PUBLIC WORKS—Concluded.</b>		
<i>(Chargeable to Income.)</i>		
MISCELLANEOUS.		
Miscellaneous works, not otherwise provided for .....	\$10,000 00	
Surveys and inspections .....	25,000 00	
Arbitrations and awards .....	5,000 00	
To provide for the cost of a monument to the memory of the late Sir George Etienne Cartier, Bart .....	2,000 00	
National Art Gallery .....	1,500 00	
Monument to Joseph Brant .....	5,000 00	
	48,500 00	
<b>MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.</b>		
<i>Mail Subsidies.</i>		
Steam communication on Lakes Huron and Superior .....	12,000 00	
Steam service between the United States and Victoria, British Co- lumbia .....	17,640 00	
Steam communication with the Magdalen Islands .....	7,800 00	
Steam communication between Grand Manan, N.B., and Mainland .....	4,000 00	
<i>Steamship Subventions.</i>		
Steam communication between Halifax and St. John, <i>via</i> Yarmouth ...	10 000 00	
To provide for one year's subsidy, to be granted at the rate of \$50,000 per annum, to a line of steamers to trade between Canada and the West Indies and Brazil, provided a like amount be paid by the Brazilian Government .....	50,000 00	
For subsidy to line of steamers to run fortnightly between France and Quebec, provided the French Government appropriates a sum equal to the amount contributed by the Dominion of Canada for the same service .....	50,000 00	
For subsidy to line of steamers to run between Liverpool or London or both, and St. John, N.B., and Halifax, N.S., a port in the Dominion to be the terminal port. ....	25,000 00	
Subsidy to steamer between Campbellton and Gaspé, and intermediate ports ..	12,500 00	
For steam communication from Port Mulgrave, at the terminus of the Eastern Extension Railway, to East Bay, Cape Breton .....	6,000 00	
For steam communication between Cape Canso and Port Hood, daily, touching at railway terminus, Port Mulgrave, and such other places within above limits as may be agreed upon .....	3,000 00	
For steam communication between Halifax and St. Pierre .....	2,000 00	
To provide for a subsidy of \$1,500 a voyage, for five voyages, of steam- ers from Prince Edward Island to Great Britain or continental ports ..	7,500 00	
For steam communication from Halifax to Murray Harbor and Char- lottetown .....	3,000 00	
For steam communication between Canada and Antwerp .....	24,000 00	
For steam communication between Canada and Germany .....	24,000 00	
For steam communication between Port Mulgrave railway terminus and Cheticamp, touching semi-weekly at Port Hood, Mabou, Broad Cove, Mayane and Cheticamp, the Local Government having granted a similar amount, conditionally on a Dominion vote for the same service .....	2,000 00	
	260,440 00	
Carried forward .....		19,961,384 43

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount	Total.
	\$ cts.	\$ cts.
Brought forward .....		19,961,384 43
<b>OCEAN AND RIVER SERVICE.</b>		
Maintenance and repairs of Government Steamers.....	140,000 00	
For the providing of a steamer to replace the "Glendon" .....	35,000 00	
To provide for the examination of Masters and Mates .....	6,000 00	
For purchase of life-boats, stations and life-preservers; maintenance of crews and rewards for saving life .....	8,000 00	
To provide for investigation into Wrecks and Casualties, and collec- tion of information relating to disasters of shipping .....	1,500 00	
Expenses in connection with Canadian Registration of shipping .....	500 00	
Montreal and Quebec Water and River Police .....	38,000 00	
Removal of obstructions in Navigable Rivers.....	2,000 00	
		231,000 00
<b>LIGHTHOUSE AND COAST SERVICE.</b>		
Salaries and Allowances, &c., of Lighthouse Keepers.....	167,048 00	
Agencies, Rents and Contingencies .....	18,000 00	
Maintenance and Repairs to Lights, Fog-whistles, Buoys and Beacons, and Humane Establishments and Provision Depots .....	288,860 00	
Cape Race Light.....	1,300 00	
Completion and Construction of Lighthouses and Fog-alarms .....	40,000 00	
Construction of Lighthouse at Colchester Reef, Lake Erie .....	5,600 00	
Signal Stations .....	7,500 00	
		527,708 00
<b>FISHERIES.</b>		
<b>SALARIES AND DISBURSEMENTS OF FISHERY OVERSEERS AND WARDENS.</b>		
Ontario.....	13,500 00	
Quebec .....	16,000 00	
Nova Scotia .....	16,500 00	
New Brunswick .....	13,000 00	
Prince Edward Island .....	3,500 00	
British Columbia .....	4,000 00	
Manitoba, Keewatin and North-West Territories .....	2,000 00	
Fish-breeding and building of Fishways .....	35,000 00	
To provide for legal and incidental expenses connected with the Fish- eries, advertising, &c.....	2,000 00	
To pay for services performed by persons in the Customs and Marine and Fisheries Departments, and other expenses, in connection with the distribution of the Fishing Bounty and collection of statistics.	4,000 00	
		109,500 00
<b>SCIENTIFIC INSTITUTIONS.</b>		
Observatory, Toronto .....	\$5,250 00	
do Kingston .....	500 00	
do Montreal .....	500 00	
do New Brunswick .....	1,500 00	
	7,750 00	
Grant for Meteorological Observatories, including Instruments and cost of Telegraphing Weather Warnings .....	48,000 00	
		55,750 00
Carried forward .....		20,886,342 43

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		20,885,342 43
<b>MARINE HOSPITALS AND SICK AND DISTRESSED SEAMEN.</b>		
<i>MARINE HOSPITALS.</i>		
Marine and Immigrant Hospital, Quebec .....	\$20,000 00	
St. Catharines Hospital, Ontario .....	500 00	
Kingston do .....	500 00	
Hospitals, &c., in the Provinces of Quebec, Nova Scotia, New Brunswick, Prince Edward Island and British Columbia .....	35,000 00	
	56,000 00	
<i>DISTRESSED SEAMEN.</i>		
Expenses for Shipwrecked and Disabled Seamen .....	6,000 00	
		62,000 00
<i>STEAMBOAT INSPECTION.</i>		
To provide for expenses of Steamboat Inspection .....		25,000 00
<i>SUPERINTENDENCE OF INSURANCE COMPANIES.</i>		
To meet expenses in connection with the Inspection of Insurance Com- panies .....		6,250 00
<i>GEOLOGICAL SURVEY.</i>		
Geological Survey.....		60,000 00
<i>DEPARTMENT OF INDIAN AFFAIRS.</i>		
<i>ONTARIO AND QUEBEC AND THE MARITIME PROVINCES.</i>		
<i>Annual Grant to Supplement the Indian Fund.</i>		
For Indians of Quebec, to relieve distress.....	\$ 4,200 00	
For purchase of blankets for aged and infirm Indians of Ontario and Quebec.....	1,600 00	
For Indian schools in Ontario and Quebec, New Brunswick and Manitoba.....	10,400 00	
For Annuities under the Robinson Treaty.....	15,680 00	
To provide for the support of twenty Indian pupils, at \$15 each. at the Mission School and Orphanage at Fort William, Lake Superior.....	300 00	
	32,180 00	
<i>Nova Scotia.</i>		
For Indians of Nova Scotia generally.....	5,032 56	
<i>New Brunswick.</i>		
For Indians of New Brunswick generally.....	4,890 00	
Carried forward.....	42,102 56	21,038,592 43

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	42,102 56	21,038,592 43
<b>DEPARTMENT OF INDIAN AFFAIRS—Concluded.</b>		
<i>Prince Edward Island.</i>		
For Indians of Prince Edward Island generally.....	2,000 00	
<i>British Columbia.</i>		
For Indians of British Columbia generally.....	\$25,650 00	
Surveys.....	7,700 00	
Reserve Commission.....	11,055 00	
To assist in the purchase of a printing press for the use of the Rev. J. M. R. LeJeune, O.M.I., at Kamloops, with which to print certain manuscripts of vocabularies, in five Indian dialects .....	50 00	
	44,455 00	
<i>Manitoba and the North-West.</i>		
Annuities .....	\$173,460 00	
Agricultural implements .....	10,398 22	
Tools .....	1,917 54	
Cattle .....	10,555 00	
Seed grain .....	3,115 00	
Ammunition, &c.....	4,439 50	
Provisions (Annuity).....	31,756 54	
Supplies for destitute.....	287,046 10	
Clothing .....	2,700 00	
Schools.....	48,204 00	
Surveys.....	18,000 00	
Farm wages.....	22,700 00	
do maintenance.....	5,600 00	
Sioux.....	2,000 00	
General expenses.....	66,380 00	
To provide salaries for the teachers of two Church of England Schools in the district of Athabasca, outside of Treaty limits .....	400 00	
	688,671 90	
		777,220 46
<b>NORTH-WEST MOUNTED POLICE.</b>		
Pay of Force, including Staff.....	160,000 00	
Subsistence.....	80,300 00	
Forage .....	73,000 00	
Fuel and light.....	15,000 00	
Clothing .....	37,000 00	
Repairs, renewals, replacement of horses, arms and ammunition.....	47,000 00	
Medicine, medical comforts and hospital expenses .....	7,000 00	
Books and stationery.....	2,000 00	
Transport and freight charges, Guides and Mail Carriers.....	45,000 00	
Contingencies .....	4,000 00	
		470,300 00
<b>MISCELLANEOUS</b>		
Canada Gazette.....	4,500 00	
Miscellaneous printing .....	12,000 00	
	16,500 00	
Carried forward .....	16,500 00	22,286,121 89

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	16,500 00	22,286,121 89
<i>MISCELLANEOUS—Continued.</i>		
Unforeseen expenses, expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament during the first fifteen days of the next Session .....	50,000 00	
Commutation in lieu of remission of duties on articles imported for the use of the Army and Navy.....	3,000 00	
For the expenses of Government in the North-West Territories, including printing, roads, bridges, ferries and aid to schools.....	32,000 00	
For the expenses of Government in the District of Keewatin.....	5,000 00	
To meet expenditure required to put into force the Act respecting the Traffic in Intoxicating Liquors.....	5,000 00	
To meet expenses connected with Consolidated Statutes. The authority required by 45 Victoria, chapter 4, section 49, is hereby given for paying out of this vote such sums as the Governor in Council shall allow to Mr. Burbidge, as one of the Commissioners, and to Mr. Chamberlin for reading proofs.....	20,000 00	
To compensate members of the North-West Mounted Police for injuries received in the discharge of duty .....	2,000 00	
For erection of Mounted Police Barracks .....	20,000 00	
On account of expenditure in connection with surveys of Lakes Superior and Huron.....	10,000 00	
Niagara Falls Commission (revote).....	683 65	
To provide for the payment of Mr. Fabre's salary and contingencies of his office.....	2,500 00	
To provide for the painting of an historical picture commemorative of the establishment of Confederation (revote).....	4,000 00	
To meet cost of litigated matters.....	5,000 00	
To assist in defraying the expenses of the meeting in Montreal of the British Association for the Advancement of Science.....	25,000 00	
To make good to those persons in Prince Edward Island, who were British subjects, the amount of duties paid to the United States Customs on fish and fish oil in the year 1871, under the arrangements entered into in advance of the legislation necessary to bring the Treaty of Washington into force, by which arrangement United States fishermen were granted liberty to fish in the territorial waters of Prince Edward Island, on the understanding that the President of the United States would ask Congress to refund these duties, which arrangement the President subsequently declined to carry out, on the ground that the proposal contemplated the united actions of all the British North American Colonies, which was not had, and that it would not be practicable to separate the colonies or carry into effect for one what the President was willing to effect for all, it not having been deemed advisable in the general interest of the British case, to put forward and press the claim of these merchants before the Halifax Commission. "It being understood that whenever the price paid to the Fisherman on the sale of the fish was less than it would have been, if there had been no duty, it shall be treated as a payment of duty by the Fisherman.".....	30,086 10	
Gratuity to the family of the late Henry Gray, lost in the "Princess Louise".....	200 00	
To pay legal and other expenses in connection with the Ontario Boundary Question.....	5,000 00	
To pay one-third cost of Mail Service in the North-West Territories.....	\$ 3,000 00	
To pay legal adviser .....	200 00	
Carried forward.....	3,200 00	22,286,121 89

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total:
	\$ cts.	\$ cts.
Brought forward.....	\$3,200 00	235,969 75
MISCELLANEOUS—Concluded.		
To pay rental allowance to Hugh Richardson, Stipendiary Magistrate, in lieu of the free quarters occupied by him at the late seat of Government, at Battleford.....	\$ 500 00	
For safes, indexes, register books, stationery, furniture, fuel, light &c., for Registry Offices.....	3,000 00	
Light, fuel and stationery, for Sheriff's Office.....	300 00	7,000 00
To provide for the publication of the proceedings of the Royal Society.....		5,000 00
To pay Messrs. Alexander MacLean and John Charles Roger, the amount (\$69,781.43), awarded them by the referees in the suit brought by them against the Queen in the Exchequer Court of Canada, the award having been confirmed by the judgment of Mr. Justice Henry (this payment not in any way to prejudice any right the Crown may have to appeal from that portion of the said judgment awarding interest on the said amount).....		69,781 43
To provide the expenses of an Expedition (by water) to Hudson's Bay, to test the practicability of the route for commercial purposes.....		70,000 00
To cover expenses of taking evidence concerning the Public Accounts, and reporting the same to the Auditor-General of Canada, under authority of section 55, of the Audit Act (41 Victoria, chapter 7).		500 00
To assist in promoting the purposes of the International Circumpolar Observations, by contributing towards the expenses of transporting the British party from Halifax to Hudson's Bay Station, on Great Slave Lake and return (Revote).....		4,000 00
Academy of Arts.....		2,500 00
		394,751 18
COLLECTION OF REVENUES.		
CUSTOMS.		
<i>Salaries and Contingent Expenses of the several Ports.</i>		
In Province of Ontario.....	\$250,375 00	
do Quebec.....	202,860 00	
do New Brunswick.....	90,550 00	
do Nova Scotia.....	106,430 00	
do Manitoba.....	40,650 00	
do North-West Territories.....	8,000 00	
do British Columbia.....	27,900 00	
do Prince Edward Island.....	21,050 00	
Provinces generally—To cover any unforeseen changes it may appear necessary to make in staff.....	5,000 00	
Salaries and travelling expenses of inspectors of Ports, and travelling expenses of other officers on inspection	18,000 00	
Miscellaneous—Contingencies of head office, covering printing, stationery, advertising, telegraphing, &c., for the several Ports of Entry.....	13,000 00	
To meet expenditure in connection with the Board of Customs and Outside Detective Service, including \$800, salary of the Commissioner of Customs as Chairman of the Board.....	15,000 00	
	798,815 00	
Carried forward.....	793,815 00	22,680,873 07

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	798,815 00	22,680,873 07
<b>COLLECTION OF REVENUES—Continued.</b>		
<b>Excise.</b>		
Salaries of Officers and Inspectors of Excise.....	\$224,795 00	
To provide for increase of pay of Chief Officers at large distilleries and factories.....	2,000 00	
Travelling expenses, rent, fuel, stationery, &c.....	50,000 00	
To provide for the cost of obtaining stamps and for the stamping of imported and Canadian tobacco, &c.....	20,000 00	
To enable the Department to grant an allowance to Excise Officers in Manitoba and British Columbia, to compensate for increased cost of living as compared with the older Provinces:		
For Manitoba.....	\$3,000 00	
For British Columbia.....	500 00	
	3,500 00	
To pay Collectors of Customs allowance on duties collected by them.....	3,500 00	
Preventive Service.....	5,000 00	
Commission to sellers of stamps for Canada twist tobacco	500 00	
To provide for an increase of salary to Excisemen who have improved their classification at recent Excise promotion examinations.....	2,000 00	
<i>Special</i>		
To enable the Department to purchase wood naphtha and similar articles, for issue to Bonded Manufacturers, under provisions of 46 Victoria, chapter 15, section 224, the cost of which will be recouped by the Manufacturers to whom they are supplied.....	2,000 00	
	313,295 00	
<b>CULLING TIMBER.</b>		
<i>Montreal.</i>		
Deputy Supervisor.....	\$ 900 00	
Book-keeper and Clerk.....	600 00	
<i>Quebec.</i>		
Supervisor.....	2,000 00	
Deputy Supervisor.....	1,600 00	
Cashier.....	1,400 00	
Specification Clerks.....	1,950 00	
Messenger.....	350 00	
Specification Clerks, &c., 1 at \$1,000, 2 at \$700, 3 at \$600, 2 at \$550 (8 months). .....	5,300 00	
Assistant Book-keeper.....	1,100 00	
Pay of Cullers.....	43,000 00	
Contingencies.....	8,000 00	
Annuity. to Superannuated Cullers.....	5,600 00	
	71,800 00	
Carried forward.....	1,183,910 00	22,680,873 07

SCHEDULE



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	1,183,910 00	22,680,873 07
<b>COLLECTION OF REVENUES—Continued.</b>		
<b>WEIGHTS AND MEASURES AND GAS.</b>		
Salaries of Inspectors and Assistant Inspectors of Weights and Measures .....	\$43,950 00	
Salaries of Inspectors of Gas.....	11,450 00	
Salary of Commissioner of Standards.....	800 00	
Rent, fuel, travelling expenses, postage, stationery, &c., for Weights and Measures.....	17,200 00	
do do do do for Gas.....	6,500 00	
Salary of the Chief Inspector of Standards, to be transferred from the Inside Service.....	1,800 00	
	81,700 00	
<b>INSPECTION OF STAPLES.</b>		
For the purchase and distribution of Standards of Flour, &c., and other Expenditure under the Act.....	3,000 00	
<b>ADULTERATION OF FOOD.</b>		
To meet expenses under the Act .....	15,000 00	
<b>MINOR REVENUES.</b>		
Minor Revenues.....	\$5,000 00	
Dominion Lands.....	2,000 00	
	7,000 00	
<b>RAILWAYS.</b>		
<i>Repairs and Working Expenses.</i>		
Intercolonial Railway.....	\$2,500 000 00	
Prince Edward Island Railway.....	210 000 00	
Windsor Branch Railway.....	20,000 00	
	2,730,000 00	
<b>CANALS.</b>		
<i>Maintenance and Repairs.</i>		
Repairs and working expenses.....	\$440,052 00	
Salaries and Contingencies of Canal Officers.....	36,670 00	
To increase salary of D. Murphy, Collector at Carillon, from \$500 00 to \$600 00.....	100 00	
To increase salary of J. S. Farley, Collector at Ottawa....	200 00	
To increase salary of J. B. Deschamps, Clerk in Lachine office.....	50 00	
Welland, Maitland Pier.....	2,000 00	
	479,072 00	
<b>PUBLIC WORKS.</b>		
Collection of Slide and Boom dues .....	\$20,985 00	
Repairs and working expenses, Harbors and Slides.....	89,250 00	
Telegraph lines between Prince Edward Island and the mainland.....	2,000 00	
Carried forward.....	112,235 00	4,499,682 00
		22,680,873 07

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts	\$ cts.
Brought forward .....	112,235 00	4,499,682 00
<b>COLLECTION OF REVENUES—Concluded.</b>		
<b>PUBLIC WORKS—Concluded.</b>		
Land and cable telegraph lines of the sea coasts and islands of the lower rivers and Gulf of St. Lawrence and the Maritime Provinces.....	15,200 00	
To meet the cost of working steamer "Newfield" when required on cable service .....	5,000 00	
Telegraph lines, Manitoba and the North-West Territories	17,000 00	
Telegraph lines, British Columbia.....	37,500 00	
Telegraph and signal service generally .....	9,500 00	
Agent and contingencies, British Columbia.....	4,000 00	
To provide for salary of C. McNutt, Assistant Collector at Ottawa, who is placed in the Estimates at \$1,800, while his salary is actually \$2,000.....	200 00	
	200,635 00	
<b>POST OFFICE.</b>		
Ontario .....	\$1,102,475 00	
Quebec.....	585,084 00	
New Brunswick .....	206,270 00	
Nova Scotia.....	227,450 00	
Prince Edward Island .....	51,800 00	
British Columbia.....	87,237 00	
Manitoba, Keewatin and North-West .....	209,450 00	
To provide for the salary of two 2nd Class Clerks in the Toronto Post Office.....	1,800 00	
	2,471,566 00	7,171,883 00
<b>DOMINION LANDS.</b>		
<i>(Chargeable to Capital.)</i>		
Amount required for Surveys.....		300,000 00
<b>DOMINION LANDS.</b>		
<i>(Chargeable to Income.)</i>		
<b>OUTSIDE SERVICE.</b>		
<i>Land Board at Winnipeg.</i>		
Commissioner's salary.....	\$5,000 00	
Inspector of Agencies' salary.....	3,200 00	
do travelling expenses, &c.....	1,200 00	
Inspector of Colonization Companies' salary.....	3,000 00	
do do travelling expenses, &c.....	1,000 00	
Secretary's salary .....	2,000 00	
9 Clerks.....	8,000 00	
Contingencies, fuel, light, postage, telegrams, &c.....	4,880 00	
Messenger.....	350 00	
7 Homestead Inspectors.....	8,400 00	
	37,030 00	30,152,756 07
Carried forward .....	37,030 00	30,152,756 07

**SCHEDULE**

SCHEDULE B—*Concluded.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	37,031 00	30,152,756 07
<b>DOMINION LANDS—<i>Concluded.</i></b>		
<i>(Chargeable to Income)</i>		
<b>OUTSIDE SERVICE—<i>Concluded.</i></b>		
<i>Dominion Lands Agencies.</i>		
13 Dominion Lands Agents .....	16,800 00	
17 Clerks.....	17,278 00	
Messenger .....	350 00	
Contingencies, including office rent, fuel, &c .....	8,000 00	
<i>Crown Timber Agencies.</i>		
Crown Timber Agent, Winnipeg, salary.....	1,600 00	
Book-keeper do .....	1,200 00	
Crown Timber Agent, Edmonton, salary.....	1,200 00	
do Calgary do .....	1,200 00	
do Prince Albert, salary .....	1,200 00	
6 Forest Rangers .....	4,200 00	
Contingencies .....	5,000 00	
Stationery and printing for Outside Service .....	4,000 00	
Board of Examiners of Dominion Land Surveyors .....	1,000 00	
Contingencies paid at head office for Outside Service.....	1,000 00	
	101,058 00	
<i>Land Guide Service.</i>		
Land Guides, at \$3.50 per day each, covering all expenses of transport and living cost for six months .....	10,000 00	
<i>British Columbia.</i>		
Salary of Resident Agent and staff, and contingencies.....	10,645 00	
<b>INSIDE SERVICE.</b>		
Extra Clerks at head office, Ottawa, publishing maps, advertising, and other similar expenses .....	30,000 00	
		151,703 00
		30,304,459 07

## CHAP. 3

An Act to authorize the raising, by way of loan, of certain moneys required for the Public Service.

[Assented to 19th April, 1884]

Preamble.

WHEREAS, under the terms of the existing agreement between the Government of the Dominion of Canada and their financial agents in England, set forth in a report of a Committee of the Honorable the Privy Council, approved by His Excellency the Administrator of the Government in Council on the twenty-second day of December, 1881, it was among other things agreed, that for the small loans maturing from time to time, within the ten years next following the first day of January, 1882, and which approximate the sum of two million pounds sterling, the Government should have the right to redeem the same by one issue of that amount within three years from the day last mentioned; and whereas some of the said small loans amounting in all to nine hundred and sixty-one thousand seven hundred pounds sterling, have been since redeemed out of moneys forming part of the Consolidated Revenue Fund of Canada, and it is desirable to make provision for the redemption of those not so redeemed, and for making good to the Consolidated Revenue Fund the sum paid out of it as aforesaid, and also for meeting the charges placed on the said Consolidated Revenue Fund by Acts passed in the present or former Sessions of Parliament, relating to the Canadian Pacific Railway, or for granting subsidies for or in consideration of the construction of certain railways, or to provide for the prosecution of certain public works: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Certain sums may be raised by way of loan.

1. In addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament by any Acts heretofore passed, the Governor in Council is hereby authorized and empowered to raise, by way of loan, such sum or sums of money, not to exceed in the whole the sum of two million pounds sterling, as may be required for the purpose first mentioned in the preamble of this Act, and also such further sum or sums not exceeding in the whole three million pounds sterling, as may be required for the other purposes therein mentioned.

35 V., c. 6,  
and 33 V., c.  
4 to apply.

2. The sums of money hereby authorized to be raised by way of loan, shall be so raised in accordance with and under the provisions of the Act passed in the thirty-fifth year of Her Majesty's reign, chaptered six, and intituled "*An Act respecting the Public Debt, and the raising of Loans authorized by Parliament,*" as amended by the Act passed in the thirty-eighth year of Her Majesty's reign, chaptered four, and intituled "*An Act to amend*"

amend the Act respecting the Public Debt and the raising of Loans authorized by Parliament;” and the sums raised by virtue hereof shall form part of the Consolidated Revenue Fund of Canada: Provided always, that the rate of interest on any loan to be raised by virtue hereof, shall not exceed four per centum per annum.

Proviso: as to rate of interest.

## CHAP. 4

An Act to re-adjust the yearly subsidies to be allowed by Canada to the several Provinces now included in the Dominion.

[Assented to 19th April, 1884.]

**WHEREAS** the subsidies payable under “*The British North America Act, 1867*,” to the several Provinces thereby united into one Dominion, respectively, were re-adjusted and increased by the operation of the Act of the Parliament of Canada, thirty-sixth Victoria, chapter thirty, but the said increase was allowed only on and from the first day of July, one thousand eight hundred and seventy-three, and it is expedient that it should be allowed as from the day of the coming into force of the said “*British North America Act, 1867*,” and that a proportionate increase should be made in the subsidies now payable by Canada to the Provinces of British Columbia, Manitoba and Prince Edward Island, respectively: Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. In the accounts between the several Provinces and the Dominion, the amounts by which the yearly subsidy to each was increased by the Act thirty-sixth Victoria, chapter thirty (as explained by the Act thirty-seventh Victoria, chapter three, as to Nova Scotia), shall be calculated and allowed to Ontario and Quebec (jointly, as having formed the late Province of Canada), and to Nova Scotia and New Brunswick, as if the said Acts had directed that such increase should be allowed from the day of the coming into force of the “*British North America Act, 1867*,” and the total amount of the half-yearly payments which would in that case have been made on account of such increase from the first day of July, one thousand eight hundred and sixty-seven, up to and including the first day of January, one thousand eight hundred and seventy-three, with interest on each at five per cent. per annum, from the day on which it would have been so paid to the first day of July, one thousand eight hundred and eighty-four, shall be deemed capital owing to the said Provinces respectively, bearing interest at five per cent. per annum,—which interest shall be payable to them as part of their yearly subsidies from the Dominion, on and after the first day of July, one thousand eight hundred and eighty-four.

How the subsidies shall be calculated and allowed in the accounts between the Dominion and Ontario and Quebec, Nova Scotia and New Brunswick.

Amount of increase capitalised.

Interest thereon.

As to British Columbia, Manitoba and Prince Edward Island.

2. In the accounts between the Dominion and the Provinces of British Columbia, Manitoba and Prince Edward Island, the amounts now calculated and allowed as the debts of those Provinces respectively, on which they are now paid interest by the Dominion, shall be increased by amounts bearing the same proportion to the respective populations of the said Provinces, as ascertained by the Census of 1881, as the total of the amounts to be added under this Act as capital owing to Ontario and Quebec, Nova Scotia, and New Brunswick, bear to the combined population of the four last named Provinces, as ascertained by the said Census of 1881; and the amounts of such increases as respects the said Provinces of British Columbia, Manitoba and Prince Edward Island shall be deemed capital owing to the said Provinces respectively, bearing interest at the rate of five per cent. per annum—which interest shall be payable to them as part of their respective subsidies from the Dominion, on and after the first day of July, one thousand eight hundred and eighty-four.

Amount of increase capitalized.

Interest.

Amount of increase of subsidy to each Province defined.

3. And for the avoidance of doubt under the foregoing provisions, it is declared and enacted, that the amount of the increase of the yearly subsidy and the capital on which the same is payable, to the several Provinces respectively, under this Act shall be as follows :

	Yearly Increase.	Capital.
To Ontario and Quebec jointly...	\$269,875 16	\$5,397,503 13
Nova Scotia.....	39,668 44	793,368 71
New Brunswick .....	30,225 97	604,519 35
Manitoba.....	5,541 25	110,825 07
British Columbia.....	4,155 39	83,107 88
Prince Edward Island .....	9,148 68	182,973 78

Payable out of Con. Rev. Fund.

4. All sums of money payable under this Act shall be chargeable upon and payable out of the Consolidated Revenue Fund of Canada.

## CHAP. 5.

An Act for giving effect to an agreement therein mentioned between the Government of the Dominion and that of Nova Scotia.

[Assented to 19th April, 1884.]

Preamble.

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

Purchase by Government of a certain railway and

1. The Government of Canada may, under an Order of the Governor in Council, purchase and acquire for the Dominion, from the Government of Nova Scotia, the Eastern Extension Railway from New Glasgow to the Gut of Causo, and the steam

steam ferry in connection therewith, together with the rights of the said Province in the Truro and Pictou Branch Railway, for the sum of one million two hundred thousand dollars, and the new rolling stock and equipments of the said railway for a sum equal to the cost thereof and charges,—the said sums, with interest thereon at six and one-half per cent. per annum from the first day of October, one thousand eight hundred and eighty-three, to be payable out of the Consolidated Revenue Fund of Canada: Provided, that the necessary legislative provisions shall have been made by Nova Scotia for giving effect to the said purchase and acquisition, according to the agreement between the two Governments to that effect, laid before Parliament on the sixth day of February, one thousand eight hundred and eighty-four, and that the accounts between the two Governments in connection with the said purchase shall have been previously settled to the satisfaction of the Government of Canada.

equipment,  
&c., author-  
ized.

Proviso: pre-  
liminary  
conditions  
required.

## CHAP. 6.

An Act respecting the Vancouver Island Railway, the Esquimalt Graving Dock, and certain Railway Lands of the Province of British Columbia, granted to the Dominion.

[Assented to 19th April, 1884.]

**W**HEREAS negotiations between the Governments of Canada and British Columbia have been recently pending, relative to delays in the commencement and construction of the Canadian Pacific Railway, and relative to the Vancouver Island Railway, the Esquimalt Graving Dock, and certain railway lands of the Province of British Columbia: Preamble.

And, whereas, for the purpose of settling all existing disputes and difficulties between the two Governments, it hath been agreed as follows:— Recital of agreement as to—

(a). The Legislature of British Columbia shall be invited to amend the Act number eleven, of one thousand eight hundred and eighty, intituled "*An Act to authorize the grant of certain public lands on the Mainland of British Columbia to the Government of the Dominion of Canada for Canadian Pacific Railway purposes,*" so that the same extent of land on each side of the line of railway through British Columbia, wherever finally settled, shall be granted to the Dominion Government in lieu of the lands conveyed by that Act: Lands on mainland of British Columbia.

(b). The Government of British Columbia shall obtain the authority of the Legislature to grant to the Government of Canada a portion of the lands set forth and described in the Act, Lands on Vancouver Island.

Act,

Act, number fifteen, of one thousand eight hundred and eighty-two, intituled "*An Act to incorporate the Vancouver Land and Railway Company,*" namely, that portion of the said lands therein described, commencing at the southern boundary thereof and extending to a line running east and west, half-way between Comox and Seymour Narrows; and also a further portion of the lands conveyed by the said Act to the northward of and contiguous to that portion of the said lands last hereinbefore specified, equal in extent to the lands within the limits thereof which may have been alienated from the Crown by crown grants, pre-emption or otherwise :

Lands in  
Peace River  
district.

(c). The Government of British Columbia shall obtain the authority of the Legislature to convey to the Government of Canada three and one-half millions of acres of land in the Peace River District of British Columbia, in one rectangular block, east of the Rocky Mountains and adjoining the North-West Territories of Canada :

Incorporation  
of railway  
company on  
Island.

(d). The Government of British Columbia shall procure the incorporation, by Act of their Legislature, of certain persons, to be designated by the Government of Canada, for the construction of the railway from Esquimalt to Nanaimo :

Grant of  
land by  
Canada for  
railway from  
Esquimalt to  
Nanaimo.

(e). The Government of Canada shall, upon the adoption by the Legislature of British Columbia of the terms of this agreement, seek the sanction of Parliament to enable them to contribute to the construction of a railway, from Esquimalt to Nanaimo, the sum of seven hundred and fifty thousand dollars, and they agree to hand over to the contractors who may build such railway the lands which are or may be placed in their hands for that purpose by British Columbia; and they agree to take security, to the satisfaction of the Government of that Province, for the construction and completion of such railway on or before the tenth day of June, one thousand eight hundred and eighty-seven, —such construction to commence forthwith :

Security for  
construction.

Administra-  
tion of lands  
for such rail-  
way granted  
by British  
Columbia.

(f). The lands on Vancouver Island to be so conveyed shall, except as to coal and other minerals, and also except as to timber lands as hereinafter mentioned, be open for four years from the passing of this Act to actual settlers, for agricultural purposes, at the rate of one dollar an acre, to the extent of one hundred and sixty acres to each such actual settler; and in any grants to settlers the right to cut timber for railway purposes and rights of way for the railway and stations and workshops shall be reserved; in the meantime, and until the railway from Esquimalt to Nanaimo shall have been completed, the Government of British Columbia shall be the agents of the Government of Canada for administering, for the purposes of settlement, the lands in this sub-section mentioned; and for such purposes the Gov-  
ernment

Provincial  
Government  
to act as  
agent for  
Government  
of Canada.



ernment of British Columbia may make and issue, subject as aforesaid, pre-emption records to actual settlers of the said lands: all moneys received by the Government of British Columbia in respect of such administration shall be paid, as received, into the Bank of British Columbia, to the credit of the Receiver-General of Canada; and such moneys, less expenses incurred, if any, shall, upon the completion of the railway to the satisfaction of the Dominion Government, be paid over to the railway contractors:

As to moneys received under such agency.

(g). The Government of Canada shall forthwith take over and seek the authority of Parliament to purchase and complete, and shall, upon the completion thereof, operate as a Dominion work, the dry dock at Esquimalt; and shall be entitled to have conveyed to them all the lands, approaches and plant belonging thereto, together with the Imperial appropriation therefor, and shall pay to the Province as the price thereof the sum of two hundred and fifty thousand dollars, and shall further pay to the Province whatever amounts shall have been expended by the Provincial Government or which remain due up to the time of the passing of this Act, for work or material supplied by the Government of British Columbia since the twenty-seventh day of June, one thousand eight hundred and eighty-two:

Purchase and completion by Canada of dry dock at Esquimalt.

(h) The Government of Canada shall, with all convenient speed, offer for sale the lands within the railway belt upon the mainland, on liberal terms to actual settlers; and—

Sale of railway lands on mainland.

(i). Shall give persons who have squatted on any of the said lands, within the railway belt on the mainland, prior to the passing of this Act, and who have made substantial improvements thereon, a prior right of purchasing the lands so improved at the rates charged to settlers generally:

Provision as to squatters, &c.,

(k). This agreement is to be taken by the Province in full of all claims up to this date by the Province against the Dominion, in respect of delays in the commencement and construction of the Canadian Pacific Railway, and in respect of the non-construction of the Esquimalt and Nanaimo Railway, and shall be taken by the Dominion Government in satisfaction of all claims for additional lands under the terms of Union, but shall not be binding unless and until the same shall have been ratified by the Parliament of Canada and the Legislature of British Columbia:

Agreement to be settlement in full of certain claims of British Columbia on Canada.

And whereas the Legislature of British Columbia, has by an Act assented to on the nineteenth day of December, one thousand eight hundred and eighty-three, intituled "*An Act relating to the Island Railway, the Graving Dock and Railway Lands of the Province*," adopted the terms of the said agreement, and it is expedient that it should be ratified by the Parliament of Canada, and that provision should be

Ratification of agreement by British Columbia.

be made to carry out the terms thereof according to their purport :

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

And by  
Canada.

1. The hereinbefore recited agreement is hereby approved and ratified.

THE ESQUIMALT AND NANAIMO RAILWAY.

Agreement  
for construction  
of rail-  
way ratified.

2. The agreement, a copy of which, with specification, is hereto appended as a schedule, for the construction, equipment, maintenance and working of a continuous line of railway of a uniform gauge of four feet, eight and one-half inches, from Esquimalt to Nanaimo in Vancouver Island, British Columbia, and also for the construction, equipment, maintenance and working of a telegraph line along the line of the said railway, is hereby approved and ratified, and the Governor in Council is authorized to carry out the provisions thereof according to their purport.

Subsidy of  
\$750,000 and  
land towards  
construction  
of railway.

3. The Governor in Council may grant to "The Esquimalt and Nanaimo Railway Company" mentioned in the said agreement, and incorporated by the Act of the Legislature of British Columbia lastly hereinbefore referred to, in aid of the construction of the said railway and telegraph line, a subsidy in money of seven hundred and fifty thousand dollars, and in land, all of the land situated on Vancouver Island which has been granted to Her Majesty by the Legislature of British Columbia by the Act last aforesaid, in aid of the construction of the said line of railway, in so far as such land shall be vested in Her Majesty and held by Her for the purposes of the said railway, or to aid in the construction of the same ; and also all coal, coal oil, ores, stones, clay, marble, slate, mines, minerals and substances whatsoever in, on or under the lands so to be granted to the said company as aforesaid, and the foreshore rights in respect of all such lands as aforesaid, which are to be granted to the said company as aforesaid, and which border on the sea, together with the privilege of mining under the foreshore and sea opposite any such land, and of mining and keeping for their own use all coal and minerals, herein mentioned, under the foreshore or sea opposite any such lands, in so far as such coal, coal oil, ores, stones, clay, marble, slate, mines, minerals and substances whatsoever, and foreshore rights are vested in Her Majesty as represented by the Dominion Government.

With certain  
rights con-  
nected with  
the lands.

Conditions of  
payment of  
subsidy to  
company.

4. The said money subsidy shall be paid to the said company by instalments, on the completion of each ten miles of railway and telegraph line, such instalments to be proportionate to the value of the part of the lines completed and equipped

equipped in comparison with the whole of the works undertaken, the proportion to be established by the report of the Minister of Railways and Canals.

5. The said company shall furnish profiles, plans and bills of quantities of the whole line of railway in ten mile sections, and before the work is commenced on any ten mile section, such profiles, plans, and bills of quantities shall be approved by the Governor in Council; and before any payments are made the said company shall furnish such further returns as may be required to satisfy the Minister of Railways and Canals as to the relative value of the works executed, with that remaining to be done.

Further conditions for plans, profiles and estimates.

6. The Minister of Railways and Canals shall retain five per centum of the subsidy, or of such part thereof as the said company may be entitled to, for three months after the completion of the said railway and telegraph line and the works appertaining thereto, and for a further period until the said Minister is satisfied that all failures or defects in the said line of railway and telegraph line, respectively, and the works appertaining thereto, that may have been discovered during the said period of three months, or such further period, have been permanently made good, and no lands shall be conveyed to the said company until the road is fully completed and equipped.

Percentage to be retained until completion and approval of work.

7. The land grant shall be made, and the land, in so far as the same shall be vested in Her Majesty and held by Her Majesty for the purposes of the said railway, or to aid in the construction of the same, shall be conveyed to the said company upon the completion of the whole work to the entire satisfaction of the Governor in Council, but so, nevertheless, that the said lands and the coal oil, coal and other minerals and timber thereunder, therein or thereon, shall be subject in every respect to the following provisions:—

Provisions as to conveyance of land granted to company.

Subject to certain conditions.

1. The lands to be so conveyed shall, except as to coal and other minerals, and also except as to timber lands as herein-after mentioned, be open for four years from the nineteenth day of December, in the year of Our Lord, one thousand eight hundred and eighty-three, to actual settlers, for agricultural purposes, at the rate of one dollar an acre, to the extent of one hundred and sixty acres to each such actual settler; grants thereof shall be made under the Great Seal, and in any such grants the right to cut timber for railway purposes and rights of way for the railway and stations and workshops shall be reserved: in the meantime, until the railway from Esquimalt to Nanaimo shall have been completed, the Government of British Columbia shall be the agent of the Government of Canada, for administering, for the purposes of settlement, the lands in this sub-section mentioned; and for such purposes the Government of

Grants thereof to settlers.

Government of British Columbia to act as agent in respect of such grants until completion of railway.

British

British Columbia may make and issue, subject as aforesaid, pre-emption records to actual settlers of the said lands; all moneys received by the Government of British Columbia in respect of such administration shall be paid, as received, into the Bank of British Columbia, to the credit of the Receiver-General of Canada; and such moneys, less expenses incurred, if any, shall, upon the completion of the railway to the satisfaction of the Dominion Government, be paid over to the railway company:

- Provision as to squatters.** 2. Every *bonâ fide* squatter who has continuously occupied and improved any of the lands within the tract of land to be acquired by the company from the Dominion Government for a period of one year prior to the first day of January, one thousand eight hundred and eighty-three, shall be entitled to a grant of the freehold of the surface rights of the said squatted land, to the extent of one hundred and sixty acres, at the rate of one dollar per acre:
- As to sale of coal got from lands by company.** 3. The said company shall, at all times, sell coals gotten from the lands that may be acquired by them from the Dominion Government to any Canadian railway company having the terminus of its railway on the seaboard of British Columbia, and to the Imperial, Dominion and Provincial authorities, at the same rates as may be charged to any railway company owning or operating any railway in the United States, or to any foreign customer whatsoever:
- Timbered lands.** 4. All lands acquired by the said company from the Dominion Government under this Act, containing belts of timber fit for milling purposes, shall be sold at a price to be hereafter fixed by the Government of the Dominion, or by the said company:
- Existing rights saved.** 5. The existing rights, if any, of any persons or corporations in any of the lands so to be acquired by the company, shall not be affected by this Act.
- Admission of certain articles for railway free of duty.** 8. All steel rails, fish-plates and other fastenings, spikes, bolts and nuts, wire, timber and all material for bridges, to be used in the original construction of the said railway and of the telegraph line in connection therewith, and all telegraphic apparatus required for the first equipment of such telegraph line, shall be admitted into Canada free of duty.
- Commencement and completion of railway and telegraph line.** 9. The said company shall commence the works included in the annexed schedule, forthwith, and shall complete and equip the said railway and telegraph line by the tenth day of June, one thousand eight hundred and eighty-seven; and in default of such completion and equipment, as aforesaid, on or before the last mentioned date, the said company shall forfeit all right, claim or demand to the sum of money and percentage

percentage retained by the Minister of Railways and Canals, and any and every part thereof,—to any moneys whatever which may be, at the time of the failure of the completion, as aforesaid, due or owing from Her Majesty to the said company,—to the land grant and also to the moneys deposited as security for the construction of the said railway and telegraph line.

Forfeiture in case of default

#### THE ESQUIMALT GRAVING DOCK.

10. The Government of Canada may purchase and complete, and shall, upon the completion thereof, operate as a Dominion work, the dry dock at Esquimalt, and shall be entitled to and have conveyed by the Government of British Columbia to Her Majesty, for Canada, all the lands, approaches, and plant belonging thereto, together with the Imperial appropriation therefor, and shall pay to the Province of British Columbia as the price thereof the sum of two hundred and fifty thousand dollars, and shall further pay to the said Province whatever amounts shall have been expended by the Government of that Province, or which remain due by it up to the time of the passing of this Act, for work or material performed or supplied by the said Government in respect of the said dock and works since the twenty-seventh day of June, one thousand eight hundred and eighty-two.

Purchase of and payment for the Esquimalt dry dock.

#### THE CANADIAN PACIFIC RAILWAY BELT.

11. The lands granted to Her Majesty, represented by the Government of Canada, in pursuance of the eleventh section of the Terms of Union, by the Act of the Legislature of the Province of British Columbia, number eleven of one thousand eight hundred and eighty, intituled "*An Act to authorize the grant of certain public lands on the mainland of British Columbia to the Government of the Dominion of Canada for Canadian Pacific Railway purposes,*" as amended by the Act of the said Legislature, assented to on the nineteenth day of December, one thousand eight hundred and eighty-three, as aforesaid, intituled "*An Act relating to the Island Railway, the Graving Dock and Railway Lands of the Province,*" shall be placed upon the market at the earliest date possible, and shall be offered for sale on liberal terms to actual settlers :

Lands granted by British Columbia to Canada for the purposes of the Canadian Pacific Railway to be off-red for sale.

2. The said lands shall be open for entry to *bonâ fide* settlers in such lots and at such prices as the Governor in Council may determine :

And open for settlement.

3. Every person who has squatted on any of the said lands prior to the nineteenth day of December, one thousand eight hundred and eighty-three, aforesaid, and who has

Rights of squatters thereon.

made

made substantial improvements thereon, shall have a prior right of purchasing the lands so improved, at the rates charged to settlers generally :

Regulations  
by O. C.

Proviso.

4. The Governor in Council may, from time to time, regulate the manner in which and terms and conditions on which the said lands shall be surveyed, laid out, administered, dealt with and disposed of : Provided, that regulations respecting the sale, leasing or other disposition of such lands shall not come into force until they are published in the *Canada Gazette* :

Act of Canada  
43 V., c. 27  
repealed.

5. The Act forty-third Victoria, chapter twenty-seven, intitled "*An Act to repeal the Act extending 'The Dominion Lands Acts' to British Columbia, and to make other provision with respect to certain lands in that Province,*" is hereby repealed.

#### LANDS IN THE PEACE RIVER DISTRICT OF BRITISH COLUMBIA.

To be in one  
block and to  
be Dominion  
lands under  
46 V., c. 17.

12. The three and one-half million acres of lands in that portion of the Peace River District of British Columbia, lying east of the Rocky Mountains, and adjoining the North-West Territories of Canada, granted to Her Majesty, as represented by the Government of Canada, by the said Act assented to on the nineteenth day of December, one thousand eight hundred and eighty-three, as aforesaid, intitled "*An Act relating to the Island Railway, the Graving Dock and Railway Lands of the Province,*" and to be located by the said Government in one rectangular block, shall be held to be Dominion lands within the meaning of the "*Dominion Lands Act, 1883.*"

#### PAYMENTS FROM CONSOLIDATED REVENUE FUND.

Payments out  
of Con. Rev.  
Fund.

13. All payments authorized by this Act shall be made out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

#### CIVIL AND CRIMINAL JURISDICTION.

Jurisdiction  
in criminal  
cases.

14. Until the boundary line between British Columbia and the North-West Territories is finally settled and located, and such settlement and location is published in the *Canada Gazette*, the courts of the said Province shall have civil and criminal jurisdiction in and over all the territory west of the line laid down in Trutch's map of eighteen hundred and seventy-one, as the eastern boundary of the Province, and the continuation of that line along the one hundred and twentieth meridian of west longitude until it reaches the northern boundary of the Province; and all offences committed

in any part of the said territory may be stated in any warrant, indictment or other legal instrument or proceeding to have been committed in British Columbia.

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### SCHEDULE.

ARTICLES OF AGREEMENT made and entered into this twentieth day of August, in the year of Our Lord, one thousand eight hundred and eighty-three :

Between Robert Dunsmuir, James Dunsmuir and John Bryden, all of Nanaimo, in the Province of British Columbia ; Charles Crocker, Charles F. Crocker, and Leland Stanford, all of the city of San Francisco, California, United States of America ; and Collis P. Huntington, of the City of New York, United States of America, of the first part ; and Her Majesty Queen Victoria, represented herein by the Minister of Railways and Canals, of the second part.

Whereas it has been agreed by and between the Governments of Canada and British Columbia, that the Government of British Columbia should procure the incorporation, by an Act of their Legislature, of certain persons to be designated by the Government of Canada, for the construction of a railway from Esquimalt to Nanaimo, and that the Government of Canada should take security from such company for the construction of such railway :

And whereas the parties hereto, of the first part, are associated together for the purpose of constructing or contracting for the construction of a railway and telegraph line from Esquimalt to Nanaimo, and are hereafter referred to as the said contractors :

NOW THESE PRESENTS WITNESS, that in consideration of the covenants and agreements on the part of Her Majesty hereinafter contained, the said contractors covenant and agree with Her Majesty as follows :—

1. In this contract the word "work" or "works" shall, unless the context requires a different meaning, mean the whole of the works, material, matter and things to be done, furnished and performed by the said contractors under this contract.

2. All covenants and agreements herein contained shall be binding on and extend to the executors, administrators and assigns of the said contractors, and shall extend and be binding upon the successors of Her Majesty ; and wherever in this contract Her Majesty is referred to, such reference shall

shall include Her successors; and wherever the said contractors are referred to, such reference shall include their executors, administrators and assigns.

3. That the said contractors shall and will well, truly and faithfully lay out, make, build, construct, complete, equip, maintain and work continuously a line of railway of a uniform gauge of four feet eight and a-half inches, from Esquimalt to Nanaimo, in Vancouver Island, British Columbia, the points and approximate route and course being shown on the map hereunto annexed, marked B, and also construct, maintain and work continuously a telegraph line throughout and along the said line of railway, and supply all such telegraphic apparatus as may be required for the proper equipment of such telegraph line, and perform all engineering services, whether in the field or in preparing plans or doing other office work, to the entire satisfaction of the Governor in Council.

4. That the said contractors shall and will locate and construct the said line of railway in as straight a course as practicable, between Esquimalt and Nanaimo, with only such deviations as may seem absolutely indispensable to avoid serious engineering obstacles, and as shall be allowed by the Governor in Council.

5. That the gradients and alignments shall be the best that the physical features of the country will admit of, without involving unusually or unnecessarily heavy works of construction, with respect to which the Governor in Council shall decide.

6. That the said contractors shall and will furnish profiles, plans and bills of quantities of the whole line of railway in ten mile sections, and that before the work is commenced on any ten mile section, such profiles, plans and bills of quantities shall be approved by the Governor in Council, and before any payments are made the said contractors will furnish such further returns as may be required to satisfy the Minister of Railways and Canals as to the relative value of the works executed with that remaining to be done.

7. That the Minister of Railways and Canals may keep and retain five per cent. of the subsidy, or of such part thereof as the said contractors may be entitled to, for three months after the completion of the said railway and telegraph line and the works appertaining thereto, and for a further period, until the said Minister of Railways and Canals is satisfied that all failures or defects in said line of railway and telegraph line, respectively, and the works appertaining thereto that may have been discovered during the said period of  
three



three months, or such further period, have been permanently made good, and that no lands shall be conveyed to the said contractors until the road is fully completed and equipped.

8. That the said contractors shall commence the works embraced in this contract forthwith, and shall complete and equip the same by the tenth day of June, eighteen hundred and eighty-seven, time being declared material and of the essence of the contract, and in default of such completion and equipment, as aforesaid, on or before the last mentioned date, the said contractors shall forfeit all right, claim or demand to the sum of money and percentage hereinbefore agreed to be retained by the Minister of Railways and Canals, and any and every part thereof, and also to any moneys whatever which may be, at the time of the failure of the completion as aforesaid, due or owing to the said contractors, as also to the land grant and also to the moneys to be deposited as hereinafter mentioned.

9. That the said contractors will, upon and after the completion and equipment of the said line of railway and works appertaining thereto, truly and in good faith keep and maintain the same, and the rolling stock required therefor, in good and efficient working and running order, and shall continuously and in good faith operate the same, and also the said telegraph line and will keep the said telegraph line and appurtenances in good running order.

10. That the said contractors will build, construct, complete and equip the said line of railway and works appertaining thereto in all respects in accordance with the specification hereunto annexed marked A, and upon the line of location, to be approved by the Governor in Council.

11. The character of the railway and its equipments shall be in all respects equal to the general character of the Canadian Pacific Railway, now under construction in British Columbia, and the equipments thereof.

12. And that the said line of railway and telegraph line, and all works appertaining thereto respectively, together with all franchises, rights, privileges, property, personal and real estate of every character appertaining thereto, shall upon the completion and equipment of the said line of railway and works appertaining thereto, in so far as Her Majesty shall have power to grant the same respectively, but no further or otherwise, be the property of the said contractors.

13. And Her Majesty in consideration of the premises, hereby covenants and agrees to permit the admission free of duty of all steel rails, fish-plates and other fastenings,

enings, spikes, bolts and nuts, wire, timber and all material for bridges to be used in the original construction of the railway, and of a telegraph line in connection therewith, and all the telegraphic apparatus required for the first equipment of such telegraph line; and to grant to the said contractors a subsidy in money of \$750,000, (seven hundred and fifty thousand dollars), and in land, all of the land situated on Vancouver Island (except such parts thereof as may have, at any time heretofore, been reserved for naval or military purposes, it having been intended that all of the lands so reserved should be excluded from the operation of the Act passed by the Legislature of the Province of British Columbia, in the year 1883, entitled "*An Act relating to the Island Railway, the Graving Dock and Railway Lands of the Province,*" in like manner as Indian reserves are excluded therefrom), which has been granted to Her Majesty by the Government of British Columbia by the aforesaid Act in consideration of the construction of the said line of railway, in so far as such lands shall be vested in Her Majesty, and held by her for the purposes of the said railway, or for the purpose of constructing or to aid in the construction of the same, and also all coal, coal oil, ores, stones, clay, marble, slate, mines, minerals and substances whatsoever in on or under the lands so agreed to be granted to the said contractors as aforesaid, and the foreshore rights in respect of all such lands as aforesaid, which are hereby agreed to be granted to the said contractors as aforesaid, and border on the sea, together with the privilege of mining under the foreshore and sea opposite any such land, and of mining and keeping for their own use all coal and minerals (herein mentioned) under the foreshore or sea opposite any such lands, in so far as such coal, coal oil, ores, stones, clay, marble, slate, mines, minerals and substances whatsoever, and foreshore rights are owned by the Dominion Government,—for which subsidies the construction of the railway and telegraph line from Esquimalt to Nanaimo shall be completed, and the same shall be equipped, maintained and operated.

14. The said money subsidy will be paid to the said contractors by instalments, on the completion of each ten miles of railway and telegraph line, such instalments to be proportionate to the value of the part of the lines completed and equipped in comparison with the whole of the works undertaken,—the proportion to be established by the report of the Minister of Railways and Canals.

15. The land grant shall be made, and the land, in so far as the same shall be vested in Her Majesty and held by Her Majesty for the purposes of the said railway, or for the purposes of constructing, or to aid in the construction of the same, shall be conveyed to the said contractors upon the completion of the whole work to the entire satisfaction of the

the Governor in Council, but so, nevertheless, that the said lands, and the coal oil, coal and other minerals and timber thereunder, therein or thereon, shall be subject in every respect to the several clauses, provisions and stipulations referring to or affecting the same, respectively, contained in the aforesaid Act passed by the Legislature of the Province of British Columbia, in the year 1883, entitled "*An Act relating to the Island Railway, the Graving Dock and Railway Lands of the Province*," as the same may be amended by the Legislature of the said Province, in accordance with a draft bill now prepared, which has been identified by Sir Alexander Campbell and the Hon. Mr Smithe, and signed by them and placed in the hands of the Hon. Joseph William Trutch, and particularly to sections twenty-three, twenty-four, twenty-five and twenty-six of the said Act.

And it is hereby further agreed by and between Her Majesty, represented as aforesaid, and the said contractors that the said contractors shall, within ten days after the execution hereof by Her Majesty, represented as aforesaid, or by the said Minister on behalf of Her Majesty, apply to the Government of Canada to be named by the Governor in Council as the persons to be incorporated under the name of the Esquimalt and Nanaimo Railway Company; and that immediately after the said contractors shall have been so incorporated, this contract shall be signed and transferred by them to the said company, and such company shall forthwith, by deed entered into by and between Her Majesty, represented as aforesaid, and the said company, assume all the obligations and liabilities incurred by the said contractors hereunder or in any way in relation to the premises.

The said contractors shall, on the execution hereof, deposit with the Receiver-General of Canada the sum of \$250,000 (two hundred and fifty thousand dollars) in cash as a security for the construction of the railway and telegraph line hereby contracted for: the Government shall pay to the contractors interest on the cash deposited at the rate of four per cent. per annum, half-yearly, until default in the performance of the conditions hereof or until the return of the deposit, and shall return the deposit to the said contractors on the completion of the said railway and telegraph line according to the terms hereof with any interest accrued thereon; but if the said railway and telegraph line shall not be so completed, such deposit and all interest thereon which shall not have been paid to the contractors shall be forfeited to Her Majesty for the use of the Government of the Dominion of Canada. In witness whereof, the parties hereto have executed, these presents, the day and year first above written.

For the Minister of Railways and Canals.

(Signed),

A. CAMPBELL,

*Minister of Justice.*

(Signed),

ROBERT DUNSMUIR,

"

JOHN BRYDEN,

"

JAMES DUNSMUIR,

"

CHARLES CROCKER,

"

CHARLES F. CROCKER,

"

LELAND STANFORD,

by Chas. Crocker his Attorney in fact.

"

COLLIS P. HUNTINGTON.

by Chas. Crocker his Attorney in fact.

Signed, sealed and delivered by the within named Robert Dunsmuir, James Dunsmuir, John Bryden, Chas. Crocker, Chas. F. Crocker, Leland Stanford and Collis P. Huntington, and by Sir Alexander Campbell for the Minister of Railways and Canals, as an escrow, and placed in the hands of the Honorable Joseph William Trutch, until the sanction of Parliament shall have been obtained to the payment of the subsidy and to the other stipulations on the part of the Dominion herein contained requiring its sanction, and until the Act passed by the Legislature of the Province of British Columbia, in the year one thousand eight hundred and eighty-three, entitled "*An Act relating to the Island Railway, the Graving Dock and Railway Lands of the Province,*" shall have been amended by the Legislature of the said Province in accordance with a draft bill now prepared and which has been identified by Sir Alexander Campbell and the Honorable Mr. Smithe and signed by them and deposited in the hands of the said Joseph William Trutch, in the presence of

(Signed),

H. G. HOPKIRK.

A.

(THIS IS THE SPECIFICATION MARKED A REFERRED TO IN THE CONTRACT HERETO ANNEXED, DATED THIS 20TH AUGUST, 1883.)

**SPECIFICATION** for a line of railway from Esquimalt to Nanaimo, in Vancouver Island in British Columbia.

1. The railway shall be a single line, with gauge four feet, eight and a-half inches, with necessary sidings.

2. The alignments, gradients and curvatures shall be the best that the physical features of the country will admit of, the maximum grade not to exceed eighty feet to the mile, and

and the minimum curvature not to be of less radius than eight hundred feet.

3. In all wooded sections the land must be cleared to the width of fifty feet on each side of the centre of line.

All brush and logs must be completely burnt up and none thrown on to the adjacent lands.

4. All stumps must be grubbed out within the limits of cuttings under three feet in depth or embankments less than two feet in depth.

5. All stumps must be close-cut where embankments are less than four feet and more than two feet in height.

6. Through settlements, the railway must be enclosed with substantially built legal fences.

7. Road crossings, with cattle guards and sign boards, shall be provided wherever required.

8. The width of cuttings at formations shall be twenty feet, embankments sixteen feet.

9. Efficient drainage must be provided either by open ditches or under drains

10. All bridges, culverts and other structures must be of ample size and strength for the purpose intended. Piers and abutments of bridges must be either of substantial massive stone masonry, iron or wood, and in every essential particular, equal to the best description of like works employed in the construction of the Canadian Pacific Railway in British Columbia. Arched culverts must be of good solid masonry, equal in every respect to similar structures designed for the Canadian Pacific Railway in British Columbia. Box culverts must be of either masonry, iron or wood.

11. The passenger station houses, freight sheds, workshops, engine houses, other buildings and wharves, shall be sufficient in number and size to efficiently accommodate the business of the road, and they shall be either stone, brick or timber, of neat design, substantially and strongly built.

12. The rails shall be of steel, weighing not less than fifty pounds per lineal yard of approved section, and with the most approved fish-plate joints.

13. The roadway must be well ballasted with clean gravel or other suitable material.

14.

14. Sufficient siding accommodation shall be provided by the contractors, as may be necessary to meet the requirements of the traffic.

15. Sufficient rolling stock, necessary to accommodate the business of the line, shall be provided by the contractors, with stations and terminal accommodations, including engine sheds, turn-tables, shops, water-tanks, machinery, wharves, &c.

A. CAMPBELL,  
*Minister of Justice,*  
*for the Minister of Railways and Canals.*

ROBERT DUNSMUIR.

## CHAP. 7.

An Act to authorize a further advance to the Province of Manitoba in aid of the Public Schools therein.

[Assented to 19th April, 1884.]

Preamble.

41 V., c. 13.

WHEREAS, under and by virtue of the Act passed in the forty-first year of Her Majesty's reign, chaptered thirteen, and intitled "*An Act to authorize the advance of certain sums to the Province of Manitoba, in aid of the Public Schools therein,*" the Governor in Council has authorized the advance of the sum of twenty thousand dollars, being ten thousand dollars in each of the fiscal years 1878-79 and 1879-80, and such sum of money has been paid to the said Province of Manitoba; and whereas the Government of Manitoba has applied for the advance of the remaining ten thousand dollars authorized under the said Act, but which has not been advanced, and also for a further sum of money in aid of the schools in the said Province, and it is advisable to aid the cause of education in the said Province: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

\$10,000 authorized by 41 V., c. 13, and \$30,000 for 1881-82, and 1882-83, may be advanced to Manitoba.

1. The Governor in Council may authorize the advance to the Province of Manitoba in aid of the public schools therein of the said sum of ten thousand dollars, authorized by the said Act in the preamble cited, to be advanced in the fiscal year 1880-81, and may also in addition thereto for the same purpose, authorize the advance to the said Province of a further sum or sums of money not exceeding in the whole the sum of thirty thousand dollars, being the sum of fifteen thousand dollars for each of the fiscal years 1881-82 and 1882-83.

2. The said sum may be so advanced out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada, and shall be repaid to the said fund, with interest at the rate of five per centum per annum, out of the first proceeds of the sales of any lands set apart in the Province of Manitoba as "school lands," under the "*Dominion Lands Act, 1883*;" and all moneys advanced or received under this Act shall be accounted for in like manner as moneys expended or received for the public service of Canada.

Out of Con. Rev. Fund. Repayment with interest provided for.

46 V., c. 17.

## CHAP 8.

An Act to authorize certain subsidies and grants for and in respect of the construction of the lines of railway therein mentioned.

[Assented to 19th April, 1884]

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

Preamble.

1. The Governor in Council may grant the subsidies hereinafter mentioned, to and for the parties, railways and railway companies hereinafter mentioned, that is to say :—

Subsidies may be granted in respect of the railways hereinafter mentioned.

To the Government of the Province of Quebec, in consideration of their having constructed the railway from Quebec to Ottawa, forming a connecting line between the Atlantic and Pacific Coasts *via* the Intercolonial and Canadian Pacific Railways, and being, as such, a work of national and not merely Provincial utility, a subsidy not exceeding \$6,000 per mile for the portion between Quebec and Montreal, 159 miles, nor exceeding in the whole..... \$ 954,000

And for the portion between Montreal and Ottawa, 120 miles, \$12,000 per mile, nor exceeding in the whole..... 1,440,000

For the construction of a line of railway connecting Montreal with the harbors of St. John and Halifax by the shortest and best practicable route, after the report of competent engineers, a subsidy not exceeding \$170,000 per annum for fifteen years, or a guarantee of a like sum for a like period as interest on bonds of the Company undertaking the work.

For

For the construction of a line of railway from Oxford Station on the Intercolonial Railway to Sydney or Louisburg, a subsidy not exceeding \$30,000 per annum for fifteen years, or a guarantee of a like sum for a like period as interest on the bonds of the Company undertaking the work, in addition to the subsidies previously granted, and also a lease or transfer to such Company of the Eastern Extension Railway from New Glasgow to Canso, with its present equipment.	
To the Quebec Central Railway Company for a line of railway from Beauce Junction to the International Boundary line, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole .....	\$211,200
For the extension of the Canadian Pacific Railway, from its terminus at St. Martin's Junction, near Montreal, or some other point on the Canadian Pacific Railway, to the harbor of Quebec, in such manner as may be approved by the Governor in Council, a subsidy not exceeding \$6,000 per mile, nor exceeding in the whole.....	960,000
To the Irondale, Bancroft and Ottawa Railway Company, for a line of railway, from the Victoria branch of the Midland Railway to the village of Bancroft, in the township of Dungannon, county of Hastings, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole .....	160,000
To the Pontiac Pacific Junction Railway for a line of railway from Hull or Aylmer to Pembroke, provided the Ottawa river is crossed at some point not east of Lapasse, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	272,000
To the Gatineau Railway Company, for a line of railway from Kazuabazua to Le Desert, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	160,000
To the Napanee, Tamworth and Quebec Railway Company, for a line of railway from Tamworth to Bogart and Bridgewater, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole .....	70,400
To the Montreal and Western Railway Company, for a line of railway from the end of the line subsidized in the now last Session of Parliament, towards Le Desert, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	160,000
	To



To the Northern and Western Railway Company, for a line of railway from Fredericton to the Miramichi River, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole (instead of the subsidy proposed in 1883).....	\$128,000
To the Erie and Huron Railway Company, for a line of railway from Wallaceburgh to Sarnia, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	96,000
To the Ontario and Pacific Railway Company, for a line of railway from Cornwall to Perth, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	262,400
To the Kingston and Pembroke Railway Company, for a line of railway from Mississippi to Renfrew, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	48,000
To the Great Northern Railway Company, for that portion of their railway between St Jerome and New Glasgow, in the county of Terrebonne, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	32,000
For a line of railway and bridge between the Jacques Cartier Union Railway Junction with the Canadian Pacific Railway and St. Martin's Junction, connecting the Jacques Cartier Union Railway with the North Shore Railway proper, a subsidy not exceeding in the whole.....	200,000
For a line of railway from Richibucto to St. Louis, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	22,400
For a line of railway from Hopewell to Alma, in the Province of New Brunswick, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	51,200
For a line of railway from St Andrews to Lachute, in the County of Argenteuil, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	22,400
For a line of railway from the Grand Piles, on the River St. Maurice, to Lake Edward, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	217,600
For a line of railway from Annapolis to Digby, in the Province of Nova Scotia, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	64,000
For a line of the Central Railway, from the head of Grand Lake to the Intercolonial Railway, between Sussex and St. John, a subsidy not	exceeding

exceeding \$3,200 per mile, nor exceeding in the whole.....	\$128,000
To the Caraquet Railway Company, for the extension of their line of railway from Caraquet to Sheppigan Harbour, in the Province of New Brunswick, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole..	76,800
For a branch of the Intercolonial Railway, from Metapediac eastward, towards Paspebiac, twenty miles, in the Province of Quebec, a sum not exceeding in the whole.....	300,000
For a branch of the Intercolonial Railway, from Derby Station to Indian Town, fourteen miles, a sum not exceeding in the whole.....	140,000

To what companies and on what conditions.

Commencement and completion.

Specification and location.

How payable.

Capitalization of subsidies to Quebec.

Government works.

Proviso: as to running powers.

The subsidies hereinbefore mentioned as to be granted to companies named for that purpose, shall be granted to such companies, respectively: the other subsidies shall be granted to such companies as shall be approved by the Governor in Council as having established, to his satisfaction, their ability to construct and complete the said railways, respectively. All the lines for the construction of which subsidies are granted shall be commenced within two years from the first day of July next and completed within a reasonable time, not to exceed four years, to be fixed by Order in Council, except the line mentioned in the fourth section of this Act, which shall be commenced within one year, and shall also be constructed according to descriptions and specifications and upon conditions to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made in each case by the Company with the Government, and which the Government is hereby empowered to make; the location also of every such line of railway shall be subject to the approval of the Governor in Council: and all the said subsidies respectively shall be payable out of the Consolidated Revenue Fund of Canada, by instalments on the completion of each section of the railway of not less than ten miles, proportionate to the value of the portion so completed, in comparison with that of the whole work undertaken, to be established by the report of the said Minister. The subsidies to the Province of Quebec shall be capitalized and the interest shall be payable at such time and in such manner as the Government of Canada shall agree upon with the Government of the said Province. The two subsidies last mentioned in the list are for works to be constructed by the Government of Canada:

Provided always, that the granting of such subsidies to the companies mentioned, respectively, shall be subject to such conditions for securing such running powers or traffic arrangements and other rights, as will afford all reasonable facilities

facilities and equal mileage rates to all railways connecting with those so subsidized, as the Governor in Council may determine.

2. The first section of the Act forty-sixth Victoria, chapter twenty-five, is hereby amended by striking out the words, "To the Great American and European Short Line Railway Company," and by substituting the word "the" for the word "their," which is next after the words so struck out and the words and figures "for 80 miles of," in the same item.

Act 46 V., c. 25, amended.

3. The Canadian Pacific Railway Company may, within six months from the passing of this Act, purchase the North Shore Railway from St. Martin's Junction to Quebec, or may obtain control of the same, or may make with the owners of the said railway such arrangements as will allow the said Canadian Pacific Railway Company to extend its railway to Quebec,—failing which, the provisions contained in the three following sections may take effect.

C. P. R. Company may purchase or acquire control of North Shore Railway.

4. And whereas it may become necessary for the construction of a railway in conformity with the intention and purpose of the subsidy for the extension of the Canadian Pacific Railway, from its terminus at St. Martin's Junction, or some other point on the said railway to the harbor of Quebec, that a company should be incorporated with the powers requisite for such construction, and for making financial arrangements for the purposes thereof: Therefore, it is hereby further enacted as follows:—

Recital: as to extension of C. P. R. to Quebec.

For the purpose of incorporating the persons undertaking the construction of the said railway, and those who shall be associated with them in the undertaking, and so soon as a contract shall be made with them by the Canadian Pacific Railway Company, for such construction, the Governor may grant to them, under such corporate name as he shall deem expedient, a charter conferring upon them the franchises, privileges and powers requisite for the said purposes, which shall be similar to such of the franchises, privileges and powers granted to railway companies during the present Session, as the Governor shall deem most useful or appropriate to the said undertaking; and such charter, being published in the *Canada Gazette*, with any Order or Orders in Council relating to it, shall have force and effect as if it were an Act of the Parliament of Canada.

Company may be chartered for the construction of such extension.

Form and effect of such charter.

5. The Canadian Pacific Railway Company is hereby authorized, with the authority of a special general meeting of the shareholders thereof, called for the purpose,—such authority being established by the vote of shareholders holding at least two-thirds in amount of the shares represented

C. P. R. Company may become the lessee in perpetuity of such railway.

at such meeting,—to accept and hold a lease in perpetuity of the railway of the company so to be incorporated, and to apply the rent thereof to the payment of the interest upon the bonds or debenture stock which shall be issued by such company, or otherwise to guarantee the payment thereof; and to execute all such deeds or instruments as may be necessary for that purpose.

Further provision as to such railway, and application of the subsidy.

6. The extension of the Canadian Pacific Railway referred to in the two next preceding sections, may include any portion of the railway of any other company, which may be acquired, with the approval of the Governor in Council, to form part of such line; and the said subsidy may be made payable either as the work of construction proceeds or converted into a guarantee fund for the payment of interest upon the securities to be issued as charges upon the railway, or otherwise, as may be determined by the Governor in Council.

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## CHAP. 9.

An Act to make further provision towards the completion of the Tidal Dock in the Harbor of Quebec.

[Assented to 19th April, 1884]

Preamble.

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

\$300,000 may be raised and advanced.

1. The Governor in Council may raise, by the issue of debentures in the manner prescribed by the Act, thirty-sixth Victoria, chapter sixty-two, a further sum not exceeding three hundred thousand dollars, to be advanced from time to time to the corporation of the Quebec Harbor Commissioners, towards the completion of their tidal dock in the said harbor, in addition to the sums authorized by the Act above cited, or any subsequent Act, to be advanced to them for the improvement of the said harbor,—any advance under this Act being subject to the payment to the Government of interest thereon, at the rate of four per cent. per annum, in the manner prescribed by the said Act, thirty-sixth Victoria, chapter sixty-two, and subject to all the other provisions thereof.

Subject to provisions of 36 V., c. 62.

## CHAP. 10

An Act to authorize the advance of a further sum for completing the Graving Dock in the Harbor of Quebec.

[Assented to 19th April, 1884.]

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

Preamble.

1. The Governor in Council may advance, from time to time, to the corporation of the Quebec Harbor Commissioners, such sum or sums of money, not exceeding in the whole the sum of one hundred and fifty thousand dollars, as may be required to enable them to complete the graving dock now in course of construction in the Harbor of Quebec,—such sum or sums to be in addition to any advances already authorized to be made to them for the same purpose, and to be raised and advanced to the said corporation in the same way, and on the same terms and conditions, and subject to the like provisions as to the application of the net income derived from tolls, rates, duties and dues imposed and received, the payment of interest and the formation of a sinking fund for the re-payment of the moneys advanced under this Act, as are enacted in the Act passed in the thirty-eighth year of Her Majesty's reign, chaptered fifty-six, and intituled "*An Act respecting the Graving Dock in the Harbor of Quebec, and authorizing the raising of a loan in respect thereof*," with regard to the sums of which the advance is thereby authorized.

\$150,000 may be raised and advanced, in addition to former advances, and subject to provisions of 38 V., c. 56.

2. Provided always, that the rate of interest payable by the said corporation to the Government on the sum or sums of money to be advanced to them under this Act shall be four per centum per annum.

Rate of interest payable to Government.

## CHAP. II.

An Act further to amend "The Consolidated Railway Act, 1879," and the Acts amending it.

[Assented to 19th April, 1884.]

Preamble.  
42 V., c. 9.

**I**N amendment of "*The Consolidated Railway Act, 1879*," Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

To what Railways and Co's. this Act applies.

**1.** The several sections and substituted sections and provisions of this Act shall apply to all railway companies and railways, (except Government railways) within the legislative authority of the Parliament of Canada.

Sub-sec. 2 of sec. 27 amended.

**2.** Sub-section two of section twenty-seven of "*The Consolidated Railway Act, 1879*" is hereby amended by adding the following words thereto: "or by civil action before any court having jurisdiction to the amount claimed"

Sub-sec. 3 repealed.

**2.** Sub-section three of the said section twenty-seven is hereby repealed and the following substituted therefor:—

New sec. as to penalties, &c.

"**3** All the fines, forfeitures and penalties recovered under the next preceding paragraph, the application whereof is not hereinbefore particularly directed, shall be paid and belong to the person suing for the same."

Section substituted for section 48 repealed, and new substituted.

**3.** The section substituted by the Act passed in the forty-sixth year of Her Majesty's reign, chaptered twenty-four, for section forty-eight of "*The Consolidated Railway Act, 1879*," is hereby repealed and the following substituted as section forty-eight of the Act last mentioned:—

Certain powers vested in the Railway Committee with respect to railways crossing highways on the level.

"**48.** In any case where any portion of a railway is constructed or authorized or proposed to be constructed upon or along or across any street or other public highway on the level or otherwise, the railway company before constructing or using the same, or in the case of railways already constructed within such time as the Railway Committee shall direct, shall submit a plan and profile of such portion of railway for the approval of the Railway Committee; and the Railway Committee, if it appears to them expedient or necessary for the public safety, may, from time to time with the sanction of the Governor in Council, authorize or require the Company to whom such railway belongs, within such time as the said Committee directs, to protect such street or highway by a wall, a man or by a watchman and gates or other protection, or to carry such street or

Company to protect such crossings in such way as

or

or highway either over or under the said railway by means of a bridge or arch, instead of crossing the same on the level, or to divert such street or highway either temporarily or permanently, or to execute such other works and take such other measures as, under the circumstances of the case, appear to the said Committee the best adapted for removing or diminishing the danger arising from the then position of the railway; and all the provisions of law at any such time applicable to the taking of land by railway companies, and its valuation and conveyance to them, and to the compensation therefor, shall apply to the case of any land required for the proper carrying out of the requirements of the Railway Committee: and the said Committee may give such directions and make such stipulations, conditions or orders respecting such works and the execution thereof, and the apportionment of the costs thereof and of any such measures of protection, between the said railway Company and any other corporation or person interested therein, as shall appear to them just and reasonable:

the Committee directs.

As to land required for such purpose.

Committee may give directions as to necessary works.

" 2. Every railway Company shall be liable to a penalty of fifty dollars, to be recovered by information with costs of suit, in the Exchequer Court of Canada, by the Attorney-General, on behalf of Her Majesty,—or any municipal corporation interested in the matter in which such Railway Company has made default, may sue therefor in any court of competent jurisdiction,—one-half the penalty to belong to the Crown; and the other half to the corporation suing for the same,—

Penalty on company not complying therewith.

" (a.) For each and every day after the expiration of the date fixed by the Railway Committee for the execution of any such works during which such works remain uncompleted;

For each day of non-compliance as to works ordered;

" (b.) For each and every day after the date fixed by the Railway Committee for the taking of any measure for the protection of any such street or highway, or for removing or diminishing such danger as aforesaid, on which the Company fails to take such measure:

Or other measures to be taken.

" 3. The Company, either for the purpose of constructing or repairing their railway, or for the purpose of carrying out the requirements of or in the exercise of the powers so conferred upon them by the Railway Committee, may enter upon any land not being more than two hundred yards distant from the centre of the located line of the railway, and not being a garden or orchard attached to a house, nor a park, planted walk, avenue or ground ornamentally planted, and occupy the said lands as long as may be necessary for the purposes aforesaid; and all the provisions of law, at any time applicable to the taking of lands by railway companies and its valuation and the compensation therefor, shall apply to the

Powers of company for carrying out orders of committee.

case

Proviso: if land is taken without consent of owner.

case of any land so required: Provided, that before entering upon any land for the purposes aforesaid, the Company shall, in case the consent of the owner is not obtained, pay into the office of one of the superior courts for the Province in which the lands are situated, with interest thereon for six months, such sum as shall, after two clear days' notice to the owners of the land, or to the parties empowered to convey the same or interested therein, be fixed by a judge of any one of such superior courts."

S. 11 of 46 V., c. 24, amended.

4. Sub-section (b) of the eleventh section of the Act forty-sixth Victoria, chapter twenty-four, which by the Act last mentioned is with other provisions added to the sixtieth section of "*The Consolidated Railway Act, 1879*," is repealed and the following sub-section enacted in lieu thereof:—

Amended provision as to employment of funds of railway companies.

Proviso.

Proviso.

"(b.) No railway company shall hereafter, either directly or indirectly, employ any of its funds in the purchase of its own stock, or in the acquisition of any shares, bonds or other securities issued by another railway company in Canada: Provided always, that nothing in this Act contained shall affect the powers or rights which any railway company in Canada now has or possesses, to acquire, have or hold the shares, bonds, or other securities of any railway company in the United States of America: Provided always that nothing herein mentioned is to interfere with the right conferred on the Northern Railway Company of Canada, or the Hamilton and North Western Railway Company, to acquire stock in the Ontario and Pacific Junction Railway Company by the Acts of this present Session relating to the said first named Companies respectively."

Sub-section 6 of s. 22 repealed.

5. The sixth sub-section of the twenty second section of "*The Consolidated Railway Act, 1879*," is repealed.

Appointment of commission to inquire into railway accidents.

Powers of such commission.

As to evidence required, and enforcing attendance of witnesses, &c.

6. The Governor in Council, on the recommendation of the Railway Committee, may appoint such person or persons as he may think fit to be a commissioner or commissioners for inquiring into the causes of and the circumstances connected with any accident or casualty to life or property occurring on any railway, and into all particulars relating thereto; and such commissioner or commissioners shall have power to send for persons, papers and records, and by summons under his or their hand or hands, to require the appearance of any person before him or them, and the production of any book, paper or thing which he or they may consider important for such purpose; and any such commissioner may administer oaths or affirmations or declarations, to any persons appearing before him or them, and every such person so appearing shall answer all such questions and inquiries relating to the premises as shall be put to him; and such commissioner or commissioners shall have the same power to



to enforce the attendance of witnesses and to compel them to give evidence and produce the books, papers or things they are required by such summons to bring with them, as is vested in any court of law in civil cases; and any wilfully false statement made by any such witness shall be a misdemeanor punishable in the same manner as wilful and corrupt perjury; but no person so summoned shall be compellable to answer any questions, by truly answering which he might render himself liable to a criminal prosecution:

Punishment for false statements.

Proviso.

2. The said commissioner or commissioners shall receive such remuneration for their services as the Governor in Council may determine, and the persons summoned to attend before him or them shall receive the same rate of allowances for so doing as if summoned to attend before a court of civil jurisdiction in the Province where they were required to appear,—the said remuneration and allowance being payable out of any moneys to be provided by Parliament for unforeseen expenses:

Remuneration of commissioners.

3. The commissioner or commissioners shall report fully in writing to the Governor in Council his or their doings and opinions on the matters respecting which he or they are appointed to inquire.

Report to Governor in Council.

7. In addition to the powers vested in the Railway Committee by "*The Consolidated Railway Act, 1879*," or any amendment thereof, the said Committee shall have power,—

Additional powers vested in railway committee.

(1.) To regulate and limit the rate of speed at which railway trains and locomotives may be run in any city, town or village, or in any class of cities, towns or villages described in any regulation; limiting, if the said Railway Committee thinks fit, the rate of speed within certain described portions of any city, town or village, and allowing another rate of speed in other portions thereof: Provided always, that such rate of speed shall not in any case be greater than that allowed by section seventy-six of "*The Consolidated Railway Act, 1879*;"

Limiting rate of speed in cities, &c.

Proviso.

(2.) To make such regulations as they may think proper with respect to the use of the steam whistle within any city, town or village or any portion thereof;

Use of steam whistle.

(3.) To impose penalties not exceeding twenty dollars, for any one offence, on persons offending against any regulation made under this section,—such penalties to be recoverable with costs in a summary manner under "*An Act respecting the duties of Justices of the Peace out of Sessions, in relation to summary convictions and orders*," and the Acts in amendment thereof, and to belong to the Crown;

Imposing penalties for contravention of regulations.

32-33 V., c. 31.

Repealing,  
altering, &c.

(4.) To repeal, alter or re-enact from time to time any regulation made under this section.

Trains stand-  
ing on high-  
ways.

8. Where any railway crosses any public highway on the level, it shall not be lawful for the railway Company, its officers, servants or agents, wilfully to permit any, or any portion of any engine, tender or car, to stand on any part of such highway for a longer period than five minutes at one time; and if in any city, town or village a train is waiting for more than five minutes, such waiting train shall be cut so as to clear the highway :

Penalty for  
contravention  
of this sec-  
tion.

2. In every case of contravention of the provisions of this section, every such officer, servant and agent, having under or subject to his control, management or direction, any engine, tender or car which, or any portion of which, shall be allowed wilfully to stand on such highway longer than the time specified in this section, shall, and such railway company shall also, for each such contravention, incur a penalty not exceeding fifty dollars,—which penalty, with costs, may be recovered in any court of competent jurisdiction by the informer or any person suing for the same, and one-half of the penalty so recovered shall belong to the Crown, and the other half to the person suing for the same: Provided always, that if such alleged contravention is in the opinion of the court, excusable, such case may be dismissed without costs.

Recovery and  
application.

Proviso.

Company to  
make cross-  
ings proper  
for passing.

Gates to be  
kept closed  
when not in  
use: penalties  
on occupants  
of lands leav-  
ing them  
open.

Responsibili-  
ty to company  
for damages.

And company  
not responsi-  
ble for cattle  
killed.

9. A railway company shall make the crossings which they are bound to furnish to persons across whose lands their railway is carried, convenient and proper for the passing of farmers' carts and other vehicles over the same; and the persons for whose use such crossings are furnished shall keep the gates at each side of the railway closed when not in use; and any person on whose lands such gates shall be, shall be liable to a penalty of twenty dollars for each occasion on which any such gate is left open without some person being at or near it to prevent animals from passing through it on to the railway; and such penalty shall be recoverable in any court of competent jurisdiction, by the informer or person suing for the same, one-half for his own use and the other half for the Crown; and the owner or occupier of the land on which any such gate shall be unlawfully left open as aforesaid, shall be liable to the railway Company for any damage to the property of the Company or for which the Company is responsible, by reason of such gate having been so left open; and no person any of whose cattle are killed by any train owing to the non-observance of the provisions of this section shall have any action against any railway company in respect to the same being so killed.

**10.** Sub-section four of section fifteen of "*The Consolidated Railway Act, 1879*," is hereby repealed, and the following substituted therefor:—

Sub-section 4 of section 15 repealed.

"4. The inclination of the ascent or descent, as the case may be, of any approach by which any road-way is carried upon, over or under any railway, shall not be greater than one foot of rise or fall for every twenty feet of the horizontal length of such approach; and a good and sufficient fence shall be made on each side of such approach and of the bridge or passage connected with it, which fence shall not be less than four feet in height from the surface of the approach, bridge or passage; and for railways under construction or already constructed, the Railway Committee of the Privy Council shall determine the proportion in which the cost of providing such fencing for such approach shall be borne by the railway company and the municipality or person interested."

New provision, where roadway is carried over or under a railway.

As to railways now being constructed.

**11.** Sub-section eleven of section nine of "*The Consolidated Railway Act, 1879*," is hereby amended by adding the following thereto: "and the date of such deposit shall be the date with reference to which the compensation or damages aforesaid shall be ascertained."

Sub-section 11 of section 9 amended.

**12.** Sub-section sixteen of section nine of "*The Consolidated Railway Act, 1879*," is repealed and the following substituted therefor:—

Sub-section 16 of section 9 repealed.

"16. If the opposite party, within the time aforesaid, notifies to the Company the name of his arbitrator, then the two arbitrators shall jointly appoint a third, or if they cannot agree upon a third, then any judge of a superior court of the district or Province, or if the case arises in the North-West Territories, any stipendiary magistrate, shall, on the application of the party or the Company (previous notice of at least six clear days having been given to the other party) appoint a third arbitrator; and the expression 'the judge' in sub-section twenty-two or any other part of this section, shall be construed as meaning the judge authorized to act under this sub-section, in the district or Province in which the case referred to arises."

New provision as to appointment of a third arbitrator.

Meaning of the expression "the judge" defined.

**13.** The tenth sub-section of the ninth section of "*The Consolidated Railway Act, 1879*," is amended by substituting the words "ten days" for the word "month" in the first line thereof.

Sub-section 10 of section 9 amended.

**14.** Sub-section twenty-two of the said section nine is hereby repealed and following substituted therefor:—

Sub-section 22 of section 9 repealed.

"22. If the sole arbitrator appointed by the judge, or any arbitrator appointed by the two arbitrators, dies before the

New provision in case of

death, &c., of  
a sole arbitra-  
tor.

Or of arbitra-  
tor appointed  
by either  
party.

Location of  
railway lines  
as respects  
mines.

Company not  
to take part  
only of a  
house, &c.

the award has been made, or is disqualified, or refuses or fails to act within a reasonable time, then, in the case of the sole arbitrator, the judge, upon the application of either party, being satisfied by affidavit or otherwise of such death, disqualification, refusal or failure, may appoint another arbitrator in the place of such sole arbitrator; and in the case of any arbitrator appointed by the parties, the Company and party respectively may each appoint an arbitrator in the place of his or their arbitrator so deceased or not acting; and in the case of a third arbitrator appointed by the two arbitrators, the provisions of the sixteenth sub-section of this section shall apply; but no recommencement or repetition of prior proceedings shall be required in any case."

**15.** No railway company shall locate the line of its proposed railway, or of any branch thereof, so as to obstruct or interfere with or injuriously affect the working of, or the access or adit to any mine then open or for opening which preparations are, at the time of such location, being lawfully and openly made; and no person shall at any time be compelled to sell or convey or give possession of to any railway company a part only of any house or other building or manufactory, if such person is willing and able to sell and convey and give possession of the whole thereof.

## CHAP. 12.

An Act to provide for the salary and travelling allowances of the Judge of the County Court of Cariboo, in the Province of British Columbia.

[Assented to 19th April, 1884.]

Preamble.

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

Salary and  
allowances  
of Judge.

**1.** The salary of the Judge of the County Court of Cariboo shall be two thousand four hundred dollars per annum; and he shall be paid such travelling allowances as the Governor in Council may, from time to time, determine.

Payable out  
of Cons. Rev.  
Fund.

**2.** The said salary and allowances shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

CHAP. 13.

An Act to provide for the salary and travelling allowances of an additional Puisné Judge of the Court of Queen's Bench, in the Province of Manitoba.

[Assented to 19th April, 1884.]

**W**HEREAS, by an Act passed by the Legislature of the Province of Manitoba in the year one thousand eight hundred and eighty-three, chaptered twenty-three, and intituled "*An Act respecting the Court of Queen's Bench*," it is enacted that the said court shall be composed of a Chief Justice and four Puisné Judges; and whereas it is expedient to make provision for the salary and travelling allowances of an additional Puisné Judge of the Court of Queen's Bench in the said Province; Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
Act of Manitoba.

1. The salary of the additional Puisné Judge of the Court of Queen's Bench in the Province of Manitoba, shall be four thousand dollars per annum, and he shall be paid such travelling allowances as the Governor in Council may, from time to time, determine.

Salary and travelling allowances of Judge.

2. The said salary and allowances shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

How payable.

CHAP. 14.

An Act respecting the Independence of Parliament Act, 1878, forty-first Victoria, chapter five.

[Assented to 19th April, 1884.]

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

Preamble.

1. The first section of the Act passed in the forty-first year of Her Majesty's reign, intituled "*An Act further securing the independence of Parliament*," is hereby amended by adding thereto a sub-section to be numbered four, as follows:—

Proviso added to sect. 1 of 41 V., c. 5.

"4. Provided further, that nothing in this section shall render ineligible any person holding any office, commission or

Acceptance of office of the nature men-

tioned in sub-sec. (a) without salary or emolument, not to vacate seat in House of Commons.

or employment of the nature or description mentioned in paragraph (a) of sub-section one of this section, as a member of the House of Commons, or shall disqualify him from sitting or voting therein, if by his commission or other instrument of appointment it is declared or provided that he shall hold such office, commission or employment without any salary, fees, wages, allowances, emolument or other profit of any kind, that may be attached thereto."

Case of Hon. Sir Charles Tupper recited.

2. And whereas the Honorable Sir Charles Tupper, K.C.M.G., while Minister of Railways and Canals and member of the Parliament of Canada for the County of Cumberland, in the Province of Nova Scotia, accepted the office of High Commissioner for Canada, created by the Act passed in the forty-third year of Her Majesty's reign, chapter eleven, under a commission containing an express provision that such office should be held without salary, and has performed the duties of such office without receiving any such salary, and has since the said acceptance of office sat as a member of the House of Commons of Canada, it is hereby, for the quieting of doubts, declared and enacted:—

Sir C. Tupper indemnified from liability to any penalty.

That the said Sir Charles Tupper is hereby indemnified and exonerated from all liability to any penalty or other responsibility, and from any suit, demand or judgment, which may have been or may be hereafter brought or rendered against the said Sir Charles Tupper, with respect to any such penalty or responsibility for sitting or voting as aforesaid, while not otherwise disqualified.

This Act may be pleaded in bar or discharge.

3. This Act may be pleaded as a bar and discharge to any action or suit pending, or which may be brought against Sir Charles Tupper, for any matter, cause or thing mentioned in this Act, and shall also be a discharge of any judgment for any such penalty as is mentioned in the next preceding section, and any costs on such judgment.

Words added to sect. 9.

4. The following words are hereby added to paragraph (c) of section nine, of the Act hereby amended: "And any pay or remuneration allowed him for the care of arms or for drill instruction,"—and shall be construed and have effect as if they had formed part of the said Act and paragraph at the time of the passing thereof;

Retroactive.

Members having been paid for care of arms or drill instruction indemnified.

And any member or members of the House of Commons, or any person whosoever, being or having been such member, is hereby indemnified and exonerated from all liability to any penalty or other responsibility, and from any suit, demand or judgment which may have been or may be hereafter brought or rendered against him with respect to any such penalty or responsibility for sitting or voting in the House of Commons, while not otherwise disqualified than by reason of

of his having received any pay or remuneration for the care of arms, or for drill instruction, while an officer of the Militia or militia man: and this Act may be pleaded as a bar and discharge to any action or suit pending, or which may be brought against any member of the House of Commons or other person, as aforesaid, for any matter, cause or thing mentioned in this Act, and shall also be a discharge of any judgment for any such penalty as is mentioned in this section, and any costs on such judgment.

Act may be  
pleaded in bar  
or discharge.

## CHAP. 15.

An Act to amend the Civil Service Acts of 1882 and 1883.

[Assented to 19th April, 1884.]

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

Preamble.

**1.** The following sub-section is added to the fifth section of the Act intituled "*An Act to amend the Canada Civil Service Act, 1882*," and shall constitute the fourth sub-section thereof:—

Subsection  
added to s. 5  
of 45 V., c. 4.

**4.** The Governor in Council may appoint a clerk having a qualifying examination certificate to assist the board at a salary not to exceed six hundred dollars per annum.

Clerk of the  
board of  
examiners.

**2.** The twenty-fifth section of the Civil Service Act of 1882 is repealed and the following section enacted in lieu thereof:—

S. 25 of 45 V.,  
c. 4 repealed.

**25.** Except as herein otherwise provided, no appointment shall be made to either division of the Civil Service unless the person appointed shall have passed an examination, which shall be of two kinds, the first or "preliminary" examination, to qualify for the following appointments that is to say, as—

New section  
substituted.  
Preliminary  
examinations.

Messengers in either division,

Porters,

Sorters,

Packers,

Letter Carriers,

Mail Transfer Agents,

Box Collectors,

Tide Waiters,

Assistant Inspectors of Weights and Measures, and—

Persons seeking temporary employment in the departments as copyists,—

**Qualifying examinations.** and for such other offices in the lower grades as may be determined by Order in Council; the second or “qualifying” examination to qualify for the following appointments:—

To third-class clerkships in the first Division ;

To third-class clerkships and to the offices of landing-waiters and lockers, in the second division for Customs' service ;

To third-class clerkships and to the office of exciseman, in the second division for Inland Revenue service ;

To third-class clerkships, to railway and marine mail clerkships, and to the offices in the second division for Post Office service :

**Proviso.** but nothing in this section shall be construed to prevent candidates passing both examinations, at their option.”

**S. 31 repealed.** **3.** The thirty-first section of the said Act of 1882, is repealed.

**S. 36 as amended by 46 V., c. 7, repealed.** **4.** The thirty-sixth section of the said Act of 1882, as amended by the seventh section of the said Act of 1883, is repealed and the following section enacted in lieu thereof:—

**New section substituted, as to promotion examinations.** **“36.** Promotion in either division of the Civil Service shall be by examination, under regulations made by the Governor in Council :

**Who may be examined.** **“2.** Except as herein otherwise provided, such examination shall be open to any person employed in the Department in which the vacancy to be filled by promotion exists, in either division of the Service, who holds a position below that to which the promotion is to be made : and—

**Subjects of examination.** **“3.** Shall be in such subjects as, by report of the Deputy Head of the Department in which the promotion is to be made, concurred in by the Head of the Department, shall be submitted to the Board as best adapted to test the fitness of the candidates for the vacant office,—such subjects being determined according to the requirements of each Department and of each branch thereof :



"4. And the said promotion examination shall be conducted Rules of.  
under the rules and regulations of the Board of Civil Service  
Examiners :

"5. Where the vacancy to be filled by promotion exists in Promotion  
in inside  
division.  
the Inside division, the examination shall not be open to  
persons employed in the Outside division who, at the date of  
their first appointment, were of a greater age than thirty-  
five years :

"6. In the case of attorneys, barristers, engineers, military As to officers  
having speci-  
al profession-  
al qualifica-  
tions.  
or civil, officers of artillery in the Militia Department and  
graduates of the Royal Military College, architects, actuaries,  
land surveyors and draughtsmen, when employed or when  
seeking promotion in the line of their profession, the examin-  
ation may be dispensed with on a report from the Deputy  
Head, concurred in by the Head of the Department, that it is  
not necessary :

"7. Nor shall such examinations be required for the re- Exception as  
to certain  
cases.  
employment or promotion of Excisemen who passed the  
departmental examinations for the special class in the Excise  
service before the passing of the Act of 1882 hereby  
amended."

5. Section forty-nine of the said Act of 1882 is repealed S. 49 repealed.  
and the following section enacted in lieu thereof:—

"19. No extra salary or additional remuneration of any New section  
substituted,  
as to special  
remuneration.  
kind whatsoever shall be paid to any Deputy Head, officer or  
servant in the Civil Service of the Dominion, unless a sum  
shall have been placed for that purpose in each case in the  
Estimates submitted to and voted by Parliament :

"2. When the duties of any superior officer or clerk during When duties  
of superior  
officers are  
performed by  
one of lower  
grade.  
Proviso.  
his absence are continuously performed by an officer or  
clerk of an inferior class or junior rank, during a period of  
more than three months, the officer or clerk performing such  
duties may, on the recommendation of the Deputy Head,  
concurred in by the Head of the Department, and provided  
that funds are available under parliamentary vote for such  
payment, receive in addition to his ordinary pay, the  
difference between such ordinary pay and the pay of the  
officer or clerk whose duties he has performed, for the time  
he has performed such duties ; and—

"3. When the absence of any officer is not occasioned by Case of ab-  
sence of su-  
perior officer.  
his employment on other duties by the Government, by  
leave of absence, or on account of illness certified by an  
authorized medical practitioner appointed by the Government  
for that purpose, his salary for each day of such absence, shall  
be deducted from his monthly salary."

Subsection 3  
of s. 6 of 46  
V., c. 7,  
amended.

**6.** Sub-section three of section six of the Act of 1883, is amended by adding after the word "Departments," the words:—"and Inspectors of Weights and Measures:"

Subsection 4  
of the same  
amended.

The fourth sub-section of the said amended section, is amended by adding the following:—"And such officer or servant may receive an appointment in the Civil Service for which he is otherwise eligible, if at the date of his appointment as such temporary or supernumerary officer or servant his age did not exceed thirty-five years."

Schedule B  
amended as  
to salaries.

**7.** Schedule B of the said Act of 1883 is amended as follows: After the words "Assistant post office inspectors," leave out the words and figures "On appointment, \$1,000; after ten years' service, \$1,200; after twenty years' service, \$1,500"; and substitute therefor the following: "On appointment, \$1,200, with an annual increase of \$50, to a maximum of \$1,600:"

The same.

After the Schedule of salaries of "Clerks in City Post Offices," add the following:—"Mail transfer agents, \$400, with an annual increase of \$40, to a maximum of \$600:"

The same.

And substitute: "\$360," for "\$300," as the salary of "Letter carriers, messengers, box collectors and porters."

## CHAP. 16.

An Act further to amend the Act thirty first Victoria, chapter twelve intituled "An Act respecting the Public Works of Canada."

[Assented to 19th April, 1884]

Preamble.

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

31 V., c. 12,  
s. 13 repealed  
and new sec-  
tion substi-  
tuted.

**1.** The thirteenth section of the Act passed in the thirty-first year of Her Majesty's reign, chaptered twelve and intituled "*An Act respecting the Public Works of Canada*" is hereby repealed and the following section is enacted in lieu thereof:—

Lands, &c,  
acquired for  
public works,  
how vested  
and managed.

**13.** All lands, streams, water-courses and property "acquired for the use of public works or buildings shall be vested in Her Majesty, and when not required for the said works or buildings may be sold or disposed of under the authority

“thority of the Governor in Council, and all hydraulic  
 “powers created by the construction of any public work, or  
 “the expenditure of public money thereon, shall be vested in  
 “Her Majesty, and any portion thereof not required for the  
 “public works may be sold or leased under the authority  
 “aforesaid; and any portion of the shore or bed of any public  
 “harbor vested in Her Majesty, as represented by the  
 “Government of Canada, not required for public purposes  
 “may, on the joint recommendation of the Ministers of  
 “Public Works and of Marine and Fisheries, be sold or  
 “leased under the authority aforesaid; and the proceeds  
 “of all such sales and leases shall be accounted for as public  
 “money: Provided that no such sale or lease shall prejudice  
 “or affect any right or privilege of any riparian owner.”

Shores and  
 beds of public  
 harbors may  
 be sold or  
 leased, and  
 how.

Proviso:  
 private rights  
 saved.

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CHAP. 17.

An Act respecting Fortifications and Military Buildings  
 and their maintenance and repair.

[Assented to 19th April, 1884.]

**H**ER Majesty, by and with the advice and consent of the Preamble.  
 Senate and House of Commons of Canada, enacts as  
 follows:—

1. Notwithstanding anything contained in the Act passed in the thirty-first year of Her Majesty's reign, chaptered twelve, and intituled "*An Act respecting the Public Works of Canada,*" or in any other Act, the Department of Militia and Defence may, on, from and after the first day of July in the year of Our Lord one thousand eight hundred and eighty-four, be charged with and have the control, management, maintenance and repair of all military buildings, forts and fortifications in Canada, under an order of the Governor in Council in that behalf, to be made before the day last mentioned.

Transfer of  
 management  
 of such works  
 to the Depart-  
 ment of  
 Militia by  
 O.C.

## CHAP. 18.

## An Act respecting the Department of Marine and Fisheries.

[Assented to 19th April, 1884]

Preamble.

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

Department  
divided.

**1.** There shall be a Department to be called "The Department of Marine," and a Department to be called "The Department of Fisheries," over both of which the Minister of Marine and Fisheries, for the time being, shall preside, and shall have the management, charge and direction thereof.

A deputy  
head for each  
division.

**2.** The Governor in Council may appoint an officer to be called "The Deputy Minister of Fisheries," who shall be the Deputy Head of the Department of Fisheries ; and thereafter the officer now called the "Deputy of the Minister of Marine and Fisheries," shall be and be called "The Deputy Minister of Marine," and shall be the Deputy Head of the Department of Marine.

Duties of De-  
partment of  
Fisheries.

**3.** The Department of Fisheries shall administer all laws made or to be made relating to the subject of sea, coast and inland fisheries and the management, regulation and protection thereof, and all matters and things relating thereto, or assigned by the Governor in Council to the said Department ; and the Department of Marine shall have the administration of all other matters now assigned to the Department of Marine and Fisheries, or which may hereafter be assigned by the Governor in Council to the Department of Marine.

And of  
MarineMinister to  
assign officers  
to each  
department.

**4.** The Minister of Marine and Fisheries may assign to the Department of Fisheries such officers of the present Department of Marine and Fisheries as he may think necessary for the proper performance of the work of that Department, and the remaining officers of the Department of Marine and Fisheries shall be officers of the Department of Marine.

## CHAP. 19.

An Act to amend "An Act respecting certificates to Masters and Mates of Ships," and "The Seamen's Act, 1873."

[Assented to 19th April, 1884]

**I**N amendment of the Acts cited in the title of this Act, Preamble.  
Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Act first cited in the title of this Act, passed in the thirty-third year of Her Majesty's reign, is amended by striking the words "and fifty" out of the third line of section six, and the words "either of the colonies of," and the words "or Prince Edward Island," out of the sixth and seventh lines of the said section, and the words "and fifty," out of the twenty-fifth and twenty-sixth lines thereof:—and by striking the words "and fifty," out of the fourth line of section seven.

Sects. 6 and 7 of 33 V., c. 17 amended.

2. The Act first cited in the title of this Act is further amended by adding the following provision to the seventh section thereof:—

Sect. 7 further amended.

"2. And if the master of any such ship, after having produced to the collector or other officer of the Customs in Canada to whom he applies for a clearance, a certificate of competency or service required to be possessed by the first or only mate of such ship, and having obtained his clearance by representing that the person possessing such certificate is engaged as first or only mate of the said ship for the voyage for which the clearance is obtained, afterwards proceeds to sea without having the said person or some other duly certificated mate on board as first or only mate, such master shall thereby incur a penalty of one hundred dollars; and any person who knowingly allows his certificate as mate to be produced as aforesaid, and does not proceed to sea with such ship as first or only mate on the voyage for which the clearance is obtained, or otherwise wilfully aids the master in his offence against this Act, shall by so doing incur a like penalty; and the certificate of any master or mate offending against this enactment, may, if issued under Canadian authority, be suspended by the Minister of Marine and Fisheries for a period not exceeding twelve months."

Punishment of master or mate fraudulently evading the said section after clearance of the ship.

Suspension of certificate of offender if it is Canadian.

3. The Act first cited in the title of this Act is further amended by inserting the following as sub-section three of the

Sect. 5 of 33 V., c. 17 further amended

the fifth section of the said Act, after the word "dollars," in the nineteenth line thereof:—

Persons having served as masters in certain sea-going Canadian ships, not coasters, entitled to certificate as masters or mates of ships of like kind.

"3. Every person who before the first day of January, one thousand eight hundred and eighty-four, served as master in a sea-going ship registered in Canada, and being over one hundred tons, and not over one hundred and fifty tons registered tonnage, and employed in trading elsewhere than between ports or places in Canada, or between Canada and ports and places in the United States of America or Newfoundland, and who has produced satisfactory evidence of his sobriety, experience, ability and general good conduct, and has passed the color test, shall be entitled to a certificate as master or mate, as the case may be, for sea-going ships registered in Canada and being over one hundred tons and not over one hundred and fifty tons registered tonnage, on payment of a fee of five dollars for a certificate as master, or three dollars for a certificate as mate."

Sect. substituted by 42 V., c. 27 for sect. 32 of 36 V., c. 129 amended.

4. The section substituted by the Act forty-second Victoria, chapter twenty-seven, as and for section thirty-two, of the Act secondly cited in the title of this Act, is amended by striking out the words "and fifty," whenever they occur before the word "tons," in the said substituted section.

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## CHAP. 20.

An Act to amend "The Steamboat Inspection Act, 1882," by reducing the fees payable on renewal of Engineers' Licenses.

[Assented to 19th April, 1884.]

Preamble.

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

Reduction of fee under 45 V., c. 35, s. 45.

1. The fee payable on the renewal of an engineer's certificate, under section forty-five of "*The Steamboat Inspection Act, 1882*," shall be one dollar, instead of five dollars, as mentioned in the said section, which is hereby amended accordingly.

## CHAP. 21.

An Act in further amendment of " An Act respecting the treatment and relief of sick and distressed Mariners."

[Assented to 19th April, 1884.]

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

Preamble.

1. Notwithstanding anything in the Act passed in the forty-fifth year of Her Majesty's reign, chapter nineteen, for amending the Act cited in the title to this Act, the master or person in command of any fishing vessel registered in Canada, or some person on his behalf, may pay the dues chargeable on such vessel under the Act last mentioned, before leaving on a fishing voyage from its first port of outfit ; and if the said dues have been paid at such port on any such vessel, before leaving on a fishing voyage, in any calendar year, the master or person in charge of such vessel, and the mariners employed therein on such voyage, if sick, shall have the same rights and be entitled to the same benefits as those of other vessels on which the dues imposed by the said Act have been paid, in any port where there is a Collector of Customs :

On what conditions fishing vessels may have the benefit of 45 V., c. 19.

Provided, that the payment of the said dues in like manner, on any fishing vessel, three times in any calendar year, or such payment thereof once in such year if such vessel is of the burthen of one hundred tons registered tonnage or less, shall entitle the master and mariners thereof, to the benefits aforesaid, during such year.

Proviso as to vessels making more than one voyage in the year, or not being over 100 tons burden.

## CHAP. 22.

An Act to amend "An Act respecting inquiries and investigation into Shipwrecks, and other matters," as to the powers of the Minister of Marine and Fisheries in certain cases reported to him under it.

[Assented to 19th April, 1884]

Preamble.  
32, 33 V., c.  
38.

IN amendment of the Act cited in the title of this Act, and passed in the Session held in the thirty-second and thirty third years of Her Majesty's reign, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts and declares as follows:—

Section 9  
amended.

Provision as  
to power of  
Minister of  
Marine and  
Fisheries in  
certain cases.

1. So much of the ninth section of the said Act as follows the words "any certificate," in the eighth line, is hereby repealed, and the following substituted in lieu thereof:—"and the Minister of Marine and Fisheries shall, upon the receipt of the evidence and the opinion of the court thereon, after due notice has been given and a copy of the opinion of the court has been supplied to the party interested, or his agent, if to be found, confirm, alter or set aside the judgment, as he may think fit; and his decision shall be final, unless the casualty to which the investigation relates affects a ship registered elsewhere than in Canada, or the certificate to which the suspension or cancellation relates has been granted under the authority of the "*Imperial Merchant Shipping Act, 1854*," or any Act amending the same, or of the "*Imperial Merchant Shipping (Colonial) Act, 1869*,"—in any of which cases the "*Imperial Merchant Shipping (Colonial Inquiries) Act, 1882*," shall apply.

No confirma-  
tion of report  
by Governor  
required.

2. No confirmation by the Governor or person administering the Government of Canada, of any report under the Act hereby amended is or has been required since the passing of the "*Imperial Merchant Shipping Amendment Act, 1852*,"—the provision in the "*Imperial Merchant Shipping Act, 1854*," referring to such confirmation, being expressly repealed as from that time, by the "*Imperial Merchant Shipping (Colonial Inquiries) Act, 1882*."



## CHAP. 23.

An Act to amend "The North-West Territories Act, 1880."

[Assented to 19th April, 1884]

WHEREAS it is expedient to amend "*The North-West Territories Act, 1880*:" Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts and declares as follows:—

1. Sections sixty-three, sixty-four and sixty-five of the said Act are hereby repealed and the following sections are enacted in lieu thereof:—

"63. The Governor in Council may, from time to time, as the settlement of the country and the exigencies of the public service require, constitute any portion of the North-West Territories a registry district for the purposes of registration of deeds and other instruments relating to land situate within the North-West Territories,—and may, by proclamation from time to time, make any change or alteration in, or subdivision of, such registry districts,—and may establish new registry districts and establish and change the position of registry offices,—and may appoint registrars,—and may do and ordain all other matters and things he deems expedient in or about the premises:

"2. From and after the day named in any such proclamation as the day on which any new registry district is established, no further registration shall be made in and for such registry district, except by the registrar appointed thereto:

"3. The Governor in Council may, from time to time, appoint a registrar of deeds (hereinafter called the registrar) in and for each such registry district, who shall hold office during pleasure only, and shall reside and keep his office at such place as is named for that purpose in his commission or at such other place as is, from time to time, appointed for that purpose by the Governor in Council:

"4. The office of the present registrar of deeds in and for the North-West Territories, established under the provisions of section sixty-three of "*The North-West Territories Act, 1880*," is hereby abolished from and after the date fixed by any proclamation as the date on which any new registry districts shall be constituted under this Act, and thereafter he shall be deemed to be a registrar appointed under this substituted section, and shall discharge the duties of registrar of the registry district in which his office is situated at the time of

Preamble.  
43 V., c. 25.

43 V., c. 25,  
ss. 63, 64, 65,  
repealed, and  
new sections  
substituted.

Registry districts may be constituted by Governor General in Council, and registrars appointed, &c.

Registration in new districts by whom made.

Registrars, their appointment, &c.

Provisions respecting the present registrar of deeds, 43 V., c. 25.

His salary not to be decreased. such abolition, but the salary now received by him shall not be decreased during his incumbency :

Special provisions to be enacted by North-West Council. " 5. The duties of registrars, the designation of deeds and instruments that may be registered, the mode of registry, the requisites for and the effect of registration, shall be governed by laws made or to be made under "*The North-West Territories Act, 1880* :"

Fees how fixed. " 6. The Governor in Council shall fix from time to time, the fees and charges to be paid for the registration of deeds and instruments :

Schedule of fees to be posted in each office. " 7. Every registrar shall keep posted up in some conspicuous place in his office, a schedule of the fees and charges authorized by the Governor in Council :

Salaries. " 8. The salaries of registrars shall be fixed by the Governor in Council, and shall be payable out of the Consolidated Revenue Fund of Canada ; but no such salary shall exceed twelve hundred dollars a year :

Proviso.

Provision for replacement of salaries by fees. " Whenever the registration fees and charges collected or collectable by any registrar in any two years consecutively amount to more than fifteen hundred dollars a year, as ascertained by the quarterly returns and report of inspector hereinafter mentioned, the salary of such registrar shall cease to be so payable, and thenceforth he may retain to his own use all the fees and emoluments received by him in each year :

Registrars to record fees received, and to make quarterly returns thereof. " 9. Every registrar shall keep a separate book, in which he shall enter from day to day all fees and emoluments collected by him by virtue of his office, showing separately the sums received for registering each deed or instrument, and for searches, and for extracts or copies, and for any other matter pertaining to his office, and shall make to the Lieutenant-Governor, within fifteen days after the last day of March, June, September and December respectively in each year, a return, under oath, of such fees and emoluments so received during the three months next preceding the date of the said return ;

Fees to be paid yearly into Consolidated Revenue Fund while salary is payable. " And every registrar shall with his fourth quarterly return to the Lieutenant-Governor for each year, pay over to the Lieutenant-Governor, on account of the Consolidated Revenue Fund of Canada, the fees and emoluments received by him during the year next preceding the date of the said return, so long as he is a salaried officer."

Inspector of registry offices. Appointment and duties. " 64. The Governor in Council may, from time to time, appoint an inspector of registry offices, whose duty it shall be,—

"(a)

- “(a) To make a personal inspection of the building in which each office is kept and of the books, deeds, titles and instruments in each registry office ;
- “(b) To see that the proper books are provided, that they are in good order and condition, that the proper entries and registrations are made therein in a proper manner and in a due and proper form and order, that the indices are properly kept and that all instruments are duly endorsed and certified and preserved ;
- “(c) To ascertain that the office is kept duly open at and for the proper times, and that it is at all times duly attended to by the registrar or his deputy ;
- “(d) To settle on some uniform device for the official seals and to see that the registrars supply themselves therewith ;
- “(e) To inspect all abstracts, indices and other books kept by the registrars ;
- “(f) To inform the registrar how and in what manner he shall do any particular act or amend or correct whatever the inspector may find amiss ; and in case he finds the work improperly done by any registrar, he shall have power to order a new book or books to be prepared and completed by the registrar at his own expense ;
- “(g) To ascertain whether the registrar has received and accounted for all fees and emoluments ;
- “(h) To report upon all such matters, as expeditiously as may be, to the Governor in Council for his information and decision :

“The salary of the Inspector of Registry Offices shall not exceed twelve hundred dollars a year, and shall be payable out of the Consolidated Revenue Fund of Canada.”

Salary of inspector of registry offices.

“65. Whenever any portion of the North-West Territories is constituted a registry district as aforesaid, and whenever any change or alteration in or sub-division of any such registry district is made, or any new registry district is established, the present registrar of deeds in and for the North-West Territories, or, as the case may be, the registrar of such district as is changed, altered or subdivided, shall deliver to the registrar of the new district so constituted or established, all books and indices, and all deeds, instruments, maps, plans and documents exclusively relating

Provision for transferring records when changes in registry districts are made.

to lands situate within the limits of the new district so constituted or established."

43 V., c. 25, s. 71 amended. **2.** Section seventy-one of the said Act is hereby amended by adding thereto the following paragraph:—

Deputy Sheriffs, appointment and salaries.

"The sheriff may, subject to the approval of the Lieutenant-Governor, appoint deputy sheriffs, who shall be paid such fees as are appointed by a schedule to that effect made, from time to time, by the Governor General in Council."

43 V., c. 25, s. 82, sub-s. 1 repealed, and new sub-section substituted. Coroners, who shall be, in North-West Territories.

**3.** Sub-section one of section eighty-two of the said Act is hereby repealed, and the following sub-section is enacted in lieu thereof:—

"**82.** The Indian commissioner for the North-West Territories, the Stipendiary Magistrates under this Act, the Commissioner and Assistant Commissioner of the North-West Mounted Police, and such other persons as the Lieutenant-Governor, from time to time, appoints, shall be coroners in and for the North-West Territories."

43 V., c. 25, s. 85 repealed, and new section substituted. Civil jurisdiction of Stipendiary Magistrate.

**4.** Section eighty-five of the said Act is hereby repealed and the following section is enacted in lieu thereof:—

"**85.** Every Stipendiary Magistrate shall have jurisdiction power, and authority to hold courts, whether established by Ordinance of the Lieutenant-Governor or not (which shall be open public courts), at such times and places as he thinks proper, and at such courts, as sole magistrate, to hear all claims, disputes and demands whatsoever (except as herein provided) which are brought before him, and to determine any questions arising thereout, as well of fact as of law, in a summary manner:

Provision for trial by jury, in certain cases.

"Provided, that in cases where the claim, dispute or demand arises out of a tort, wrong or grievance, and in which the amount claimed exceeds five hundred dollars, or if for a debt or on a contract in which the amount claimed exceeds one thousand dollars, or for the recovery of the possession of real estate, if either party demands a jury, or in any such case in which the judge thinks fit so to direct, he may direct that all questions of fact therein be tried and determined by a sworn jury of six in number, summoned in the manner hereinbefore provided as to criminal trials:

Jury, how summoned.

Disputed accounts, reference of.

"Provided further, that in cases of disputed accounts, the Stipendiary Magistrate may, in lieu of a jury, direct the evidence to be taken by the clerk of any court, or other competent person; such clerk or other person shall be sworn to take the same truly, and to reduce it to writing:

"The

"The judge may give judgment on the verdict of the jury or upon the evidence found by the clerk or other person as aforesaid, or order a new trial, when justice seems to require the same; and in all cases give such judgment, and make such orders, and decrees interlocutory and final, as in such cases brought before him shall appear just and agreeable to equity and good conscience :

Judgment.

"Provided always, that no court or Stipendiary Magistrate in the Territories shall have cognizance of any action for a gambling debt, or for any intoxicating liquor or intoxicant, or of any action by any person on any promissory note, bill of exchange, cheque, draft or other document or writing whatsoever, the consideration or any part of the consideration for which was a gambling debt or any intoxicating liquor or intoxicant."

No action to lie for gambling debts or intoxicants.

**5.** Section eighty-seven of the said Act is hereby repealed and the following section is enacted in lieu thereof:—

43 V., c. 25, s. 87 repealed, and new section substituted. Execution of judgment.

"**87.** The proceedings to carry into effect any such judgment, order or decree, whether interlocutory or final, shall be as prescribed by any Ordinance of the Lieutenant-Governor in council, or if no such Ordinance be in force when any such judgment, order or decree is rendered, then in such a manner as the Stipendiary Magistrate who pronounced the same directs."

**6.** Section eighty-eight of the said Act is hereby repealed and the following section is enacted in lieu thereof:

43 V., c. 25, s. 88 repealed, and new section substituted. Appeal to lie to Queen's Bench of Manitoba in certain cases.

"**88.** Any person feeling aggrieved by the final judgment of a Stipendiary Magistrate, on any claim, dispute, or demand when the title to real estate is in question, or in cases of tort, wrong, or grievance, when the amount in dispute exceeds five hundred dollars, or in cases of contract, when the amount in dispute between the parties exceeds one thousand dollars, may appeal to the Court of Queen's Bench of Manitoba, which shall have jurisdiction to confirm or reverse the judgment, or to order a new trial; and the mode of such appeal, the time within which such appeal is to be made, and all particulars relating thereto, shall be determined, from time to time, by Ordinance of the Lieutenant-Governor in Council."

**7.** Section eighty-nine of the said Act is hereby amended by striking out the following words, "To District Registrars, not exceeding..... 1000."

43 V., c. 25, s. 89 amended.

**8.** Sub-sections nine and ten of section ninety of the said Act, as amended by the third section of the Act forty-fifth Victoria, chapter twenty-eight, are hereby repealed, and the following sub-sections are enacted in lieu thereof:—

43 V., c. 25, s. 90 ss. 9 and 10 repealed, and new sub-sections substituted.

"9.

Penalties for  
contravention  
of law respect-  
ing intoxi-  
cants, how  
recoverable.

“9. Any penalty incurred under this section may be recovered with costs of prosecution, on summary conviction, on the evidence of one credible witness, before any Stipendiary Magistrate or Justice of the Peace, who shall, on payment of such penalty and costs, pay the informer his share thereof; and in case of non-payment of the penalty and costs immediately after conviction, the convicting magistrate or justice may, in his discretion, levy the same by distress and sale, or may commit the person so convicted and making default to any common gaol or house of correction or lock-up house for a period not exceeding six months, with or without hard labor, unless the said penalty and costs be sooner paid.”

Second  
offences,  
penalties for.

“10. And upon conviction for a second offence, the offender shall be liable to a penalty not less than two hundred and not exceeding four hundred dollars, payable and recoverable as provided in the next preceding subsection, and, in the discretion of the convicting magistrate or justice, to imprisonment with or without hard labor in any common gaol or house of correction or lock-up house for a further period not exceeding six months.”

Appeal from  
J.P.'s, not  
being Stipen-  
diary Magis-  
trates.

9. Any person feeling aggrieved by any conviction or judgment before any Justice of the Peace, not a Stipendiary Magistrate, may appeal to a Stipendiary Magistrate, and on giving security for the amount of the penalty (if there be a penalty) and costs, and if there be no pecuniary penalty, then for the costs, may prosecute such appeal,—the proceedings and practice in the conduct of hearing such appeals to be regulated by reports or orders in writing made from time to time, by the Stipendiary Magistrates of the North-West Territory or the majority of them, and approved by the Governor in Council on the report of the Minister of Justice.

Proceedings  
in such case,  
how regulat-  
ed.

As to power  
of municipali-  
ties to impose  
taxes.

10. And whereas a doubt has arisen as to the power of municipalities established or to be established in the Territories, it is declared and enacted that the Lieutenant-Governor in Council had and has authority to enable municipalities to impose and collect rates and taxes, by Ordinance, for municipal and school purposes, to the same extent and on the same subjects of taxation as municipalities in the Province of Manitoba have, at the time of the passing of this Act.

## CHAP. 24

An Act respecting the Territory in dispute between the Dominion of Canada and the Province of Ontario.

[Assented to 19th April, 1884.]

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

Preamble.

1. The Governor General in Council may agree that the questions in dispute between the Governments of Canada and of Ontario in respect of the boundaries of Ontario may form the subject of a reference to the Judicial Committee of The Queen's Privy Council, if Her Majesty should be pleased so to order, upon such terms and conditions as His Excellency deems proper, and the decision of the said Judicial Committee shall be final and conclusive, so far as the Parliament of Canada has authority so to declare or enact.

Provision for referring questions respecting disputed boundaries of Ontario to the Judicial Committee of the Privy Council.

2. Until the boundaries of the said Province have been decided under the said reference, the courts, judges, magistrates, sheriffs and other officers of the Province of Ontario, and the courts, judges, magistrates, sheriffs and other officers of the other Province or Territory in which the locality, in which any question as to the boundaries arises, is claimed to be by the Government of Canada, shall, in respect of all matters within the legislative authority of the Parliament of Canada, have the same jurisdiction and authority in such locality as if such locality were within the Province or Territory in which such courts, judges, magistrates, sheriffs or other officers have undoubted jurisdiction, and were part of the county, district or bailiwick, over or in which they are entitled to exercise jurisdiction and authority.

Provisional Jurisdiction of courts, &c., in respect of matters within jurisdiction of Parliament of Canada.

3. The Act passed in the forty-third year of Her Majesty's reign, chaptered thirty-six and intituled "*An Act respecting the administration of Criminal Justice in the Territory in dispute between the Governments of the Province of Ontario and of the Dominion of Canada*," as amended by the Act passed in the forty-fifth year of Her Majesty's reign, chaptered thirty-one, shall further continue in force as so amended until the end of the now next ensuing Session of Parliament.

43 V., c. 36, further continued in force.

## CHAP. 25.

## An Act to amend "The Dominion Lands Act, 1883."

[Assented to 19th April, 1884.]

Preamble.

**I**N amendment of "The Dominion Lands Act, 1883," Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

46 V., c. 17,  
Sub-s. 5 of s. 29  
repealed and  
new clause  
substituted.

**1.** Sub-clause five of clause twenty-nine of the said Act is hereby repealed and the following is substituted in lieu thereof:—

As to entry  
by occupants  
of contiguous  
lands.

**"5.** Persons occupying land owned by them may obtain, homestead entry, or homestead and pre-emption entry, as the case may be, for any contiguous lands open for such entry; but the whole extent of land so entered shall not exceed one quarter section as a homestead, or two quarter sections as a homestead and a pre-emption, as the case may be."

Sect. 33  
amended:  
new proviso  
added.

**2.** The following sub-clause is added to clause thirty-three of the said Act:—

Other con-  
ditions on  
which a  
patent may be  
obtained.

**"6.** In addition to the cases hereinbefore mentioned, any person claiming a patent for a homestead, or for a homestead and pre-emption, shall be entitled thereto, upon proving that he has erected upon his homestead a habitable house and has *bonâ fide* resided therein for not less than three months next prior to the date of his application for his patent; that for the period between the time within which, by clause thirty-one of this Act, it is provided that a homesteader shall perfect his entry, and the commencement of his said three months residence upon his homestead, he has been *bonâ fide* resident within a radius of two miles from his homestead quarter-section; that within the first year after the date of his homestead entry he had broken and prepared for crop not less than ten acres of his homestead quarter section; that within the second year he had cropped the said ten acres and broken and prepared for crop not less than fifteen acres additional,—making not less than twenty-five acres; and that within the third year after the date of his homestead entry, he had cropped the said twenty-five acres and broken and prepared for crop not less than fifteen acres additional,—making in all not less than twenty-five acres of the said homestead cropped, and fifteen acres additional thereof broken and prepared for crop, within three years of the date of perfecting his homestead entry; and the residence described in this sub-clause shall be sufficiently fulfilled if the applicant has not been absent from his residence for more than six months in any one year.

Construction  
and residence  
in a house;  
residence  
with rela-  
tions: and  
cropping and  
breaking land  
on homestead.

Sub-s. 4 of s.  
33 repealed,  
and new sub-  
clause sub-  
stituted.

**3.** Sub-clause four of clause thirty-three of the said Act is repealed, and the following enacted in lieu thereof:—



"4. Proof of the residence, erection of a habitable house and cultivation required by this clause shall be made by the claimant by affidavit and shall be corroborated by the evidence on oath of two disinterested witnesses, resident in the vicinity of the land affected by their evidence, and accepted as sufficient by the Commissioner of Dominion Lands or the Land Board: such affidavit shall be sworn and such testimony given before the Local Agent or some other person named for that purpose by the Minister of the Interior."

How proof of compliance with conditions is to be made.

4. The thirty-ninth clause of the said Act is hereby repealed and the following substituted therefor:—

Sect. 39 repealed and new substituted.

"39. The privilege of preemption in connection with a homestead entry shall be discontinued from and after the first day of January A.D. 1887."

5. The Governor in Council may, from time to time, for the preservation of forest trees on the crests and slopes of the Rocky Mountains, and for the proper maintenance throughout the year of the volume of water in the rivers and streams which have their sources in such mountains and traverse the North-West Territories, reserve from sale, lease or license, such portions of the land in the North-West Territories, on, adjacent to or in the vicinity of the Rocky Mountains, as to him appears expedient so to reserve,—and may define the limits or boundaries of such reserves,—and may set aside and appropriate such lands for a forest park, or forest parks, as he deems expedient,—and may appoint officers for the preservation of such reserves and forest parks.

Preservation of forest trees and maintenance of rainfall under regulations by O.C.

Forest parks.

2. Statements showing such reserves and appropriations, with the necessary maps, shall be laid before Parliament within fifteen days after the commencement of the session next after such reserves or appropriations have been made.

Returns to Parliament.

3. Whoever wilfully cuts down, breaks, barks, roots up, removes or destroys, or causes to be cut down, broken, barked, rooted up, removed or destroyed any tree, sapling, shrub, underwood or timber, growing in and upon any such reserve or forest park shall, for every such offence, incur a penalty not exceeding one hundred dollars, and not less than ten dollars, to be recovered, with costs of prosecution, in a summary manner, before a Stipendiary Magistrate, Commissioner of Police, or any two Justices of the Peace, under the provisions of the Act passed in the thirty-second and thirty-third years of the reign of Her present Majesty, chaptered thirty-one, and intituled "*An Act respecting the duties of Justices of the Peace out of Sessions in relation to summary convictions and orders,*" and in default of immediate payment of the said penalty, and of the costs of prosecution, the offender may be imprisoned for any period of time not exceeding three months.

Penalty for destroying trees.

Summary proceedings under 32-33 V., c. 31.

Sect. 81 amended.  
Powers given to Governor in Council as to,—  
Penalties:

6. Clause eighty-one of the said Act is hereby amended by adding the following sub-clauses thereto:—

*h.* To impose penalties not exceeding two hundred dollars or not exceeding three months imprisonment for contravention of regulations under this Act;

Returns on oath.

*i.* To provide that any statement or returns required to be made by such regulations, shall be verified on oath.

Free grant of land for construction of railway to Hudson's Bay.

7. The Governor in Council is hereby authorized, in aid of the construction of a railway from some point on the Canadian Pacific Railway to Hudson's Bay, to make a free grant of not more than six thousand four hundred acres for each mile of railway within Manitoba and not more than twelve thousand eight hundred acres for each mile in the North West Territories.

Construction of this Act.

8. This Act shall be read as one with "*The Dominion Lands Act, 1883.*"

## CHAP. 26.

An Act to extend the limitation of time under the Act forty-third Victoria, chapter seven, intituled "An Act for the final settlement of claims to lands in Manitoba by occupancy, under the Act thirty-third Victoria, chapter three."

[Assented to 19th April, 1884.]

Preamble.

Recital of 43 V., c. 7; claims to certain lands in Manitoba to cease and determine if application not made by 1st May, 1882, &c. 33 V., c. 3, s. 32, sub ss. 3, 4.

WHEREAS by the Act passed in the forty-third year of the reign of Her present Majesty, chaptered seven, an intituled "*An Act for the final settlement of claims to lands in Manitoba by occupancy, under the Act thirty-third Victoria, chapter three,*" it was provided that, from and after the first day of May in the year of Our Lord, one thousand eight hundred and eighty-two, all and every the rights and claims given by the third and fourth sub-sections of the thirty-second section of the Act thirty-third Victoria, chapter three, or by any Act amending or referring to the same, should, in so far as respects rights to grants from the Crown, with respect to which application had not been made to the Department of the Interior before that day, cease and determine; and also that all such claims made before that day but which had not, before the expiration of six months after that day, been established to the satisfaction of the Minister of the Interior, should be barred as fully and effectually as if such claims had not been made, saving claims made before that day and which, before the expiration of six months after that day had been referred to the Commissioner or Commissioners under the Act thirty-eighth Victoria, chapter fifty-three; and, whereas it is expedient to extend the time for making

making such claims: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Act firstly mentioned in the preamble of this Act shall be read and construed as if the first day of May in the year of Our Lord one thousand eight hundred and eighty-six had been enacted instead of the first day of May in the year of Our Lord one thousand eight hundred and eighty-two, as the date from and after which such rights should cease, and as the limit of time for making claims to such grants.

43 V., c. 7, to be read and construed as if, instead of 1st May, 1882, 1st May, 1886, had been mentioned.

2. And that all persons having, or intending to prefer, any such claims as aforesaid, may be fully apprised of the provisions of this Act, the Governor in Council may cause Proclamation of this Act to be made.

Extension of time to be proclaimed.

3. This Act may be cited for all purposes as "*The Manitoba Land Claims Act, 1884.*"

Short title.

## CHAP. 27.

An Act further to amend "The Indian Act, 1880."

[Assented to 19th April, 1884.]

IN further amendment of "*The Indian Act, 1880,*" Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble. 43 V., c. 28.

1. Whoever induces, incites or stirs up any three or more Indians, non-treaty Indians, or half-breeds apparently acting in concert,—

Inciting Indians,

(a.) To make any request or demand of any agent or servant of the Government in a riotous, routous, disorderly or threatening manner, or in a manner calculated to cause a breach of the peace; or—

To threaten, or—

(b.) To do an act calculated to cause a breach of the peace,—

To cause breach of

Is guilty of a misdemeanor, and shall be liable to be imprisoned for any term not exceeding two years, with or without hard labor.

peace: To be a misdemeanor. Punishment.

2. The Superintendent General may, when he considers it in the public interest to do so, prohibit, by public notice to that effect, the sale, gift or other disposal, to any Indian in the Province of Manitoba or in any part thereof, or in the North West Territories or in any part thereof, of any fixed ammunition or ball cartridge; and every person who, after such notice, without the permission in writing of the Superintendent General, sells or gives or, in any other manner, conveys

Superintendent General may prohibit sale or gift of ammunition to Indians.

Punishment of persons selling or

giving the same contrary to such prohibition.

conveys to any Indian in the section of country thus prohibited any fixed ammunition or ball cartridge, shall incur a penalty of not more than two hundred dollars, or shall be liable to imprisonment for a term of not more than six months, or to both fine and imprisonment within the limits aforesaid, at the discretion of the court before which the conviction is had; and every offender against the provisions of this section may be tried in a summary manner by two Justices of the Peace or by any stipendiary or other magistrate having the power of two Justices of the Peace.

Celebrating or inciting to celebrate "Potlach," or "Tamanawas" to be a misdemeanor punishable by imprisonment.

3. Every Indian or other person who engages in or assists in celebrating the Indian festival known as the "Potlach" or in the Indian dance known as the "Tamanawas" is guilty of a misdemeanor, and shall be liable to imprisonment for a term of not more than six nor less than two months in any gaol or other place of confinement; and any Indian or other person who encourages, either directly or indirectly, an Indian or Indians to get up such a festival or dance, or to celebrate the same, or who shall assist in the celebration of the same is guilty of a like offence, and shall be liable to the same punishment.

S. 14 of 43 V., c. 28, amended

4. Sub-section one of the fourteenth section of the said Act is hereby amended by striking out all the words after the word "on," in the tenth line thereof, and substituting therefor the words: "signifying in writing his or her desire so to do,—which signification in writing shall be signed by him or her in the presence of two witnesses, who shall certify the same on oath before some person authorized by law to administer the same."

S. 20 repealed; new section.

5. The twentieth section of the said Act is hereby repealed and the following is substituted therefor:—

Indian may devise certain property by will.

"20. Any Indian who holds, under location ticket or other duly recognized title, any parcel or parcels of land upon the reserve of his band, or upon a reserve of any other band, upon which he or he and his family or any of them resided at the date of his death, may devise the same by will, as well as his personal effects or other property of which he is the recognized owner, to such member or members of his family or relative or relatives, as to him seems proper, provided the said will, after his death, is consented to by the band owning the said reserve, and approved of by the Superintendent General of Indian Affairs, and provided that he does not devise the same or any part thereof to any relative not entitled to reside upon the reserve of the band on which the property devised is situated, or to any relative farther removed than a second cousin; and the devise may be made subject to such trust or trusts as to the devisor seems proper, provided the same are within the provisions of this or any other Act in force or that may hereafter be enacted respecting Indian Affairs:

Proviso: for consent of band and of Superintendent General, &c.

Further proviso: Intestacy in case of default.

Affairs: in case such will is not assented to or approved of as aforesaid the Indian shall be held to have died intestate :

" 2. Upon the death of any Indian holding, under location ticket or other duly recognized title, any parcel of land, if such Indian has died intestate, the right and interest therein of such deceased Indian shall, together with his goods and chattels, devolve one-third upon his widow (if any) provided she be a woman of good moral character and that she was living with her husband at the date of his death, and the remainder upon his children (provided that they are Indians within the meaning of "*The Indian Act, 1880,*") in equal shares; and such children shall have a like estate in such land as their father had: Provided, that the Superintendent General may, in his discretion, direct that the widow, if of the character above described, shall have the right to occupy such parcel of land and to have the use of such goods and chattels during the term of her widowhood :

Distribution of estate in case of intestacy.

Proviso : Discretionary power of Superintendent General.

" 3. During the minority of such children the administration and charge of such land and goods and chattels as they may be entitled to under this section, shall devolve upon the widow (if any) of such deceased Indian, provided she be a woman of good moral character and that she was living with her husband at the date of his death; as each male child attains the age of twenty-one, and as each female child attains that age, or marries before that age with the consent of the said widow, his or her share shall be handed to him or her: Provided always, that the Superintendent General may, at any time, remove the widow from such administration and charge, and confer the same upon some other person, and in like manner remove such other person and appoint another, and so on as occasion requires :

Administration of property of minors.

Proviso : power of Superintendent General.

" 4. If any such Indian dies without issue but leaving a widow of the character above described, such lot or parcel of land and his goods and chattels shall be vested in her, and if he leaves no widow, then in the Indian nearest akin to the deceased; but if he have no heir nearer than a cousin, then the same shall be vested in the Crown for the benefit of the band :

Distribution in case of death without issue.

" 5. Whatever may be the final disposition of the land, the claimant or claimants shall not be held to be legally in possession until he, she or they obtains or obtain a location ticket from the Superintendent General in the manner prescribed in the case of new locations :

In any case location ticket must be obtained.

" 6. The Superintendent General may, whenever there are minor children, appoint a fit and proper person to take charge of such children and their property, and remove such person and appoint another, and so on as occasion requires :

Guardians of minors, how appointed.

" 7.

Superintendent General to decide disputes among claimants.

“7. The Superintendent General shall have power to decide all questions which may arise respecting the distribution, among those entitled, of the land and goods and chattels of a deceased Indian, and also to do whatever he may, under the circumstances, think will best give to each claimant his or her share, according to the true meaning and spirit of this Act, whether such share be a part of the lands or goods and chattels themselves, or be part of the proceeds thereof, in case it be thought best to dispose thereof,—regard always being had in any such disposition to restrictions upon the disposition of property in a reserve.”

Section 24 amended: as to Indians or persons returning to a reserve after being removed.

6. The twenty-fourth section of the said Act is hereby amended by inserting after the word “aforesaid” in the second line thereof, the words “or after any cattle or other animals, owned by him, or in his charge, have been removed as aforesaid,” and by inserting after the words “parts of lots” in the fourth line thereof, the words “or causes or permits any cattle or other animals owned by him, or in his charge, to return to any of the said land, marsh or lots or parts of lots, or returns to any marsh, river, stream or creek, on or running through a reserve, for the purpose of fishing therein;” and also by inserting after the words “parts of lots” in the thirteenth line thereof the words “or has caused or permitted any cattle or other animals owned by him, or in his charge, to return to any of the said land, marsh or lots or parts of lots, or has returned to any marsh, river, stream or creek, on or running through a reserve, for the purpose of fishing therein.”

Sub-s. 1 of s. 27 repealed; new sub-sec.

7. Sub-section one of the twenty-seventh section of the said Act is hereby repealed, and the following is substituted therefor:—

Punishment of trespassers on reserves.

“27. If any person or Indian, other than an Indian of the band to which the reserve belongs, without the license in writing of the Superintendent General, or of some officer or person deputed by him for that purpose, trespasses upon any of the said land, roads or allowances for roads in the said reserve, by cutting, carrying away or removing therefrom any of the trees, saplings, shrubs, underwood, timber or hay thereon, or by removing any of the stone, soil, minerals, metals or other valuables off the said land, roads or allowances for roads, the person or Indian so trespassing shall, on conviction thereof before any Stipendiary Magistrate, Police Magistrate or any two Justices of the Peace, for every tree he cuts, carries away or removes, forfeit and pay the sum of twenty dollars,—and for cutting, carrying away or removing any of the saplings, shrubs, underwood, timber or hay, if under the value of one dollar, the sum of four dollars, but if over the value of one dollar, then the sum of twenty dollars,—and for removing any of the stone, soil, minerals, metals or other valuables aforesaid, the sum of twenty

Penalties for removing certain things.

Recovery of penalties and costs.

twenty dollars,—with costs of prosecution in all cases. And in default of immediate payment of the said penalties and costs, such magistrate, or Justices of the Peace, or the Superintendent General, or such other person as he has authorized in that behalf, may issue a warrant, directed to any person or persons by him or them named therein, to levy the amount of the said penalties and costs by distress and sale of the goods and chattels of the person liable to pay the same; and similar proceedings may be had upon such warrant issued by the Superintendent General, or such other person as aforesaid, as if it had been issued by the magistrate or Justices of the Peace before whom the person was convicted; or such magistrate or Justices of the Peace, or the Superintendent General, or such other person as aforesaid, without proceeding by distress and sale, may, upon non-payment of the said penalties and costs, order the person liable therefor to be imprisoned in the common gaol of the county or district in which the said reserve or any part thereof lies, for a term not exceeding thirty days when the penalty does not exceed twenty dollars, or for a term not exceeding three months when the penalty exceeds twenty dollars; and upon the return of any warrant for distress and sale, if the amount thereof has not been made, or if any part of it remains unpaid, such magistrate or Justices of the Peace, or the said Superintendent General, or such other person as aforesaid, may commit the person in default to the common gaol, as aforesaid, for a term not exceeding thirty days, if the sum claimed upon the said warrant does not exceed twenty dollars, or for a term not exceeding three months if the sum exceeds twenty dollars. All such penalties shall be paid to the Minister of Finance and Receiver General to be disposed of for the use and benefit of the band of Indians for whose benefit the reserve is held, in such manner as the Governor in Council directs.”

Offender may be committed summarily.

Provision, in default of distress.

Application of penalties.

8. The thirty-sixth section of the said Act is hereby amended by inserting after the word “guardian” in the fifth line thereof, the following words: “or in the cases of Indians engaged in the practice of any one of the learned professions, or in teaching schools, or in pursuing a trade which interferes with their cultivating land on the reserve.”

Section 36 amended.

As to Indians teaching school, &c.

9. The seventy-second section of the said Act is hereby amended by adding thereto the following sub-section:—

Section 72 amended.

“2. An election may be set aside by the Governor in Council, on the report of the Superintendent General, should it be proved by two witnesses before the Indian Agent for the locality or such other person as may be deputed by the Superintendent General to take evidence in the matter, that fraud or gross irregularity was practised at the said election; and any Indian proved to have been guilty of such fraud or irregularity or connivance thereat may be declared ineligible

Election of chiefs may be set aside for certain reasons.

Punishment of Indians committing certain offences.

Section 74 amended.

ineligible for re-election for six years, if so directed by the Governor in Council, on the report of the Superintendent General."

**10.** Sub-section seven of the seventy-fourth section of the said Act is hereby amended by adding thereto the words "And the attendance at school of children between the ages of six and fifteen years."

Section 75 amended, as to taxes on enfranchised Indians.

**11** The seventy-fifth section of the said Act is hereby amended by adding the following words thereto: "And no taxes shall be levied on the real property of any Indian, acquired under the enfranchisement clauses of this Act, until the same has been declared liable to taxation by proclamation of the Governor General, published in the *Canada Gazette*."

Section 82 amended.

**12.** The eighty-second section of the said Act is hereby amended by striking out all the words preceding the word "whenever" in the fifth and sixth lines thereof.

Section 90 amended: Punishment of persons supplying intoxicants to Indians; or found drunk or gambling in Indian houses.

**13.** The ninetieth section of the said Act is hereby amended by adding thereto the words "Any person giving or supplying an intoxicant to an Indian or non-treaty Indian on an order, verbal or written, shall be liable to all the penalties to which he would have been liable if he had sold the same without such order; and any person found drunk in the house, tent, wigwam or other domicile of an Indian, or gambling therein, and any person found within an Indian village, settlement or reserve after sunset, and who refuses to leave, after having been requested to do so by an Indian agent or chief, shall be liable to all the fines and penalties to which he would have been liable had he supplied intoxicants to Indians, and under similar process."

Section 95 amended: as to disorderly houses.

**14.** The ninety-fifth section of the said Act is hereby amended by inserting in the first, third and fourth lines, after the word "house," the words "tent or wigwam," and by adding thereto after the word "months," in the twelfth line, the words "and any Indian man or woman who keeps, frequents or is found in a disorderly house, tent or wigwam used for such a purpose, shall be liable to the same penalty on similar process."

Section 97 amended.

**15.** The ninety-seventh section of the said Act is hereby amended by adding the following thereto, as sub-section two:—

Conviction not to be removed by *certiorari*.

"2. No such conviction shall be quashed for want of form, or be removed by *certiorari* into any of Her Majesty's superior courts of record; and no warrant of commitment shall be held void by reason of any defect therein, provided it is therein alleged that the person has been convicted, and there is a good and valid conviction to sustain the same."



16. The ninety-ninth section of the said Act is hereby repealed and the following substituted therefor :—

Section 99 repealed ; new section.

"99. Whenever any male Indian or unmarried Indian woman, of the full age of twenty-one years, makes application to the Superintendent General to be enfranchised, the Superintendent General shall instruct the agent of the band, of which the applicant is a member, to call upon the latter to furnish a certificate, to be made under oath before a judge of any court of justice by the priest, clergyman or minister of the religious denomination to which the applicant belongs or by two Justices of the Peace, to the effect that, to the best of the knowledge and belief of the deponent or deponents, the applicant for enfranchisement is and had been for at least five years previous, a person of good moral character, temperate in his or her habits, and of sufficient intelligence to be qualified to hold land in fee simple and otherwise to exercise all the rights and privileges of an enfranchised person :

Proceedings for enfranchisement.

Certificate to be furnished.

"2. Upon receipt of such a certificate the agent shall, with the least possible delay, submit the same to a council of the band of which the applicant is a member, and he shall then inform the Indians assembled at such council, that thirty days will be given within which affidavits will be received, to be made before a judge or a Stipendiary Magistrate, containing reasons, if any there be, of a personal character affecting the applicant, why such enfranchisement should not be granted to the applicant :

And submitted to Council of the band.

"3. At the expiration of thirty days aforesaid, the agent shall forward to the Superintendent General all affidavits received by him in the case, if any have been filed with him, as well as one made by himself, also before a judge or a Stipendiary Magistrate, containing his reasons for or against the enfranchisement of the applicant ; and if the Superintendent General, after examining the evidence decides in favor of the applicant, he may grant him or her a location ticket as a probationary Indian, for the land occupied by him or her or for such proportion thereof as appears to the Superintendent General fair and proper :

Affidavits to be sent to Superintendent General.

Location ticket may be granted.

"4. Every Indian who is admitted to the degree of doctor of medicine, or to any other degree by any university of learning, or who is admitted in any Province of Canada to practise law either as an advocate, or as a barrister or counsellor or solicitor or attorney or a notary public, or who enters holy orders, or who is licensed by any denomination of Christians as a minister of the gospel, may, upon petition to the Superintendent General, *ipso facto* become and be enfranchised under this Act, and he shall then be entitled to all the rights and privileges to which any other member of the band to which he belongs would be entitled if he was

Certain educational requirements to confer enfranchisement.

enfranchised

- Allotment in such case. enfranchised under the provisions of this Act; and the Superintendent General may give him a suitable allotment of land from the lands belonging to the band of which he is a member: Provided, that if he is not the recognized holder of a location on the reserve by ticket or otherwise, he shall first obtain the consent of the band and the approval of the Superintendent General of Indian Affairs to such allotment."
- Proviso.
- Section 100 repealed; new section. **17.** The one hundredth section of the said Act is hereby repealed, and the following substituted therefor:—
- Patent may issue after probation. **"100.** After the expiration of three years (or such longer period as the Superintendent General deems necessary in the event of such Indian's conduct not being satisfactory), the Governor may, on the report of the Superintendent General, order the issue of letters patent, granting to such Indian the land in fee simple, which had, with this object in view, been allotted to him or her by location ticket, but without power to sell, lease or otherwise alienate the land, unless with the sanction of the Governor in Council; and provisos to such effect shall be inserted in the letters patent conveying the land to the said Indian: and in such cases compliance with the provisions of sections thirty-six and thirty-seven of this Act shall not be necessary."
- Conditions. **18.** The one hundred and first section of the said Act is hereby amended by adding thereto, after the word "names," in the twenty-sixth line thereof the words "subject to the same restrictions and reservations as are contained in the letters patent issued to their parent."
- Proviso; as to sections 36 and 37. **19.** The one hundred and fourth section of the said Act is hereby amended by striking out the words "any band," in the fifth line thereof, and substituting therefor the words "the Superintendent General."
- Section 101 amended. **20.** The one hundred and fifth section of the said Act is hereby amended by striking out the word "band" in the fifth line thereof, and substituting therefor the words "Superintendent General."
- Section 104 amended. **21.** The eighth section of the Act forty-fourth Victoria, chapter seventeen, is hereby repealed, and the following is hereby substituted for section twenty-three of "*The Indian Act*, 1880:—"
- Section 105 amended. **"23.** If any person or Indian, other than an Indian of the band, without the license of the Superintendent General (which license, however, he may at any time revoke), settles, resides, or hunts upon, or occupies, or uses, or causes or permits any cattle or other animals, owned by him or in his charge, to trespass on any such land or marsh, or fishes in any marsh, river, stream or creek on or running through a reserve; or settles, resides upon, or
- New section 23 of Indian Act.
- Removal of trespassers and their cattle.

or occupies any such roads or allowances for roads, on such reserve; or if any Indian is illegally in possession of any land in a reserve,—the Superintendent General, or such officer or person as he thereunto deputed and authorizes, shall, on complaint made to him, and on proof of the fact to his satisfaction, issue his warrant, signed and sealed, directed to any literate person willing to act in the premises, commanding him forthwith to remove from the said land or marsh, or roads or allowances for roads, every such person or Indian and his family, so settled, residing or hunting upon or occupying or being illegally in possession of the same,—or to remove such cattle or other animals from such land or marsh,—or to cause such person or Indian to cease fishing in any marsh, river, stream or creek, as aforesaid,—or to notify such person or Indian to cease using as aforesaid the said lands, river, streams, creeks or marshes, roads or allowances for roads; and such person shall accordingly remove or notify every such person or Indian, or remove such cattle or other animals, or cause such person or Indian to cease fishing as aforesaid, and for that purpose shall have the same powers as in the execution of criminal process; and the expenses incurred in any such removal or notification shall be borne by the person removed or notified, or owning the cattle or other animals removed, or having them in charge, and may be recovered from him as the costs in any ordinary suit,—or if the trespasser is an Indian, such expenses may be deducted from his or her share or shares of annuity and interest money, if any such be due to him or her.”

Warrant for removal, or notice to remove.

Powers for that purpose.

As to costs.

**22.** The twelfth section of the Act forty-fourth Victoria, chapter seventeen, is hereby amended by adding at the end thereof the words, “with jurisdiction wheresoever any contravention of the provisions of ‘*The Indian Act, 1880*,’ occurs, or wheresoever it is considered by him most conducive to the ends of justice that any contravention aforesaid shall be tried.”

Section 12 of 44 V., c. 17, amended.

**23.** The third section of the Act forty-fifth Victoria, chapter thirty, is hereby amended by adding at the end thereof the words “or in any other matter affecting Indians, with jurisdiction wheresoever any contravention of the provisions of the said Acts occurs, or wheresoever it is considered by him most conducive to the ends of justice that the trial be held :”

Section 3 of 45 V., c. 30, amended.

And such officer shall have the same powers in respect to infractions of this Act.

Powers under this Act.

**24.** The fourth section of the Act forty-fifth Victoria, chapter thirty, is hereby amended by striking out all the words after “following words” in the second line of the said section and by inserting the following in lieu thereof:—

Section 4 of 45 V., c. 30, amended.

No appeal in certain cases of assault by Indians.

"But in any suit between Indians or in a case of assault in which the offender was an Indian or the offenders were Indians, no appeal shall lie from an order made by any District Magistrate, Police Magistrate, Stipendiary Magistrate or two Justices of the Peace, when the sum adjudged, or the fine inflicted, does not exceed ten dollars."

Commencement of this Act.

**25.** This Act shall not come into force until the first day of January, in the year of Our Lord one thousand eight hundred and eighty-five.

## CHAP. 28.

An Act for conferring certain privileges on the more advanced Bands of the Indians of Canada, with the view of training them for the exercise of municipal powers.

[Assented to 19th April, 1884.]

Preamble.

**W**HEREAS it is expedient to provide means by which Indians on reserves in divers parts of the Dominion, may be trained for the future exercise of municipal privileges and powers: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title and application of Act.

**1.** This Act shall be known and may be cited as "*The Indian Advancement Act, 1884*," and may be made applicable as hereinafter provided, to any band or bands of Indians in any of the Provinces or the North-West Territories, including the District of Keewatin, except in so far only as it is herein otherwise provided.

Interpretation.  
43 V., c. 28.

**2.** The terms used in this Act shall have the same meaning respectively as the like terms have in "*The Indian Act, 1880*"; but the term "reserve" includes two or more reserves, and the term "band" includes two or more bands, united for the purposes of this Act by the Order in Council applying it.

When this Act shall apply to any band.

**3.** Whenever any band or bands of Indians shall be declared by Order of the Governor in Council to be considered fit to have this Act applied to them, it shall so apply from the time to be appointed in such Order, which shall not be earlier than the first of January, one thousand eight hundred and eighty-five.

Division of reserve into sections.

**4.** Any reserve to which this Act is to apply shall, by the Order applying it, be divided into sections,—the number of which

which shall be not less than two nor more than six, having in each a number of male Indians of full age, equal as nearly as may be found convenient to such proportion of the male Indians of full age resident on the reserve, as one section of the reserve will bear to all the sections; each section shall be distinguished by a number from one upwards; the reserve shall be designated in the Order as "*The Indian Reserve*," inserting such name as may be thought proper, and the sections by the numbers assigned to them respectively.

Designation of each.

5. On a day and at a place and between hours to be designated in such Order, the male Indians of the full age of twenty-one years, resident on the reserve (hereinafter termed electors) shall meet for the purpose of electing the members of the council of the reserve; one or more members (as may be provided in such Order in Council) to represent each section thereof shall be elected by the electors resident in such section; and the Indian or Indians (as the case may be) having the votes of the greatest number of electors for each section shall be the councillor or councillors (as the case may be) therefor, provided he or they be possessed of, and living in, a house in the reserve, and subject to the provision hereinafter made in case of ties by an equal number of votes for two or more. The agent of the Superintendent General for the reserve shall preside at the election (or in his absence some person appointed by him as his deputy, with the consent of the Superintendent General or his deputy, or some person appointed by the Superintendent General or his deputy may preside at the said election) and shall take and record the votes of the electors, and shall have full power, subject to appeal to the Superintendent General by or on behalf of any Indian or Indians deeming himself or themselves to be aggrieved by the action of such agent or deputy or of such agent or person appointed as aforesaid, to admit or reject the claim of any Indian to be an elector, and to determine who are the councillors for the several sections, and shall report the same to the Superintendent General.

First election of members of the Council of a Reserve.

Who shall preside thereat, and his powers, subject to appeal.

6. On a day, and at a place, and between hours to be designated by the Superintendent General or his deputy, (provided the day fixed for the same be within eight days from the date at which the councillors were elected), the said councillors shall meet and elect one of their number to act as chief councillor; and the councillor so elected shall be the chief councillor.

First meeting of councillors.

7. The councillors shall remain in office until others are elected in their stead; and an election for that purpose shall be held in like manner at the same place and between the like hours on the like day in each succeeding year, if it be not a Sunday or holiday,—in which case it shall be held on the

Yearly elections.

Provision in case of election failing.

the next day after which shall not be a holiday. In case of the failure of any election on the day appointed for it, the Superintendent General or his deputy shall appoint another day on which it shall be held.

Provision as to filling vacancies, occurring between yearly elections.

8. In the case of vacancy in the Council by death or inability to act of any councillor, more than three months before the time for the next election, an election shall be held by the agent or his deputy, after such notice to the electors concerned as the Superintendent General or his deputy may direct, to fill such vacancy, and at which only the electors of the section represented by the councillor to be replaced shall vote,—and to such election the provisions respecting other elections shall apply, so far as they are applicable; but if the councillor to be replaced is the chief, then an election of a chief councillor shall be held in the manner already provided, but the day fixed for such election shall be at least one week from the date when the new councillor is elected: Provided always, that during such vacancy the remaining councillors shall constitute the council and may in case of vacancy of the office appoint a chief from among themselves *pro tempore*.

Proviso.

Meetings of the Council: agent or deputy to preside, his powers and duties.

9. The council shall meet for the despatch of business, at such place on the reserve, and at such times as the agent for the reserve shall appoint, not being less than four nor more than twelve times in the year for which it is elected, and due notice of the time and place of each meeting shall be given to each councillor by the agent; at such meeting the agent for the reserve or his deputy, to be appointed for the purpose with the consent of the Superintendent General or his deputy, shall preside and record the proceedings, and shall have full power to control and regulate all matters of procedure and form, and to adjourn the meeting to a time named or *sine die*, and to report and certify all by-laws and other acts and proceedings of the council to the Superintendent General; and full faith and credence shall be given to his certificate thereof in all courts and places whatsoever: he shall address the council and explain and advise them upon their powers and duties, and any matter requiring their consideration, but shall have no vote on any question to be decided by the council; but each councillor present shall have a vote thereon, and it shall be decided by the majority of votes,—the chief voting as a councillor and having also a casting vote in case the votes would otherwise be equal; four councillors shall be a quorum for the despatch of any business.

Quorum.

Power to make by-laws on certain subjects.

10. The council shall have power to make by-laws, rules and regulations, which, if approved and confirmed by the Superintendent General, shall have force as law within and with

with respect to the reserve, and the Indians residing thereon, upon all or any of the following subjects, that is to say :—

1. The religious denomination to which the teacher or teachers of the school or schools established on the reserve shall belong, as being that of the majority of the Indians resident on the reserve; provided that the Roman Catholic or Protestant minority on the reserve may also have a separate school or schools with the approval of and under regulations to be made by the Governor in Council ; Schools.  
Proviso: for Catholic or Protestant minorities.
2. The care of the public health ; Health.
3. The observance of order and decorum at elections of councillors, meetings of the council, and assemblies of Indians on other occasions or generally on the reserve, by appointing constables and erecting lock-ups or by the adoption of other legitimate means ; Decorum at meetings and elsewhere.
4. The repression of intemperance and profligacy ; Moral offences.
5. The sub-division of the land in the reserve, and the distribution of the same among the members of the band ; also the setting apart for common use, wood land and land for other purposes ; Sub-division of lands.
6. The protection of and the prevention of trespass by cattle, sheep, horses, mules and other domesticated animals ; and the establishment of pounds, the appointment of pound-keepers, and the regulation of their duties, fees and charges ; Trespass by animals.
7. The construction and repair of school houses, council houses, and other buildings for the use of the Indians on the reserve ; Buildings.
8. The construction, maintenance and improvement of roads and bridges, and the contributions in money or labor, and other duties of residents on the reserve in respect thereof ; and the appointment of road masters and fence viewers, and their powers and duties ; Roads and bridges.
9. The construction and maintenance of water courses, ditches and fences, and the obligations of vicinage, and the destruction and repression of noxious weeds ; the preservation of the wood on the various holdings or elsewhere in the reserve ; Water courses, &c.
10. The removal and punishment of persons trespassing upon the reserve, or frequenting it for improper purposes ; Trespassers on reserves.
11. The raising of money for any or all of the purposes for which the council is empowered to make by-laws as aforesaid, Raising funds: assess-

ments and collection of taxes.

Limitation of taxes, and provision if not paid.

Proviso : appeal.

Application of funds raised.

Imposition of penalties and enforcement thereof.

32, 33 V., c. 31.

Amending by-laws.

aforsaid, by assessment and taxation on the lands of Indians enfranchised, or in possession of lands by location ticket in the reserve,—the valuation for assessment being made yearly in such manner and at such times as shall be appointed by the by-law in that behalf, and being subject to revision and correction by the agent, for the reserve, of the Superintendent General, and in force only after it has been submitted to him and corrected if and as he may think justice requires, and approved by him,—the tax to be imposed for the year in which the by-law is made, and not to exceed one-half of one per cent. on the assessed value of the land on which it is to be paid : and if such tax be not paid at the time prescribed by the by-law, the amount thereof with the addition of one-half of one per cent. thereon, may be paid by the Superintendent General to the treasurer out of the share of the Indian in default in any moneys of the band ; or if such share be insufficient to pay the same, the defaulter shall be subject to a fine equal to the deficiency for infraction of the by-law imposing the tax, by such default : Provided always, that any Indian deeming himself aggrieved by the decision of the agent, made as hereinbefore provided, may appeal to the Superintendent General, whose decision in the case shall be final ;

12 The appropriation and payment to the local Agent as Treasurer by the Superintendent General of so much of the moneys of the band as may be required for defraying expenses necessary for carrying out the by-laws made by the council, including those incurred for assistance absolutely necessary for enabling the council or the agent to perform the duties assigned to them by this Act ;

13. The imposition of punishment by fine or penalty or by imprisonment or both, for any infraction of or disobedience to any by-law, rule or regulation made under this Act committed by any Indian of the reserve ; the fine or penalty in no case (except only for non-payment of taxes) to exceed thirty dollars, and the imprisonment in no case to exceed thirty days,—the proceedings for the imposition of such punishment to be taken in the usual summary way before a Justice of the Peace, following the procedure under the "*Act respecting the duties of Justices of the Peace, out of Sessions, in relation to summary convictions and orders*" ; and the amount of any such fine shall be paid over to the treasurer of the band to which the Indian incurring it belongs, for the use of such band ;

14. The amendment, repeal or re-enactment of any such by-law, by a subsequent by-law made and approved as hereinbefore provided.



11. Any member of a council elected under the provisions of this Act who shall be proved to be a habitual drunkard or to be living in immorality, or to have accepted a bribe, or to have been guilty of dishonesty or of malfeasance of office of any kind,—shall, on proof of the fact to the satisfaction of the Superintendent General, be disqualified from acting as a member of the council, and shall, on being notified, cease forthwith so to act; and the vacancy occasioned thereby shall be filled in the manner provided by the eighth section of this Act.

Disqualification of councillors for certain offences.

12. A copy of any by-law, rule or regulation under this Act approved by the Superintendent General or his deputy, and purporting to be certified by his agent for the band to which it relates, to be a true copy thereof, shall be evidence of such by-law, rule or regulation, and of such approval, without proof of the signature of such agent, unless such signature be formally disputed; and no such by-law, rule or regulation shall be invalidated by any defect of form, provided it be substantially consistent with the provisions and spirit of this Act.

Proof of by-laws, &c.

Not void for want of form.

13. The provisions of "*The Indian Act, 1880*," and of any Act amending it, shall continue to apply to any band to which this Act has been declared to apply, in so far, but in so far only, as they are not inconsistent with this Act: Provided always, that if it shall thereafter appear to the Governor in Council that this Act cannot be worked satisfactorily by any band to which it has been declared to apply, he may by Order in Council, declare that, after a day named therein, it shall no longer apply to such band, and such band shall thereafter be subject to the provisions of the said "*Indian Act, 1880*," as amended by any subsequent Act, except that by-laws, rules and regulations theretofore made under this Act and not inconsistent with the seventy-fourth section of the said Indian Act, shall continue in force under that Act, unless and until they are repealed by Order of the Governor in Council.

Act of 1880, 43 V., c. 28, how to apply.

Proviso: Governor in Council may revoke application of this Act, for cause, &c.

Proviso: as to by-laws.

## CHAP. 29.

An Act to amend "*The Customs Act, 1883*."

[Assented to 19th April, 1884.]

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

Preamble.

1.

Sect. 188 of 46 V., c. 12 repealed, and new section substituted.

1. Section one hundred and eighty-eight of "*The Customs Act, 1883*," is repealed and the following section enacted in lieu thereof:—

In what courts penalties and forfeitures may be recoverable.

"188. All penalties and forfeitures incurred under this Act or any other law relating to the Customs or to trade or navigation, may, in addition to any other remedy provided by this Act or by law, be prosecuted, sued for and recovered with full costs of suit, in the Exchequer Court of Canada or in any superior court or Court of Vice-Admiralty, having jurisdiction in that Province in Canada where the cause of prosecution arises, or wherein the defendant is served with process; and if the amount of any such penalty or forfeiture does not exceed two hundred dollars, the same may, in the Provinces of Ontario, Quebec, New Brunswick, Nova Scotia, British Columbia, Manitoba and Prince Edward Island, respectively, also be prosecuted, sued for and recovered in any court having jurisdiction in the place where the cause of prosecution arises, or where the defendant is served with process."

And if not exceeding \$200.

Sect. 153 repealed and new section substituted.

2. Section one hundred and fifty-three of the said Act is repealed and the following section enacted in lieu thereof:—

Penalty and forfeiture for smuggling goods; using false invoices, &c.

"153. If any person, with intent to defraud the revenue of Canada, smuggles or clandestinely introduces into Canada any goods subject to duty, or makes out or passes or attempts to pass through the Custom House any false, forged or fraudulent invoice, or in any way attempts to defraud the revenue by evading the payment of the duty, or of any part of the duty on any goods, such goods shall be seized and forfeited; and every such person, his aiders and abettors shall, in addition to any other penalty or forfeiture to which he and they may be subject for such offence, be liable on conviction to a penalty of not less than fifty dollars and not more than two hundred dollars or to imprisonment for a term not less than one month nor more than one year, or to both fine and imprisonment within the said limits; and such conviction may be had in a summary manner, before any two Justices of the Peace or before any judge or magistrate having the powers of two Justices of the Peace."

Further liability of the offender to fine and imprisonment.

Summary conviction, and before whom, for such offence.

Sect. 86 repealed.

3. Section eighty-six of the said Act is hereby repealed.

How this Act shall be construed.

4. This Act shall be construed as part of the Act amended by it, but its provisions, so far as they differ from those for which they are substituted, shall apply not only to cases in which the offence has been committed, but also to those in which the prosecution for the penalty or forfeiture thereby incurred is commenced after the passing of this Act, although the offence was committed before the passing thereof.

## CHAP. 30.

An Act further to amend the present Tariff of Duties of Customs.

[Assented to 19th April, 1884.]

**I**N amendment of the Tariff of Duties of Customs, under Preamble. the Act passed in the now last Session of Parliament of 46 V., c. 13. Canada and intituled "*An Act further to amend the Tariff of Duties of Customs*" and of the Acts amended thereby: Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Duties of Customs (if any) imposed by the Acts referred to in the preamble to this Act, or by any other Act, on the following articles respectively, and now in force, are hereby repealed, and the said articles are hereby added to the list of free goods, Schedule B, of the Act passed in the forty-second year of Her Majesty's reign, chaptered fifteen, and intituled "*An Act to alter the Duties of Customs and Excise*:" Certain articles added to free list. 42 V., c. 15.

Bolting cloths, not made up ;

Boracic acid ;

Canvas, jute canvas, not less than fifty-eight inches wide, when imported by manufacturers of floor oil cloth for use in their factories ;

Cherry-heat welding compound ;

Grease and grease scrap ;

Indigo, paste and extract of ;

Iron or steel beams, sheets, plates, angles and knees, for iron or composite ships or vessels ;

Manganese, oxide of ;

Potash, German mineral ;

Sodium, sulphide of ;

Steel for saws and straw cutters, cut to shape, but not further manufactured.

2. And the following articles are hereby struck out of the said free list:— Articles struck out.

Colcothar, dry oxide of iron ;

Fish-plates, steel ;

And all items or words in the said list contrary to, or inconsistent with the foregoing provisions, are hereby repealed.

2. The rates of duty chargeable under any Act now in force on any of the articles hereinafter mentioned are hereby repealed and shall be held to have been repealed on and after the Duties on certain articles altered and from what time.

the twelfth day of March one thousand eight hundred and eighty-four, except in so far as they are the same as those hereinafter mentioned, and the rates of duty hereinafter mentioned are substituted for them and shall be payable and shall be held to have been payable on the said articles, respectively, on and after the day last aforesaid :—

1. Acid acetic, twenty-five cents per Imperial gallon ..... 25 cts. p. I.G.
2. Caplins, unfinished Leghorn hats, twenty per cent. *ad valorem*..... 20 per cent.
3. Celluloid, moulded into sizes for handles of knives and forks, not bored nor otherwise manufactured, ten per cent. *ad valorem*..... 10 per cent.
4. Carpeting, matting and mats of hemp, twenty-five per cent. *ad valorem*..... 25 per cent.
5. Jeans and couilles, when imported by corset makers, for use in their factories, twenty per cent. *ad valorem*..... 20 per cent.
6. Printed or dyed cottons, not elsewhere specified, twenty seven and a-half per cent. *ad valorem*..... 27½ per cent.
7. Cotton, forty-two inches wide and over, when imported by manufacturers of enamelled cloth, for use in their factories, fifteen per cent. *ad valorem*..... 15 per cent.
8. Cotton warp, No. 60 and finer, fifteen per cent. *ad valorem*..... 15 per cent.
9. Earthenware decorated, printed or sponged, and all earthenware not elsewhere specified, thirty per cent. *ad valorem*..... 30 per cent.
10. India rubber vulcanized handles, for knives and forks, ten per cent. *ad valorem* ..... 10 per cent.
11. Iron, cast iron forks, not handled, nor ground or otherwise further manufactured, ten per cent. *ad valorem*..... 10 per cent.
12. Labels for fruit, vegetables, meat, fish and confectionery, also tickets and advertising bills and folders, a specific duty of ten cents per pound, and twenty per cent. *ad valorem* ..... 10 cts. p. lb. and 20 p. c.
13. Pins, manufactured from wire of any metal, thirty per cent. *ad valorem*..... 30 per cent.
14. Soap powders, a specific duty of three cents per pound ..... 3 cts. per lb
15. Steel, ingots, bars, sheets under three sixteenths of an inch thick, whole or cut to shape, but not further manufactured, and rolled round wire rods in coils, not elsewhere specified, three dollars per ton \$3 per ton of of

- of 2,000 pounds, and ten per cent. *ad* 2,000 lbs. and *valorem* ..... 10 per cent.
16. Steel, rolled round wire rods under half an inch in diameter, when imported by wire manufacturers for use in their factories, five per cent. *ad valorem* ..... 5 per cent.
17. Steel, Needles, viz :—Cylinder needles, hand frame needles and latch needles, thirty per cent. *ad valorem* ..... 30 per cent.

SUGARS, SYRUPS AND MOLASSES :—

18. { Sugar, when imported direct, without transhipment, from the country of growth and production, above number fourteen Dutch standard, a specific duty of one cent per pound, and thirty one cent per lb. and two and a-half per cent. *ad valorem* ..... 32½ per cent.
18. { Equal to number nine, and not above number fourteen Dutch standard, a specific duty of three-fourths of a cent per pound, and twenty seven and a ¼c. per lb. & half per cent. *ad valorem* ..... 27½ per cent.
18. { Below number nine Dutch standard, a specific duty of one-half cent per pound, and twenty seven and one-half ½c. per lb. & per cent. *ad valorem* ..... 27½ per cent.
19. Melado, and concentrated melado, three-eighths of one cent per pound and twenty seven and one-half per cent. *ad* ¾c. per lb. & *valorem*... ..... 27½ per cent.
20. { On all the above sugars, melado, and concentrated melado, when not imported direct, without transhipment, from the country of growth and production,—
20. { Above number fourteen Dutch standard. —a specific duty of one cent per pound, and thirty five per cent. *ad* 1 ct. per lb *valorem* ..... and 35 p. ct.
20. { Equal to number nine, and not above number fourteen Dutch standard, a specific duty of three-fourths of one cent per pound, and thirty per cent. ¾ of a ct. per *ad valorem* ..... lb. and 30 p. ct.
20. { Below number nine Dutch standard, a specific duty of one-half cent per pound, ½ ct. per lb. and thirty per cent *ad valorem* ..... and 30 p. ct.
21. Melado, and concentrated melado, a specific duty of three-eighths of one cent per ¾ ct. per lb. pound, and thirty per cent. *ad valorem*... and 30 p. ct.

- 22. Concentrated cane juice, concentrated molasses, concentrated beet root juice, and concrete, whether imported direct or not, a specific duty of three-eighths of a cent per pound, and thirty per cent.  $\frac{3}{8}$  ct. per lb. *ad valorem*..... and 30 p. ct.
- 23. Syrups, cane juice, refined syrup, sugar house syrup or sugar house molasses, syrup of sugar, syrup of molasses, or sorghum, whether imported direct, or not—a specific duty of five-eighths of a cent per pound, and thirty per cent.  $\frac{5}{8}$  ct. per lb. *ad valorem*..... and 30 p. ct.
- 24. Molasses, other, when imported direct, without transshipment, from the country of growth and production,—fifteen per cent. *ad valorem*, on the value thereof free on board..... 15 per cent.
- 25. Molasses when not so imported, twenty per cent. *ad valorem*..... 20 per cent.  
The value upon which the *ad valorem* duty shall be levied and collected upon all the above named sugars, melado, syrups, molasses, &c., shall be the value thereof free on board,—as provided by section 77 of “*The Customs Act, 1883.*”
- 26. Zinc, chloride, salts and sulphate of—five per cent. *ad valorem*..... 5 per cent.

Provisions of present Acts as to duties on certain articles repealed.

3. All such parts of the said Act forty-second Victoria, chapter fifteen, and of the Acts amending the same, or of the schedules to such Acts, as impose a duty of twenty per cent. *ad valorem* on “mill irons and mill cranks and wrought forgings for mills and locomotives or parts thereof, weighing twenty five pounds or more,” and on “stationery of all kinds, not elsewhere specified,”—or which impose any other duty of Customs on dyed cotton, jeans, coutilles, cambrics, silicias, and casbans, or on any of the said articles, than those imposed thereon by this Act, or which admit any such articles free of duty when imported into Canada, are hereby repealed.

42 V., c. 15, s. 8, repealed.

4. The eighth section of the said Act forty-second Victoria, chapter fifteen, is hereby repealed, and the following substituted therefor :—

Allowance for damage to certain goods on voyage.

“S. An allowance may be made for deterioration by natural decay during the voyage of importation, upon perishable articles such as green fruits and vegetables, imported into Canada ; but in assessing the same, and in estimating the damage by breakage upon brittle goods, such as crockery, china, glass and glassware, under the provisions of sections fifty three and fifty four of “*The Customs Act, 1883,*” such allowance

46 V., c. 12.

allowance or damage shall only be made and allowed for the amount of loss in excess of twenty five per cent. of the whole quantity damaged, and only in case claim is made therefor and the loss or damage certified upon examination made by the appraiser or proper officer of Customs, within three days of the landing or arrival of such goods at the port of destination thereof; and provided the duty has been paid on the full value thereof, a refund of such duty may be allowed and paid on application to the Minister of Customs, in the proportion and on fulfilment of the conditions above specified, but not otherwise."

5. The foregoing provisions of this Act shall be held to have come into force on the twelfth day of March in the present year of Our Lord, one thousand eight hundred and eighty four, and to apply and to have applied to all goods imported or taken out of warehouse for consumption, on or after the said day.

Foregoing provisions to have effect on and after 12th March, 1884.

## CHAP. 31.

An Act to amend "The Canada Temperance Act, 1878."

[Assented to 19th April, 1884]

**W**HEREAS it is expedient to amend the Act forty-first Victoria, chapter sixteen, intituled "*An Act respecting the Traffic in Intoxicating Liquors*," as hereinafter set forth; Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
41 V., c. 16.

1. Section ninety-six of the Act above cited is hereby amended by adding thereto the following words:—

41 V., c. 16, s. 96, amended.

"And if in any county or city there are no licenses in force when the petition mentioned in the first part of this Act is adopted, then the second part of this Act shall become and be in force and take effect in such county or city after the expiration of thirty days from the day of the date of an Order in Council to that effect, published in the *Canada Gazette*."

Provision for bringing the Act into force where there are no licenses in existence.

2. If any Order in Council has been published in the *Canada Gazette* declaring that the second part of "*The Canada Temperance Act, 1878*," shall be in force and take effect in any county or city upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in such county or city will expire; and if, in fact, there were, at the date of such publication, no such licenses then in force in such county or city,—then the second part of "*The Canada Temperance Act, 1878*," shall be deemed to have been in force and taken effect in such

Retroactive provision in similar cases.

such county or city at the expiration of thirty days from the date of such Order in Council.

3. Nothing herein shall be construed so as to,—

Saving clause.

- (a) Affect any existing legal right or remedy in respect of any prosecution heretofore brought under the second part of "*The Canada Temperance Act 1878* ;"
- (b) Authorize the bringing hereafter of any prosecution for any offence committed against the second part of the said Act prior to the passing of this Act ;
- (c) Affect any cause of action now existing, or any suit, action, prosecution or proceeding now pending.

## CHAP. 32.

An Act to amend "*The Liquor License Act, 1883.*"

[Assented to 19th April, 1884.]

Preamble.

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

Paragraph (a) of s. 5 of 46 V., c. 30, amended.

1. The paragraph marked (a) of section five of "*The Liquor License Act, 1883,*" is hereby amended by adding after the word "Prothonotary" in the sixth line thereof the words "Sheriff or District Magistrate," and by striking out all the words after the word "appoint" in the eighth line thereof, and substituting therefor the words following: "in the Province of Quebec, he shall hold office for one year, or the portion of the year yet unexpired in which he is appointed, but he shall nevertheless continue to hold office until his successor is appointed :"

Paragraph (b) amended.

2. The paragraph marked (b) of the said section five is hereby repealed, and the following is substituted in lieu thereof :—

Second commissioner, who shall be.

"(b.) The second commissioner shall be the warden of the county, or the mayor of the city; but whenever there shall be within the district both a warden and a mayor, the former shall be the commissioner; and whenever within the district there shall be two or more wardens, the second commissioner shall be such of the wardens as the Governor in Council may appoint: in the cities of Montreal and Quebec, in the Province of Quebec, the recorder, and in the City of St. John, New Brunswick, the mayor, and in the counties of the Province of Prince Edward Island, the sheriff of the county, shall be the second commissioner :"

In certain places.



3. Any appointment heretofore made of a second commissioner, in accordance with the foregoing provisions, is hereby confirmed and declared to be valid for all purposes whatsoever :

Appointments confirmed.

4. Sub-sections two and three of the said section five are repealed, and the following substituted therefor :—

Sub-sections 2 and 3 repealed and new substituted.

“ 2. In the Counties of Chicoutimi and Saguenay, Gaspé and Bonaventure, in the Province of Quebec, the Governor in Council may appoint a second and a third commissioner, who, with the warden, shall form the Board ; and in any unorganized district, and in the districts in the Province of British Columbia, the Governor in Council may appoint a first, a second and a third commissioner :

Appointments by Governor in Council in certain places.

“ 3. The first commissioner shall be chairman of the Board, and two of the said commissioners shall form a quorum ; and in the absence of the first commissioner, the second commissioner shall be the chairman :”

Chairman and quorum.

5. The following provision is added to the said section five as sub-section four thereof :—

Subsection 4 added.

“ 4. If any first or second commissioner has an interest in any business, in consequence whereof he is disqualified to act, or is subject to a penalty for so acting, or if any commissioner refuses to act, the Governor in Council may assign his duties to a commissioner of an adjacent district, or may appoint another commissioner to act in his stead ; and such substituted commissioner shall have all the powers and shall perform all the duties of the commissioner for whom he is so substituted. ”

Vacancies, how filled, as to first or second commissioners.

2. At all meetings of the Board the chairman shall have the same rights as to moving and seconding resolutions and voting thereon as the other members of the Board ; but in no case shall he have a second or casting vote, and every resolution in respect of which there is an equality of votes, shall be declared lost.

Powers of chairman at meetings.

3. So much of section seven of the said Act as precedes the paragraph thereof marked (a) is repealed and the following substituted therefor :—

Section 7 amended.

“ 7. The Governor in Council may direct the issue of licenses, written or printed, or partly written and partly printed, of the several kinds or descriptions following, that is to say :—

Issue of licenses.

- (1.) Hotel licenses ;
- (2.) Saloon licenses ;
- (3.) Shop licenses ;
- (4.) Vessel licenses ;

## (5.) Wholesale licenses :

Form of licenses.	“The said licenses shall be issued by the Department of Inland Revenue, and countersigned by the Chief Inspector of licenses of the district, and shall be in such one of the forms in the first schedule of this Act, as shall be applicable, and, except when otherwise provided, shall be in force to the thirtieth day of April inclusive, following the date thereof :”
Duration.	
Paragraph (d) amended.	2. The paragraph (d) of the said section seven is hereby amended by adding the following proviso at the end thereof: “Provided, that persons importing or dealing in liquors in unbroken packages in bond shall not be required to have defined in their licenses any other place than the general office wherein their business is conducted.”
Proviso added, as to dealers in unbroken packages.	
Time for applications extended.	4. Notwithstanding anything in the Act hereby amended or in this Act contained, applications for licenses may be filed with the Chief Inspector during the present year, one thousand eight hundred and eighty-four, until the fifteenth day of May, and in the Province of British Columbia, until the first day of June, and all applications filed between the first day of March and the said fifteenth day of May, or the said first day of June, as the case may be, in the said year, are hereby declared to have been validly filed; and any meeting of the Board during the same year shall be deemed to have been validly held, notwithstanding that the same was not held at the time fixed by sections nine or ten of the said Act.
And for meetings of boards.	
Section 13 amended.	5. Section thirteen of the said Act is repealed, and the following substituted therefor:—
Certificate to accompany application.	“13. In the case of an application for an hotel, saloon or shop license by a person who is not, at the time of the making of such application, a holder of a license of a like description under this Act, or under any Act of a Provincial Legislature, or as to premises which are not then licensed, the petition shall be accompanied by a certificate signed by one-third of the electors entitled to vote in the polling sub-division in which the premises sought to be licensed are situated; except that in districts in the Province of Manitoba, until the first day of March, one thousand eight hundred and eighty-seven, the signatures of one-third of the resident qualified electors to such certificate shall be sufficient: such polling sub-division shall be that established by law for the purposes of an election for the House of Commons, or if none such be established, then, the polling subdivision used for the last election for the House of Commons. In unorganized districts the said certificate shall be signed by at least ten out of the twenty householders residing nearest to the premises in which the applicant proposes to carry on the business for which the license is required.”
By whom signed.	
Exception in Manitoba.	
Polling divisions defined.	
As to unorganized districts.	

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

Section 15 repealed and new substituted.

“15. The Chief Inspector shall cause to be published in some newspaper published in the district, or if no newspaper be there published, then in a newspaper published near thereto, the name of each applicant for an hotel, saloon or shop license, the description of license applied for, and the place (described with sufficient certainty) where such applicant proposes to sell, at least fourteen days before the meeting of the Board: he shall also cause a notice containing similar information to be fixed to the outside of the outer door of the Court House or other building where the meeting of the Board is to be held.”

Publication of notice of application by Inspector.

To be posted up.

7. The following proviso is hereby added to sub-section two of section twenty-two of the said Act: “Provided always, that the personal attendance of the applicant may be dispensed with by the Board, in cases in which the report of the inspector has been dispensed with under section twenty-nine.”

Proviso to sub-section 2 of s. 22.

Attendance of applicant.

8. Sub-section two of section twenty-five of the said Act is hereby amended by adding the following proviso at the end thereof:—

Proviso added to sub-section 2 of s. 25.

“Provided always, that in cities and towns the Board may, by resolution, authorize their Chief Inspector (with regard to any hotel license) to endorse thereon that this sub-section is not applicable to such license, and on such endorsement being made this sub-section shall not apply thereto.”

As to licenses in cities and towns.

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

Section 26 repealed and new substituted.

“26. Each hotel or saloon shall be shewn, to the satisfaction of the Board, to be a well-appointed and sufficient eating-house, with the appliances requisite for daily serving meals to travellers; and the requirements of this section shall apply to all hotels or saloons, save as hereinafter excepted, and continuously for the whole period of the license:

Certain accommodation to be provided in hotels.

“2. The Board may, by resolution to be passed before the first day of May in any year, dispense, as to a certain number of saloons in any city or town, with the necessity of their having the accommodation in the last preceding sub-section mentioned.”

Exception.

10. The following is added to section thirty-nine of the said Act as sub-section two thereof:

Sub-section added to s. 39.

Permits may be granted in place of licenses, in the present year, 1884.

"2. For the present year, one thousand eight hundred and eight-four, in any case where the Board of any district, do not think fit or are unable, owing to the limit as to the number of licenses to be granted being reached, to authorize the issue of a license to any applicant who has been licensed during the preceding license year, or any part thereof, they may nevertheless, by resolution, provide for granting a permit giving a license to such applicant for any specified period of the year not exceeding three months, at their discretion; and such permit issued under the hand of the Chief Inspector of the district shall authorize for the period specified in the resolution of the Board, and no longer, the sale of liquors according to the nature of the license held by such applicant during the said preceding year, upon the payment or tendering of the proportional part of the duty, mentioned in sub-section two of section forty of this Act."

Sub-section 4 of s. 42 amended.

11. Sub-section four of section forty-two of the said Act is repealed and the following substituted therefor:—

As to places not organized as municipalities.

"4. In townships, local municipalities or parishes, and in places where there is no municipal organization, the Board of the district shall, by resolution to be passed at their first meeting in each year, limit the number of licenses to be issued in each year:"

Sub-section 6 amended.

2. Sub-section six of the said section forty-two is repealed and the following substituted therefor:—

No saloon licenses in certain places.

"6. In incorporated villages, and in townships or parishes, no saloon licenses shall be granted."

Sub-section 2 added to s. 45.

12. Section forty-five of the said Act is amended by adding the following thereto as sub-section two:—

Prohibition by municipal councils in Quebec.

"2. In every town, village, parish and township in the Province of Quebec, the municipal Council thereof may by by-law restrict or prohibit, within the limits of such town, village, parish or township, the sale of intoxicating liquors."

Sub-section added to s. 45.

2. The following is added to the said section forty-five as sub-section three thereof:—

Prohibitory by-laws in Quebec confirmed.

"3. In every such town, village, parish or township, in which since the first day of July, one thousand eight hundred and sixty-seven, the council thereof, under color of any statute of the Province of Quebec, has passed a by-law restricting or prohibiting the sale of liquor within the limits of the said town, village, parish or township, such by-law shall be and is hereby confirmed: Provided always, that nothing herein contained shall apply to any by-law the validity of which is now in question in any court of law."

Proviso.

13. Sub-sections one, two, three, four and five of section forty-seven of the said Act are repealed, and the following substituted therefor:—

Sub-sections 1 to 5 of s. 47 repealed and new provision made.

“47. No license shall be granted by the Board for the sale of liquors within the limits of a town, parish, incorporated village, township or other municipality (save and except counties and cities) when it shall have been made to appear to the Board in manner hereinafter provided, that three-fifths of the duly qualified electors therein, who have voted at a poll taken as hereinafter specified, have declared themselves to be in favor of a prohibition of the sale of intoxicating liquors in their locality, and against the issue of licenses therefor :

No license to be issued when prohibition has been voted for by three-fifths of the electors.

“2 When a requisition is presented to any commissioner from one-fifth of the electors of any town, parish, incorporated village, township, or other municipality (save and except counties and cities), requiring a vote to be taken as to whether or not such license shall issue or be granted therein, it shall be the duty of such commissioner, upon the receipt of such requisition, to scrutinize the names of the electors attached to such requisition, and being satisfied that the said electors whose names are attached to the said requisition are duly qualified, and, after the person or persons, who have witnessed the signatures to the said requisition, shall have sworn, before a Justice of the Peace or a Notary Public, that he the said witness or they the said witnesses were present and saw the said electors sign the said requisition, and that the signers constitute one-fifth of the electors of such town, parish, incorporated village, township or other municipality, to issue a notice for the holding of a poll to determine whether the prohibition of the sale of liquors shall prevail within the limits of the said town, parish, township, incorporated village, or other municipality as aforesaid,—such poll to be held in the month of February or March, and the notice of the holding of the same to be given by the insertion thereof in some newspaper published in the municipality or district, or if there be no newspaper published within the municipality or district, then in some newspaper published as near thereto as may be,—the publication to be continued in at least one issue of such newspaper in each week for three successive weeks, and also by posting up a printed notice thereof in at least six of the most public places within the said municipality or district.”

Requisition that poll may be taken, how attested.

Notice of poll, by commissioner.

To be posted up.

2. Sub-section six of the said section forty-seven is repealed and the following substituted therefor:—

Sub section 6 repealed and new substituted.

“6. The vote of the electors shall be taken by ballot in the manner provided by “The Canada Temperance Act, 1878,” and the clauses thereof numbered nine and eleven to twenty-three,

Vote shall be taken, under the Canada Temperance Act, 1878.

three, both inclusive, and the several clauses thereof under the headings "The Poll," "Scrutiny," "Penalties," "Preservation of the Peace," "General Provisions," "Prevention of Corrupt Practices," and "Penalties and Punishments Generally," and the schedules to the said Act referred to in any of the said clauses shall be read and construed as part of this Act, except where the same may be inconsistent with any of the provisions herein contained: the notice to be issued by the commissioner shall conform to the requirements of the proclamation which the Governor General is by the ninth section of the said Act permitted to issue, with such alterations as are necessary to make it answer the provisions of this section; and the returning officer to be named shall be the chief inspector, the sheriff or the registrar of the county or district, within which the municipality is situate, or the clerk of the municipality."

Form of notice.

Returning officer.

Sub-sections 7 and 8 repealed.

3. Sub-sections seven and eight of the said section forty-seven are hereby repealed.

Section 82 amended.

14. Section eighty-two of the said Act is hereby amended by striking out the words "eighty-three" in the twenty-first line thereof, and inserting the words "eighty-four" in lieu thereof.

Section 90 amended.

15. Section ninety of the said Act is repealed and the following substituted therefor:—

Penalty for keeping disorderly house, and proceedings on complaint.

"90. The Mayor or Police Magistrate of a town or city, the Recorder or Judge of the Sessions of the Peace having jurisdiction therein, any Stipendiary Magistrate, or the Mayor or Reeve of a township with any one justice, or any two justices having jurisdiction in the township or village, or the Commissioner of a Parish Court within his jurisdiction, with any one Justice of the Peace, or any two Justices of the Peace having jurisdiction in the township, parish, or village, or in Manitoba the Judge of the County Court of the judicial district, upon information to him or them, or one of them respectively, that any keeper of any hotel, saloon or other house of public entertainment, situate within their jurisdiction, sanctions or allows gambling or riotous or disorderly conduct in his house or premises, may summon the keeper thereof to answer the complaint, and may investigate the same summarily, and either dismiss the complaint with costs to be paid by the complainant, or convict the keeper of having an improper or a riotous or disorderly house, as the case may be; and such conviction shall, *ipso facto*, operate as a forfeiture of his license, with or without costs, as in the discretion of the convicting authority may seem just; and in case the keeper of any such hotel, saloon or place of public entertainment is convicted under this section

Investigation into complaint, and punishment of offender, if convicted.

section and his license annulled, he shall not be eligible to obtain a license for the period of two years thereafter."

**16.** Section ninety-one of the said Act is repealed and the following substituted therefor :—

Section 91 amended.

"**91.** Any person who sells or barterers liquors of any kind, without the license therefor by this Act required, or violates the provisions of section eighty-four, shall, for the first offence, on conviction thereof, incur a penalty of not less than twenty dollars and costs, and not more than fifty dollars and costs ; and for a second or any subsequent offence, on conviction thereof, such person shall be imprisoned in the common gaol of the county or place in which the offence was committed, to be kept at hard labor for a period not exceeding three calendar months."

Penalty for selling liquor, &c., without a license.

Imprisonment with hard labour.

**17.** Sub-section two of section one hundred and nineteen of the said Act is repealed and the following substituted therefor :—

Sub-section 2 of s. 119 repealed and new substituted.

" 2. The magistrate shall, in all cases, reduce or cause to be reduced to writing the evidence of the witnesses examined before him, and shall read the same over to such witnesses, who shall sign the same."

Evidence to be reduced to writing.

**18.** Sub-section six of section one hundred and twenty-four of the said Act is repealed and the following substituted therefor :—

Section 12 of s 124 repealed and new substituted.

" 6. Such recognizance shall be thereafter proceeded upon at the General Sessions of the Peace or in the County Court in the same manner as a recognizance taken upon an appeal to the Sessions or to the County Court from a summary conviction may be proceeded upon ; and the said certificate shall be deemed *prima facie* evidence of the default of the defendant ; but such proceedings shall not relieve the person convicted from undergoing the term of imprisonment to which he was sentenced ; and the warrant of the judge issued in that behalf, or any new warrant issued by him, may be executed in any part of the Province in which the conviction was had, in the same manner and subject to the like conditions as a warrant of a justice for the apprehension of an offender."

Escheat of recognizance and effect thereof

Not to relieve the offender from other punishment.

**19.** Section one hundred and twenty-six of the said Act is repealed and the following substituted therefor :—

Section 126 repealed and new substituted.

" **126.** The penalties in money under this Act or any portion of them which may be recovered, shall be paid to the convicting magistrate, and two-thirds thereof shall, by him, in case an inspector is the prosecutor or complainant, be paid

Penalties in money, how disposed of.

paid to the Chief Inspector, and the remaining third to the treasurer of the municipality wherein the offence was committed; and in case such inspector is not the prosecutor or complainant, then one moiety thereof shall be paid to the treasurer of the municipality wherein the offence was committed, and the other moiety shall be paid to the prosecutor or complainant."

Section 129  
amended.

20. Section one hundred and twenty-nine of the said Act is hereby amended by striking out the words "eighty-third" in the eighth line thereof, and inserting the words "eighty-fourth" in lieu thereof.

Section 141  
amended as to  
Manitoba.

As to N. W. T.  
and Manitoba.

21. Section one hundred and forty-one of the said Act is hereby amended by adding the following words at the end thereof: "nor in the North-West Territories, nor in that part of the Province of Manitoba which was added thereto on the west by the Act passed in the forty-fourth year of Her Majesty's reign, chaptered fourteen and intituled "*An Act to provide for the extension of the boundaries of the Province of Manitoba.*"

Extension of  
time by Gov-  
ernor in Coun-  
cil in certain  
cases.

22. Whenever in the said Act it is provided that any application shall be filed, any meeting held or any other matter or thing done, at a specified date or within a fixed time, and whenever from the geographical position of the part of Canada in respect of which any license is applied for, it appears to the Governor in Council that it is expedient that a date or limit other than that fixed by the Act should be substituted for the filing of such application, the holding of such meeting, or the doing of such matter or thing, the Governor in Council may fix such date or define such time or limit in such manner as he deems fit.

Commission-  
ers indemn-  
ified as to cer-  
tain acts.

23. No commissioner who has, during the current year one thousand eight hundred and eighty-four, acted as such, and who was or is a holder of any interest in any premises in respect of which a license under the said Act has been applied for, shall be liable to any penalty whatsoever in consequence of his having so acted; and all acts done by him, and all proceedings in which he has taken part as such commissioner shall be as valid and effectual as if he had not been possessed of such interest.

Issue of  
licenses under  
Canada Tem-  
perance Act.

24. The licenses to be issued under the provisions of section ninety-nine of "*The Canada Temperance Act, 1878*" shall be issued by the Board, subject to the limitations provided in the said Act; and so much of the said section as authorizes the Lieutenant Governor to grant or issue such licenses is hereby repealed.

Application  
of penalties  
under Canada

25. Notwithstanding anything contained in "*The Canada Temperance Act, 1878*" all penalties enforced and recovered under



under the provisions of the said Act. shall be paid and applied in like manner as penalties under the Act hereby amended and under this Act, are directed to be paid and applied.

Temperance Act, 1878.

**26.** Whereas doubts have arisen as to the power of Parliament to pass "*The Liquor License Act, 1883.*" and the amendments thereof contained in this Act, it is therefore enacted, that until the question of the competence of the Parliament of Canada to pass the said Act, and this Act, be determined as hereinafter provided, no prosecution for the infringement or violation of the said Liquor License Acts shall be instituted against any holder of a license for selling liquor granted to him under the authority of any Statute passed in any of the Provinces, so long as such license under such authority is in force.

Holders of Provincial licenses not liable to prosecution under this Act until its constitutionality is proved.

2. And for the purpose of having the said question determined as soon as possible, the Governor in Council may refer to the Supreme Court of Canada, for hearing and determination, the said question as to the competence of Parliament to pass the said Acts, in whole or in part; and such court shall thereupon hear and determine the same and certify their opinion to the Governor in Council; and if in their opinion a part or parts of the said Acts only were within the competence of Parliament, then they shall certify to the Governor in Council what part or parts thereof are within such competence.

Provision for determination of such constitutionality.

3 The Lieutenant-Governor of any of the Provinces may, with the consent of the Governor in Council, on behalf of the Province of which he is the Lieutenant-Governor, become a party to the said case; and in the event of any Province thus being a party thereto, it shall be entitled to be heard by counsel on the argument thereof; and all or any of the said Provinces may, with the like consent, become parties thereto.

Provinces may be made parties in the case.

4 The judgment of the said Supreme Court shall be final, unless at the request of the Governor General or of the Lieutenant-Governor of any Province who may have been party to the case, Her Most Gracious Majesty may be pleased to refer the matter of the said case and the decision of the Supreme Court thereon to the Judicial Committee of Her Majesty's Privy Council.

As to finality of judgment in such case.

**27.** This Act shall be read and construed as one Act with the Act hereby amended.

How this Act shall be read.

## CHAP. 33.

An Act further to amend "The General Inspection Act, 1874."

[Assented to 19th April, 1884.]

Preamble  
37 V., c. 45.

**W**HEREAS it is expedient further to amend "*The General Inspection Act, 1874*," as hereinafter set forth; Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

How inspector may be appointed in case of failure of proper board of examiners to certify.

**1.** If any Board of Examiners, appointed under the said Act, neglects or refuses to meet for the purpose of examining applicants for the office of inspector of any staple article, after having been required so to do by the Department of Inland Revenue, or if any such board, having met, is unable to certify that any applicant who appears before them is duly qualified for appointment as an inspector, the Governor in Council may appoint as inspector any person who has obtained from any other board, duly constituted under the said Act, a certificate of qualification for the office of inspector of such staple article: and any inspector may examine candidates for the position of deputy inspectors, and may, if he finds them qualified, grant them certificates of qualification and may appoint them as deputy inspectors, subject to the approval of the Governor in Council; but no such certificate of qualification shall entitle any such deputy inspector to act for any other inspector, or in any inspection division other than that in respect of which he is originally appointed under this section.

Inspector may examine candidates for becoming deputies.

Section 5 amended.

**2.** Section five of the said Act is hereby amended by adding after the words "inspected by him," in the sixteenth line thereof, the words following: "under a penalty of not more than one hundred dollars and the forfeiture of his office for any offence against this provision."

Section 64 repealed and new section substituted.

**3.** The sixty-fourth section of the said Act as amended by the second section of the Act thirty-ninth Victoria, chapter thirty-three, is repealed, and the following substituted therefor:—

Inspection of certain articles to be compulsory in certain cases and places.

**"64.** The inspection of all pickled fish cured for market or exportation, and of all codfish tongues, or codfish sounds, cured for such purpose and contained in any such packages as are hereinafter mentioned, shall, whenever such pickled fish or other articles as aforesaid are removed beyond the limits of the inspection district in which they are pickled or packed, be compulsory in every Province of Canada (except British Columbia and Manitoba) where an Inspector is appointed

pointed by law ; and if any such pickled fish or other articles as aforesaid be sold or removed for sale beyond the limits of such district, or shipped or laden in any vehicle for removal, or offered to be removed from any district or place within Canada, except British Columbia and Manitoba, without being inspected under this Act, the person so selling or removing the same or offering the same for sale or removal, shall incur a penalty of not less than one dollar and not more than five dollars for each and every such package."

4. The first three paragraphs of sub-section three of section sixty-six of the said Act are hereby repealed and the following substituted therefor :— Section 66 amended.

"3. HERRINGS, GASPEREAUX and ALEWIVES to be branded or marked No. 1. Extra, shall be thirteen inches and upwards in length and fat, and shall be well struck with salt, thoroughly cured and cleaned, and bright in color ; Rules for inspection of herrings, gasperaux and alewives.

"Those to be branded and marked No. 1 shall be from eleven to thirteen inches in length, well struck with salt, thoroughly cured and cleaned, and bright in color ;

"Those to be branded and marked No. 2 shall be from nine to eleven inches in length and shall comprehend the best herrings that remain after the selection of quality No. 1 ;

"Herrings under nine inches in length shall be branded and marked No. 3, with the word 'small' in addition to the other brands or marks."

5. Sub-section nine of the said sixty-sixth section is hereby amended by striking out all the words from "and," in the first line, to "Act" in the second line thereof, both inclusive. Section 66 amended.

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## CHAP. 34.

An Act to amend and to consolidate as amended the several Acts respecting the Adulteration of Food and Drugs.

[Assented to 19th April, 1884.]

**H**ER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :— Preamble.

1. This Act may be cited as "*The Adulteration of Food Act, 1884.*" Short title.

## INTERPRETATION.

- Interpretation.      2. In this Act, unless the context otherwise requires :—
- “ Food.”            The expression “ Food ” includes every article used for food or drink by man ;
- “ Drug.”            The expression “ Drug ” includes all medicines for internal or external use ;
- “ Officer.”         The expression “ Officer ” means any officer of Inland Revenue, or any person authorized under this Act to procure samples of articles of food or drugs and to submit them for analysis :
- “ Adulterated.”    2. An article is deemed to be “ adulterated ” within the meaning of this Act,—
- As to drugs.        (a.) In the case of Drugs :—
- (1.) If, when sold or offered or exposed for sale under or by a name recognized in the British or United States Pharmacopœia, it differs from the standard of strength, quality, or purity laid down in either ;
  - (2.) If, when sold or offered or exposed for sale under or by a name not recognized in the British or United States Pharmacopœia, but which is found in some other generally recognized pharmacopœia or other standard work on *materia medica*, it differs from the standard of strength, quality, or purity laid down in such work ;
  - (3.) If its strength or purity falls below the professed standard under which it is sold or offered or exposed for sale :
- As to food         (b.) In the case of Food :—
- (1.) If any substance has been mixed with it, so as to reduce or lower or injuriously affect its quality or strength ;
  - (2.) If any inferior or cheaper substance has been substituted wholly or in part for the article ;
  - (3.) If any valuable constituent of the article has been wholly or in part abstracted ;
  - (4.) If it is an imitation of, or is sold under the name of, another article ;

- (5.) If it consists wholly or in part of a diseased or decomposed, or putrid or rotten animal or vegetable substance, whether manufactured or not,—or, in the case of milk or butter, if it is the produce of a diseased animal, or of an animal fed upon unwholesome food ;
- (6.) If it contains any added poisonous ingredient, or any ingredient which may render such an article injurious to the health of a person consuming it :

(c) Provided that the foregoing definitions shall not Exceptions.  
apply,—

- (1.) When any matter or ingredient not injurious to health has been added to the food or drug because the same is required for the production or preparation thereof as an article of commerce, in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure of the food or drug, or to conceal the inferior quality thereof, provided such articles are distinctly labelled as a mixture, stating the components of such mixture ;
- (2.) When the drug or food is a proprietary medicine or is the subject of a patent in force and is supplied in the state required by the specification of the patent ;
- (3.) When the food or drug is unavoidably mixed with some extraneous matter in the process of collection or preparation ;
- (4.) When any articles of food not injurious to the health of the person consuming the same are mixed together and sold or offered for sale as a compound, provided such articles are distinctly labelled as a mixture, stating the components of such mixture, and the proportions of each of such components.

#### ADMINISTRATION.

3. The Governor in Council may appoint one or more persons possessing competent medical, chemical and microscopical knowledge as analysts of food and drugs purchased, sold, or exposed or offered for sale within such territorial limits as may be assigned to each of them respectively, and may also select from among the aforesaid analysts so appointed, or may appoint, in addition thereto, a chief analyst, who shall be attached to the staff of the Department of Inland Revenue at Ottawa.

Analysts may be appointed.  
Chief Analyst.

Their remuneration.

4. The Governor in Council may cause such remuneration to be paid to such chief analyst and to such analysts as he deems proper, and such remuneration, whether by fees or salary or in part by both, may be paid to them out of any sums voted by Parliament for the purposes of this Act.

Certain officers to procure samples for analysis, 37.V., c. 45.

5. The officers of Inland Revenue, the Inspectors and Deputy Inspectors of Weights and Measures, and the Inspectors and Deputy Inspectors acting under "*The General Inspection Act, 1874*," or any of them, shall when required to do so by any regulation made in that behalf by the Department of Inland Revenue, procure and submit samples of food or drugs suspected to be adulterated, to be analyzed by the analysts appointed under this Act.

Appointment of inspectors; their powers.

6. The council of any city, town, county or village may appoint one or more inspectors of food and drugs; and such inspectors shall, for the purposes of this Act, have all the powers by this Act vested in officers of Inland Revenue; and any such Inspector may require any public analyst to analyze any samples of food or drugs collected by him, provided such samples have been collected in accordance with the requirements of this Act:

Samples to be analyzed.

2. The said analyst shall, upon tender of the fees fixed for the analysis of such class of articles by the Governor in Council, forthwith analyze the same, and hand to the Inspector a certificate of such analyses:

Prosecution of offender by inspector.

3. Such Inspector may prosecute any person manufacturing, selling, or offering or exposing for sale within the city, county, town or village for which he has been appointed Inspector, any article of food or drug which has been certified by any public analyst to have been adulterated within the meaning of this Act:

Disposal of penalty in such cases.

4. Notwithstanding any other provision of this Act in respect of the disposition of penalties, any penalties imposed and recovered at the suit of any such Inspector shall be paid into the revenues of the city, county, town or village by which such Inspector was appointed, and may be distributed in such manner as the council of such city, county, town or village by by-law directs.

Officer may procure samples.

7. Any officer may procure samples of food and drugs which have not been declared to be exempt from the provisions of this Act, from any person having such articles in his possession for the purpose of sale, or selling or exposing the same for sale; he may procure such samples either by purchasing the same or by requiring the person in whose possession they are to show him and allow him to inspect all such articles in his possession, and the place or places

places in which such articles are stored, and to give him samples of such articles, on payment or tender of the value of such samples.

8. If the person having such articles in his possession, or his agent or servant, refuses or fails to admit the officer, or refuses or omits to show all or any of the said articles in his possession, or the place where any such articles are stored, or to permit the officer to inspect the same, or to give any samples thereof, or to furnish the officer with such light or assistance as he requires, when required so to do in pursuance of this Act, he shall be liable to the same penalty as if he knowingly sold or exposed for sale adulterated articles.

Person refusing to admit officer, &c., to be punishable as for adulteration.

9. The officer purchasing any article with the intention of submitting the same to be analysed shall, after the purchase has been completed, forthwith notify to the seller or his agent selling the article, his intention to have the same analyzed by the public analyst, and shall offer to divide the article into three parts, to be then and there separated, and each part to be marked and sealed up or fastened up, as its nature will permit, and shall, if required to do so, proceed accordingly, and shall deliver one of the parts to the seller or his agent: he shall afterwards retain one of the said parts for submission to the chief analyst in case of appeal, and shall submit the third part, if he deems it right to have the article analyzed, to the analyst.

Notification to seller, and division of sample.

Disposal of the several portions.

10. If the seller or his agent does not accept the offer of the officer to divide the article purchased in his presence, the analyst receiving the same article for analysis shall divide it into two parts, and shall seal or fasten up one of such parts, and shall cause it to be delivered to the officer, either upon receipt of the sample, or when he supplies his certificate, and the officer shall retain the same for production, in case proceedings are afterwards taken in the matter.

Provision if seller is not a party to the division.

11. The person from whom any sample is obtained under this Act may require the officer obtaining it to annex to every vessel containing the sample the name and address of such person, and to secure with a seal or seals belonging to him the vessel containing the sample, and the address annexed thereto, in such manner that the vessel cannot be opened or the name and address taken off without breaking such seals; and the certificate of the person who analyzes such samples shall state the name and address of the person from whom they were obtained, and that the vessels were not open, and that the seals securing to the vessels the name and address of such person were not broken until such time as he opened the vessels for the purpose of making his analysis; and in such case, as aforesaid, no certificate

Person furnishing sample may require proceedings for verification.

certificate shall be receivable in evidence, unless there is contained therein such statement as above, or a statement to the like effect.

Analysis of samples.

**12.** When the officer has, by either of the means aforesaid, procured samples of the articles to be analyzed, he shall cause the same to be analyzed by one of the analysts appointed under this Act, and he shall give reasonable notice to the person from whom the sample was obtained, to enable such person, if he thinks fit, to attend when the sample is opened for identification; and if it appears to the analyst that the sample is adulterated within the meaning of this Act, he shall certify such fact, stating in such certificate whether such adulteration is of a nature injurious to the health of the person consuming the same; and the certificate so given shall be received as evidence in any proceedings that may be taken against any person in pursuance of this Act, subject to the right of any person against whom proceedings are taken to require the attendance of the analyst, for the purpose of cross-examination.

Certificate.

Certificate to be evidence.

Appeal: form and conditions thereof.

**13.** If the vendor of the article respecting which such certificate has been given, deems himself to be aggrieved thereby, he may, within forty-eight hours of the receipt of the first notification of the intention of the officer or other purchaser to take proceedings against him, whether such notification is given by the purchaser or by the ordinary process of law, notify the said officer or purchaser in writing that he intends to appeal from the decision of the analyst to the judgment of the chief analyst: in such case the officer or purchaser shall transmit such notification to the chief analyst, together with the portion of the sample retained by him for that purpose, and the chief analyst shall, with all convenient speed, analyze the same and report thereon to the Department of Inland Revenue; and the decision of such chief analyst, if concurred in by the said Department, shall be final:

Proceedings thereunder.

Decision of chief analyst.

Proviso: no appeal if no chief analyst.

**2.** This section shall not have force or effect unless a chief analyst has been appointed, to whom an appeal under this section can be made.

Reports by analysts to Inland Revenue Department.

**14.** Every analyst appointed under this Act shall report quarterly to the Department of Inland Revenue the number of articles of food or drugs analyzed by him under this Act during the foregoing quarter, and shall specify the nature and kind of adulterations detected in such articles of food or drugs; and all such reports, or a synopsis of them, shall be printed and laid before Parliament as an appendix to the annual report of the Minister of Inland Revenue.

Publication.



## GENERAL PROVISIONS.

**15.** No person shall manufacture, expose or offer for sale, or sell any article of food or drug which is adulterated within the meaning of this Act. Sale of adulterated articles prohibited.

**16.** If milk is sold or offered or exposed for sale after any valuable constituent of the article has been abstracted therefrom, or if water has been added thereto, or if it is the product of a diseased animal or of an animal fed upon unwholesome food, it shall be deemed to have been adulterated in a manner injurious to health, and such sale, offer or exposure for sale shall render the vendor liable to the penalty hereinafter provided in respect of the sale of adulterated food; except that skimmed milk may be sold as such if contained in cans bearing upon their exterior, within twelve inches of the tops of such vessels, the word "skimmed" in letters of not less than two inches in length, and served in measures also similarly marked,—but any person supplying such skimmed milk, unless such quality of milk has been asked for by the purchaser, shall not be entitled to plead this section in extenuation of any contravention of this Act: As to sophistication of milk. Penalty. Exception, as to skimmed milk. Proviso.

**2.** Nothing in this section shall be interpreted to permit or warrant the admixture of water with milk, or any other process than the removal of cream by skimming. As to admixture of water.

**17.** Alcoholic, fermented or other potable liquors sold or offered or exposed for sale, shall be deemed to have been adulterated in a manner injurious to health, if they are found to contain any of the articles mentioned in the schedule to this Act, or any article hereafter added to such schedule by the Governor in Council. Liquor deemed adulterated if certain articles are found therein.

**18.** The Governor in Council may, from time to time, declare certain articles or preparations to be exempt from the provisions of this Act, and may add to the schedule to this Act, any article or ingredient, the addition of which is, by him, deemed necessary in the public interest: every such order shall be published in the *Canada Gazette*, and shall take effect at the expiration of thirty days from the date of such publication. Exemptions by O. C. and additions to schedule. Publication.

**19.** The Department of Inland Revenue shall from time to time, prepare and publish lists of the articles, mixtures or compounds declared to be exempt from the provisions of this Act in accordance with the next preceding section; and shall also, from time to time, fix the limits of variability permissible in any article of food or drug, or compound, the standard of which is not established by any such pharmacopœia or standard work as is hereinbefore mentioned; Lists of exemptions to be prepared.

tioned; and the departmental orders fixing the same shall be published in the *Canada Gazette*, and take effect at the expiration of thirty days after the publication thereof.

As to adulteration of vinegar.

**20.** Vinegar sold or offered or exposed for sale, shall be deemed to have been adulterated in a manner injurious to health, if any mineral acid has been added thereto, or if it contain any soluble salt having copper or lead as a base thereof,—whether such salt or mineral acid shall have been added, either during the process of manufacture or subsequently.

Inland Revenue Act, 46 V., c. 15, to apply.

**21.** The provisions of the Act passed in the forty-sixth year of Her Majesty's reign and intituled "*An Act to consolidate and amend the several Acts respecting the Inland Revenue*," whether enacted with special reference to any particular business or trade, or with general reference to the collection of the revenue, or the prevention, detection or punishment of fraud or neglect in relation thereto, shall extend, apply, be construed and have effect with reference to this Act as if they had been enacted with special reference to the matters and things herein provided for.

Enforcement of penalties.

**22.** Every penalty hereby imposed may be enforced and dealt with as if imposed under the said Act, and every compounder, and the apparatus used by him, and the place in which his business is carried on, and the articles made or compounded by him, or used in compounding any such article shall be "subject to excise" under the said Act.

Regulations by the Governor in Council.

**23.** The Governor in Council may, from time to time, make such regulations as to him seem necessary for carrying the provisions of this Act into effect.

Submission for analysis by other than an officer allowed.

**24.** Nothing herein contained shall be held to preclude any person from submitting any sample of food or drug for analysis to any public analyst, or from prosecuting the vendor thereof, if such article is found to be adulterated; but the burden of proof of sale and of the fact that the sample was not tampered with after purchase, shall be upon the person so submitting the same:

Analyst's duty in such case.

2. Any public analyst shall analyze such sample on payment of the fee provided in respect of such article or class of article, by the Governor in Council.

Provision as to costs.

**25.** Any expenses incurred in analyzing any food or drug, in pursuance of this Act, shall, if the person from whom the sample is taken is convicted of having in his possession, selling, offering or exposing for sale, adulterated food or drugs in contravention of this Act, be deemed to be a portion of the costs of the proceedings against him, and shall be paid

paid by him accordingly: in all other cases such expenses shall be paid as part of the expenses of the officer, or by the person who procured the sample, as the case may be.

#### PENALTIES.

**26.** Every person who wilfully adulterates any article of food or any drug, or orders any other person so to do, shall, on conviction,— Penalty for adulteration.

(a.) If such adulteration is deemed to be, within the meaning of this Act, injurious to health, for the first offence incur a penalty not exceeding fifty dollars or less than ten dollars together with the costs of the conviction, and for each subsequent offence a penalty of not less than fifty dollars and not exceeding two hundred dollars, together with the costs of the conviction; When injurious to health.

(b.) If such adulteration is deemed not to be injurious to health, incur a penalty not exceeding thirty dollars, together with the costs of the conviction, and for each subsequent offence a penalty not exceeding one hundred dollars and not less than fifty dollars together with the costs of the conviction. When not injurious to health.

**27.** Every person who by himself or his agent sells, offers for sale, or exposes for sale any article of food or any drug, found to be adulterated within the meaning of this Act, shall, on conviction,— Penalty for selling adulterated articles.

(a.) If such adulteration is deemed to be within the meaning of this Act injurious to health, for a first offence incur a penalty not exceeding fifty dollars, together with the costs of the conviction, and for each subsequent offence a penalty of not less than fifty or more than two hundred dollars, together with the costs of the conviction: When injurious to health.

(b.) If such adulteration is not deemed to be within the meaning of this Act injurious to health, incur for each such offence a penalty of not less than five or more than fifty dollars, together with the costs of the conviction: When not injurious to health.

(c.) Provided, that if the person accused proves to the court before which the case is tried that he did not know of the article being adulterated, and shows that he could not with reasonable diligence have obtained that knowledge, he shall be subject only to pay the costs attending such prosecution. Provide: as to sale without knowledge.

**28.** Every compounder or dealer in and every manufacturer of intoxicating liquors, who has in his possession or in any part of the premises occupied by him as such, any adulterated Adulteration of intoxicating liquors.

Penalty. terated liquor, knowing it to be adulterated, or any deleterious ingredient specified in the schedule hereto, or added to such schedule by Order of the Governor in Council, for the possession of which he is unable to account to the satisfaction of the court before which the case is tried, shall be deemed knowingly to have exposed for sale adulterated food, and shall be liable for the first offence to a penalty of not more than one hundred dollars, and for each subsequent offence to a penalty of not more than four hundred dollars.

Disposal of penalties. **29.** All penalties imposed and recovered under this Act, except as herein otherwise provided, shall be paid in to the Minister of Finance and Receiver General, to form part of the Consolidated Revenue Fund of Canada.

#### REPEAL.

Repeal; 37 V. c. 8, 40 V., c. 13, 41 V., c. 11, 46 V., c. 30, s. 79, sub-s. 1. **30.** So much of the Act passed in the thirty-seventh year of Her Majesty's reign, chaptered eight, as remains unrepealed, the Act passed in the fortieth year of Her Majesty's reign, chaptered thirteen, the Act passed in the forty-first year of Her Majesty's reign, chaptered eleven, and sub-section one of section seventy-nine of "*The Liquor License Act, 1883*," are hereby repealed, and this Act is substituted for them: Provided always, that all Orders in Council and regulations made under the Acts hereby repealed shall remain in force until revoked or altered by competent authority; and all things lawfully done and all rights acquired under the said Acts, or any of them, shall remain valid and may be enforced, and all offences committed or liabilities incurred under them or any of them, may be prosecuted, punished and enforced, and all proceedings and things lawfully commenced under them, or any of them, may be continued and completed, under the said Acts or under corresponding provisions of this Act,—which shall not be construed as a new law but as a consolidation and continuation of the said repealed Acts,—subject to the amendments and new provisions hereby made and incorporated with them.

Proviso: as to effect of repeal.

How this Act shall be construed.

Commencement of Act. **31.** This Act shall come into force upon the first day of July, eighteen hundred and eighty-four.

#### SCHEDULE.

Cocculus indicus, chloride of sodium (otherwise common salt), copperas, opium, cayenne pepper, picric acid, Indian hemp, strychnine, tobacco, darnel seed, extract of logwood, salts of zinc, copper or lead; alum, and any extract or compound of any of the above ingredients.

## CHAP. 35.

## An Act to amend the Acts respecting the Inspection of Gas and Gas Meters.

[Assented to 19th April, 1884]

**I**N amendment of the Act passed in the thirty-sixth year of Her Majesty's reign, and intituled "*An Act to provide for the Inspection of Gas and Gas Meters,*" and of the Act passed in the thirty-eighth year of Her Majesty's reign, and intituled "*An Act to amend the Gas Inspection Act, 1873,*" Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
36 V., c. 48.  
38 V., c. 37.

**1** Section sixteen of the Act first above cited is repealed, and the following substituted in lieu thereof:—

S. 16 of 36 V., c. 48, repealed, and new substituted.

**16.** Within twelve months after the expiration of five years from each verification and stamping, every gas meter shall again be verified and stamped; but the provision of this section shall not, until the first day of January, one thousand eight hundred and eighty-five, apply to any meter inspected and stamped prior to the first day of January, one thousand eight hundred and eighty.

Verification and re-stamping.  
Proviso: as to meters verified prior to 1st January, 1880.

**2.** The first eight lines of paragraph (c) of section twenty-eight of the Act first above cited, as amended by the Act secondly cited, are repealed, and the following substituted therefor:—

Section 78 amended.

(c) That the quality of gas to be supplied to the purchaser shall be such, that the light produced by a standard burner consuming five cubic feet of gas per hour, shall be equal in intensity to that produced by sixteen sperm candles, as mentioned in Schedule A; and—

Quality of gas.

The proviso to the said section twenty-eight of the Act first above cited, as amended by the Act secondly cited, forming the last ten lines thereof, is repealed.

Proviso repealed.

**3.** After the word "dollars," in the ninth line of section forty of the Act first cited, the words "nor less than fifty dollars" are inserted.

Section 40 amended.

**4.** After the word "dollars," in the eighth line of section forty-two of the Act first cited, the words "nor less than ten dollars" are inserted.

Section 42 amended.

**5.** Sub-sections two and three of section forty-four of the Act first cited, are repealed, and the following substituted in lieu thereof:—

Section 44 amended.

Form of suits  
for penalties.

"2. Every such suit shall be brought in the name of the inspector, as acting in pursuance of this Act, who shall account for the amount of the penalty to the Department of Inland Revenue."

Section 46  
amended.

6. The word "three," in the third line of section forty-six of the Act first cited, is struck out, and the word "six" substituted in lieu thereof.

Gas not to  
show any  
trace of sul-  
phuretted  
hydrogen.

Penalty for  
first offence.

For any sub-  
sequent  
offence.

Proviso.

7. Any gas company furnishing gas for illuminating purposes which shall exhibit traces of sulphuretted hydrogen, when tested in accordance with the rules provided in that behalf in the Schedule A substituted, by the Act secondly cited, for that in the Act first above cited, shall thereby incur a penalty as follows: for the first offence, if such Company have more than four thousand consumers, thirty dollars; if less than four thousand and more than one thousand, twenty dollars; if less than one thousand and more than one hundred, ten dollars; and for any subsequent offence, double the above named penalties;—unless such company show, to the satisfaction of the Department, that the occurrence was attributable solely to accident which could not, by reasonable care and foresight, have been avoided.

Certificate of  
quality to be  
procured and  
posted up.

Frequency of  
certificate  
according to  
number of  
Company's  
consumers.

8. Every gas company shall keep the public informed of the illuminating power of the gas supplied by them, and of its purity as affected by the absence or presence of sulphuretted hydrogen, by procuring a certificate from the inspector and posting it up in the chief office of the company, from time to time, as follows: companies having more than four thousand consumers shall procure such certificate once in each week; those having less than four and more than two thousand consumers, once in each month; those having less than two thousand and more than five hundred consumers, once in each interval of three months; and those having less than five hundred consumers, once in each interval of six months:

What certifi-  
cate shall  
show.

2. Such certificate shall show the average result of the various tests taken by the Inspector under departmental regulations, during the period intervening between the date of any certificate and that of the preceding one, and shall remain so posted up until replaced by the next succeeding one as hereinbefore required:

Certificates as  
to ammonia  
and sulphur.

3. Every gas company in cities in which the requisite apparatus is furnished by the Department, shall obtain during the first weeks respectively of January, April, July and October in each year, a certificate indicating the average quantity of ammonia and sulphur, in other forms than sulphuretted hydrogen, ascertained by official analysis during the preceding three months to have been contained in the gas:

4. Each certificate of tests made shall be posted as above required within twenty-four hours of its delivery by the Inspector and shall remain so posted up until the issue of the next following certificate; and any company failing to comply with the foregoing requirements of this section shall, for each day during which such failure continues, incur a penalty of ten dollars :

When certificate shall be posted up.

5. Every company shall pay to the Inspector, on the receipt of each such certificate, such fees as may be prescribed by Order in Council ; and such fees shall be applied as prescribed by the thirty-fifth section of the Act first above cited.

Fees for certificate.

9. Every gas company shall, at all times, keep in their office, in a book or books, the names and addresses of their consumers for the time being, which book or books shall be open to the inspector during office hours, and from which he may take such extracts as he thinks fit ; and for any failure to comply with the requirements of this section, the company shall incur a penalty of fifty dollars.

Companies to keep lists of their consumers open to the inspector. Penalty for non-compliance.

10. Illuminating gas shall be considered as impure, when containing ammonia in any quantity exceeding four grains per one hundred cubic feet, or sulphur in other forms than sulphuretted hydrogen, in any quantity exceeding thirty-five grains per one hundred cubic feet.

As to ammonia and sulphur in gas.

## CHAP. 36

An Act to amend the "Weights and Measures Act of 1879."

[Assented to 19th April, 1884]

IN amendment of the "*Weights and Measures Act of 1879*," Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Preamble. 42 V, c. 16.

1. Section twenty-four of the said Act is hereby repealed, and the following substituted therefor :—

S. 24 repealed; new section.

"24. Every person who uses or has in his possession for use in trade any weight, measure, scale, balance, steelyard or weighing machine, which is false or unjust, shall incur a penalty of not more than twenty-five dollars, nor less than ten dollars, or, in the case of a subsequent offence, of fifty dollars ; and any contract, bargain, sale or dealing made by the

Penalty for having false or unjust weights, scales or measures.

**Forfeiture.** the same shall be void ; and the weight, measure, scale, balance, steelyard or weighing machine shall be forfeited, and shall be forthwith seized as being so."

**S. 25 repealed; new section.**

**2.** Section twenty-five of the said Act is hereby repealed, and the following substituted therefor :—

**Penalty for fraud by the use of false weights, &c.**

"**25.** When any fraud is wilfully committed in the using of any weight, measure, scale, balance, steelyard or weighing machine, the person committing such fraud, and every person party to the fraud, shall incur a penalty of twenty-five dollars, or in the case of a subsequent offence, of fifty dollars ;

**Forfeiture.**

and the weight, measure, scale, balance, steelyard or weighing machine shall be forfeited, and shall be forthwith seized as being so"

**S. 26 repealed; new section.**

**3.** Section twenty-six of the said Act is hereby repealed and the following substituted therefor :—

**Penalty for making or selling false weights, &c.**

"**26.** Every person who wilfully makes or sells, or causes to be made or sold any false or unjust weight, measure, scale, balance, steelyard or weighing machine, shall incur a penalty of not more than fifty dollars nor less than twenty-five dollars, or in the case of a subsequent offence, of one hundred dollars, for each such offence."

**Sub-section added to s. 26.**

**4.** The following is added to the said section twenty-six as sub-section two thereof :—

**Canned goods sealed to have weight marked on packages.**

"**2.** Every hermetically sealed package of canned goods, such as fruit, vegetables, fish and the like, shall have the weight of the contents of the tin, can or package containing the same, legibly marked on it ; and any packer or other person found guilty of selling or exposing for sale such goods in any such tin, can or package, on which the weight of the contents is not so marked, or on which such weight is misrepresented, shall, for the first offence, incur a penalty of two dollars for each such tin, can or package, and for each subsequent offence a penalty of not less than three nor more than twenty dollars for each such tin, can or package."

**Penalty, if not so marked.**

**After 1st January, 1885.**

This section shall only come into force on the first day of January, one thousand eight hundred and eighty-five.

**S. 28 amended.**

**5.** Sub-section three of section twenty-eight of the said Act is hereby repealed, and the following substituted therefor :—

**Penalty on trader having unlawful weights, &c., in possession.**

"**3.** Any trader not being a manufacturer of or dealer in weights, measures or weighing machines, having in his possession any unstamped weights, measures or weighing machines, shall incur a penalty of not more than fifty nor less



less than five dollars for the first offence, and for each subsequent offence a penalty of fifty dollars; and the inspector or his assistant shall forthwith seize such weights, measures or weighing machines, which shall be forfeited.”

Forfeiture.

6. Section thirty of the said Act is hereby repealed, and the following substituted therefor :—

S. 30 repealed;  
new section.

“ 30. If any person forges or counterfeits any stamp used for the stamping, under this Act, of any weight, balance, weighing machine or measure, or used before the commencement of this Act for the stamping of any measure, weight, balance or weighing machine under any enactment repealed by this Act, or wilfully increases or diminishes any weight or measure so stamped, or in any way alters or tampers with any balance, weighing machine or measure, which has been so stamped, so as to cause it to weigh or measure unjustly, he shall incur a penalty of forty dollars for the first offence, and for each subsequent offence he shall incur a penalty of one hundred dollars and be liable to two months’ imprisonment :

Penalty for forging or counterfeiting stamps used under Act.

“ 2. Any person who knowingly uses, sells, utters, disposes of, or exposes for sale, any measure, weight, balance or weighing machine, with such forged or counterfeit stamp thereon, or any weight, measure, balance or weighing machine so increased, diminished, falsified or tampered with, shall incur a penalty for the first offence of not more than fifty dollars nor less than twenty-five dollars, and for each subsequent offence a penalty of one hundred dollars; and the weight, measure, balance or weighing machine shall be forfeited, and shall be forthwith seized as being so.”

Or for knowingly using counterfeits.

Forfeiture.

7. The following provision is added to section forty-one, as a sub-section thereof :—

Provision added to s. 41.

“ 2. If any person wilfully obstructs or impedes any inspector or assistant inspector in the performance of his duty under this Act, or under any Order in Council or departmental regulation lawfully made under it, such person and any person aiding or assisting the offender, shall thereby incur a penalty of one hundred dollars.”

Penalty for obstructing inspector or assistant.

8. Section forty-four of the said Act is hereby repealed, and the following substituted therefor :—

S. 44 repealed;  
new section.

“ 44. Every person, not being a manufacturer, dealer in or importer of weights, measures or weighing machines, who refuses to produce for inspection, when required so to do by any inspector or inspector’s assistant appointed under this Act, all weights, measures and weighing machines in his possession, and used for any purpose of trade, and—

Penalty for refusing to produce weights, &c., for inspection.

“ Every

Or refusing to permit inspection.

“Every manufacturer of, dealer in or importer of weights, measures or weighing machines, who refuses to permit the inspection, when required in the manner herein provided, of any weights, measures or weighing machines about to be removed from his premises to be used for purposes of trade, or who permits any such weights, measures or weighing machines to be so removed without having been first inspected and stamped as herein required,—

Penalty.

“Shall for a first offence incur a penalty of not more than twenty-five dollars, nor less than five dollars, and for each subsequent offence a penalty of fifty dollars :

Proviso; as to dormant scales.

“Provided always, that the provisions of this section shall not be construed as imposing any penalty on a manufacturer of, dealer in or importer of weights, measures or weighing machines in respect of any dormant scales which cannot be properly verified until set up upon a fixed foundation.”

S. 47 repealed; new section.

9. Section forty-seven of the said Act is hereby repealed, and the following substituted therefor:—

Penalty on inspector or assistant stamping out of his proper division.

“47. If any inspector or inspector's assistant without authority from the Department of Inland Revenue, knowingly stamps any balance, beam, weight or measure, or weighing machine, belonging to any person residing within the limits of any inspection division for which another inspector has been legally appointed, he shall, on conviction, incur a penalty not exceeding five dollars for every weight or measure, or weighing machine so stamped.”

Provision added to section 50.

10. The following provision is added to section fifty, as a sub-section thereof:—

Power to seize weights, &c., if the inspector's fees are not paid.

“2. If any person refuses to pay the inspection fees payable by him, on demand of the inspector or assistant inspector, such inspector or assistant inspector may seize sufficient of the weights, measures or weighing machines for the inspection whereof such fees are due to secure the same, and retain them until the fees and all expenses incurred are paid, and shall forthwith institute proceedings for the recovery thereof and costs, as provided by section fifty-three.”

S. 54 repealed; new section.

11. Section fifty-four of the said Act is hereby repealed, and the following substituted therefor:—

Limitation of suits.

“54. No action or prosecution shall be brought against any person for any forfeiture or penalty imposed by this Act, unless the same is commenced within six months after the offence is committed.”

## CHAP. 37.

An Act to prevent fraud in the manufacture and sale of Agricultural Fertilizers.

[Assented to 19th April, 1884.]

**F**OR the prevention of fraud in the manufacture and sale of agricultural fertilizers,—Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Preamble.

1. Every person who manufactures, sells or disposes of, or offers to sell or to dispose of any agricultural fertilizer, by barter, exchange or otherwise, shall affix to every barrel, sack, box or package thereof, in a conspicuous place on the outside thereof, a plainly written or printed certificate bearing a name or trade-mark by which such fertilizer may be known and designated, and specifying the name and residence of the manufacturer or vendor, and the date of the manufacture of such fertilizer; the said certificate shall also specify the percentages which such fertilizer contains of phosphoric acid soluble in water, of total phosphoric acid, of potash, of nitrogen soluble in water, and of total nitrogen, or the equivalent ammonia, subject to the exceptions hereinafter made.
 

Certificate to be affixed to each package of such fertilizer, and what it must show.
2. Every manufacturer who affixes or causes to be affixed a false certificate to any barrel, sack, box or package of agricultural fertilizer, and every person who knowingly sells or disposes of any barrel, sack, box or package of agricultural fertilizer, with a false certificate thereon, shall forfeit to the purchaser thereof the sum of two hundred dollars.
 

Penalty and forfeiture for non-compliance with the foregoing requirements.
3. Provided always, that whenever a correct chemical analysis of any agricultural fertilizer sold or disposed of does not show a deficiency of more than one per cent. of any one of the chemical substances, the percentages whereof are specified in the certificate hereinbefore required, such certificate shall not be deemed false within the meaning of this Act.
 

Proviso: minute error not to make certificate false.
4. The forfeiture mentioned in the second section of this Act shall be recoverable by the purchaser for his own use, by civil action in any form allowed by the law of the Province in which the suit is brought, before any court having jurisdiction in cases of simple contract to the amount of such forfeiture, on the evidence of one credible witness other than the plaintiff.
 

How the penalty and forfeiture may be recovered and applied.

What the expression "agricultural fertilizer" means and includes. Exceptions.

5. The expression "agricultural fertilizer," used in this Act, shall be construed to mean any and every substance imported, manufactured, prepared or disposed of for fertilizing or manuring purposes; except that the provisions of this Act shall not apply to marl, nor to fertilizers sold or disposed of at one-half cent or less per pound, nor to any guano the chemical composition of which has not been changed by the vendor or any other person since its importation, nor to the plaster of Paris, nor to any fertilizer not offered for sale as containing phosphoric acid, potash or nitrogen.

Commencement of Act.

6. This Act shall come into force on the first day of June, one thousand eight hundred and eighty-four.

## CHAP. 38.

An Act for the better prevention of Fraud in connection with the Sale of Patent Rights.

[Assented to 19th April, 1884.]

Preamble.

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

A bill or note given for a patent right or interest therein, to have certain words on its face.

1. A bill of exchange or promissory note, the consideration of which consists in whole or in part of the purchase money of a patent right, or of a partial interest (limited geographically or otherwise) in a patent right, shall have written or printed prominently and legibly across the face thereof, before the same is issued, the words "given for a patent right."

Purchaser or holder of such instrument to take it subject to certain right of defence.

2. The endorsee or other transferee of any such instrument having the words aforesaid so printed or written thereon, shall take the same subject to any defence or set-off in respect of the whole or any part thereof, which would have existed between the original parties.

Punishment for issuing, selling or transferring such bill or note without certain words on it. Imprisonment and fine.

3. Any one who issues, sells or transfers by endorsement or delivery any such instrument not having the words "given for a patent right" printed or written in manner aforesaid across the face thereof, knowing the consideration of such instrument to have consisted in whole or in part of the purchase money of a patent right, or of a partial interest (limited geographically or otherwise) in a patent right, shall be guilty of a misdemeanor, and shall be liable to be imprisoned in any gaol or other place of confinement for any term not more than one year, or to such fine as the judge may think fit, not exceeding two hundred dollars.

CHAP.

## CHAP. 39.

An Act further to amend the Act forty-fifth Victoria, chapter twenty-three, intituled "An Act respecting Insolvent Banks, Insurance Companies, Loan Companies, Building Societies and Trading Corporations."

[Assented to 19th April, 1884.]

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

Preamble.

1. The first section of the Act passed in the forty-fifth year of Her Majesty's reign, chaptered twenty-three, and intituled "*An Act respecting Insolvent Banks, Insurance Companies, Loan Companies, Building Societies and Trading Corporations,*" is hereby repealed and the following section is enacted in lieu thereof :—

45 V., c. 23, s. 1 repealed, and new section substituted.

"1. This Act applies to incorporated banks (including savings banks) incorporated insurance companies, loan companies having borrowing powers, building societies having a capital stock, and incorporated trading companies, which are doing business in Canada, no matter where incorporated, and which are insolvent or in process of being wound up, and on petition, as in this Act set forth, by their shareholders or creditors, assignees or liquidators, ask to be brought within and under the provisions of this Act :

Application of Act to certain companies.

"(a.) This Act does not apply to railway or telegraph companies or to building societies that have not a capital stock."

As to railways, &c.

2. When, at the date of the passing of the said Act, a company was in liquidation or in process of being wound up, any shareholder, creditor, assignee, receiver or liquidator of such company, may apply by petition to the court asking that the company be brought within and under the provisions of the said Act, and the court may make such order ; and the winding up of such company shall thereafter be carried on under the said Act, and the expression "winding up order" in the said Act, shall include the order in this section mentioned.

Application to companies being wound up when the said Act was passed.

Proceedings, &c., in such case.

3. The court, in making such order, may direct that the assignee, receiver or liquidator of such company, if one has been appointed, shall become the liquidator of the company under the said Act, or may appoint some other person to be liquidator of the company.

Liquidator in cases under preceding section.

Section 24  
amended.

4. The twenty-fourth section of the said Act is amended by inserting before the words "the winding up order" in the first line, the words "the court in making."

Sub-s. 2 of s.  
77 repealed.

5. Sub-section two of section seventy-seven of the said Act is hereby repealed and the following is substituted in lieu thereof:—

New sect.  
substituted;  
Appeal in  
Ontario.

"2. In the Province of Ontario such powers may, subject to an appeal according to the ordinary practice of the court, be exercised by the master, referee or other officer who, under the practice or procedure of the court, presides in chambers, or by the master in ordinary, or by any local master or referee."

Section 84  
amended.

6. The eighty-fourth section of the said Act is amended by inserting the word "receiver" after the word "liquidator" in the third and eleventh lines thereof.

Sections 99,  
100, 101, 102  
repealed, and  
new substituted.

7. Sections ninety-nine, one hundred, one hundred and one and one hundred and two of the said Act are hereby repealed, and the following sections are enacted in lieu thereof:—

Provision as  
to winding up  
order in case  
of bank.

"99. In the case of a bank, the application for a winding up order must be made by a creditor for a sum of not less than one thousand dollars, and the court must, before making the order, direct a meeting of the shareholders of the bank and a meeting of the creditors of the bank to be summoned, held and conducted as the court directs, for the purpose of ascertaining their respective wishes as to the appointment of liquidators

Chairman of  
meetings of  
shareholders  
and of creditors.

"100. The court may appoint a person to act as chairman of the meeting of shareholders, and in default of such appointment, the president of the bank, or other person who usually presides at a meeting of shareholders, shall preside. The court may also appoint a person to act as chairman of the meeting of creditors, and in default of such appointment the creditors shall appoint a chairman.

Scale of votes.

"101. In taking a vote at such a meeting of shareholders, regard is to be had to the number of votes conferred by law or by the regulations of the bank on each shareholder present or represented at such meeting, and in the case of creditors, regard is to be had to the amount of the debt due to each creditor.

Chairman to  
report result.

How liquidators  
are to be  
selected.

"102. The chairman of each meeting must report the result thereof to the court, and if a winding up order is made, the court shall appoint three liquidators, to be selected in its discretion, after such hearing of the parties as it may deem expedient, from among the persons nominated by

by the majorities and minorities of the shareholders and creditors at such meetings respectively."

**S.** Nothing in this Act contained shall affect any pending suit or action, or any right of action now existing.

Pending cases not affected.

## CHAP. 40.

An Act to amend the Acts fortieth Victoria, chapter forty-nine and forty-fifth Victoria, chapter twenty-four being Acts relating to Permanent Building Societies and Loan and Savings Companies carrying on business in Ontario.

[Assented to 19th April, 1884.]

**H**ER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

Preamble.

**1.** Section two of the Act passed in the fortieth year of the reign of her Majesty, and chaptered forty-nine, is hereby repealed, and the following is substituted therefor:—

40 V., c. 49, s. 2 repealed.

**"2.** The aggregate amount of money deposits in the hands of any such society, together with the amount of its debentures issued and remaining unpaid may be equal to, but shall not, at any time, exceed double the aggregate amount of the paid up, unimpaired, fixed and permanent capital or shares in such society, not liable to be withdrawn therefrom, together with a further sum which may be equal to, but shall not exceed the amount remaining unpaid upon the subscribed, fixed and permanent capital or shares, upon which not less than twenty per cent. has been paid: Provided, that in no case shall the total liabilities of any such society to the public at any time exceed three times the amount actually paid up in respect of fixed and permanent capital or shares in such society, nor shall they at any time exceed the amount of principal remaining unpaid on the mortgages at such time held by such society: Provided, that in estimating the paid up unimpaired, fixed and permanent capital or shares of any such society, the amount of all loans or advances made by it to its shareholders, upon the security of their stock, shall be deducted therefrom: Provided further, that the amount held

New section substituted, as to limitation of money deposits with, and debentures of any society.

Proviso: total liabilities further limited.

Proviso: as to estimating liabilities.

by

Proviso : further limit.

by any society on deposit shall not, at any time, exceed the amount of the paid up and unimpaired capital of the society."

Certain provisions of 45 V., c. 24, explained as to two-thirds votes at meetings.

2. It is hereby declared that so much of the first section of the Act passed in the forty-fifth year of Her Majesty's reign, chaptered twenty-four, and intituled "*An Act to further amend the law respecting Building Societies and Loan and Savings Companies carrying on business in the Province of Ontario,*" as requires a vote of not less than two-thirds in value of all the shareholders of the Company given in person or by proxy at any general or special meeting, shall be held to apply only to the increase of the fixed and permanent capital of any Company, by the issue of new stock to which any special privileges or rights are attached, different from those possessed by the ordinary shareholders of such Company.

S. 22 of c. 53, Con. Stat. U.C. repealed.

3. Section twenty-two of chapter fifty-three of the Consolidated Statutes for Upper Canada, as amended by section four of the Act thirty-seventh Victoria, chapter fifty, is hereby repealed, and the following substituted therefor :—

New section. Power to hold certain securities ;

"22. Any such society may purchase mortgages upon real estate, debentures of any Society or Company incorporated under this Act, or any Act incorporated therewith, debentures of municipal corporations, school sections and school corporations, Dominion or Provincial stock or securities ; and they may re-sell any such securities as to them shall seem advisable, and for that purpose they may execute such assignments or other instruments as may be necessary for carrying the same into effect ; they may also make advances to any person or persons or body corporate, upon any of the above mentioned securities, at such rates of discount or interest as may be agreed upon."

And make advances on them.

Managing director and his remuneration.

4. The board of directors of any such Society or Company may appoint one of their number to be managing director thereof ; and his remuneration may be provided for by a by-law, which, however, shall have no force or effect till after it has been approved by the shareholders.



## CHAP. 41.

An Act to amend the Act thirty-eighth Victoria, chapter fifty-four, intituled "An Act to extend to the Province of Manitoba the 'Act for the more speedy trial, in certain cases, of persons charged with felonies and misdemeanors, in the Provinces of Ontario and Quebec'."

[Assented to 19th April, 1884.]

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

Preamble.

1. Section two of the Act thirty-eighth Victoria, chapter fifty-four, intituled "*An Act to extend to the Province of Manitoba the 'Act for the more speedy trial, in certain cases, of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec'*," is repealed, and the following section is enacted in lieu thereof:—

38 V., c. 54, s. 2 repealed, and new section substituted.

"2. As respects the Province of Manitoba, the expression 'a Court of General Sessions of the Peace' in the said Act shall mean and include the Court of Queen's Bench of that Province, and the County Court Judges' Criminal Courts, and the expression 'the judge' shall mean the Chief Justice, or a Puisné Judge of the said Court of Queen's Bench or a County Court Judge, and the expression 'County Attorney or Clerk of the Peace' shall mean also any Deputy Clerk of the Peace, Crown Attorney or the Prothonotary of the said Court of Queen's Bench or a Deputy Prothonotary thereof."

Interpretation of certain terms in applying the Act to Manitoba.

## CHAP. 42.

An Act to amend the Act thirty-seventh Victoria, chapter forty-two, intituled "An Act to extend to the Province of British Columbia certain of the Criminal Laws now in force in other Provinces of the Dominion"

[Assented to 19th April, 1884.]

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

Preamble.

32-33 V., c. 32.  
Interpretation, as respects British Columbia, of "competent magistrate."

1. In applying to British Columbia the Act passed in the thirty-second and thirty-third years of Her Majesty's reign, chaptered thirty-two, and intituled "*An Act respecting the prompt and summary administration of Criminal Justice in certain cases*," the expression "competent magistrate" shall be construed as meaning any two Justices of the Peace sitting together, and shall also mean and include any functionary or tribunal having the powers of two Justices of the Peace; and the jurisdiction shall be absolute without the consent of the parties charged.

32-33 V., c. 33.  
Interpretation, as respects British Columbia, of "any two or more justices."

2. In applying to British Columbia the Act passed in the thirty-second and thirty-third years of Her Majesty's reign, chaptered thirty-three, and intituled "*An Act respecting the trial and punishment of juvenile offenders*," the expression "any two or more justices" shall be construed as including any magistrate having the powers of two Justices of the Peace: the said Act shall not apply to any offence punishable by imprisonment for two years and upwards and it shall not be necessary that the recognizance be transmitted to any Clerk of the Peace.

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## CHAP. 43.

An Act to further amend "An Act respecting the duties of Justices of the Peace out of Sessions, in relation to summary convictions and orders."

[Assented to 19th April, 1884.]

Preamble.

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

32-33 V., c. 31, s. 65 further amended.

1. Section sixty-five of chapter thirty-one of the Act passed in the Session held in the thirty-second and thirty-third years of Her Majesty's reign, intituled "*An Act respecting the duties of Justices of the Peace in relation to summary convictions and orders*," as amended by the Acts thirty-third Victoria, chapter twenty-seven, and fortieth Victoria, chapter twenty-seven, is hereby further amended by adding the following sub-section thereto:—

New sub-section added.

"4. In all cases of appeal provided for by this Act, all appeals from the decision of the Stipendiary Magistrate or of any Justice or Justices of the Peace for the Districts of Muskoka and Parry Sound, in the Province of Ontario, shall lie to and may be brought before and heard and determined by

To what courts appeals from

by the Court of General Sessions of the Peace for the County of Simcoe in the said Province; all appeals from the decision of the Stipendiary Magistrate or of any Justice or Justices of the Peace for the provisional County of Haliburton in the said Province, shall lie to and may be brought before and heard and determined by the Court of General Sessions of the Peace for the County of Victoria, in the said Province; all appeals from the decision of the Stipendiary Magistrate or of any Justice or Justices of the Peace for the District of Thunder Bay, in the said Province, shall lie to and may be brought before and heard and determined by the Court of General Sessions of the Peace for the District of Algoma, in the said Province; and all appeals from the decision of the Stipendiary Magistrate or of any Justice or Justices of the Peace for the District of Nipissing, in the said Province, shall lie to and may be brought before and heard and determined by the Court of General Sessions of the Peace for the County of Renfrew.”

justices lie, in certain districts and provisional counties of Ontario.

2. Section seventy-six of the said Act, as amended by the Act thirty-third Victoria, chapter twenty-seven, is hereby further amended by adding thereto the following as subsection two :—

32-33 V., c. 31, s. 76 further amended.

“ 2. All returns under this section of convictions had in the Districts of Muskoka and Parry Sound, in the Province of Ontario, shall be made to the Clerk of the Peace for the County of Simcoe, in the said Province; all returns of convictions had in the provisional County of Haliburton, in the said Province, to the Clerk of the Peace for the County of Victoria, in the said Province; all returns of convictions had in the District of Thunder Bay, in the said Province, to the Clerk of the Peace for the District of Algoma, in the said Province; and all returns of convictions had in the District of Nipissing in the said Province, to the Clerk of the Peace for the County of Renfrew, in the said Province.”

To whom returns of convictions in such districts are to be made.

3. This Act shall not apply to any appeal in respect of a conviction had before the passing thereof.

A Act not retrospective.

## CHAP. 44.

An Act to authorize the transfer of prisoners from one gaol to another in certain cases.

[Assented to 19th April, 1884.]

Preamble.  
31 V., c. 74.

**W**HHEREAS it is expedient to extend the provisions of the Act passed in the thirty-first year of Her Majesty's reign, chaptered seventy-four, and intituled "*An Act respecting persons in custody charged with High Treason or Felony*:" Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

The said Act so amended that Provincial authorities may order removal of prisoners in case of insecurity of gaol, &c.

**1.** The said Act is hereby amended by inserting after "Governor in Council," where these words first occur in the said Act, the words "or the Lieutenant Governor in Council of any Province," and by inserting after "Governor in Council," wherever these words occur subsequently in the said Act, the words "or Lieutenant Governor in Council," and by inserting after the words "Clerk of the Queen's Privy Council for Canada," the words "or the Clerk of the Executive Council."

Such order may be made before prisoner is lodged in gaol.

**2.** An order may be made under the said Act by the Governor General, or a Lieutenant Governor in Council, in respect of any person for whose arrest for any treason or felony a warrant has been issued, and in case such person is thereafter confined in the gaol, the order shall be acted upon.

Order may be made when sentence of death or imprisonment has been pronounced.

**3.** An order may also be made under the said Act by the Governor General, or a Lieutenant Governor in Council, in respect of any person under sentence of imprisonment or under sentence of death, and in the latter case the sheriff to whose gaol the prisoner may be removed shall obey any direction that may be given by the said order or by any subsequent Order in Council, for the return of such prisoner to the custody of the sheriff by whom the sentence is to be executed.

As to N.W.T. or part thereof;

**4.** The words "Lieutenant Governor in Council" used in this Act include the Lieutenant Governor of the North-West Territories, and of any new territory which may hereafter be created out of such North-West Territories.

And Manitoba.

**5** This Act as well as the Act which it amends apply to the Province of Manitoba.

## CHAP. 45.

An Act respecting a Reformatory for certain Juvenile Offenders in the County of Halifax, in the Province of Nova Scotia.

[Assented to 19th April, 1884.]

**W**HEREAS there is at present a reformatory in the City of Halifax, in the County of Halifax and Province of Nova Scotia, known as "The Halifax Industrial School" to which, under the provisions of the Act passed in the thirty-third year of Her Majesty's reign, chaptered thirty-two, the Police Court or Stipendiary Magistrate of such city is empowered to sentence any boy who, being a Protestant and apparently under the age of sixteen years, is convicted before such court or magistrate of an offence for which he is liable to imprisonment; and whereas it is proposed to establish in such County of Halifax a reformatory, orphanage, industrial school or home for boys of the Roman Catholic faith, and it is desirable to empower such court or magistrate to sentence to imprisonment in such Roman Catholic institution, hereinafter called the Home, any boy who, being a Roman Catholic and apparently under the age of sixteen years, is convicted before such court or magistrate of any such offence as aforesaid: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. So soon as a proclamation has been issued by the Lieutenant Governor of Nova Scotia, declaring that such Home has been established and made ready for the confinement of prisoners, then when any boy, being a Roman Catholic and apparently under the age of sixteen years, is convicted, before the Police Court of such City of Halifax, or before the Stipendiary Magistrate for such city, of any offence for which by law he is liable to imprisonment, with or without hard labor, such Police Court or Stipendiary Magistrate may sentence such boy to be detained in such Home whether situate in such city or elsewhere in such county, for any term not exceeding five years, as to such Police Court or Stipendiary Magistrate appears proper.

Roman Catholic boys under sixteen years of age may be sentenced to detention in the Roman Catholic Reformatory to be established in the County of Halifax.

2. The governing body or head of such Home may, at any time, notify the mayor of such City of Halifax that no prisoners beyond those already under sentence in such Home will be received therein; and after the receipt of such notice by such mayor no such sentence shall be pronounced until a notice has been received by the mayor from such governing body or head that prisoners will be received in such Home.

The number of such prisoners may be limited by the governing body.

Reformatory to be open to inspection.

3. Such Home shall, at all times, be open to inspection by any officer appointed by the Governor General in Council to inspect the same, and, when and so long as any pecuniary aid is received from the City of Halifax, shall be open to inspection by the mayor, aldermen and Stipendiary Magistrate of such city, or any of them.

Boys to be educated and taught trades.

4. The governing body of such Home shall be bound to teach and instruct each boy so sentenced and detained as aforesaid in reading and writing, and in arithmetic to the end of simple proportion, and also to teach each such boy such one of the trades or occupations which are, from time to time, taught in such Home, as such governing body deem most adapted to his capabilities.

Offender becoming incorrigible, may be sent to penitentiary.

5. If any offender detained in such Home becomes incorrigible he may, on a certificate from the officer in charge of such Home, be removed to a penitentiary, as provided in section forty-seven of "*The Penitentiary Act, 1883.*"

Arrest and punishment of prisoners escaping from Reformatory.

6. In case any boy so sentenced and detained as aforesaid escapes from the Home, he may, at any time before the expiration of his period of detention, be apprehended without warrant, and brought before such Police Court or Stipendiary Magistrate, and on proof of his identity, such Police Court or Stipendiary Magistrate shall remand him to such Home, there to serve the remainder of his original sentence, with such additional term, not exceeding one year, as to such Police Court or Stipendiary Magistrate seems proper.

Local jurisdiction of Police Court and Stipendiary Magistrate extended.

7. For all the purposes of this Act, the jurisdiction of the Police Court and of the Stipendiary Magistrate of Halifax and of the policemen and other officers of such court, or magistrate, shall extend to any boy so convicted and sentenced as aforesaid, even though he may be in any place in the County of Halifax, beyond the limits of the City of Halifax aforesaid.

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# I N D E X

TO

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