Canada. Laws, Statutes, etc.

143
~~2226~~
~~626-27~~
36410
373-74

KE
72
C36
16-2
no 2-359

67406
3-44

I N D E X T O B I L L S

Second Session, Sixteenth Parliament.

18 George V, 1928.

Part I.

Admiralty Act. To amend. 30

Agreement made between the Canadian Pacific Railway Company and the Canadian National Railway Co. Act. 6

Bank Act (Mergers). To amend. 44

Bankruptcy Act (Attendance for Examination). To amend. 38

Bell Telephone Company of Canada Act. 43

Board and Interstate Commerce Commission. Railway Act to amend. 64

British Empire Assurance Company Act. 40

Calgary and Fernie Railway Company Act. 48

Canada and Estonia, Hungary, Latvia, Lithuania, Portugal, Roumania, and the Serb, Croat and Slovene Kingdom Act. 203

Canada Grain Act. To amend. 188

Canadian American International Bridge Company Act. 47

Canadian Cinch Anchoring Systems, Limited Act. 18

Canadian Credit Institute Act. 49

Canadian National Railway Act. To amend. 194

Canadian National Railways and the Canadian Northern Railway Company five per cent Income Charge Convertible Debenture Stock Act. 153

Canadian Pacific Railway Company Act. 52

Canadian Pacific Railway Company Act. 65

Canadian Pacific Railway Company and the Canadian National Railway Company. Agreement. 6

Canadian Surety Company Act. 6(

Canteen Funds Act. 3(

Civil Service Act (Councils). To amend. 4

Civil Service (Restoration of excluded positions) Act. 3

Copper Bounties Act, 1923. To amend. 17

Criminal Code Act. To amend. 19

Criminal Code (Blasphemous libels). To amend. 4

Criminal Code (Greyhound Races). To amend. 4(

Customs Act. To amend. 19(

Customs Tariff Act. To amend. 16(

Czechoslovak Republic. Act respecting a certain trade convention between His Majesty and the President of the -. 20(

Dairy Industry Act. To amend. 1(

Departments of Health and Soldiers' Civil Re-establishment Act. 20(

Department of National Revenue Act. To amend. 29

Dominion Elections Act (Voting by Clergymen, Teachers and Students). To amend. 3(

Dominion Forest Reserves and Parks Act. To amend. 19(

Dominion Lands Act. To amend. 19

Edmonton (The) Dunvegan and British Columbia Railway Company Act. 5

Electricity Inspection Act. To amend. 367

Electric Power Act. Exportation of -.

Exchequer Court Act. To amend. 19

Excise Act. To amend. 5

Experimental Farm Stations Act. To amend. 1

Exportation of Electric Power Act.

Federal (The) District Commission Act, 1927. To amend. 21

Federal (The) Loan Company Act. 5

Fertilizer Act. To amend. 7

Gold and Silver Marking Act. To amend. 2

Great Lakes and Atlantic Canal and Power Company, Limited Act. 15

Halifax Harbour Commissioners. Act to provide for a loan. 21

"Highwood Western Railway Company". Act to incorporate. 2

His Majesty and the President of the Czechoslovak Republic. Act respecting trade convention between. 20

Immigration Act. To amend. 18

Imperial Guarantee and Accident Insurance Company of Canada Act. 4

Income Charge Convertible Debenture Stock. Act respecting the Canadian National Railways and the Canadian Northern Railway Company five per cent. 153

Income (The) War Tax Act. To amend. 15

Income War Tax Act. To amend. 32

Inspection and Grading of Hay and Straw Act. 7

Insurance Act (Lapsed Policies). To amend. 20

Interprovincial and International Traffic in Intoxicating Liquors Act. 19

Interprovincial (The) and James Bay Railway Company Act. 6

Investigation of subsidiary of Telephone or Telegraph Companies. Act to amend the Railway Act. 6

Lac Seul (Storage in) in the Province of Ontario, and to repeal the Lake of the Woods Regulation Act, 1921. 19

Lake of the Woods Regulation Act, 1921. Act to facilitate the provision of storage in Lac Seul in the Province of Ontario, and to repeal the -. 19

Live Stock and Live Stock Products Act. To amend. 6

Loan to the Halifax Harbour Commissioners Act. 21

Loan to the Quebec Harbour Commissioners Act. 214

Loan to the Saint John Harbour Commissioners Act. 216

London and Port Burwell Railway Company Act. 58

Manitoba and North Western Railway Company of Canada Act. 53

Martin, Douglas J. Act respecting a certain patent. 66

Members of the House of Commons of Canada on acceptance of office Act. 28

Memorial Bridge Company. Act to incorporate Niagara Falls. 14

Militia Pension Act. To amend. 197

Money for the Public Service. Act to authorize the raising, by way of loan, or certain sums of -. 35

Money for the Public Service of the financial year ending the 31st March, 1928. 155

Money for the Public Service of the financial year ending 31st March, 1929. 154

National Battlefields at Quebec Act. To amend. 34

National Revenue Department. Act to amend. 291

Naturalization Act. To amend. 19

Niagara Falls Memorial Bridge Company. Act to incorporate. 14

Niagara Gorge Bridge Company Act. 25

Nipissing Central Railway Company Act. 46

Northwest Canada Conference Evangelical Church Act. 68

Patent (The) Act. To amend. 7

Patent Application of William H.Millspaugh Act. 15

Patent Applications owned by The British Steel Piling Company, Limited. 16

Patent of Douglas J. Martin Act. 66

Peace (The) River and Mackenzie District Railway Company Act. 6

Pension Act. To amend. 28

Port Huron and Sarnia Bridge Company Act. 4

Post Office Act (Newspaper Ownership). To amend. 2

President of the Czechoslovak Republic. Act respecting a certain trade convention between His Majesty and the -. 20

Prisons and Reformatories Act. To amend. 18

Public Printing and Stationery Act. To amend. 3

Public Service Act to authorize the raising, by way of loan, of certain sums of money. 3

Public Service of the financial year ending the 31st March, 1929. Act for granting to His Majesty certain sums of money. 15

Public Service of the financial year ending the 31st March, 1928. Act for granting to His Majesty certain sums of money. 15

Quebec Harbour Commissioners Act. Loan to the -. 21

Railway Act. To amend. 5

Railway Act. To amend. 22

Railway Act (Investigation of subsidiary of Telephone or Telegraph Companies) To amend. 6

Railway Act (Joint hearings of Board and Interstate Commerce Commission). To amend. 6

Railway Act (Return Tickets). To amend. 29

Railway Act (Special Rates on Coal). To amend. 26

Railway Belt Water Act. To amend. 20

Raising, by way of loan, of certain sums of money for the Public Service Act. 35

Re-election of Members. 28

Regulations and Orders in Council Act. 62

Return Tickets. Railway Act to amend. 29

Returned Soldiers' Insurance Act. To amend. 29

Royal Military College of Canada Act. 13

St.Clair Transit Company Act. 23

St.Lawrence River Bridge Company Act. 71

Saint John Harbour Commissioners Act. Loan to the -. 216

Saint John and Quebec Railway. Extension of time. 9

Saint John River Storage Company Act. 17

Sale and Inspection of Root Vegetables Act. 51

Sarnia Bridge Company and Port Huron Act. 42

Seeds Act. To amend. 11

Soldiers' Civil Re-establishment. Departments of Health and - Act. 205

Soldier Settlement Act. To amend. 288

Special Rates on Coal. Railway Act to amend. 26

Special War Revenue Act. To amend. 17(

Sun Life Assurance Company of Canada Act. 5(

Supply Bill (see money).

Supreme Court Act. To amend. 3]

Thousand Islands International Bridge Corporation Act. 7(

Toronto Terminals Railway Company Act. 20(

Trade Mark and Design Act. To amend. (

Treaty of Commerce and Navigation between the United Kingdom and Spain and a certain Agreement between the United Kingdom and Spain regulating the treatment of companies. 20]

United Theological College, Montreal, Act. 5(

Yukon Quartz Mining Act. To amend. 19(

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to regulate the Exportation of Electric Power.

First reading, January 30, 1928.

Mr. STEWART
(Leeds).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55620 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to regulate the Exportation of Electric Power.

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

Short title.

1. This Act may be cited as *The Electricity Exportation Act, 1928.*

Definitions.
"Export."
"Exportation."
"Power."
"Person."

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

(a) "export and exportation" mean respectively export and exportation from Canada by lines of wires or other conductor.

(b) "power" means electrical power or energy produced in Canada.

(c) "person" shall include an incorporated Company's partnership or any association of individuals.

Exportation with approval of Parliament.

3. No person shall export any power without the approval of Parliament or on any terms or conditions other than those approved by Parliament.

Penalty for exporting, etc.

4. Every person who exports power contrary to the provisions of this Act shall, for each day on which any such export takes place, be liable to a penalty not exceeding five thousand dollars and not less than one thousand dollars.

Laying wire for exportation.

5. Every person who, contrary to the provisions of this Act, constructs, places or lays in position any line of wire or other conductor for the exportation of power shall for each such offence be liable to a penalty not exceeding five thousand dollars and not less than one thousand dollars and to forfeiture and confiscation of such lines of wire or other conductor, which may forthwith upon conviction be destroyed or removed by direction of the Governor in Council.

EXPLANATORY NOTES.

The object of this bill is to amend the existing law having to do with the exportation of electric power from Canada. At present this is governed by the provisions of the Electricity and Fluid Exportation Act, chapter 54 of the Revised Statutes of Canada, 1927, and under that act the governor in council has authority to issue a license providing for the export of electric power from Canada. The effect of this bill is to provide that a license shall only issue by the authority of parliament, and on such terms as may be determined by parliament. The necessary amendments to the existing act are included in this bill, and there is an express provision that nothing contained in this bill shall be deemed in any way to affect the rights of the provinces in connection with electric power.

The Electricity and Fluid Exportation Act which is amended by this Bill reads as follows:—(The words underlined are struck out).

"CHAPTER 54.

An Act to regulate the Exportation of Electric Power and certain Liquids and Gases.

SHORT TITLE.

1. This Act may be cited as the Electricity and Fluid Exportation Act.

INTERPRETATION.

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

(a) "export" and "exportation" mean,

(i) when used with reference to electrical power or energy, respectively export and exportation from Canada by lines of wire or other conductor,

(ii) when used with reference to petroleum, natural gas, water or other fluid, whether liquid or gaseous, capable of being exported, respectively export and exportation from Canada through pipe lines or other like contrivances;

(b) "fluid" means petroleum, natural gas, water or other fluid, whether liquid or gaseous, capable of being exported by means of pipe lines or other like contrivances, and produced in Canada;

(c) "power" means electrical power or energy produced in Canada.

3. The Governor in Council may make regulations not inconsistent with this Act for giving effect to the object and intention thereof, and by such regulations may impose fees to be paid thereunder by applicants for licenses or others.

2. Such regulations shall be laid before Parliament within fifteen days after the making thereof, or, if Parliament is not then in session, within fifteen days after the opening of the next session thereof.

4. The Governor in Council may, by proclamation published in the *Canada Gazette*.

(a) impose export duties, not exceeding ten dollars per annum per horse power, upon power exported from Canada, or not exceeding ten cents per thousand cubic feet on fluid exported from Canada, and such duties shall be chargeable accordingly after the publication of such proclamation;

(b) from time to time remove or re-impose such duties or vary the amount thereof;

(c) exempt from the payment of such duties such persons as comply with the direction of the Governor in Council with regard to the quantity of power or fluid to be supplied by such persons for distribution to customers for use in Canada.

Rights saved.

6. Nothing herein contained shall be deemed to affect the rights of any province with respect to power or the rights of any person under any license issued before the first day of January, 1928.

R.S., c. 54 amended.

7. The title of the *Electricity and Fluid Exportation Act*, chapter fifty-four of the Revised Statutes of Canada, 1927, is amended by striking out the words "Electric Power and" in the first and second lines thereof.

Short title.

8. Section one of the said Act is amended by striking out the words "Electricity and" in the first line thereof.

Exportation of electric power.

9. Paragraph *(a)* of subsection two of the said Act is amended by striking out subparagraph (i).

Power defined.

10. Paragraph *(c)* of the said section two is repealed.

Export of power.

11. Section five of the said Act is amended by striking out the words "power or" wherever same occur in the first and second lines.

Construction of line.

12. Subsection two of said section five is amended by striking out the words "any line of wire of other conductor for the export of power or" where same occur in the second and third lines of said subsection.

License to export not to apply to power.

13. Section six of said Act is amended by striking out the words "power or" where same occur in the fourth line of said section.

Provisions of license not to apply to power.

14. Section seven of the said Act is amended by striking out the words "power or" wherever same occur in the said section.

License to place wire not to apply to power.

15. Section eight of the said Act is amended by striking out the words "line of wire or other conductor for the exportation of power or any" where same occur in the third, fourth and fifth lines of said section.

Not to apply to power.

16. Section nine of said Act is amended by striking out the words "power or" in the first line thereof.

Placing wires.

17. Section ten of said Act is amended by striking out the words "any line of wire or other conductor for the exportation of power or" in the second and third lines of said section and by striking out the words "of such line of wire or other conductor or" in the seventh and eighth lines thereof.

5. No person shall export any power or fluid without a license, or any power or fluid in excess of the quantity permitted by his license, or otherwise than as permitted by such license.

2. No person shall, without a license, construct or place in position any line of wire or other conductor for the exportation of power, or any pipe line or other like contrivance for the exportation of fluid.

6. Subject to any regulations of the Governor in Council in that behalf, the Governor in Council may grant licenses, upon such conditions as he thinks proper, for the exportation of power or fluid where a right to export exists by lawful authority.

2. Such license shall be revocable upon such notice to the licensee as the Governor in Council deems reasonable in each case.

7. Any such license may provide that the quantity of power or fluid to be exported shall be limited to the surplus, after the licensee has supplied for distribution to customers for use in Canada power or fluid to the extent defined by such license, at prices and in accordance with conditions, rules and regulations prescribed by the Governor in Council.

2. Every such license shall be revocable at will by the Governor in Council if the licensee refuses or neglects to comply with any of the conditions imposed with regard to the supply and distribution of power or fluid in Canada.

8. Subject to any regulations of the Governor in Council in that behalf, the Governor in Council may grant licenses for the construction, placing or laying of any line of wire or other conductor for the exportation of power, or of any pipe line or other like contrivance for the exportation of fluid.

9. Every person who exports any such power or fluid contrary to the provisions of this Act shall, for each day on which any such export takes place, be liable to a penalty not exceeding five thousand dollars and not less than one thousand dollars.

10. Every person who, contrary to the provisions of this Act, constructs, places or lays in position any line of wire or other conductor for the exportation of power, or any pipe line or other like contrivance for the exportation of fluid, shall for each such offence be liable to a penalty not exceeding five thousand dollars and not less than one thousand dollars, and to forfeiture and confiscation of such line of wire or other conductor or of such pipe line or other contrivance, which may forthwith upon such conviction be destroyed or removed by direction of the Governor in Council."

Export duties.

18. Section four of said Act is amended by striking out the words "not exceeding ten dollars per annum per horse power upon power exported from Canada or" where same occur in the third, fourth and fifth lines of said section.

Regulations.

19. (1) The Governor in Council may make regulations not inconsistent with this Act for giving effect to the object and intention thereof.

To be laid before Parliament.

(2) Such regulations shall be laid before Parliament within fifteen days after the making thereof or if Parliament is not then in session within fifteen days after the opening of the next session thereof.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act respecting the Civil Service (Restoration of excluded positions).

First reading, January 30, 1928.

Mr. GARLAND
(Bow River)

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55395 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act respecting the Civil Service (Restoration of excluded positions).

R.S., c. 22.

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

Certain excluded positions put under Civil Service Commission.

1. All appointments to, and promotions, classifications, transfers and salaries in the Department of Soldiers' Civil Re-establishment, and in or under the Soldier Settlement Board, and in or under the Income Tax Branch in the Customs and Excise Department, and in or under the Federal Appeal Board, and all positions mentioned in the Order in Council No. 1053, of the twenty-ninth day of June, nineteen hundred and twenty-two, hitherto excluded from the operation of the *Civil Service Act*, by any Act of the Parliament of Canada, order in council or rule or regulation made thereunder, shall henceforth be subject to the provisions of the *Civil Service Act*, and the amendments thereto, and the rules and regulations made thereunder and in accordance therewith.

No position excluded except by unanimous consent of Commissioners.

2. No position shall hereafter be excluded from the operation of the *Civil Service Act*, except upon the unanimous report of all the Civil Service Commissioners, approved by the Governor in Council, or by Act of the Parliament of Canada.

Certain positions now excluded to be put in classified service.

3. The Civil Service Commission shall include in the competitive classified service, in accordance with the provisions of the *Civil Service Act*, every office, place, position or employment referred to in section one of this Act.

Inconsistent provisions repealed.

4. All provisions of any Act or order in Council inconsistent with this Act are hereby repealed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend the Civil Service Act (Councils).

First reading, January 30, 1928.

Mr. WOODSWORTH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55396 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend the Civil Service Act (Councils).

R.S., c. 22.

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

1. *The Civil Service Act,* chapter twenty-two of the Revised Statutes of Canada, 1927, is amended by inserting the following section immediately after section 8 thereof:—

National and Departmental Councils.

"8A. (1) The Governor in Council may establish, for advisory purposes, *(a)* national, and *(b)* departmental councils, which shall each be composed of an equal number of chief government officials and representatives of the Civil Service employees, to be known as "the official" and "staff" sides.

National Council.

"(2) The national council shall be composed of nine members on each side. In the case of the official side the members shall be appointed by the Governor in Council from the principal officials of the departments. In the case of the staff side they shall be elected by the different civil service associations. Civil servants shall be allowed free choice in the form of organization adopted and the same may be on either a federal or amalgamated basis. The distribution of seats on the council shall be settled at a joint conference of all Civil Service organizations. Any association may nominate as its representative on the National Council, a civil servant who is not a member of such nominating association.

Term of office.

"(3) The term of office of the members of the official side shall be one year from the date of appointment but they may be reappointed and shall in any case continue to act until replaced. The members of the staff side shall remain in office till their successors are elected by the different associations.

Meetings. Transportation expenses.

"(4) The national council shall meet at least four times a year and the transportation expenses of the staff side delegates shall be paid in such manner as may be authorized by the Governor in Council.

Organization.

"(5) Organization, scope, functions, and administration shall be agreed upon at the first meetings of the national council and confirmed by order in council.

Departmental Councils.

"(6) Departmental councils shall be formed to deal with purely departmental matters. Organization, scope and administration of the departmental councils as well as the allocation of functions as between the national and departmental councils shall be agreed upon by the national council and confirmed by order in council.

Board of Appeal.

"(7) There shall be a Board of Appeal, composed of three members, for civil servants, against suspension or dismissal from the service, or against claims of unjust treatment within the departmental jurisdiction. The official and staff sides shall each nominate one of its members to fill two places on the Board. These two shall endeavour to agree upon the third member of the Board. Failing such agreement, the Governor in Council shall select the third member, who, in this case shall be any one of the several judges of the Supreme Court of Canada, or of any of the Supreme Courts of the provinces. The hearings of the Board shall be open to the public and its decisions shall be final."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Criminal Code (Blasphemous libels).

First reading, January 30, 1928.

Mr. WOODSWORTH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55394 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Criminal Code (Blasphemous libels).

R.S., c. 36.

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

Blasphemous libels.

1. Section one hundred and ninety-eight of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is hereby repealed.

EXPLANATORY NOTES.

The section to be repealed reads as follows:—

"**198.** (1) Every one is guilty of an indictable offence and liable to one year's imprisonment who publishes any blasphemous libel.

(2) Whether any particular published matter is a blasphemous libel or not is a question of fact: Provided that no one is guilty of a blasphemous libel for expressing in good faith and in decent language, or attempting to establish by arguments used in good faith and conveyed in decent language, any opinion whatever upon any religious subject."

So far as known, only one prosecution under this section, and that in a recent case, has ever been taken in Canada.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to confirm a certain agreement made between the Canadian Pacific Railway Company and the Canadian National Railway Company.

First reading, January 31, 1928.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53509 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to confirm a certain agreement made between the Canadian Pacific Railway Company and the Canadian National Railway Company.

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

Agreement ratified and confirmed.

1. The agreement made between the Canadian Pacific Railway Company and the Canadian National Railway Company, dated the thirteenth day of June, one thousand nine hundred and twenty-seven, a copy of which forms the schedule hereto, is hereby ratified and confirmed and declared to be valid and binding in perpetuity on the parties thereto in all respects whatsoever as fully and completely as if the said agreement and each and every clause thereof were set out at length and enacted in this Act, and the parties to the said agreement and each of them are hereby authorized and empowered to do whatever may be necessary to give full effect to the provisions of the said agreement.

SCHEDULE

THIS AGREEMENT made this thirteenth day of June, A.D. 1927.

Between

CANADIAN PACIFIC RAILWAY COMPANY, hereinafter called the "Pacific,"

Of the First Part,

and

CANADIAN NATIONAL RAILWAY COMPANY, hereinafter called the "National,"

Of the Second Part.

EXPLANATORY NOTE.

This is an Act ratifying and confirming an agreement between the Canadian Pacific Railway Company and the Canadian National Railway Company providing for the construction and operation, jointly, of a line of railway, extending from a point at or near Rosedale to a point at or near Bull Pond Creek, in Township 25, Range 14, west of the 4th Meridian, in the Province of Alberta, the construction of which line of railway was authorized by the Statutes 1924, chapter 30, and the time for the completion of which construction was extended by the Statutes 1927, chapter 45, to August 1st, 1929.

Recitals.

WHEREAS the Pacific has projected an extension of its so-called Langdon North Branch from Acme in an easterly direction through Drumheller to a junction with its so-called Swift Current Northwesterly Branch a short distance northwest of Empress and has constructed a portion of the same;

AND WHEREAS the National has projected an extension of its so-called Acadia Valley Branch from Eyre to a junction with its Saskatoon-Calgary Branch at or near Drumheller, and has constructed a portion of the same;

AND WHEREAS the Minister of Railways and Canals for the Dominion of Canada did approve the Pacific's route map showing the general location of its said extension in accordance with the terms of an agreement signed on behalf of the Pacific and the National, dated the 9th day of May, 1919, and subject among other things to the provision that the portion of the line extending down the valley of the Red Deer River, and hereinafter more particularly defined, should be constructed as a Joint Section for the use of the Pacific and the National, such Joint Section to be constructed by such of said companies as might be agreed between them, or in default of agreement, as might be determined by the Board of Railway Commissioners for Canada, hereinafter called "The Board";

AND WHEREAS by its Order Number 28496 dated the 8th day of July, 1919, the Board did among other things approve the location of the Pacific's said Langdon North Branch from a point in Section 22, Township 28, Range 19, West of the 4th Meridian, at mileage 84.0, to a point in Section 5, Township 25, Range 14, West of the 4th Meridian, at mileage 122.74, as shown on the plan and profile and described in the book of reference referred to in the said Order, subject to and upon the condition that the construction and operation of the Joint Section hereinafter more particularly defined should be subject to the terms of a Joint Section Agreement to be made between the Pacific and the National, failing which the terms were to be settled by a further Order of the Board;

AND WHEREAS the parties hereto are desirous of settling the terms and conditions upon which the said Joint Section shall be constructed, maintained and operated;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements herein contained the parties hereto do hereby mutually covenant and agree as follows:—

Definitions.

1. (a) The words "Joint Section" wherever they occur in this Agreement shall mean and include the line of railway which the Pacific proposes to construct, extending from the junction with the railway of the National at a point near Rosedale in the Southwest quarter of Section 28, Township

28, Range 19, West of the Fourth Meridian, thence southeasterly crossing the Red Deer River following the northeasterly bank thereof to the junction between the Pacifics said branch and the so-called Acadia Valley Branch of the National in the vicinity of Bull Pound Creek in or near the Northeast quarter of Section 5, Township 25, Range 14, West of the Fourth Meridian, and the right of way, and all bridges, tracks, side-tracks, switches, station and other buildings, erections, structures and appurtenances of whatever nature thereunto belonging or appertaining, and all such additional lands, railway facilities and appurtenances as may pursuant to paragraphs 7 and 8 hereof, or by mutual agreement between the parties hereto be acquired, set apart, provided or constructed for the use and benefit of the parties hereto upon and under the terms of this Agreement.

A plan shall be prepared and agreed to by the parties showing the point of connection between the said railway of the National and the Joint Section at or near Rosedale and the area comprising the Joint Section near said point, which area shall not include the tracks to the Rosedale Mine.

(b) The word "Board" wherever it occurs in this Agreement shall mean the Board of Railway Commissioners for Canada.

(c) The word "National," wherever it occurs in this Agreement, shall be taken to include any Railway Company or line now or which may be hereafter operated as part of the System known as "Canadian National Railways."

Pacific to construct.

2. The Pacific shall acquire the necessary lands and construct the said line of railway, and shall fully complete the same with the necessary stations, sidings and all telegraph and other facilities and appurtenances of whatsoever nature in accordance with its usual branch line standards and as shown upon the location plan and profile and described in the book of reference approved by the Board under its said Order Number 28496 and Order Number 30492, or as the same may hereafter be changed with the approval of the Board, as provided by the Railway Act, 1919.

Telegraph and telephone lines.

3. The Pacific shall erect and maintain as part of the Joint Section a line of poles for telegraph and telephone wires for both operating and commercial purposes. Each Company shall at its own expense provide and attach to such poles its own cross arms and pins, and string, operate and maintain thereon its own telegraph and telephone lines, except that the lines required in connection with the operation of the Joint Section shall be strung and maintained by the Pacific as part of the Joint Section.

The National shall give to the Superintendent of Telegraphs of the Pacific having jurisdiction over that portion of its line reasonable notice of its desire to do any work on

the poles of the Joint Section in connection with the construction, maintenance or operation of the telegraph and telephone lines of the National, and all such work shall be subject to the supervision of the said Superintendent of the Pacific.

Connections.

4. The Pacific will construct and during the continuance of this Agreement maintain the connections of the National's tracks with the Joint Section tracks at the points of junction referred to in Paragraph 1 hereof (the exact location of such connections to be agreed upon by the parties hereto); such connections shall be protected by such interlocking and other protective appliances, including interlocking connections within the interlocking zones on the connecting lines of the parties hereto, as may from time to time be agreed upon between the parties hereto, or ordered by the Board or other competent authority, all of which shall be constructed, maintained and operated by the Pacific as part of the Joint Section.

Parties to be joint owners.

5. Upon completion of the Joint Section the parties hereto shall be joint owners thereof and shall have joint and equal rights in all respects to the use and enjoyment of the same and every part thereof for railway purposes, upon and subject to the terms, provisions and conditions of this Agreement.

Pacific to operate and maintain.

6. The Pacific shall, subject as hereinafter provided, have charge, supervision and control of the Joint Section, and the maintenance and operation thereof, and shall maintain and at all times keep the Joint Section in good condition and repair and suitable for the business of both parties hereto, and shall do all acts and things necessary and proper for the operation thereof, and shall comply with all the regulations prescribed by law or by any duly qualified public authority with respect thereto for the safety of the public or otherwise.

Additional lands.

7. The Pacific shall from time to time during the continuance of this Agreement acquire and set apart for the use and benefit of the parties hereto upon and under the terms of this Agreement such additional lands as in the opinion of the parties hereto may be required for the accommodation of the traffic and business of the parties hereto intended to be carried on and done hereunder on the Joint Section, and the cost or determined value of such additional lands, including all expenses of and incidental to the acquisition and setting apart thereof shall from the date of such acquisition and setting apart be added to Capital Account, and shall be borne in equal shares by the parties hereto; provided that should at any time there be any dispute or difference of opinion between the parties hereto as to the necessity or expediency of acquiring any such additional lands, such dispute or difference shall be referred for settlement as provided in Paragraph 44 hereof.

Additional facilities.

8. The Pacific shall from time to time during the continuance of this Agreement provide or construct upon any land which shall at such time or times be comprised in the Joint Section, such additional railway facilities and appurtenances, including new station and other buildings, as in the opinion of the parties hereto may be required for the operation and handling of the traffic and business of the parties hereto, and shall re-arrange, rebuild, alter or make such permanent improvements, additions or extensions to or substitutions for any railway facilities or appurtenances including buildings now or any time hereafter comprised in in Joint Section, as in the opinion of the parties hereto may be required, and shall provide, make and construct such works and things in connection with the Joint Section or any portion thereof as have been or may from time to time be ordered or required by the Board, or any other properly qualified authority, and the cost of any and all such additional railway facilities and appurtenances, permanent improvements, buildings and rebuildings, alterations (not in the nature of repairs), extensions, additions, substitutions, works and things, shall be added to Capital Account and shall be borne in equal shares by the parties hereto; provided that, should at any time there be any dispute or difference of opinion between the parties hereto as to the necessity or expediency of any work which either party may at any time hereafter desire to have done under the provisions of this Paragraph for any of the purposes herein referred to, such dispute or difference shall be referred for settlement as provided by Paragraph 44 hereof.

Industrial sidings.

9. (a) Each party shall have the right to construct, maintain and operate industrial and other sidings connecting with the Joint Section.

(b) If both parties agree in desiring the construction of such siding or sidings, the same shall be constructed by the Pacific and the cost of construction thereof insofar as the same shall be borne by the parties hereto shall be added to the Capital Account referred to in Paragraph 36 hereof, and the cost of maintenance and operation, insofar as the same shall be borne by the parties hereto, shall be included in the Maintenance and Operation account referred to in Paragraph 37 hereof, and shall in each case, as between the parties hereto, be borne accordingly, and all rental and compensation in connection with the use thereof shall be charged and credited as hereinafter provided.

(c) If the National shall construct such a siding without such agreement on the part of the Pacific, the cost of construction, maintenance and operation shall as between the parties hereto be borne solely by the National, and the Pacific shall not have the right to use and shall not use such siding, but it may, at any later date, elect to use the same. Upon such election one-half of the cost of such siding to

the National shall be paid to it by the Pacific, and such siding shall thereupon become in all respects part of the Joint Section, and all expense in connection therewith and all rental or compensation for the use thereof shall be charged and credited as hereinafter provided.

(d) If the Pacific shall construct such a siding without such agreement on the part of the National, the cost of construction, maintenance and operation shall as between the parties hereto be borne solely by the Pacific, and the National shall not have the right to use and shall not use such siding, but it may, at any later date, elect to use the same. Upon such election one-half of the cost of such siding to the Pacific shall be paid to it by the National, and such siding shall thereupon become in all respects part of the Joint Section and all expense in connection therewith and all rental or compensation for the use thereof shall be charged and credited as hereinafter provided.

(e) No lease or agreement of either Company covering the use of any industrial siding that may be used by both parties hereunder shall contain any provision requiring the routing of the traffic of the industry served by such siding over the line of one or other of the parties hereto, or giving any preference to either one of such parties in respect of such traffic, and in the event of any such siding which shall have been constructed originally for the exclusive use of one party hereto becoming a joint siding under the provisions hereof the agreement with the industry, if any, covering such siding shall be revised so as to give each of the parties hereto equal rights therein; provided that neither party shall have the right hereunder to construct any industrial siding which creates a hazardous and unsafe operating condition, and if a dispute shall arise as to whether such a condition would be created by the construction of any such siding such dispute shall be referred for settlement as provided by Paragraph 44 hereof.

Pacific to make regulations.

10. (a) The Pacific shall from time to time make such reasonable rules and regulations for the operation of the Joint Section as are customary among railroads.

Equality.

(b) All rules, regulations and train schedules shall be equally just, fair and non-discriminatory as between the parties hereto, and each party shall have in every respect the same rights and privileges in the transaction of its business.

National employees to comply.

(c) All conductors, enginemen, trainmen and other employees of the National connected with its trains, engines and cars, shall, while in or upon the Joint Section, be subject to the rules, regulations and orders hereinbefore referred to, and all trains, engines and cars shall move over and through the Joint Section under and in accordance with the orders of the Superintendent, dispatchers and other officers of the Pacific having authority in that behalf in matters

relating to the movement of trains, or in any way affecting the safe and proper working of the Joint Section. The trains of the National shall in every respect be given by the officers, agents and employees in charge or control of or engaged in or upon the Joint Section, equality of right and privilege with the trains of a similar class of the Pacific.

Pacific to employ.

(d) Save as herein otherwise provided the Pacific shall employ all persons necessary for the operation of the Joint Section. The National shall have the right to be consulted in reference to the number of persons employed under this clause, and their rates of remuneration. The Pacific shall require all such employees to be neutral in the performance of their duties as between the parties hereto, and to do the business of the National without discrimination. Such employees shall not solicit business or recommend the routing of passengers or freight for either party, but shall in all respects act with entire impartiality between the parties hereto. Upon request in writing of the National for good cause shown the Pacific will remove from employment in and about the Joint Section any such employee who may be unsatisfactory to the National.

Neutrality.

Division of traffic.

(e) All freight and passenger traffic originating on the Joint Section and destined to points served exclusively by the National, shall be transported by that Company from the point of shipment, and similarly, all such traffic destined to points served exclusively by the Pacific shall be transported by that Company from the point of shipment. The routing of traffic for competitive points shall be left entirely to the judgment of the shipper or consignee.

Local traffic.

(f) Traffic, passenger and freight, between points on the Joint Section may be handled by either party, but neither party shall honour tickets, bills of lading or way-bills of the other's issue.

Joint general agent.

(g) In case at any time the National is not satisfied with the manner in which the Pacific is conducting or supervising the operation of the Joint Section it may, by notice in writing to the Pacific, require that within sixty days from the service of such notice a joint general agent shall be appointed by the parties hereto. Such joint general agent shall have supervision and control of the operation of the stations on the Joint Section, including the distribution of cars for all sidings tributary thereto, and all station employees shall, subject to the other terms and provisions of this Agreement, be under his control. In the event of any dispute between such joint general agent and any of the other officers having jurisdiction over the Joint Section, such matter shall in the first place be referred for adjustment to the General Superintendents of the parties hereto whose districts shall include the Joint Section. In the event of such General Superintendents being unable to adjust such

dispute it may be referred for settlement in the same manner as other disputes arising under this Agreement. Such joint general agent shall be subject to dismissal upon one month's notice signed by both the said parties. An successor of such joint general agent may be appointed and dismissed in similar manner. In the event of the parties not being able to agree upon a suitable person for the position of joint general agent either party may, upon two weeks' notice in writing to the other party, apply to the Board to name a suitable person for such position. In case the parties hereto are not agreed as to the advisability of dismissing such joint general agent or in case they cannot agree as to the propriety of any act or decision of such joint general agent as to which either of the said parties may take exception, then the question as to whether he should be dismissed or whether such act or decision is correct shall be decided by the Board. The salary of such joint general agent shall be paid by the Pacific as part of the expense of maintenance and operation of the Joint Section.

Train schedules.

11. Schedules showing the times for the arrival and departure of trains over and upon the tracks in the Joint Section shall be made from time to time by joint action of the proper officers of the parties hereto. In the event of any dispute or inability on the part of such officers to arrange and agree upon said schedule, or as to the speed of any trains in their movement in or through the Joint Section, any question so arising shall, if an arrangement cannot be reached, be referred for settlement as provided by Paragraph 44 hereof.

Use of road engines for switching.

12. Arrangements may be made from time to time for the employment of the road engines of either party hereto for the purpose of performing local switching at any station on the Joint Section for the benefit of both parties, and for determining the basis upon which such switching shall be performed, and the method by which the expense thereof and the revenue, if any, therefrom shall be apportioned between the parties hereto.

Supply of tickets, etc.

13. Each of the parties shall, at its own expense, provide and supply the passenger tickets, baggage checks and other forms and stationery required for its own business, and shall at its own expense do its own advertising, including the advertising of its train service in the various municipalities on the Joint Section. Each of the parties shall have equal facilities and space in the joint passenger stations for advertising its train service and other notices.

Defects—repair of.

14. (a) Should the Pacific fail to repair any defect within a reasonable time after the National shall have notified the Pacific specifying the defect and requesting that it be repaired, the National shall have the right, if it so desires, to make the necessary repairs forthwith, and the Pacific

shall pay to the National the cost thereof, but shall include the amount thereof in operating expenses and apportion the same as provided in Paragraph 39 of this Agreement.

Notice of.

(b) The National shall at all times require its officers and employees to give prompt notice to the Pacific of any defect in the Joint Section which may come to the notice of any such officers or employees, but in no case shall the National be liable in damages to the Pacific, or to any person using the Joint Section for the failure of such officers or employees to give such notice.

Wrecks.

15. In the event of any engine, train or car of the National being wrecked while upon any of the tracks included in the Joint Section, the wreck shall be picked up at once and removed by the Pacific, and the National, except as herein otherwise provided, shall pay to the Pacific the whole cost and expense of and incidental to such service.

Express business.

16. The express business of the parties hereto and of any Express Company whose traffic may be carried on the trains of either of them, shall be handled by the employees of the party upon whose trains such traffic is carried, or of the Express Company forwarding such traffic, and suitable space shall from time to time be provided therefor at or in the vicinity of the various stations on the Joint Section, the location and character of such space to be equal in convenience and importance and relative in area as between the parties hereto, due regard being had to the volume of express traffic handled at the various stations on the Joint Section to and from the trains of each party. In the event of express business being handled at any station by joint employees, the party upon whose trains such express traffic is carried shall as between the parties hereto be responsible for the payment of such employees for such services in respect of the express traffic so carried on its trains, and shall make its own arrangements with the Express Company forwarding such traffic in regard to such payment.

Custody of money.

17. All employees or agents collecting or receiving money, and so far as the custody of any moneys or revenues or effects is concerned, shall be deemed the sole and separate employees of the party for which they handle and receive the same and shall report and remit directly to such party which may bond them or require them to furnish bonds. Neither party hereto shall be liable to the other party on account of the handling of money, revenue or effects by any such employee, or on account of the embezzlement, theft or loss of such money, revenue or effects.

Joint employees.

18. All employees of the Pacific (other than enginemen and trainmen) engaged in maintaining, repairing or operating the Joint Section, or in despatching, giving orders for or directing the movement of trains, cars or engines therein or thereon, or in the performance of any other service for

the common benefit of the parties hereto, and enginemen and trainmen of any work train while upon the Joint Section and those engaged in switching service hereunder, shall, while engaged in such work, be deemed, for the purposes of this Agreement, joint employees of the parties hereto, but if any persons above mentioned or referred to are engaged partly in the maintenance, repair or operation of the Joint Section, and partly in service not connected therewith, then and in such case they shall be considered as joint employees only when engaged in any work for the joint use and benefit of the parties hereto in connection with the Joint Section.

Damage on, by, and to trains—Exceptions.

19. Save as herein otherwise provided, each of the parties hereto shall as between themselves be responsible for and shall assume all loss, damage or injury to person or property which may occur on its engines, cars or trains, for all such loss, damage or injury which may be caused by its engines, cars or trains (including damage by fire originating therefrom), whether or not the condition or arrangement of the Joint Section or lands owned or leased by either of the parties hereto contributes in any manner or to any extent to such loss, damage or injury, and for all damage to its engines, cars or trains while on the Joint Section, except in the case of collision, in which event the provisions of Paragraph 21 shall apply, and in the case of injury to or death of joint employees, in which event the provisions of Paragraph 22 shall apply; provided, however, that under this paragraph neither party shall be liable to reimburse the other for any amount paid by way of compensation for injury to or death of any sole employee of such other part save only when such injury or death is due to the negligence of a sole employee or employees of such first mentioned party.

Injuries to persons on joint section.

20. When any loss, damage or injury of whatsoever nature, other than such as is referred to in the next preceding paragraph hereof, is occasioned to any person who as a passenger or otherwise is lawfully upon the Joint Section by reason either directly or indirectly of the fact that the Joint Section or any part thereof is being used by one of the parties hereto for the purpose of handling its traffic, all responsibility for such loss, damage or injury shall, as between the parties hereto be assumed and borne by such party.

Collisions.

21. The National and the Pacific expressly covenant and agree each with the other that in case of a collision between their respective engines, cars or trains in or upon the Joint Section, the party whose sole employee or employees is or are alone at fault, or whose sole employee or employees together with a joint employee or employees is or are alone at fault, shall be solely responsible for and shall settle and pay all claims arising by reason thereof, and all loss and

damage caused thereby, and shall indemnify and save the other party harmless therefrom; and in case any such collision is caused by the fault of sole employees of both of said parties or solely by the fault of any joint employee or employees of the said parties, or in case the cause of collision is so concealed that it cannot be determined whose employee or employees were at fault, each of said parties shall bear and pay all loss, damage and injury which its own property, or property in its custody, or its passengers or its employees or others claiming through them may have suffered by reason or in consequence thereof, and a share of all damage to property jointly used hereunder apportioned in accordance with the provisions of Paragraph 39 hereof.

Injuries to joint employees.

22. All claims or suits or liabilities arising under any statute for the protection or compensation of workmen growing out of injury to or death of any joint employee, and all claims or suits or liabilities arising out of loss of or damage to property of any joint employee in or on the Joint Section shall be settled and paid in the first instance by the Pacific. If such injury, death or loss is caused by the negligence of a sole employee or employees of the Pacific either alone or in conjunction with that of a joint employee or employees, no claim shall be made therefor against the National. If such injury, death or loss is caused by the negligence of a sole employee or employees of the National either alone or in conjunction with that of a joint employee or employees, the Pacific shall forthwith render account to the National for the full amount paid in settlement of such claim, suit or liability, and the National shall pay to the Pacific the amount of such account within thirty (30) days after the receipt thereof. If such injury, death or loss is caused accidentally or by the joint negligence of the sole employees of both parties hereto, or by the sole negligence of joint employees, or in case the cause of the injury, death or loss cannot be determined, the Pacific shall include the amount paid in settlement of such suits or claims in the operating expense and the same shall be apportioned and borne by the parties hereto in accordance with the provisions of Paragraph 39 hereof.

Other claims.

23. In any case where loss, damage or injury has resulted to any person or property, and such loss, damage or injury does not fall within the provisions of Paragraphs 19, 20, 21 or 22 hereof, or responsibility therefor cannot be satisfactorily determined, then and in all and each of such cases the damages and costs or either and all loss thereby caused shall be charged to operating expenses and apportioned in accordance with the provisions of Paragraph 39 hereof.

Indemnity.

24. Each party hereto covenants and agrees that it will forever indemnify and save harmless the other party, its successors and assigns, from and against all claims, liabilities or judgments by reason or on account of any injury to or

death of any person or of any loss or damage to property, the liability for which is herein assumed by such first mentioned party and such first mentioned party agrees to pay, satisfy and discharge any judgment that may be obtained by reason thereof, and all costs, charges and expenses payable thereunder.

Defence of suits.

25. In case a suit or suits or proceedings shall be commenced by any person or corporation against either party hereto, for or on account of any loss, damage or injury for which the other party hereto is liable under the provision of this Agreement, the party so sued or proceeded against shall give to the other party reasonable notice in writing of the pendency of such suit or proceeding, and thereupon the other party shall assume the defence of such suit or proceeding and shall save and hold the party so sued harmless from all loss and costs by reason thereof. Neither party hereto shall be bound by any judgment against the other party unless it shall have had reasonable notice that it was required to defend and has reasonable opportunity to make such defence. When such notice and opportunity have been given the party notified shall be bound by the judgment as to all matters that could have been litigated in such suit or proceeding.

Business interruption.

26. Neither party hereto shall under any circumstances have any cause of action against the other for loss or damage of any kind caused by or resulting from interruption or delay to its business.

Settlement of claims.

27. The parties shall settle, as between themselves, any claim for loss or damage according to the terms of this Agreement, notwithstanding any judgment or decree of any court or other tribunal in a proceeding brought by other parties.

Proceedings in case of dispute.

28. In case the parties cannot agree under which of the provisions of this Agreement the loss, damage, injury or expense hereinbefore referred to shall be assumed, charged or borne, the question as to how the said loss, damage, injury or expense was occasioned shall be referred for settlement in the manner provided in Paragraph 44 hereof, and in all such cases the award upon such reference shall be final in determining the question in dispute and shall prevail over any contrary finding of a court or jury in an action instituted by any third person or company in which both parties hereto are not represented ; provided, however, that if both parties are represented the finding of such court or jury shall prevail.

Fire loss—Replacement.

29. If and as often as any of the buildings or other property forming part of the Joint Section be destroyed in whole or in part by fire or other casualty, the same shall be rebuilt or replaced without delay, either according to its former design or such other design, if any, as the parties hereto may agree upon, and such portion of the cost of so

doing as is properly chargeable to maintenance and operation, less the amount of the insurance, if any, which may be received in respect of the damage or destruction thereof, shall be included in the account of Maintenance and Operation, and shall be apportioned between the parties hereto as provided by Paragraph 39 hereof, and the balance of such cost shall be included in the Capital Account, of which the National shall bear an equal share, as provided by Paragraph 36 hereof; provided, and it is understood and agreed that while it is the intention of the Pacific to insure and keep insured in accordance with its usual practice either in its own Insurance Fund or with an Insurance Company or Companies during the continuance of this Agreement against loss by fire, all the buildings and other property forming part of the Joint Section, for such amounts from time to time as will in the opinion of its Insurance Commissioner reasonably protect the same against loss, no liability of any kind shall rest upon the Pacific if such intention to insure and keep insured is not carried out, whether by reason of negligence or omission on the part of the Pacific, its Insurance Commissioner, or otherwise, or by reason of breach of conditions of any policy or contract of insurance which would void the same or give the Insurance Company a defence to any action upon the policy or contract.

Failure to insure.

Insurance of separate property.

30. Neither party shall be required or be liable to insure any property of the other party, nor shall the operating expenses of the Joint Section include any outlay on account of insurance of cars, rolling stock, engines or other property of any kind of either party or which may be in its charge, except switch engines which may be used in joint service.

Admission of other railways.

31. In case the parties hereto admit another Railway Company or Companies to the use of the Joint Section or any portion thereof, the Pacific shall collect all moneys owing for or on account of or in connection with such use by any other Railway Company and shall credit the same in their proper proportions to the Capital and Maintenance and Operation Accounts hereinafter provided for, and the parties hereto shall benefit thereby accordingly, but in the event of failure to make collection in any case the amount shall be charged back to the respective accounts to which it may have been credited.

Leases to outside parties.

32. Any lease to any outside party of any portion of the Joint Section, for exclusive occupation by such outside party shall be by and in the name of the Pacific as Lessor for the benefit of the parties to these presents, and the net rentals and other payments arising therefrom shall be credited in their proper proportions to the Capital and Maintenance Accounts hereinafter provided for, and the parties hereto shall benefit thereby accordingly, and the responsibility for collecting such rentals shall be with the

Pacific, but in the event of failure to make collection in any case the amount shall be charged back to the respective accounts to which it may have been credited; provided that no such lease shall be made of any portion of the Joint Section which may be required for the use of the parties hereto, or either of them, under this Agreement, and that before entering into any such lease the Pacific shall obtain the approval of the National thereto.

Exclusive occupation by one party.

33. In the event of either of the parties hereto occupying any portion of the Joint Section for its own exclusive use, otherwise than as specifically provided for in this Agreement, such party shall be charged for such portion of the Joint Section a rental to be agreed upon between the parties hereto, or, in default of agreement, to be determined under the provisions of Paragraph 44 hereof, and such rental shall be credited to the Capital Account hereinafter provided for, and the parties hereto shall benefit thereby accordingly.

Privileges—Revenue.

34. All facilities and privileges such as refreshment rooms, parcel rooms, news-stands, telegraph and telephone booths, pay toilets, shoe stands, vending machines and the like shall, with the approval of the National, be either operated directly by the Pacific or leased by it to outside parties. In the former event, the net revenue derived from such operation shall be credited to the Operation and Maintenance Account of the Joint Section. In the latter event, all rentals derived from such leases shall be credited to the Capital Account hereinafter provided for, and the parties hereto shall benefit thereby accordingly.

Assignment of rights.

35. Neither party shall, without the consent in writing of the other, assign or transfer any right or interest under this Agreement, or give or assume to give to any other company or person any right or interest upon or in respect of the Joint Section or any part thereof; and any assignment, transfer or other instrument contrary to the provisions of this Paragraph shall be void and of no effect; provided, however, that an amalgamation with another company shall not be deemed an assignment or transfer contrary to this paragraph and the amalgamated company as successor by amalgamation shall possess all the rights of its predecessor under this Agreement; provided, further, that nothing herein contained shall be construed to confine or restrict the use and enjoyment of the Joint Section by the National or the Pacific to the operation of the lines now owned, leased, operated, controlled (by stock ownership or otherwise) or managed by either of the said Companies, but the terms "the National" and "the Pacific" shall be deemed to extend to and include all such lines as may from time to time be properly so described.

Capital account.

36. The Pacific shall keep a Capital Account to which shall be charged from time to time all amounts expended by it (less all proper credits) in connection with the construction of the Joint Section (including compensation for lands taken or injuriously affected and the cost of the telegraph pole line and common wires required for operating the Joint Section and referred to in Paragraph 3 hereof and of the track connections and interlocking appliances referred to in Paragraph 4 hereof), in acquiring additional lands and in providing, making and constructing additional railway facilities and appurtenances, permanent improvements, buildings and rebuildings, alterations, extensions, additions, substitutions, works and things which may be required, provided, made or constructed under the provisions of Paragraphs 7, 8 and 9 hereof, and generally, all such other sums, if any, not herein specified, as are properly chargeable to Capital as distinguished from Maintenance Account; and each and every amount so expended shall bear interest at the rate of Five percentum (5%) per annum from the date of its expenditure to the date of payment by the National of its share, and the National shall pay to the Pacific an amount equal to one-half the aggregate of all such amounts (including interest as aforesaid) so charged to Capital Account, which payments shall be made monthly upon receipt of a properly certified account showing the amount payable.

It is understood and agreed that no expenses for preliminary work in connection with the said Joint Section, such as preliminary or trial line surveys, legal and other promotion expenses incurred by the Pacific prior to the date hereof shall be included in the amounts charged to Capital Account.

Maintenance and operation accounts.

37. The Pacific shall also keep an account of the expenses from time to time incurred in the maintenance and operation of the Joint Section, including the telegraph pole line and the common wires required for operating the Joint Section and referred to in Paragraph 3 hereof and the track connections and interlocking appliances referred to in Paragraph 4 hereof. Such expenses shall consist of and include office and management expenses, salaries and wages of officers and employees, legal and other like expenses, supplies, maintenance and repairs and upkeep generally, including repairs and upkeep of station and other structures, furniture and equipment, taxes, lighting, heating, water supply, compensation for loss, damage or injury which is to be borne jointly by the parties hereto under Paragraphs 21, 22 and 23 hereof, the cost of compliance by either of the parties hereto with any Order of the Board or other duly qualified authority respecting the maintenance and operation of the Joint Section or any portion thereof, and generally all such other

expenses, if any, as are usually chargeable to maintenance and operation as distinct from Capital Account.

Percentages for supervision, etc.

38. It is understood that in the cost of carrying out any work or the performance of any service whether on Capital Account or Maintenance and Operation Account, there shall be included in addition to the actual cost, a charge of ten per cent (10%) on labor for supervision and fifteen per cent (15%) on materials and supplies, other than coal, for handling, and that, when any materials or supplies, other than coal, are furnished by the Pacific to the National the charge therefor shall include, in addition to the actual cost, fifteen per cent (15%) for handling, which additional charges are agreed upon as reasonable for the purposes mentioned, but may be varied from time to time by joint action of the Accounting Officers of the parties hereto.

Payments by National.

39. The National shall in addition to all other payments herein provided for, pay to the Pacific during the continuance of this Agreement on account of its half interest in the Joint Section the amounts hereinafter mentioned, in the manner and at the times hereinafter provided, that is to say:

(a) One half of all sums paid by the Pacific by way of premiums on any insurance effected under the provisions of Paragraph 29 hereof, and a further sum equal to one-half the premiums at the same respective rates on all sums carried by the Pacific in its own insurance fund;

(b) Such proportion of the expenses of maintenance and operation of the Joint Section or any part thereof, as defined in Paragraph 37 hereof (except the taxes specially provided for in section (c) of this Paragraph) as the number of miles run each month by engines and cars (both loaded and empty) of the National over the Joint Section shall bear to the total number of miles run over the Joint Section or any part thereof during the same month by the engines and cars (both loaded and empty) of both parties, an engine and tender being counted as two cars; provided, however, that the amount payable by the National each month under the provisions of this clause shall not be less than 20% nor more than 80% of the expenses of maintenance and operation for that monrth;

(c) The full amount of all taxes, rates and assessments (if any) whether Governmental, Municipal or otherwise charged against, payable upon or in respect of the Joint Section or any portion thereof, liability for which shall or may arise or be occasioned by reason or as a result of the execution of this Agreement, or from the joint ownership, use and enjoyment by the National of the Joint Section or any portion thereof as by this Agreement contemplated.

Provided, and it is hereby understood and agreed, that all amounts received by either of the parties hereto for rental in respect of any of the sidings used jointly under the provisions of Paragraph 9 hereof, and all amounts received by the Pacific by way of interest or rental which under the provisions of Paragraphs 31, 32, 33 and 34 hereof are to be credited to Capital Account shall be shared equally between the parties hereto; and all amounts so received, which are proper credits to the Maintenance and Operation Account as distinct from Capital Account, shall be credited to the said Maintenance and Operation Account.

Per diem.

40. The Pacific shall not pay or be liable for any mileage or other compensation for or in respect of any engine or car brought upon the Joint Section by the National but the National shall as between the parties hereto pay and be liable for and hereby covenants to indemnify the Pacific against any claim or claims for any such mileage or other compensation for or in respect of any such engines or cars.

Rendering and payment of accounts.

41. The Pacific shall, as soon after the first of each month as reasonably possible, render to the National a full and detailed statement showing the amounts payable by that Company for the preceding month by way of or on account of insurance and expenses of maintenance and operation and taxes as aforesaid, and within thirty days after the rendering of any such statement the National shall pay to the Pacific at its office in Montreal the amount shown by such statement as payable by the National pursuant to the terms of this Agreement.

Inspection of books.

42. Subject to the proviso hereinafter contained the Pacific will, from time to time and at all times during the continuance of this Agreement, allow proper inspection by the National of all books, accounts, returns and vouchers for the purpose of checking or verifying any account or accounts rendered by the Pacific to the National in pursuance of this Agreement, and the National shall have the right from time to time to employ an auditor or auditors to investigate the accuracy of any such account or accounts, and the Pacific shall from time to time afford all proper facilities for such investigation; and neither the acceptance of any such account or accounts nor the payment thereof by the National shall prejudice its rights to an audit or verification; and if upon any such audit or verification, or at any time, it shall be found that the National has paid to the Pacific any sum or sums of money which it was not liable to pay under the provions of this Agreement, it shall be entitled to demand and collect the same from the Pacific and the Pacific will refund the same; PROVIDED, HOWEVER, that such right of inspection in respect of maintenance and operation charges shall be exercisable only within one year after the rendering of the account or accounts sought to be checked or verified, and any account not found

to be incorrect within such period of one year shall not thereafter be subject to objection or change, and further that the Pacific shall not in any account make any charge in respect of any service performed or material furnished hereunder in connection with maintenance and operation prior to the period of one year before the rendering of such account. The National will furnish to the Pacific such information respecting the cars of the former handled over the Joint Section as may be necessary to apportion properly the expense of the Joint Section and shall allow proper inspection by the Pacific of the records of the National as may be necessary to verify such information.

Carrying out of agreement.

43. Each of the parties hereto agrees to carry out and give effect to this Agreement in the most liberal and reasonable manner, and operate its business so as to afford facilities to the other to the fullest extent compatible with safety and the convenient operation of the business of both.

Settlement of disputes.

44. In case any difference or dispute shall arise between the parties hereto in respect of any matter in this Agreement mentioned, a settlement whereof is not otherwise herein provided for, it is mutually agreed by the parties hereto that the matter which may at any time be the subject of controversy shall be promptly referred to and determined by the Board, whose decision shall be final and binding upon the parties hereto.

Service of notices.

45. All notices to be given under this Agreement shall be in writing, and may be served either personally or by mailing them, postage prepaid and registered, to the Secretary of the National at Montreal, Quebec, and to the Secretary of the Pacific at Montreal, Quebec, as the case may be.

Duration.

46. This Agreement shall continue in force for a period of twenty-one years from the date hereof, provided, however, that the Pacific will join with the National in applying to Parliament for the necessary legislation confirming and ratifying this Agreement and making it effective in perpetuity, and when so ratified and confirmed, this Agreement shall be and continue in force in perpetuity.

Covenants.

47. Wherever in this Agreement it is stipulated that anything shall be done or performed by either of the parties, it shall be assumed that such party has thereby entered into a covenant with the other party to do or perform the same, and that such covenant is entered into not only by, for and on behalf of the parties hereto, but is also entered into by, for and on behalf of their respective successors and assigns.

IN WITNESS WHEREOF this Agreement has been duly executed by the parties hereto.

CANADIAN PACIFIC RAILWAY COMPANY,

GRANT HALL,
Vice-President.

L.S.

H. C. OSWALD,
Assistant Secretary.

CANADIAN NATIONAL RAILWAY COMPANY,

S. J. HUNGERFORD,
Vice-President,

L.S.

HENRY PHILIPS,
Assistant Secretary.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 7.

An Act to amend The Patent Act.

First reading, January 31, 1928.

The SECRETARY OF STATE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
52580 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act to amend The Patent Act.

R.S., c. 150.

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

1. Paragraphs *(a)*, *(b)* and *(c)* of subsection one of section forty of the *Patent Act*, chapter one hundred and fifty of the Revised Statutes of Canada, 1927, are repealed and the following are substituted therefor:—

"**40.** (1) Every patent, except those governed by the provisions of this Act relating to the granting of patents to persons in the public service, shall be subject to the following conditions:—

Manufacture for reasonable requirements.

(a) Every patentee shall satisfy the reasonable requirements of the public with reference to his patent and to that end shall adequately manufacture the patented article or carry on the patented process within Canada;

Petititon to compel supply.

(b) Any person interested may present a petition to the Commissioner alleging that the reasonable requirements of the public with respect to a patented invention have not been satisfied or that the patentee has failed to adequately manufacture the patented invention in Canada, and praying that the patentee be ordered to supply the patented article at a reasonable price or grant licenses for the use of the invention on reasonable terms;

Powers of Commissioner.

(c) The Commissioner shall then consider the petition and if the parties do not come to an arrangement between themselves, shall proceed to hear and determine the matter, and if it is proved to his satisfaction that the reasonable requirements of the public with respect to the patented invention have not been satisfied or that the patentee has failed to adequately manufacture the patented invention in Canada, the patentee may be ordered by him to supply the patented article within reasonable limits at such price as may be fixed by him and in accordance with the custom of the

Order to compel supply.

Explanatory Notes.

The Patent Act is amended so as to bring it into conformity with the terms of the International Convention for the Protection of Industrial Property, revised at the Hague Conference of 1925.

1. Section 40 of the Patent Act is amended by adding after the word "satisfied" in the fourth line of paragraph *(b)* of sub-section (1) the underlined words "*or that the patentee has failed to adequately manufacture the patented invention in Canada*" and by adding the same words after the word "satisfied" in the seventh line of paragraph *(c)* of said sub-section.

trade to which the invention relates as to the payment and delivery, or to grant licenses for the use of the patented invention as may be fixed by him, in either case within and after such time as may be fixed by him and on pain of forfeiture of the patent; but such order shall not be made before the expiration of three years from the date of the patent and not less than one year after the thirteenth day of June, one thousand nine hundred and twenty-three, or if the patentee gives satisfactory reasons for his default; and that having regard to the nature of the case the Commissioner may, with the approval of the Minister, instead of hearing and determining the matter himself, refer the petition to the Exchequer Court, which shall have jurisdiction in the premises and may make such order thereon as the Commissioner is authorized to make under this section."

Proviso.

Reference to Exchequer Court.

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

Revocation of patent time limit.

"**41.** (1) At any time not less than three years after the date of a patent and not less than one year after the thirteenth day of June, one thousand nine hundred and twenty-three, any person may apply to the Commissioner for the revocation of the patent on the ground that the patented article or process is manufactured or carried on exclusively or mainly outside Canada, to supply the Canadian market with the invention covered by the patent.

Powers of Commissioner.

(2) The Commissioner shall consider the application, and, if after enquiry he is satisfied that the allegations contained therein are correct and if a license in respect of said patent has previously been granted under section forty, then, subject to the provisions of this section, and unless the patentee proves that the patented article or process is manufactured or carried on to an adequate extent in Canada, or gives satisfactory reasons why the article or process is not so manufactured or carried on, the Commissioner may make an order revoking the patent either,—

Order.

(a) forthwith; or,

(b) after such reasonable interval as may be specified in the order, unless in the meantime it is shown to his satisfaction that the patented article or process is manufactured or carried on within Canada to an adequate extent:

Treaty.

(3) No such order as aforesaid shall be made which is at variance with any treaty, convention, arrangement or engagement with any foreign country.

Extension of time.

(4) If within the time limited in the order the patented article or process is not manufactured or carried on within Canada to an adequate extent, but the patentee gives satisfactory reasons why it is not so manufactured or carried

2. Section 41 of the said Act is amended by adding after the word "correct" in the third line of sub-section (2) the underlined words "*and if a license in respect of said patent has previously been granted under Section 40*".

on, the Commissioner may extend the period mentioned in the previous order for such period not exceeding twelve months as may be specified in the subsequent order.

Appeal.

(5) Any decision of the Commissioner under this section shall be subject to appeal to the Exchequer Court."

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

Patented invention in foreign vessels, air craft, etc.

"**49.** No patent shall extend to prevent the use of any invention in any foreign ship, vessel, air craft or land vehicle entering the country temporarily or accidentally provided such invention is employed exclusively for the needs of the ship, vessel, air craft or land vehicle and not so used for the manufacture of any goods to be vended within or exported from Canada."

3. Section 49 is amended by adding after the word "vessel" in the second line the words underlined.

The section repealed reads as follows:—

"**49.** No patent shall extend to prevent the use of any invention in any foreign ship or vessel, if such invention is not so used for the manufacture of any goods to be vended within or exported from Canada."

These changes are required in view of Article 5 of the Convention.

ARTICLE 5.

The introduction by the patentee into the country where the patent has been granted of objects manufactured in any of the countries of the Union shall not entail forfeiture.

Nevertheless each of the contracting countries shall have the right to take the necessary legislative measures to prevent the abuses which might result from the exercise of the exclusive rights conferred by the patent, for example failure to work.

These measures will only provide for the revocation of the patent if the granting of compulsory licenses shall not suffice to prevent such abuses.

In all cases the patent will not be subject to such measures before the expiration of at least three years from the date of its grant and if the patentee produces just excuses.

The protection of designs and industrial models cannot be liable to cancellation by reason of the introduction of objects corresponding to those protected.

Articles shall not be rquired to bear any indication of registration for recognition of this right.

If in a country the use of a registered trade mark is compulsory, the registration cannot be cancelled until after a reasonable period, and only then if those interested cannot justify the causes of their inaction.

ARTICLE 5 TER.

In each of the contracting countries the following shall not be considered as infringing the rights of the patentee;

(1) The use on board ships of other Unionist countries of anything the subject matter of his patent in the body of the ship, in the machinery, tackle, apparatus and other accessories when such ships enter temporarily or accidentally the waters of the country provided that such thing is employed there exclusively for the needs of the vessel.

(2) The use of anything the subject matter of the patent in the construction of or functioning of the engines of locomotion for air or land of the other Unionist countries, or of the accessories of these engines, when these enter the country temporarily or accidentally.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Trade Mark and Design Act.

First reading, January 31, 1928.

The SECRETARY OF STATE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
52581 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Trade Mark and Design Act.

R.S., c. 201.

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

1. Section eleven of the *Trade Mark and Design Act*, chapter two hundred and one of the Revised Statutes of Canada, 1927, is amended by adding thereto the following paragraphs:—

Minister may refuse to register trade mark in certain cases.

"*(f)* If the trade-mark constitutes a reproduction or imitation liable to create confusion with a trade-mark known to be the mark of a national of another country, which by treaty, convention or agreement affords similar protection to nationals of Canada, when such mark is used for products of the same or a similar kind.

"*(g)* If the trade-mark consists in whole or in part of coats-of-arms, flags, and other state emblems of countries which by treaty, convention or agreement affords similar protection to nationals of Canada, official control and guarantee signs and stamps adopted by such countries, and imitations from a heraldic point of view, the registration of official control and guarantee signs and stamps to be refused only in cases where such signs and stamps are intended to be used on merchandise of the same or a similar nature."

Explanatory Notes.

These amendments to the Trade Mark and Design Act are intended to bring it into conformity with the terms of the International Convention for the Protection of Industrial Property, revised at the Hague Conference of 1925.

1. Section **11** reads as follows:—

"**11.** The Minister may refuse to register any trade mark or union label,—

(a) if he is not satisfied that the applicant is undoubtedly entitled to the exclusive use of such trade mark or union label;

(b) if the trade mark proposed for registration is identical with or resembles a trade mark or union label already registered;

(c) if it appears that the trade mark or union label is calculated to deceive or mislead the public;

(d) if the trade mark or union label contains any immorality or scandalous figure;

(e) if the so-called trade mark does not contain the essentials necessary to constitute a trade mark, properly speaking."

The subsections added are for the purpose of meeting the requirements of *Article* **6** *bis and* **6** *ter* of the Convention.

Article 6 *bis*

The contracting countries undertake to refuse or invalidate, either administratively if their legislation so permits, or at the request of an interested party the registration of a trade mark which constitutes a reproduction or imitation liable to create confusion with a trade mark considered by the competent authority of the country of registration to be well-known there as being already a mark of a national of another contracting country and used for products of the same or a similar kinnd.

A period of at least three years must be granted in order to claim the cancellation of these marks. The period shall start from the date of registration of the mark. No period shall be established to claim the cancellation of fraudulently-registered marks.

Article 6 *ter.*

The contracting countries undertake to refuse or invalidate registration, and to prohibit by appropriate means the use, failing authorization from the competent authority, whether as trade marks or as components of such, all Coats of Arms, flags, and other State emblems of contracting countries official control and guarantee signs, and stamps adopted by them, and all imitation from an heraldic point of view.

The prohibition of official control and guarantee signs and stamps shall apply only in cases where marks which comprise them are intended to be used on merchandise of the same or a similar nature.

For the application of these provisions the contracting countries agree to communicate reciprocally through the intermediary of the International Bureau of Berne, the list of State emblems and official control and guarantee signs and stamps which they desire, or will desire, to place, wholly or with certain reservations, under the protection of the present article, as well as all subsequent modifications added to the list. Each contracting country shall place the communicated list at the disposal of the public in due course.

Each contracting country may within a period of twelve months from the receipt of the notification, and through the intermediary of the International Bureau of Berne, transmit its possible objections to any other country concerned.

For state emblems which are well known the provisions of paragraph 1 shall only be applicable to marks registered after the signature of this Convention.

For State emblems which are not well known and for official signs and stamps, these provisions shall only be applicable to marks registered more than two months after the receipt of the notification provided for in paragraph 3.

In the case of dishonesty, countries shall have the right to cancel even the marks registered before the signature of the present Convention and embodying State emblems, signs and stamps.

Nationals of each country who are authorized to make use of State emblems, and signs and stamps of their country, may use them even if there be a similarity with those of another country.

The contracting countries undertake to prohibit the unauthorized use in trade of State Coats of Arms of other contracting countries when such use would be liable to cause confusion as to the origin of the product.

The preceding provisions will not prevent the countries exercising the right to refuse or to invalidate by the application of number 3 of paragraph 2 of Article 6 marks containing without authority Coats of Arms, flags, decorations, and other State emblems or official signs and stamps adopted by a country of the Union.

2. Section seventeen of the said Act is amended by adding thereto the following subsection:—

Renewal of specific trade mark.

"(2) A specific trade-mark which has not been renewed before the expiration of its current term of twenty-five years may on application to the Commissioner of Patents within the period of three months from the expiration of said term be renewed upon payment of the renewal fee together with the supplementary fee prescribed in this Act."

3. Section thirty-three of the said Act is amended by adding thereto the following subsection:—

Renewal.

"(2) The rights of an industrial design which have not been renewed before the expiration of its current term of five years may be renewed on application to the Commissioner of Patents within the period of three months from the expiration of said term upon payment of the renewal fee together with the supplementary fee prescribed in this Act."

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

Procedure as to cancellation.

"(4) At any time before the expiration of a period of three years from the date of registration of a trade-mark any interested person may institute proceedings before the Exchequer Court of Canada for the cancellation of said trade-mark on the ground that it constitutes a reproduction or imitation liable to create confusion with a trade-mark known to be the mark of a national of another country which by treaty, convention or agreement affords similar protection to nationals of Canada and that such mark is used for products of the same or a similar kind.

"(5) The Exchequer Court of Canada shall have exclusive jurisdiction to hear and determine such proceedings."

5. Section forty-nine of the said Act is amended by adding thereto the following paragraphs:—

Fees for renewal.

"On every application for the renewal of a specific trade-mark filed under Section 17 (2) an additional fee of..... $5.00

On every application for the renewal of the rights for an industrial design filed under Section 30 (2) an additional fee of..... $5.00."

2 and **3.** Sections 17 and 33 read as follows:—

"**17.** A specific trade mark, when registered, shall endure for the term of twenty-five years, but may be renewed before the expiration of the said term by the proprietor thereof, or by his legal representative, for another term of twenty-five years, and so on from time to time; but every such renewal shall be registered before the expiration of the current term of twenty-five years

"**33.** Such exclusive right shall be valid for a term of five years, but may be renewed, at or before the expiration of the said term of five years, for a further period of five years or less on payment of the fee in this Act prescribed for extension of time: Provided that the whole duration of the exclusive right shall not exceed ten years in all.

The subsections added are for the purpose of meeting the requirements of article 5 bis.

Article 5 bis.

A period of grace of at least three months will be granted for the payment of taxes prescribed for the maintenance of industrial property rights, together with a surcharge if the internal legislation of a country so provides. For patents the contracting countries undertake moreover either to prolong that extended period to six months at least, or to provide for the restoration of a patent which has expired owing to the non-payment of fees. It is understood that these provisions are subject to the conditions prescribed by internal legislation.

4. By reason of the provisions of article 6 bis (quoted before), an amendment to section 45 is also required. Subsections (4) and (5) have been added to the following section:—

Procedure as to Rectification and Alteration.

45. The Exchequer Court of Canada may, on the information of the Attorney-General, or at the suit of any person aggrieved by any omission, without sufficient cause to make any entry in the register of trade marks or in the register of industrial designs, or by any entry made without sufficient cause in any such register, make such order for making, expunging or varying any entry in any such register as the Court thinks fit; or the Court may refuse the application.

2. In either case, the Court may make such order with respect to the costs of the proceedings as the Court thinks fit.

3. The Court may in any proceedings under this section, decide any question that may be necessary or expedient to decide for the rectification of any such register.

5. Section 49 contains the table of fees. As it is proposed to exact fees with petitions under the new subsections of sections 17 and 33, section 49 is being amended accordingly.

6. Section fifty-two of the said Act, as enacted by section three of chapter twenty-eight of the statutes of 1923, is repealed and the following is substituted therefor:—

Filing of application already filed in another country.

"**49.** An application for the registration of a trade mark or industrial design filed in this country by any person who has previously, regularly filed an application for the registration of the same trade mark or industrial design in a foreign country which by treaty, convention or law affords similar privilege to citizens of Canada, shall have the same force and effect as the same application would have if filed in this country on the date on which the application for the registration of the same trade mark or industrial design was first filed in such foreign country; provided the application in this country is filed within six months from the earliest date on which any such foreign application was filed."

6. The only change in section 52 consists in substituting the underlined word "*six*" for the word "*four*".

A change from *four* to *six* in Article 4 *(c)* of the Convention necessitates a like change in section 52, line 11.

Old Convention.	New Convention.
Article 4.	Article 4.
(c) The above-mentioned periods of priority shall be twelve months for patents and utility models, and *four* months for industrial designs and models and trade-marks.	*(c)* The above-mentioned period of priority shall be twelve months for patents and utility models, and *six* months for industrial designs and models, and trade-marks.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 9.

An Act to authorize an extension of time for the completion of The Saint John and Quebec Railway between Centreville, in the county of Carleton, and Andover, in the county of Victoria, N.B.

First reading, January 31, 1928.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53510 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to authorize an extension of time for the completion of The Saint John and Quebec Railway between Centreville, in the county of Carleton, and Andover, in the county of Victoria, N.B.

1916, c. 23; 1917, c. 22; 1919, cc. 7, 31; 1921, c. 12; 1925, c. 25.

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

Extension of time.

1. The time within which the Saint John and Quebec Railway Company is to complete the construction and equipment of its line of railway from a point at or near Centreville, in the county of Carleton, to a point at or near Andover, in the county of Victoria, may be extended by the Minister of Railways and Canals of Canada to the first day of May, 1930, both with respect to the agreement entered into under the authority of section three of The Saint John and Quebec Railway Act, 1916, and also with respect to the subsidy agreement made under the authority of section six of the said Act: Provided that the said extension shall only be granted with respect to the first named agreement after the consent of His Majesty on behalf of the province of New Brunswick has been obtained.

EXPLANATORY NOTE.

This Bill is an Act to authorize the Minister of Railways and Canals to extend the time to the first day of May, 1930, for the completion of the construction and equipment by The Saint John and Quebec Railway Company of a line of railway between Centreville and Andover, in the Province of New Brunswick, under an agreement entered into pursuant to the provisions of Part I of The Saint John and Quebec Railway Act, 1916 (Statutes 1916, chapter 23), such agreement being in form as in schedule to the said Act, and under a subsidy agreement entered into pursuant to the provisions of Part II of the said Act.

Under the Statutes of 1925, chapter 25, the Minister of Railways and Canals was authorized to extend to the first day of December, 1927, the time for the completion of the construction and equipment of the said line of railway under the agreements above referred to.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to amend the Experimental Farms Stations Act.

First reading, January 31, 1928.

The Minister of Agriculture.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53508 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to amend the Experimental Farms Stations Act.

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

1. Section four of the *Experimental Farms Stations Act*, chapter sixty-one of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:—

Extent of land to be acquired for central and other farm stations.

"**4.** The Governor in Council, may, for the purpose of establishing such farm stations,—

(a) acquire an extent of land in the vicinity of the seat of Government, for the central farm station, and an extent of land in either of the Provinces of Nova Scotia, New Brunswick or Prince Edward Island, and also an extent of land in the Province of British Columbia, for the farm stations mentioned in paragraphs *(b)* and *(e)* of the last preceding section;

(b) set apart in Manitoba and in the provinces of Saskatchewan and Alberta and in the Northwest Territories as aforesaid such tracts of unoccupied available public lands, which are the property of Canada, as are necessary for the farm stations mentioned in paragraphs *(c)* and *(d)* of the last preceding section;

(c) acquire such other areas of land as may be necessary for the establishment of such other Experimental Farm Stations, or for additions to existing Experimental Farm Stations as may be considered advisable and in the public interest.

Explanatory Notes.

The Experimental Farm Stations Act, as it stands at present, provides for the establishment only of the Central Experimental Farm at Ottawa, and the four original branch farms, namely at Nappan, N.S., Brandon, Man., Indian Head, Sask., and Agassiz, B.C.

As a matter of fact, the Experimental Farms system now embraces, in addition to the original five farms, twenty other Experimental Stations acquired by purchase or grant, and for the establishment of these no legislative authority exists.

Furthermore, the Act at present limits the area of the Central Farm to 500 acres, of the farms at Nappan, N.S. and Agassiz, B.C. to 300 acres, and of the farms at Brandon, Man., and Indian Head, Sask., to 640 acres. Actually, the present areas of these farms are as follows:—

Central Farm	467 acres
Nappan	465 "
Brandon	652 "
Indian Head	680 "
Agassiz	1,400 "

so that the limitation clauses which the new Bill proposes to repeal have really been broken already.

Under the Act as it stands at present no extension of any of the original farms is legally possible, even though additional land might be required for carrying on experimental or research work at any of the farms in question.

At present the only method of acquiring land in connection with these farms is by purchase or transfer of Crown lands, no provision being made for acquisition by gift or bequest. An offer has been made to bequeath to the Crown, as an addition to the Experimental Farm at Indian Head, a section of land owned by a Mr. Patterson. Under the Act as at present constituted the acceptance of this bequest would not be legally possible.

The amending Bill removes any obstruction that might interfere with the acceptance of such a bequest.

The provision for the present establishment reads as follows:—

"**3.** The Governor in Council may establish a farm station for

(a) the provinces of Ontario and Quebec jointly, which shall be the principal or central station;

(b) the provinces of Nova Scotia, New Brunswick and Prince Edward Island jointly;

(c) the province of Manitoba;

(d) the provinces of Saskatchewan and Alberta and the Northwest Territories jointly; and

(e) the province of British Columbia.

2. Such farm stations shall be under the direction and control of the Minister, subject to such regulations as are made by the Governor in Council."

The section to be repealed reads as follows:—

"**4.** The Governor in Council may, for the purpose of establishing such farm stations,

"*(a)* acquire by purchase an extent of land, *not exceeding five hundred acres*, in the vicinity of the seat of Government, for the central farm station, and an extent of land, *not exceeding three hundred acres*, in either of the provinces of Nova Scotia, New Brunswick or Prince Edward Island, and *a like* extent of land in the province of British Columbia, for the farm stations mentioned in paragraphs *(b)* and *(e)* of the last preceding section.

(b) set apart in Manitoba and in the provinces of Saskatchewan and Alberta and in the Northwest Territories as aforesaid such tracts of unoccupied available public lands, which are the property of Canada, as are necessary for the farm stations mentioned in paragraphs *(c)* and *(d)* of the last preceding section.

2. *The tract of public land so set apart shall not, in each case, exceed one section.*

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to amend the Seeds Act.

First reading, January 31, 1928.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53180 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to amend the Seeds Act.

R.S., c. 185.

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

1. Paragraph *(d)* of section two of the *Seeds Act*, chapter one hundred and eighty-five of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:—

"Elite stock seed."

"*(d)* "Elite stock seed" means selected seed or plants produced by plant breeders, the product of which may be eligible to produce Registered seed."

2. Paragraph *(j)* of section two of the said Act is repealed, and the following is substituted therefor:—

"Seed inspection certificate."

"*(j)* "seed inspection certificate" means a certificate given by an inspector on seeds sampled, examined, graded and sealed by him or under his direction."

3. Paragraphs *(a)*, *(c)*, *(e)* and *(g)* of section three of the said Act are repealed, and the following paragraphs are substituted therefor:—

Regulations.

"*(a)* the minimum quality for seeds that may be sold under the grade names prescribed under the provisions of this Act, the kinds of seed to which sections five and six of this Act shall apply, other than those named therein, and to modify such minimum quality for any period of time or territory.

(c) the methods to be followed in making propagating tests or an examination of seeds or plants to determine the kind or variety, whether falsely represented, or of a false and spurious name, or of a new or inferior variety within the meaning of this Act;

(e) the geographical areas which for the purpose of this Act shall be designated to indicate origin of production for those kinds of seeds prescribed by regulation;

EXPLANATORY NOTES.

[The underlined words in this Bill are new. The words in italics below show where the changes are made.]

This Bill is for the purpose of making a number of minor changes in the wording of the Seeds Act which experience has shown to be necessary, in order to overcome some technical difficulties in the administration of the Act.

Provision is also made for a change in the naming of certain grades of seeds while the Minister is also empowered to change the name of a new or established variety of seed when such is shown to be necessary.

This Bill also makes provision for the elimination of the designation of zones of seed production, and also takes definite authority for the colouring of seed to indicate its origin.

Provision is also made to grant authority to inspectors under the Seeds Act to obtain a statutory declaration in respect of seed presented for grading, and being sold in containers.

The Seeds Act was chapter 27 of the Statutes of 1923, and is now chapter 185 of the Revised Statutes of Canada, 1927.

1. The paragraph to be repealed reads as follows:—

"*(d)* 'Elite stock seed' means selected seed or plants produced by plant breeders, the product of which may be eligible to produce Registered *or Extra No.* 1 seed."

2. The paragraph to be repealed reads as follows:—

"*(j)* 'seed inspection certificate' means a certificate given by an inspector on seeds sampled, examined and graded by him or under his direction."

3. The beginning of section 3, and the four paragraphs referred to, read as follows:—

"**3.** The Minister may appoint an advisory board which may at his request prepare and recommend to him such regulations as it is of opinion should be established under this Act and may make regulations prescribing

(a) the minimum quality for seeds that may be sold under the grade names prescribed under the provisions of this Act, and to modify such minimum quality for any period of time or territory;

(c) the methods to be followed in making propagating tests or an examination of seeds or plants to determine the kind or variety, whether falsely represented, or of a false and spurious name, or of a new variety within the mean- of this Act;

(e) the geographical areas which for the purpose of this Act shall be designated *as Northern Central, or Southern,* to indicate *zone* of production for those kinds of seeds prescribed by regulation;

(g) the procedure to be followed and the implements to be employed in the taking of samples of seeds or plants for the purpose of testing or grading or both, the number of samples that shall be taken and how they shall be forwarded and preserved and by whom, the methods of testing and analyses of seeds, and the limits of variability which may be tolerated as between the analysis or grading of a control sample or seed inspection sample and any different or subsequent sample purported to have been drawn for analysis or grading or both from the same lot of seed or part thereof, and beyond which limits of variability the results of the analysis or grading or both of the different or subsequent sample may prevail."

(g) The conditions under which seeds may be sold or offered for sale for which a seed inspection certificate has been issued as authority for a grade name, the seed inspection certificate tag and seal to be attached to containers of seed by an inspector, the procedure to be followed and the implements to be employed in the taking of samples of seeds or plants for the purpose of testing or grading or both, the number of samples that shall be taken and how they shall be forwarded and preserved and by whom, the methods of testing and analyses of seeds, and the limits of variability which may be tolerated as between the analysis or grading of a control sample or seed inspection sample and any different or subsequent sample purported to have been drawn for analysis or grading or both from the same lot of seed or part thereof, and beyond which limits of variability the results of the analysis or grading or both of the different or subsequent sample may prevail."

4. Subsection one of section five of the said Act is repealed, and the following is substituted therefor:—

Sale, etc., of clovers, grasses, seed grain and fodder seeds.

"**5** (1) No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of seeding in Canada any seeds in containers containing seeds of clover, alfalfa, grasses, flax, sorghums, millet, wheat, oats, barley, rye, corn, buckwheat, sunflower, field peas, field beans, vetches, or other kinds of seeds that may be prescribed by regulation, nor shall any shipment be billed as seed unless each container containing such seed, or a tag or label durably attached thereto, is branded or marked on one side in printed characters, in such form and manner as may be prescribed by regulation, with the following information only:—

(a) the name and address of the seller;

(b) the name of the kind or kinds;

(c) the brand name if any;

(d) the name of variety, when known;

(e) the name of the grade of seed which shall be one of the following: Registered Extra, Registered No. 1, Registered No. 2, Extra, No. 1, No. 2, No. 3 and for mixtures of grasses and clovers or other seeds purported to be mixed for fodder or forage crop purposes, the further grade names of No. 1 Mixture, No. 2 Mixture and No. 3 Mixture. To the grade names Registered No. 1 and Registered No. 2 may be added such word or words as may be prescribed by regulation to describe any damage to the seed when such damage does not affect its seed value;

4. Subsection 1 of section 5 reads as follows:—

"**5.** (1) No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of seeding in Canada any seeds *or mixtures of seeds* in containers containing seeds of clover, alfalfa, grasses, flax, sorghums, millet, wheat, oats, barley, rye, corn, buckwheat, sunflower, field peas, field beans, vetches, or other kinds of seeds that may be prescribed by regulation, nor shall any shipment be billed as seed unless each container containing such seed, or a tag or label durably attached thereto, is branded or marked on one side in printed characters, in such form and manner as may be prescribed by regulation, with the following information only:—

(a) the name and address of the seller;

(b) the name of the kind or kinds;

(c) the name of the variety if the seed be marked with either of the grade names Registered or Extra No. 1;

(d) the name of the variety, when known, *if the seed be marked with the grade names No. 1, No. 2 or No. 3;*

(e) the name of the grade of seed, which shall be one of the following *grade names: Registered, Extra No.* 1, No. 1, No. 2, No. 3, *and for seeds of grasses, clovers and other fodder or forage plants* the further grade names of No. 1 Mixture, No. 2 Mixture, and No. 3 Mixture;

(f) the serial number of the control sample certificate or the letter and serial number of the seed inspection certificate;

(g) the zone of production indicated by one of the following names: Northern, Central, Southern or Unknown; provided that the aforementioned names have for the purpose of this Act been geographically defined for the kind of seed named by regulation of the Minister."

(f) the serial number of the control sample certificate or the letter and serial number of the seed inspection certificate;

(g) the origin of production for the kinds and in the manner as may be prescribed by regulation."

Free from weed seeds.

5. Subsection two of section five of the said Act is repealed.

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

Sale, etc., of rape, field root and garden vegetable seeds in lots of over two ounces.

"**6.** No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of seeding in Canada, any seeds in containers containing more than two ounces of seeds of rape, mangels, beets, turnips, swedes, carrots, parsnips, radish, onions, tomatoes and other kind or kinds of field root or garden vegetable seeds that may be prescribed by regulation, unless they conform to the minimum standard of purity and vitality that may be prescribed by regulation, or are graded and marked in accordance with section five of this Act, or if not graded, a tag or label, durably attached thereto, is branded or marked on one side in printed characters, in such form and manner as may be prescribed by regulation, with the following information:—

(a) the name and address of the seller;

(b) the name of the kind and variety;

(c) the percentage of germination when such germination is below the minimum percentage of germination prescribed by regulation for seed of the kind;

(d) the origin of production for the kinds and in the manner prescribed by regulation."

7. Section seven of the said Act is repealed, and the following is substituted therefor:—

Sale, etc., of field root, garden or vegetable, or flower seeds in lots of two ounces or less.

"**7.** No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of seeding or planting in Canada, any field root or garden, vegetable or flower seeds contained in containers of two ounces or less of seeds, unless they conform to the standards of purity and vitality that may be prescribed by regulation, and a tag or label, durably attached thereto, is branded or marked on one side in printed characters, in such form and manner as may be prescribed by regulation, with the following information:—

(a) the name and address of the seller;

(b) the name of the kind and variety;

(c) the year in which the container was filled;

(d) the percentage of germination when such germination is below the minimum percentage of germination prescribed by regulation for seed of the kind."

5. The subsection to be repealed reads as follows:—

"(2) Grass, clover, and alfalfa seeds that may be graded Registered, Extra No. 1, or No. 1, shall be free from the seeds of primary noxious weeds."

6. Section 6 to be repealed reads as follows:—

"**6.** No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of seeding in Canada, any seeds in containers containing more than *one pound* of seeds of rape, mangels, beets, turnips, swedes, carrots, parsnips, radish, onions, tomatoes and other kind or kinds of field root or garden vegetable seeds that may be prescribed by regulation, *unless they are free from noxious weed seeds and* are graded and marked in acco dance with the last preceding section of this Act, or a tag or label, durably attached thereto, is branded or marked on one side in printed characters, in such form and manner as may be prescribed by regulation, with the following information *only:*—

(a) the name and address of the seller;

(b) the name of the kind and variety;

(c) the percentage of germination when such germination is below the minimum percentage of germination prescribed by regulation for seed of the kind;

(d) the zone of production indicated by one of the following names: Northern, Central, Southern or Unknown; provided that the aforementioned names have for the purpose of this Act been geographically defined for the kind of seed named by regulation of the Minister."

7. Section 7 to be repealed reads as follows:—

"**7.** No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of seeding or planting in Canada, any field root or garden seeds contained in containers of *one pound* or less of seeds, unless *they are free from noxious weed seeds*, and a tag or label, durably attached thereto, is branded or marked on one side in printed characters, in such form and manner as may be prescribed by regulation, with the following information *only.*—

(a) the name and address of the seller;

(b) the name of the kind and variety;

(c) the year in which the *sealed* container was filled;

(d) the percentage of germination when such germination is below the minimum percentage of germination prescribed by regulation for seed of the kind."

8. Subsection two of section nine of the said Act is repealed, and the following is substituted therefor:—

Minister may refuse license until after examination and report.

"(2) The Minister may refuse to issue a license in respect of any kind or variety name unless or until the seeds or plants have been submitted to a propagating test, or the mature plants have been examined and reported upon by such person, persons or Advisory Board as may be appointed for that purpose, or if the kind and variety is found or known to be approximately the same as a previously established variety and variety name, or, in the case of cereal grains, if the variety is found to possess such inferior qualities or characteristics as to impair its value for commerce."

9. The following subsection is inserted immediately after subsection two of section nine of the said Act:—

Power to change name.

"(3) The Minister may change the name of an established or new variety licensed for sale when sufficient evidence is submitted to show that it is in the interest of the public to make such change."

10. Section ten of the said Act is repealed, and the following is substituted therefor:—

False advertising.

"**10.** No person shall sell, offer, expose or have in possession for sale for the purpose of seeding in Canada any seeds or plants that are falsely represented in any form of advertising or otherwise as to quality, grade, character, nature, variety or description of seeds or plants of any kind or variety, nor shall cereal grains, grasses or clover seeds be advertised for sale unless the grade name is included in the advertisement."

11. Section eleven of the said Act is repealed, and the following is substituted therefor:—

Inspection and grading.

"**11.** No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of exporting from Canada any seeds or mixtures of seeds that are purported to have been inspected or graded for export, unless each container containing such seed, or a tag or label durably attached thereto, is branded or marked on one side in printed characters, in such form and manner as may be prescribed by regulation, with the following information only:—

(a) the name and address of the seller;

(b) the name of the kind or kinds;

(c) the name of the export grade the quality of which may be defined by regulation under the following grade names: Registered Extra, Registered No. 1, Registered No. 2, Extra, No. 1, No. 2 and No. 3;

8. The subsection to be repealed reads as follows:—

"(2) The Minister may refuse to issue a license in respect of any kind or variety name unless or until the seeds or plants have been submitted to a propagating test, or the mature plants have been examined and reported upon by such person *or* persons as may be appointed for that purpose, or if the kind and variety is found or known to be approximately the same as a previously established variety and variety name."

10. Section 10 to be repealed reads as follows:—

"**10.** No person shall sell, offer, expose or have in possession for sale for the purpose of seeding in Canada any seeds or plants that are falsely represented in any form of advertising or otherwise as to quality, character, nature, variety or description of seeds or plants of any kind or variety."

11. Section 11 to be repealed reads as follows:—

"**11.** No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of exporting from Canada any seeds or mixtures of seeds that are purported to have been inspected or graded for export, unless each container containing such seed, or a tag or label durably attached thereto, is branded or marked on one side in printed characters, in such form and manner as may be prescribed by regulation, with the following information only:—

(a) the name and address of the seller;

(b) the name of the kind or kinds;

(c) the name of the export grade the quality of which may be defined by regulation under the following grade names: *Registered*, *Extra No.* 1, No. 1, No. 2, and No. 3;

(d) the letter and number of the seed inspection certificate;

(e) the name of the province and country where the seed was grown."

(d) the letter and number of the seed inspection certificate;

(e) the origin of production for the kinds and in the manner as may be prescribed by regulation."

12. Section twelve of the said Act is repealed, and the following is substituted therefor:—

Seeds of inferior quality.

"**12.** No person shall sell, offer, expose or have in possession for sale for the purpose of seeding in Canada any seed or mixture of seeds of a quality inferior to No. 3 or No. 3 Mixture, or to the minimum standards of purity that may be prescribed by regulation for seeds offered for sale under sections six and seven of this Act; such inferior seeds shall be designated as Rejected."

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

Importation of seeds.

"**13.** No person shall import into Canada for the purpose of seeding any seeds in excess of the value of Five Dollars which are not coloured as prescribed by regulation for seed of the kind, or which in any way do not conform to the standards under which seeds or plants of the kind may be sold for seeding purposes in Canada under the provisions of this Act."

14. Section fourteen of the said Act is repealed, and the following is substituted therefor:—

"**14.** Sections five, six and seven of this Act shall not apply to,—

(a) seed that is sold to be cleaned or graded before offered for sale for the purpose of seeding;

(b) seed that is held in storage for the purpose of cleaning or grading, provided that the place of storage is not accessible to purchasers of seed or the seed is labelled "held for recleaning";

(c) the seeds of cereal grains, buckwheat, field peas, field beans and corn that are grown, sold and delivered by any farmer, on his own premises, for seeding by the purchaser himself, unless the purchaser of the said seeds obtains from the seller at the time of the sale thereof a certificate that the said seed is supplied to him subject to the provisions of this Act;

(d) the sale of Elite stock seed that may be produced and sold by any plant breeder to a seed grower, unless such seed be again sold."

12. Section 12 to be repealed reads as follows:—

"**12.** No person shall sell, offer, expose or have in possession for sale for the purpose of seeding in Canada any seed or mixture of seeds of a quality inferior to No. 3 or No. 3 Mixture; such inferior seeds shall be graded and designated as Rejected."

13. Section 13 to be repealed reads as follows:—

"**13.** No person shall import into Canada *for the purpose of selling or offering for sale* for the purpose of seeding any seeds *which are below the minimum percentages of germination prescribed by regulation for seed of the kind*, or which in any way do not conform to the standards under which seeds or plants of the kind may be sold for seeding purposes in Canada under the provisions of this Act."

14. Section 14 to be repealed reads as follows:—

"**14.** *This Act shall not apply to,*—

(a) seed that is sold to be cleaned or graded before being offered for sale for the purpose of seeding;

(b) seed that is held in storage for the purpose of cleaning or grading, provided that the place of storage is not accessible to purchasers of seed or the seed is labelled 'held for recleaning';

(c) the seeds of cereal grains, buckwheat, field peas, field beans and corn that are grown, sold and delivered by any farmer on his own premises, for seeding by the purchaser himself, unless the purchaser of the said seeds obtains from the seller at the time of the sale thereof a certificate that the said seed is supplied to him subject to the provisions of this Act;

(d) the sale of Elite stock seed that may be produced and sold by any plant breeder to a seed grower, unless such seed be again sold."

15. Section fifteen of the said Act is repealed, and the following is substituted therefor:—

"**15.** Any inspector charged with the enforcement of this Act may require a grower or dealer to take a statutory declaration in respect to seed presented to an inspector for grading and sealing in containers as may be prescribed by regulation and further, he may enter upon any premises to make any examination of any plants or seeds, in containers or in bulk, whether such seeds or plants are on the premises of the owner or on other premises or in the possession of a railway or steamship company, and may take official samples therefrom for which samples the owner shall, on demand, be paid in accordance with the amount thus taken and its current value."

15. Section 15 to be repealed reads as follows:—

"**15.** Any inspector charged with the enforcement of this Act may enter upon any premises to make any examination of any seeds or plants, in containers or in bulk, whether such seeds or plants are on the premises of the owner or on other premises, or in the possession of a railway or steamship company, and may take official samples therefrom, for which samples the owner shall on demand be paid in accordance with the amount thus taken and its current value."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act to amend the Dairy Industry Act.

First reading, January 31, 1928.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53177 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act to amend the Dairy Industry Act.

R. S., c. 45.

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

1. Paragraph *(j)* of section three of the *Dairy Industry Act*, chapter forty-five of the Revised Statutes of Canada 1927, is repealed, and the following is substituted therefor:—

Regulations.

"*(j)* prescribing the size and dimensions of cheese hoops, cheese boxes and butter boxes; the joinery methods and fastenings of cheese boxes and butter boxes, and the thickness of wood in cheese boxes and butter boxes and methods of re-inforcement of cheese boxes and butter boxes."

EXPLANATORY NOTES.

The paragraph to be repealed and re-enacted as amended reads as follows:—

"(j) Prescribing the size and dimensions of cheese hoops, cheese boxes and butter boxes; the joinery methods and fastenings of butter boxes, and the thickness of wood in cheese boxes and butter boxes."

The changes proposed are shown by the words underlined in the Bill. The effect is to add joinery methods and fastenings of cheese boxes, and methods of re-enforcement of cheese boxes and butter boxes, to the regulation which may be made by the Governor in Council under this paragraph.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act respecting The Royal Military College of Canada.

First reading, February 1, 1928.

The MINISTER OF NATIONAL DEFENCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53506 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act respecting The Royal Military College of Canada.

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

Short title.

1. This Act may be cited as *The Royal Military College Act.*

Establishment.

2. (1) There shall be an institution for the purpose of imparting a complete education in all branches of military tactics, fortification, engineering, and general scientific knowledge in subjects connected with, and necessary to a thorough knowledge of the military profession, and for qualifying officers for command, and for staff appointments.

Name.

(2) Such institution shall be known as The Royal Military College of Canada, and shall be located in some one of the garrison towns of Canada, and shall be under the direction and management of the Minister of National Defence.

Government.

3. (1) The Governor in Council may make regulations for the government of the College and the administration of its affairs.

Regulations.

(2) Such regulations shall be published in the *Canada Gazette* and upon being so published, they shall have the same force in law as if they formed part of this Act.

Staff.

4. (1) The military and civil establishment of the College shall be such as is from time to time authorized by the Governor in Council.

Officers.

(2) All officers employed at the College shall be appointed thereto by the Governor in Council, and shall hold office during pleasure.

Civilians.

(3) All civilians employed at the College shall be appointed in the manner made and provided by the *Civil Service*

Explanatory Notes.

The present Royal Military College Act is quite out of date in that the organization and establishment which present conditions require that the College maintain has increased considerably over that which was necessary at the time the existing Act was passed.

Further, the educational standards have been raised in similar institutions of learning throughout Canada, and it has become necessary to raise the educational standards at the Royal Military College in a similar manner and to raise the qualifications required for entry as a Cadet. The foregoing situation has necessitated an increase in the Staff of the College over and above that which was contemplated when the present Act was passed, and Parliament has voted annually, for the purpose of the College, an amount greatly exceeding that which the present Act provides should be spent for such purpose. In addition matters pertaining to the appointment of civilians to the College Staff and the salaries payable thereto are now governed by the Civil Service Act and regulations thereunder, and, consequently, provision for this should be made in any Act respecting the Royal Military College, as the present Act is silent thereon.

To give statutory authority for what is required would necessitate the repeal of practically all the provisions of the existing Act, and rather than do this it has been considered desirable to introduce a new Bill repealing the existing Act and containing those statutory provisions which it is considered are essential for the proper government of the College.

Sections 1, 2, and 3 are identical with Sections 1, 3 and 4 of the present Act, except that subsection (2) of section 2 provides that the College shall be under the direction and management of the Minister of National Defence, a point on which the existing Act is silent.

Section 4 takes the place of sections 5 (2) and 6 of the existing Act and enables there being authorized a proper establishment for the College which is at present lacking and makes the appointment and salaries of civilians subject to the provisions of the Civil Service Act.

Section 5 is identical with section 5 of the existing Act insofar as the latter pertains to the appointment of the Commandant.

Section 6 takes the place of section 7 of the existing Act and brings the appointment and remuneration of military personnel into line with the appropriate provisions of the Militia Act and the regulations thereunder, and of civilian personnel with the Civil Service Act and the regulations thereunder.

Section 7 (1) takes the place of sections 8, 9, 10 and 11 of the existing Act. The number of Cadets in attendance at the College is dependent upon the monies voted by Parliament for the purposes of the Royal Military College.

The conditions of entry vary from time to time, the same being dependent upon the educational standards required by other institutions of learning and consequently it is desirable that there be some elasticity with respect to the manner in which such conditions of entry are authorized.

Section 7 (2) is identical in principle with section 13 of the existing Act.

Section 8 takes the place of section 12 with this difference that the holding of special courses of instruction at the College for Officers of the Militia may be authorized by the Minister and the number of officers who may attend is not limited by the Act.

Section 9 takes the place of sections 14 and 15 with the exception that the annual fees which are to be paid on behalf of the Cadet are not fixed by statute as the case in the existing Act, but will be such as are authorized by the Governor in Council.

Act, chapter twenty-two of the Revised Statutes of Canada, 1927, and the regulations thereunder.

Commandant.

5. The College shall be conducted under the superintendence of a Commandant who shall be a military officer possessing special qualifications with regard to discipline and the instruction required to be given at the College.

Salaries.

6. The pay and allowances and salaries of all military and civilian personnel employed at the College shall be as from time to time authorized by the Governor in Council and as authorized in the manner made and provided by the *Civil Service Act*, chapter twenty-two of the Revised Statutes of Canada, 1927, and the regulations thereunder respectively.

Number of cadets.

7. (1) The number of cadets in attendance at the College and the conditions of entry shall be as from time to time authorized by the Governor in Council.

Subject to military law.

(2) Every person who enters as a cadet upon a course of instruction at the College shall sign a roll of entry and shall thenceforth for the period of his pupilage be subject to military law.

Special courses.

8. The Minister of National Defence may from time to time authorize the holding of special courses of instruction at the College for officers and other ranks of His Majesty's Naval, Land and Air Forces.

Supplies by cadets.

9. Every cadet shall be required to furnish himself with such books, apparatus and equipment as are not supplied by the College, and to pay such fees as are from time to time authorized by the Governor in Council.

R.S., c. 131 repealed.

10. The Royal Military College Act, chapter one hundred and thirty-one of the Revised Statutes of Canada, 1927, is hereby repealed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act to incorporate Niagara Falls Memorial Bridge Company.

First reading, February 2, 1928.

(PRIVATE BILL)

Mr. PETTIT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54630 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act to incorporate Niagara Falls Memorial Bridge Company.

Preamble.

WHEREAS a petition has been presented praying that the persons hereinafter named may be constituted a corporation for the purpose of constructing, maintaining and operating a bridge across the Niagara river from a point at or near a point between the property of the Canadian National Railways on River Road and the north limit of Bender street in the city of Niagara Falls in the county of Welland in the province of Ontario, to a point in the city of Niagara Falls in the state of New York one of the United States of America, north of the present Upper Steel Arch Bridge, for the passage of pedestrians, vehicles, carriages, electric cars or street cars or other like purposes, and to charge a toll therefor, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Harry Oakes of the city of Niagara Falls in the county of Welland, George Wright of the city of Toronto in the county of York, Dexter D'Everado Potter, Alexander Fleming, Harry Punshon Stephens, Robert Carl Young, James Close Scott, all of the city of Niagara Falls in the county of Welland and Wilfrid Benton Sowrey of the city of Toronto in the county of York; together with such persons as become shareholders in the company, are incorporated under the name of "Niagara Falls Memorial Bridge Company," hereinafter called "the Company."

Provisional Directors.

2. (1) Harry Oakes, George Wright, Dexter D'Everado Potter, Alexander Fleming, Harry Punshon Stephens, Robert Carl Young, James Close Scott and Wilfred Benton Sowrey are constituted provisional directors of the Company, and they shall have all the powers which are conferred upon directors elected by the shareholders, and four provisional directors shall form a quorum.

Company funds deposit.

Withdrawal.

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

Capital stock.

Calls.

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

Head office.

4. The head office of the Company shall be in the city of Niagara Falls, in the county of Welland.

Annual meeting.

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

Directors.

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

Powers. Construct bridge across Niagara river.

7. The Company may construct, maintain and operate a bridge across the Niagara river for the passage of pedestrians, vehicles, carriages, electric cars or street cars and for any other like purpose, with all necessary approaches, from a point at or near a point between the property of the Canadian National Railways on River road and the north limit of Bender street in the city of Niagara Falls in the county of Welland in the province of Ontario, to a point in the city of Niagara Falls in the state of New York one of the United States of America, north of the present Upper Steel Arch Bridge, and may purchase, acquire and hold such real estate, including lands for sidings and other equipment required for the convenient working of traffic to, from and over the said bridge as the Company thinks necessary for any of the said purposes; but the Company shall not commence the actual construction of the said bridge, nor exercise any of the powers hereunder, until an Act of Congress of the United States or other competent authority has been passed authorizing or approving the bridging of the said river, but the Company may, in the meantime acquire the lands, submit their plans to the Governor in Council and do all other things authorized by this Act.

Real estate.

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

Plans to be submitted to G. in C.

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

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

Any change in plans to be submitted also.

Expropriation under R.S., c. 170.

9. The Company may,—

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

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

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

R.S., c. 170.

Right of entry and compensation for damages.

(c) enter into and upon any lands, buildings or structures proximate to the said bridge, for the purpose of ascertaining the state of repair thereof, and for devising the best means of avoiding any possible damage which the execution of the authorized works might

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

R.S., c. 170.

Tolls.

Subject to approval of Governor in Council.

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

Issue bonds and other securities not exceeding $4,000,000.

Mortgages.

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

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

Charge the tolls and revenues by mortgage.

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

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

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

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

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

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

May alienate such.

Amalgamation and agreements with other companies.

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

Approved by shareholders.

Sanction of Governor in Council.

Assets and liabilities of amalgamated company.

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

Amalgamated company may borrow money and mortgage property.

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

Time for commencement and completion of bridge.

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

Proviso.

When property etc., of Company to be conveyed to Dominion and to State of New York, respectively.

18. When the corporate obligations of the Company shall have been paid and its capital stock shall have been retired in the manner prescribed in its bylaws, its property, rights and franchises situate within the Dominion of Canada shall be conveyed to the said Dominion or to such province, municipality or agency thereof as the Governor in Council may designate; and its property, rights, and franchises acquired from or situate within the state of New York shall be conveyed to the said state or to such municipality or agency of the state as the legislature thereof may designate.

Rights of Commissioners saved.

19. Notwithstanding anything in this Act contained, the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park in respect to the matters placed under their jurisdiction and control by virtue of chapter fifty of the Revised Statutes of Ontario, 1914, shall continue the same as if this Act had not been passed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act respecting certain Patent Application of William H. Millspaugh.

First Reading, February 2, 1928.

(PRIVATE BILL)

Mr. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54882 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act respecting certain Patent Application of William H. Millspaugh.

Preamble.

WHEREAS William H. Millspaugh, a resident of the city of Sandusky, in the State of Ohio, one of the United States of America, a mechanical engineer, has by his petition set forth that on the tenth day of December, 1924, pursuant to the provisions of the *Patent Act*, he made application for patent for certain new and useful improvements in and relating to centrifugal casting machines, invented by him, which said application was filed under serial No. 297654 and allowed by the Commissioner of Patents on the nineteenth day of May, 1925, and that the said application became forfeited through failure to pay the fee of Twenty Dollars payable upon grant of the patent pursuant to the terms of section forty-three of the *Patent Act*, and whereas the said William H. Millspaugh has by his petition prayed that it may be enacted as hereinafter set fourth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons, of Canada, enacts as follows:—

1923, c. 23.

Commissioner may restore forfeited application.

1. The Commissioner of Patents may, within three months from the date of passing of this Act, restore the said forfeited application of William H. Millspaugh and grant a patent upon the said application upon payment of the fee provided by section forty-three of the *Patent Act* and otherwise complying with the provisions of the said Act.

R.S., 1927.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 16.

An Act respecting certain Patent Applications owned by The British Steel Piling Company, Limited.

First Reading, February 2, 1928.

(PRIVATE BILL.)

Mr. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54884 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 16.

An Act respecting certain Patent Applications owned by The British Steel Piling Company, Limited.

Preamble.

WHEREAS The British Steel Piling Company, Limited, a British Company of 54A Parliament Street, Westminster, in the County of London, England, hereinafter called "the Company," has by its petition set forth that it is a corporate body duly constituted under the laws of England and doing business at the aforesaid address, and is the assignee of one Alfred Hiley, a subject of the King of Great Britain, of Dalegarth, Cedars Estate, Rickmansworth, in the County of Hertford, England, who made application for patents for certain new and useful improvements relating to the construction of concrete piles or columns, the said applications covering certain inventions for which Letters Patent of Great Britain were granted under No. 179689, dated February 17th, 1921, accepted May 17th, 1922, and No. 197430, dated February 17th, 1922, accepted May 17th, 1923, and whereas the said Alfred Hiley and the said The British Steel Piling Company, Limited, failed to make application for patents in the Dominion of Canada within one year from the date of issue of the said British Patents Nos. 179689 and 197430 as by law required, and whereas the said The British Steel Piling Company, Limited, has by its petition prayed that it may be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Authority to issue patents notwithstanding delay in filing applications. R.S., c. 150.

1. The Commissioner of Patents, upon applications heretofore filed by the said Alfred Hiley assigned to the said The British Steel Piling Company, Limited, or filed within three months from the date of passing of this Act, and upon compliance otherwise being made with the provisions of the *Patent Act*, Revised Statutes of Canada, chapter one hundred and fifty, may grant patents to the

said Company for the inventions described in the said British Patents Nos. 179689 and 197430, with the same force and effect as if the applications for the said patents had been made within one year of the date of issue of the said British patents, and the patents granted upon said applications shall not be held invalid by reason of the failure of the inventor or his assignee to file applications therefor in Canada within one year from the date of the said British patents.

Duration of patents.

2. Notwithstanding anything contained in the *Patent Act* the patents granted upon the said applications shall expire on the seventeenth day of July, 1940, and seventeenth day of February, 1941.

Rights saved.

3. If any person has, in the period between the seventeenth day of February, 1924, and the thirteenth day of August, 1927, commenced to manufacture, use or sell in Canada the inventions described in the said British patents Nos. 179689 and 197430, then such person may continue to manufacture, use or sell such inventions in Canada in as full and ample a manner as if this Act had not been passed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the Saint John River Storage Company.

First reading, February 2, 1928.

(PRIVATE BILL)

SIR EUGENE FISET.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54975 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the Saint John River Storage Company.

Preamble.

WHEREAS Saint John River Storage Company has by its petition represented that it was duly incorporated by chapter one hundred and seventeen of the statutes of Quebec, 1925, as amended by chapter one hundred of the Statutes of Quebec, 1927; and has by its petition prayed that it may be enacted as hereinafter set forth: and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

Que., 1925, c. 117; Que., 1927, c. 100.

Provincial Acts adopted and confirmed.

1. In so far as the Parliament of Canada has authority so to do the two Acts of the Legislature of the province of Quebec, set forth in Schedule "A" to this Act, are hereby adopted and confirmed, to the same extent as if re-enacted herein.

Quebec Companies Act to apply.

R.S. (Que.), 1925, c. 223.

2. Notwithstanding the provisions of section one of this Act, the Company shall be governed by the applicable provisions of the Quebec Companies Act, chapter two-hundred and twenty-three of the Revised Statutes of the province of Quebec, 1925, as from time to time amended.

SCHEDULE A.

CHAP. 117.

An Act to incorporate the New Brunswick Electric Power Commission Company.

[*Assented to the 3rd of April, 1925.*]

Preamble.

WHEREAS the Honourable Pierre J. Veniot, of the town of Bathurst, in the county of Gloucester, in the Province of New Brunswick, Premier of the Province of

New Brunswick, the Honourable Ernest A. Smith, of the town of Shediac, in the county of Westmoreland, in the Province of New Brunswick, chairman of the New Brunswick Electric Power Commission, and the Honourable Joseph Enoil Michaud, of the town of Edmundston, in the county of Madawaska, in the Province of New Brunswick, member of the Executive Council of the said Province of New Brunswick, and a commissioner of the New Brunswick Electric Power Commission, have presented a petition, praying for the passing of an act to incorporate the New Brunswick Electric Power Commission Company with the powers hereinafter mentioned; and

Whereas it is expedient that the prayer of the said petition be granted;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:—

Incorporation.

1. The Honourable Pierre J. Veniot, of the town of Bathurst, in the county of Gloucester, in the Province of New Brunswick, Premier of the Province of New Brunswick, the Honourable Ernest A. Smith, of the town of Shediac, in the county of Westmoreland, in the Province of New Brunswick, chairman of the New Brunswick Electric Power Commission, and the Honourable Joseph Enoil Michaud, of the town of Edmundston, in the county of Madawaska, in the Province of New Brunswick, member of the Executive Council of the said Province of New Brunswick, and a commissioner of the New Brunswick Electric Power Commission, subject to the provisions of section 4 of this act, and their successors, are hereby constituted a corporation under the name of the "New Brunswick Electric Power Commission Company."

Name.

Chief place of business.

2. The chief place of business of the company shall be at Ste. Rose-du-Degele, in the county of Temiscouata, in the Province of Quebec.

No capital stock.

3. The company shall have no capital stock, and it shall be managed by a board of three directors who are hereby empowered to transact all business necessary to its purposes.

First members and directors.

4. The persons named in section one of this act shall be the first members and directors and shall remain in office, as such, until replaced by the Lieutenant-Governor in Council of the Province of New Brunswick.

Powers of the company.

5. For the purpose of regulating the flow of the waters in the Madawaska and St. Francis rivers, and in the tribu-

taries thereof, the company may construct and maintain in the counties of Kamouraska, Temiscouata and Rimouski, dams for the storage of water; enter and take possession of the bed and beach of rivers; enter upon and survey all lands necessary for the purposes of the company, and for the protection of the same from floods or accidents; from time to time, purchase, acquire, hold and enjoy all lands necessary for said purposes; divert, erect, construct, and change roads and highways for the purposes of its undertaking; acquire, purchase, hold and enjoy in the counties of Kamouraska, Temiscouata, and Rimouski all lands, privileges, franchises, rights or other property for the purpose of carrying on the development of the water-power of Grand Falls, in the Province of New Brunswick.

Fishways.

The Lieutenant-Governor in Council may require the construction, in all dams, of fishways, which shall be made in accordance with the plans of the Department of Colonization, Mines and Fisheries.

Acquisitions.

6. The company may acquire either by mutual agreement or by expropriation:

(a) The existing dams and works at Lake Temiscouata, and on the River Madawaska and its tributaries;

(b) All the immovable property required for the carrying out and upkeep of the work it is authorized by this act to execute;

(c) The immovable property that may be flooded or otherwise affected through the execution and upkeep of the aforesaid works executed in the counties of Kamouraska, Temiscouata, and Rimouski, or of the works executed in the Province of New Brunswick, through the development of the water-power at Grand Falls;

(d) All the immovable property required for the making of public or private roads to give access to the said works or to replace roads flooded or otherwise destroyed or damaged;

(e) All the immovables required for establishing the necessary servitudes;

(f) All the servitudes, real rights, rights conferred by the Legislature, rights resulting from contracts, and all other rights of any kind whatsoever.

Arrangements for disposal of certain power.

7. Before delivering any portion of the power developed as a result of the works provided for by this act, the New Brunswick Electric Commission Company shall make the necessary arrangements with the New Brunswick Power Commission to place at the disposal of the Lieutenant-Governor in Council of the Province of Quebec, at a place on the boundary line, determined by the Lieutenant-

Governor in Council of the Province of Quebec, a permanent quantity of 5,000 H.P., which shall remain at his disposal on the following conditions:

Utilization of power.

The Lieutenant-Governor in Council of the Province of Quebec may authorize any person, municipality or company to utilize all or part of such electric power. Within three years from the date of a notice given to the Government of the Province of Quebec by the New Brunswick Electric Power Commission Company, of New Brunswick, that they are prepared to supply such power, the said persons, municipalities or companies shall notify the company that they are prepared to receive the quantity mentioned in the authorization, and the company shall then deliver such quantity at the place on the provincial frontier determined.

Price of rental.

The price or rental for such power delivered to such point on the interprovincial boundaries shall be the same as required for an equal quantity of power delivered under similar conditions and circumstances to a municipality situated within the limits of the Province of New Brunswick.

Exercise of powers.

8. The company shall not exercise the powers, granted to it under the present act, upon the public lands or other public property, nor upon private property, unless it shall have acquired the right so to do, in the first case, from the Crown, in the manner provided by law, and, in the second case, from the owners of the lands upon which such powers are exercised either by mutual agreement or in conformity with the provisions of articles 7305e to 7305o of the Revised Statutes, 1909, insofar as this act does not derogate therefrom.

Provisions applicable.

Agreements authorized.

9. To assure the construction and maintenance of the works and the acquisition of the immovable coming within the scope of this act, the company is authorized to enter into agreements, from time to time, with the New Brunswick Electric Power Commission.

Rights and powers generally.

10. The company is vested with all rights and powers belonging to corporations generally, insofar as not derogated from by this act.

Interpretation and coming into force.

11. This act shall be deemed to be as of a local and private nature, and shall come into force on the day of its sanction.

An Act to amend the charter of New Brunswick Electric Power Commission Company.

[*Assented to the 1st of April, 1927.*]

WHEREAS the New Brunswick Electric Power Commission Company has, by its petition, represented:—

That it was incorporated by the Act 15 George V, Chapter 117, for the purpose of regulating the flow of the waters in the Madawaska and St. Francis rivers, constructing certain dams for the storage of water, and other incidental powers required for the purpose of carrying on the development of the water-power at Grand Falls, in the Province of New Brunswick;

That arrangements have now been made whereby the development of the water-power at Grand Falls is to be undertaken and carried out by the Saint John River Power Company, a company incorporated by the Act 16 George V, Chapter 45, of the acts of the Legislature of the Province of New Brunswick;

That the Lieutenant-Governor in Council of New Brunswick and the New Brunswick Electric Power Commission, with the approval of the said Lieutenant-Governor in Council, were, by the terms of the said act, authorized to transfer or otherwise render available to the Saint John River Power Company all property, rights, powers and privileges vested in the Province or in the New Brunswick Electric Power Commission which the company might deem necessary or useful for or in connection with the development and generation of hydro-electric power or energy at Grand Falls and pondage and storage thereof in New Brunswick or beyond its borders, and, without limitation of the generality of the foregoing, all rights, powers and privileges of the Province and of the New Brunswick Electric Power Commission under or by virtue of the Act 15, George V, Chapter 117, incorporating the company petitioner, and any and all other property and rights acquired for the development of storage in the Province of Quebec;

That in order to make fully effective such change of enjoyment of the benefits of the act incorporating the petitioner and to render the same effective for the purpose intended, and to change the name of the company, it is necessary that the said act be amended;

Whereas the Lieutenant-Governor in Council of the Province of New Brunswick and the New Brunswick Electric Power Commission have duly assented to the present application; and

Whereas it is expedient that the prayer of the said petition be granted;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:—

1. The corporate name of the company is hereby changed and shall in future be "Saint John River Storage Company."

2. Section 2 of the Act 15 George V, Chapter 117, is hereby replaced by the following:—

"**2.** The chief place of business of the company shall be at the City of Montreal in the Province of Quebec."

3. Section 3 of the Act 15 George V, Chapter 117, is hereby replaced by the following:—

"**3.** The capital stock of the company shall be five hundred thousand dollars, divided into five thousand shares of a par value of one hundred dollars each."

4. Section 4 of the Act 15 George V, Chapter 117, is replaced by the following:—

"**4.** The persons named in section one of this act shall be the first members and directors, and their successors in office at the date of this amendment shall remain in office as such until the election of their successors in accordance with the provisions of the Quebec Companies Act."

5. Section 7 of the Act 15 George V, Chapter 117, is replaced by the following:—

"**7.** Before delivering any portion of the power developed as a result of the works provided for by this act (the company hereby incorporated) shall make the necessary arrangements with the Saint John River Power Company to place and agree to place at the disposal of the Lieutenant-Governor in Council of the Province of Quebec, at a place on the boundary line determined by the Lieutenant-Governor in Council of the Province of Quebec, a permanent quantity of 5,000 H.P., which shall remain at his disposal on the conditions hereinafter set forth, and give notice thereof to the said Lieutenant-Governor in Council.

The Lieutenant-Governor in Council of the Province of Quebec may authorize any person, municipality or company to utilize all or part of such electric power. Within three years from the date of a notice given to the Government of the Province of Quebec by the Company hereby incorporated that it is prepared to supply such power, the said persons, municipalities or companies shall notify the company that they are prepared to receive the quantity mentioned in the authorization, and the company shall then deliver to them such quantity, at the place on the provincial frontier determined, provided, however, that neither the Company nor the Saint John River Power Company shall be bound to

build any transmission line for the delivery of any such power until the persons, municipalities or companies requiring same shall have furnished the security determined by the Lieutenant-Governor in Council of the Province of Quebec, establishing that they are prepared to utilize such power and to pay the cost thereof.

The said electric power shall be sold for the same price, plus the cost of transmission or such proportion of the cost of transmission necessitated by the quantity of power applied for, and on the same terms and conditions, except as to the period for the application, notice and delivery, as those provided for in the agreement entered into between the Saint John River Power Company and the New Brunswick Power Commission (reproduced as Schedule D to the Act of the Province of New Brunswick, 16 George V, Chapter 45").

6. Section 9 of the Act 15 George V, Chapter 117, is replaced by the following:—

"**9.** To assure the construction and maintenance of the works and the acquisition of the immovables coming within the scope of this act, the company is authorized to enter into agreements from time to time with the Saint John River Power Company."

7. This act shall come into force on the day of its sanction.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act respecting a certain patent owned by Canadian Cinch Anchoring Systems, Limited.

First Reading, February 2, 1928.

(PRIVATE BILL)

Mr. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54883 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act respecting a certain patent owned by Canadian Cinch Anchoring Systems, Limited.

Preamble.

WHEREAS Canadian Cinch Anchoring Systems, Limited, of the city of Montreal, in the province of Quebec, Dominion of Canada, has by its petition set forth that it is the owner of Canadian patent No. 139,885, granted on the twenty-third day of April, 1912, for new and useful improvements in expansion bolts, for a term of eighteen years from twenty-third day of April, 1912, and whereas the said Canadian Cinch Anchoring Systems, Limited has in effect prayed that the term of duration of the said patent be extended until the twenty-third day of April, 1936, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Term of duration extended.
R.S., 1906, c. 69; R.S., 1927, c. 150.

1. Notwithstanding anything contained in the *Patent Act*, chapter sixty-nine of the Revised Statutes of 1906, and its amendments, or in the *Patent Act*, chapter one hundred and fifty of the Revised Statutes of Canada, 1927, or in the patent referred to in the preamble to this Act, the term of duration of the said patent is hereby extended for a period of six years from the twenty-third day of April, one thousand nine hundred and thirty.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act to amend the Naturalization Act.

First Reading, February 2, 1928.

THE SECRETARY OF STATE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54629 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act to amend the Naturalization Act.

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

Application to Court and issue of certificate.

1. Subsection two of section two and sections twenty-two, twenty-three, twenty-four, twenty-five, twenty-six and twenty-seven of the *Naturalization Act*, chapter one hundred and thirty-eight of the Revised Statutes of Canada, 1927, are hereby repealed.

Short title.

2. This Act together with the said *Naturalization Act*, as hereby amended may be cited as *The Naturalization Act*.

EXPLANATORY NOTES.

The sections to be repealed provide that applicants for naturalization shall give notice to a Clerk of a Court. This notice is required to be given three months before the application can be heard by the Judge. The applicant must then appear in person before the Judge on the hearing of the application; or if he cannot attend in person he must show the reasons why he cannot attend in person. The Judge reports upon each application; if unfavourably, the Secretary of State may not issue a Naturalization Certificate; if favourably; the Secretary of State still has a discretion in the issue of the Certificate.

The repeal of these sections will enable applicants to apply directly to the Secretary of State. The investigation of each application will then be fully in the hands of the Department of the Secretary of State.

The sections to be repealed read as follows:—

"2. (2). For the purposes of this Act the clerk of the peace of any county in Ontario shall be deemed to be the "clerk" of the General Sessions of the Peace of that county, and the prothonotary of the Supreme Court of Nova Scotia for any county shall be deemed to be the "clerk" of that court in relation to matters arising in or dealt with in respect to such county. Clerk of certain courts defined.

"22. An alien desiring to be naturalized shall apply for a decision establishing that he is qualified and fit to be naturalized under the provisions of this Act to any Judge of any Superior Court or to any Judge of any Circuit, District or County Court, and in the province of Ontario the court of General Sessions of the Peace, and in the North West Territories to such authorities or persons as the Governor in Council may prescribe. (1920, c. 59). Application to Court.

"23. The application shall be delivered at the office of the clerk or other proper office of the court during office hours, and such application shall be posted by such clerk or other proper officer in a conspicuous place in his office, continuously for a period of at least three months before the application is heard by the court. (1920, c. 59). Posting of application.

"24. At any time after the filing of any such application and previous to the hearing of the application, any person objecting to the naturalization of the alien may file in court an opposition in which shall be stated the grounds of his objection. (1914, c. 44). Opposition to application.

"25. The applicant shall produce to the court such evidence, that he is qualified and fit to be naturalized under the provisions of this Act, as the court may require and shall also personally appear before the court for examination unless it is established to the satisfaction of the court that he is prevented from so appearing by some good and sufficient cause. (1914, c. 44). Proof of Qualification.

"26. If the court decides that the alien is a fit and proper person to be naturalized and possesses the required qualifications a certified copy of such decision shall be transmitted by the clerk of the court to the Secretary of State of Canada together with the application and such other papers, documents and reports as may be required by any regulation made hereunder. (1914, c. 44). Order for Naturalization.

"27. The Minister may thereupon in his absolute discretion issue a certificate of naturalization and shall send the same to the clerk of the court to whom the application for naturalization was made. Upon the applicant taking and subscribing the oath of allegiance, which may be so taken and subscribed by any person duly authorized to administer judicial oaths by the laws of the province in which the applicant resides, the clerk shall deliver the certificate to the applicant. (1920, c. 59)." Issue of certificate of Naturalization.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 20.

An Act to amend the Railway Belt Water Act.

First reading, February 7, 1928.

MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55379 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 20.

An Act to amend the Railway Belt Water Act.

R.S., c. 211.

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

Short title.

1. This Act may be cited as *The Railway Belt Water Act, 1928.*

Commencement of section 11.

2. Section eleven of the *Railway Belt Water Act*, chapter two hundred and eleven of the Revised Statutes, 1927, is suspended, and shall not hereafter be deemed to be in force until a day to be named by proclamation of the Governor in Council.

Repeal.

3. Section twelve of the said Act is repealed.

Explanatory Notes.

The purposes of this bill are as follows:—

1. To suspend, during the pleasure of the Governor in Council, the power of the Minister of the Interior to modify or render null and void water licenses issued by the province in respect to which protests have been filed by occupants of Dominion lands or officials of the Dominion Government. The Minister's power in this respect became a part of the Railway Belt Water Act in 1926, through the amending act passed in that year.

2. To restore the rights of riparian owners in the Railway Belt to the use of water for domestic purposes to the position in which they stood under the Railway Belt Water Act as amended in 1913, substantially in conformity with the rights of riparian owners as recognized in the provincial Water Act of 1924.

Section 2. The section to be suspended reads as follows:—

"**11.** The Comptroller of Water Rights shall supply the Minister with certified copies of all applications, notices, permits, certificates, licenses, protests hereinafter mentioned or other documents received or issued under the provisions of the Water Acts affecting lands or waters in the Railway Belt, within one month of the date of the receipt or issue of the same; and no water privilege, license of right to the use of water within the Railway Belt granted under the authority of the Water Acts, in connection with which a protest has been made in writing to the Comptroller of Water Rights, within three months from the date of the posting and filing of the notice of application, by any homesteader, lessee or other lawful occupier of lands of the Crown belonging to Canada or by any administrative officer of the Dominion shall be valid and effective unless, and until the same shall have been approved by the Minister, subject to such terms and conditions as the Minister may prescribe."

Section 3. The section to be repealed reads as follows:—

"**12.** Notwithstanding any provision of any of the Water Acts, no privilege, license or right to the use of water shall be granted where the proposed use of the water would deprive any riparian proprietor adjoining the river, stream, lake or other source of supply of whatever water he requires for domestic purposes."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act to amend the Gold and Silver Marking Act.

First reading, February 7, 1928.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
50695 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act to amend the Gold and Silver Marking Act.

R.S., c. 84;

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

Title of Act changed.

1. Section one of *The Gold and Silver Marking Act*, chapter eighty-four of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

Short title.

"**1.** This Act may be cited as "The Precious Metals Act, 1928".

Articles to which Act applies.

2. Section three of the said Act is amended by adding the following paragraph thereto:—

Platinum articles.

"*(d)* the articles hereinafter called "platinum articles", being articles wholly or partly, or purporting to be, wholly or partly, composed of platinum."

3. Subsection five of section ten of the said Act is repealed and the following is substituted therefor:—

Power to Governor in Council to make regulations.

"5. The Governor in Council may make regulations defining the plated articles to which this section shall apply and designating the quantity and quality of the materials of which such articles shall be composed."

4. The said Act is amended by inserting the following sections and headings after section twelve thereof:—

"PLATINUM.

"Platinum" to be applied only to certain articles.

"**12A.** The word "Platinum" or any abbreviation or colourable imitation thereof, shall not be applied to any article or merchandise, unless at least ninety-five per cent of the metallic content of said article is composed of platinum either alone or in conjunction with iridium."

Explanatory Notes.

1. The full title of the Act is "An Act respecting the manufacture, marking and sale of articles composed of Gold or Silver, and of Gold Plated and Silver Plated Ware." The short title is "*the Gold and Silver Marking Act.*"

As the Act will now apply to "platinum" it is expedient to change the citation so that it may cover all *precious metals* referred to in the Act.

2. Section three of the Act enumerates the articles to which the Act applies, viz.:—

(a) "gold articles"
(b) "silver articles"
(c) "plated articles"

To this list is added:

(d) "platinum articles"

3. The subsection to be repealed reads as follows:—

"(5) The Governor in Council may make *such* regulations *as he deems necessary or expedient* for defining the plated articles to which this section shall apply and for designating materials of which such *plated* articles are composed."

Section 10 which governs gold filled articles is practically obsolete and inoperative; it does not protect the public or the manufacturer. As it reads now it does not permit the manufacturer who desires to make a superior line of goods to apply a quality mark to them, and stipulates that all gold filled articles must bear the same mark, "Gold Filled, "thereby putting the manufacturer of inferior quality on the same basis and depriving the reputable manufacturer of the fruits of his labours.

4. Platinum jewellery has become very popular, and is extensively imitated and offered for sale bearing the marks "Platinon", "Platenoid", etc., the major portion of which is made of white gold and pallidium. The development of white gold has proceeded to such an extent that only an expert can decide whether an article is made of an alloy or of platinum; it offers great opportunities for deception. France, Switzerland and Austria have adopted legislation regulating a standard for platinum on the same basis as requested by the Canadian Trade. The British Association of Goldsmiths have a similar measure before Parliament.

"TRADE MARK.

Trade mark of manufacturer to be applied.

"12B. The trade mark of the manufacturer shall be applied to all articles coming under the Act."

5. This recommendation is suggested by the Inspector of The Gold and Silver Marking Act, in order to prohibit the practice of the unscrupulous dealer having an inferior line made for him and applying to it a fictitious trade mark.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to amend the Post Office Act (Newspaper Ownership).

First reading, February 7, 1928.

Mr. CHURCH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55784 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to amend the Post Office Act (Newspaper Ownership).

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

R.S., c. 161.

1. The *Post Office Act*, chapter one hundred and sixty-one of the Revised Statutes of Canada, 1927, is amended by inserting the following section immediately after section twenty-three thereof:—

Sworn statement of names and addresses of editors, owners, stockholders, etc., to be made semi-annually.

"**23A.** (1) The editor, publisher, business manager, or owner, of every newspaper, magazine, periodical, or other publication, shall file with the Postmaster General and the postmaster of the post office designated by the regulations, not later than the first day of April and the first day of October of each year, on blanks furnished by the Post Office Department, a sworn statement setting forth the names and post office addresses of the editor and managing editor, publisher, business managers and owners, and, in addition, the stockholders, if the publication be owned by a corporation; and also the names of known bondholders, mortgagees or other security holders; and also, in the case of daily newspapers, there shall be included in such statement the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding six months: Provided, that the provisions of this subsection shall not apply to religious, fraternal, temperance, and scientific or other similar publications: Provided further, that it shall not be necessary to include in such statement the names of persons owning less than one per centum of the total amount of stock, bonds, mortgages or other securities. A copy of such sworn statement shall be published in the second issue of such newspaper, magazine, or other publication printed next after the filing of such statement. Any such publication shall be denied the privileges of the mail if it shall fail to comply with the provisions of this subsection

Religious, etc., publications not affected.

Small stockholders omitted.

To be printed in next issue.

Denied admission to mails on failure.

within ten days after notice by registered letter of such failure.

Paid editorials, etc., to be marked "advertisement."

Penalty for failure.

(2) All editorial or other reading matter published in any such newspaper, magazine, or periodical for the publication of which money or other valuable consideration is paid, accepted, or promised shall be plainly marked "advertisement". Any editor or publisher printing editorial or other reading matter for which compensation is paid, accepted or promised without so marking the same shall, upon summary conviction, be liable to a fine of not less than fifty dollars and not more than five hundred dollars.

Statements to be made in duplicate and delivered to postmaster.

(3) The statement required by this section shall be made in duplicate in the form prescribed by the Postmaster General and both copies shall be delivered to the postmaster designated by the regulations. The postmaster shall forward one copy to the Postmaster General and retain the other in the files of the Post office. The postmasters shall furnish the publishers with copies of the said form at least ten days prior to the first day of April and the first day of October of each year.

Regulations.

(4) The Postmaster General may make such regulations as are required to carry out the provisions of this Act.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act to incorporate the St. Clair Transit Company.

First reading, February 8, 1928.

(PRIVATE BILL.)

Mr. GOODISON.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56235 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act to incorporate the St. Clair Transit Company.

Preamble.

WHEREAS a petition had been presented praying that the persons hereinafter named may be constituted a corporation for the purpose of constructing, maintaining and operating a bridge with the necessary approaches from a point in the city of Sarnia or from a point in the village of Point Edward or from a point in the township of Sarnia, all in the county of Lambton in the province of Ontario, or from all the said points over the river St. Clair to a point or points in the city of Port Huron or the county of St. Clair in the state of Michigan, one of the United States of America, for vehicular, pedestrian, electric car and other purposes, and to do all such other things as are incidental or conducive to the attainment of these objects, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. George Newton Galloway, Canadian National engineer, John Alexander White, salesman, William Robert Paul, loan company manager, John Morris Tobin, barber, Peter Paton, merchant, James Manford Norwood, Canadian National engineer, and Chester Holdsworth Belton, lumber merchant, all of the city of Sarnia, in the county of Lambton, province of Ontario, together with such persons as become shareholders in the Company, are hereby incorporated under the name of the "St. Clair Transit Company" hereinafter called "the Company".

Corporate name.

Declaratory.

2. The works and undertaking of the Company are declared to be for the general advantage of Canada.

Provisional directors.

3. John Alexander White, William Robert Paul, Peter Paton and George Newton Galloway and Chester Holdsworth Belton named in section one of this Act, are constituted provisional directors of the Company.

Capital stock.

4. (1) The capital stock of the Company shall consist of one hundred thousand shares without nominal or par value.

Shares.

(2) Each share of the capital stock without nominal or par value shall be equal to every other share of such capital stock. Every certificate for shares without nominal or par value shall have plainly written or printed upon its face the number of such shares which it represents and the number of such shares which the Company is authorized to issue, and no such certificate shall express any nominal or par value of such shares.

Issue of shares.

(3) The issue and allotment of shares authorized by this section may be made from time to time for such consideration as may be fixed by the board of directors by by-law or resolution duly confirmed, or authorized by the holders of two-thirds of the shares then outstanding, at a meeting called for that purpose in such manner as is prescribed by the by-laws of the Company. Any and all shares issued as permitted by this section shall be deemed fully paid and non-assessable and the holder of such shares shall not be liable to the Company or to its creditors in respect thereof.

Capital requisite for carrying on business.

(4) The amount of capital with which the Company shall carry on business shall not be less than the aggregate amount of the consideration for the issue and allotment of the shares without nominal or par value from time to time outstanding.

Head office.

5. The head office of the Company shall be at the city of Sarnia in the province of Ontario, but any general meeting of the shareholders of the Company, whether annual or special, may be held elsewhere than at the head office of the Company, and may be held at the city of Port Huron in the state of Michigan, one of the United States of America.

Annual meeting.

6. The annual meeting of the shareholders shall be held the first Monday in October of each year.

7. The number of directors shall be not less than five nor more than fifteen, one or more of whom may be paid directors; and it shall not be necessary that a majority of the directors be resident in Canada, or subjects of His Majesty.

Powers.
Construct bridge across St. Clair river.

8. The Company may construct, maintain and operate a bridge across the St. Clair river for the passage of pedestrians, vehicles, carriages, electric cars or street cars and for any other like purpose, with all necessary approaches from a point in the city of Sarnia or from a point in the village of Point Edward or from a point in the township of Sarnia, all in the county of Lambton in the province of

Ontario, or from all of said points over the river St. Clair to a point or points in the city of Port Huron or the county of St. Clair in the state of Michigan, one of the United States of America, so as not to interfere with navigation,

Real estate.

and may purchase, acquire and hold such real estate, including lands for sidings and other equipment required for the convenient working of traffic to, from and over the said bridge as the Company thinks necessary for any of the said purposes; but the Company shall not commence the actual construction of the said bridge, nor exercise any of the powers hereunder, until an Act of Congress of the United States, or other competent authority has been passed authorizing or approving such bridging of the said river, but the Company may, in the meantime, acquire the lands, submit their plans to the Governor in Council and do all other things authorized by this Act; Provided, always, that no other bridge for a like purpose shall be constructed or located at any point nearer than six miles from the location of the bridge of the Company, except with the consent of the Company, or of the Governor in Council.

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

Expropriation.

9. The Company may:—

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

R.S., c. 170.

R.S., c. 170.

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

(b) in reduction of the damage or injury to any lands taken or affected by such authorized works, abandon or grant to the owner or party interested therein, any portion of such lands, or any easement or interest therein, or make any structures, works or alterations in or upon its works for such purposes. And if the Company by its notice of expropriation or some subsequent notice, prior to the first meeting of the arbitrators, specify its decision to take only such easement or undertake to abandon or grant such lands or easement or interest in lands, or to make such structures or works or alterations, the damages (including damages, if any, resulting from the change in the

notice of expropriation) shall be assessed by the arbitrator or arbitrators appointed pursuant to the provisions of the *Railway Act*, in view of such specified decisions or undertaking, and the arbitrator or arbitrators shall declare the basis of their award accordingly, and such award, as well as such specified decision or undertaking of the Company, may be enforced by the Board of Railway Commissioners of Canada;

R.S., c. 170.

Right of entry and compensation for damages.

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

R.S., c. 170.

Location of bridge.

Approval of plans by Governor in Council.

10. The said bridge shall be constructed and located under and be subject to, such regulations for the security of navigation of the said river, as the Governor in Council prescribes and to such end the Company shall submit to the Governor in Council, for examination and approval, a design and drawing of the bridge, and a map of the location, giving the soundings accurately, showing the bed of the stream and the location of other bridges, and shall furnish such other information as is required for a full and satisfactory understanding of the subject, and until the said plans and location are approved by the Governor in Council the bridge shall not be built or commenced; and if any change is made in the plans of the said bridge during its construction, such change shall be subject to the approval of the Governor in Council and shall not be made or commenced until it is so approved.

Bonding powers.

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

Mortgages.

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

Tolls and revenues.

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

Interest on bonds, etc.

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

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

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

May accept grants.

13. The Company may receive by grant from any government, municipality or persons, as aid in the construction, equipment and maintenance of the said bridge and works connected therewith, any real or personal estate or property, or any sums of money, debentures or subsidies, either as gifts by way of bonus or guarantee, or in payment or as subventions for services and may dispose thereof, and may alienate such of the said property as is not required for the purposes of the Company in carrying out the provisions of this Act.

Tolls chargeable.

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

Amalgamation with other companies.

15. The Company may unite with any company or companies incorporated under the laws of Canada or of the State of Michigan, or any other state of the United States in building, working, managing, maintaining and using the said bridge, terminals and approaches, and may make agreements with any such company or companies respecting the construction, maintenance, management and use of the

said bridge and its appurtenances and acquiring the approaches and lands therefor, in Michigan as well as in Canada, and may make arrangements with any such Company or companies or with the Government of Canada or the Government of the Province of Ontario for conveying or leasing the said bridge to such Company or companies or Government in whole or in part or any rights or powers acquired by it, as also the franchise, surveys, plans, works, plant, machinery and other property to it belonging, or for an amalgamation with any such Company on such terms and conditions as are agreed upon and subject to such restrictions as the directors deem fit; provided that such agreement has been first approved by the holders of two-thirds of the shares at a special general meeting of the shareholders, duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in number of the subscribed shares of the Company are present, or represented by proxy, and that such agreement has also received the sanction of the Governor in Council; and certified copies of such agreement shall be filed forthwith in the office of the Secretary of State for Canada.

Approval by shareholders.

Sanction by Governor in Council.

Assets and liabilities of amalgamated company.

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

Borrowing powers.

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

Securing payment of bonds.

18. The Company, in lieu of issuing its own bonds or other securities, has power to mortgage, pledge or hypothecate all its assets and undertakings, rights, franchises, and

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

Time for commencement and completion of bridge.

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

"Bridge" defined.

20. Whenever in this Act the expression "The said bridge" occurs, it means the bridge, approaches, lands, works and facilities hereby authorized.

21. Sections one hundred and fifty-seven and one hundred and fifty nine of Part II of the *Companies Act* shall not apply to the Company.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 24.

An Act to incorporate the "Highwood Western Railway Company."

First reading, February 8, 1928.

(PRIVATE BILL)

Mr. COOTE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55388 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 24.

An Act to incorporate the "Highwood Western Railway Company."

Preamble.

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

Incorporation.

1. Harry Albert Ford, coal owner, William Robertson, merchant; George Harry Webster, member of the legislative assembly of Alberta; Albert Earl Aikenhead, physician, John Allan Hunter, coal merchant; Frank Robertson Webster, financier; Robert J. McLaren, coal merchant; all of the city of Calgary in the province of Alberta, and John C. McNabb, coal merchant of the city of Winnipeg in the province of Manitoba, together with such persons as become shareholders in the company, are incorporated under the name of "Highwood Western Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section one of this Act are constituted provisional directors of the Company.

Capital stock.

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

Head office.

4. The head office of the Company shall be in the city of Calgary in the province of Alberta.

Annual meeting.

5. The annual meeting of the shareholders shall be held on the fourth Monday in the month of January in each year or on such other day in each year as the directors may determine.

Number of directors.

6. The number of directors shall be not less than five or more than nine, one or more of whom may be paid directors.

Power to construct railway.

7. The Company may lay out, construct and operate a railway from a point on or near the Calgary and Edmonton Railway in or near townships 20 or 21 in range 1, west of the 5th meridian in the province of Alberta, thence in a general south-westerly direction to the Highwood river in or near townships 18 or 19, ranges 2 or 3 west of the 5th meridian, thence in a general direction westerly following the valley of the north branch of the Highwood river to the western boundary of the province of Alberta in townships 16, 17 or 18, thence westerly to the Elk river in the province of British Columbia and thence in a general southerly direction down the valley of the Elk river to a point at or near Sparwood on the Canadian Pacific Railway in the province of British Columbia.

Issue of securities.

8. The securities issued by the Company shall not exceed forty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreements for sale, lease or amalgamation of railway.
R.S., c. 170.

9. Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the *Railway Act*, the Company may, for any of the purposes specified in the said section one hundred and fifty-one, enter into agreements with the Canadian Pacific Railway Company; the Canadian National Railway Company; the Calgary and Fernie Railway Company; the Calgary and South Western Railway Company and the Great Northern Railway Company or any of them.

Issue of preference stock.

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

(2) Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of the *Railway Act*, and shall, in all respects other than the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

R.S., c. 170.

Power to generate, etc., electric power. R.S., c. 170.

11. Subject to the provisions of section three hundred and sixty-eight of the *Railway Act*, the Company shall have power to generate, acquire, use, transmit and distribute electric and other power and energy and for the purposes of such generation, acquisition, use, transmission and distribution may construct, acquire, operate and maintain lines for the conveyance of light, heat, power and electricity.

Telegraphs and telephones. R.S., c. 170.

12. Subject to the provisions of section three hundred and sixty-nine of the *Railway Act*, the Company shall have power to transmit telegraph and telephone messages for the public and to collect tolls therefor.

Power to construct and operate vessels.

13. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharves, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith, and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Power to construct, etc., hotels, etc.

14. The Company, may for the purposes of its undertaking, construct, acquire or lease buildings for hotels or restaurants along its railway and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out, manage and lease parks and summer pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer pleasure resorts are situated and upon terms to be agreed upon by such municipality.

Power to operate bus lines, etc.

15. In connection with its business and for the purposes of its undertaking the Company may establish and operate a service of traction motors or cars, driven by mechanical or other power for collecting, carrying, transporting and delivering freight goods and passengers and may collect rates and charges therefor; but no rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such rates and charges.

Pipe lines, etc.

16. The Company may lay out, construct, install, maintain, equip and operate a pipe line or lines for the purpose of the transportation or transmission of oil, natural gas, petroleum and other mineral products between the termini of its railway, and may construct, provide and operate reservoirs, warehouses and such buildings, machinery

facilities, plant and equipment as may be necessary for the storage and transportation of such oil, natural gas, petroleum and other mineral products; and except where the said pipe line or lines is or are constructed and located or is or are to be constructed and located, under or upon the right of way of the Company sections one hundred and sixty-two to one hundred and eighty-four, both inclusive, one hundred and eighty-nine to one hundred and ninety-two, both inclusive, one hundred and ninety-four to two hundred and forty-three, both inclusive, two hundred and forty-five to two hundred and forty-nine, both inclusive, two hundred and fifty-one, two hundred and fifty-two, two hundred and fifty-five, and two hundred and fifty-six of the *Railway Act*, shall, in so far as applicable, apply to the works and undertaking of the Company authorized by this section, and wherever the word "railway" occurs in said sections of said Act it shall, for the purposes of the said works and undertaking and, unless the context otherwise requires, extend to and include the said pipe line or lines, and works connected therewith.

R.S., c. 170.

Borrowing powers.

17. In addition to the securities authorized by section eight of this Act, the directors, if previously authorized as prescribed by sections one hundred and thirty-two and one hundred and thirty-three of the *Railway Act*, may, from time to time, borrow monies for the acquisition, construction, extension or development of any such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and to provide for the repayment of monies so borrowed, may issue bonds, debentures, debenture stock perpetual or terminable, or other securities; but such bonds, debentures, debenture stock, or other securities, shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 25.

An Act to incorporate Niagara Gorge Bridge Company.

First reading, February 8, 1928.

(PRIVATE BILL)

Mr. HAY.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55392 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 25.

An Act to incorporate Niagara Gorge Bridge Company.

Preamble.

WHEREAS a petition has been presented praying that the persons hereinafter named may be constituted a corporation for the purpose of constructing, maintaining and operating a bridge across the Niagara river from the city of Niagara Falls, in the county of Welland and province of Ontario, to the city of Niagara Falls in the state of New York, one of the United States of America, for the passage of pedestrians, vehicles, carriages, motor cars, electric cars or street cars, or any other like purposes, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

Corporate name.

1. Joseph P. O'Reilly, of the city of Niagara Falls, in the county of Welland, Thomas J. Junker and Ernest Roscoe Blew, both of the city of Buffalo, in the state of New York, Percy Whitfield and Lemuel L. Rachar, both of the city of Welland, in the county of Welland, together with such persons as become shareholders in the company, are incorporated under the name of "Niagara Gorge Bridge Company," hereinafter called "the Company."

Provisional directors.

2. (1) Joseph P. O'Reilly, Thomas J. Junker, Ernest Roscoe Blew, Percy Whitfield and Lemuel L. Rachar are constituted provisional directors of the Company, and they shall have all the powers which are conferred upon directors elected by the shareholders, and three provisional directors shall form a quorum.

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

Capital stock.

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

may be called up by the directors from time to time as they deem necessary.

Head office.

4. The head office of the Company shall be in the city of Niagara Falls, in the county of Welland.

Annual meeting.

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

Number of directors.

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

Powers of company.

7. (1) The Company may construct, maintain and operate a bridge across the Niagara river for the passage of pedestrians, vehicles, carriages, electric cars or street cars and for any other like purpose, with all necessary approaches, from some point in Canada within the corporate limits of the city of Niagara Falls at or near lots 27 and 28 on the north side of Alma street in the said city to a point within the limits of the city of Niagara Falls, in the state of New York, at or near the west end of Niagara street in said city, and may purchase, acquire and hold such real estate, including lands for sidings and other equipment required for the convenient working of traffic to, from and over the said bridge as the Company thinks necessary for any of the said purposes; but the Company shall not commence the actual construction of the said bridge, nor exercise any of the powers hereunder, until an Act of Congress of the United States or other competent authority has been passed authorizing or approving the bridging of the said river, but the Company may, in the meantime, acquire the lands, submit their plans to the Governor in Council and do all other things authorized by this Act.

Declaratory.

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

Heighth of bridge.

8. The said bridge shall be constructed so as to cross over River road in the city of Niagara Falls, in the county of Welland, at such a heighth as to leave a free and unobstructed passage for public travel underneath the said bridge and that it will not in any way obstruct or interfere with public travel or the passage of electric or other cars on said River road.

Construction and location.

9. The said bridge shall be constructed and located subject to such regulations as are prescribed by the Governor in Council and to such end the Company shall submit to

Approval of plans.

the Governor in Council, for approval, a design and drawing of the bridge, and a map of the location of other bridges,

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

Expropriation.

10. The Company may,—

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

R.S., c. 170.

Compensation.

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

R.S., c. 170.

Enter on lands, etc.

(c) enter into and upon any lands, buildings or structures proximate to the said bridge, for the purpose of ascertaining the state of repair thereof, and for devising the best means of avoiding any possible damage which the execution of the authorized works might occasion

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

R.S., c. 170.

Tolls.

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

Bonds and debentures.

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

Mortgages.

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

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

Allotment of paid-up stock shares in payment for services, etc.

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

Grants.

14. The Company may receive by grant from any government, municipality or person, as aid in the construction, equipment and maintenance of the said bridge and works connected therewith, any real or personal estate or

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

Amalgamation with other companies.

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

Effect of amalgamation.

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

Borrowing powers of new company.

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

Time for commencement and completion of bridge.

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

Jurisdiction of commissioners preserved.

19. Notwithstanding anything in this Act contained, the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park in respect to the matters placed under their jurisdiction and control by virtue of chapter fifty of the Revised Statutes of Ontario, 1914, shall continue the same as if this Act had not been passed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 26.

An Act to amend the Railway Act (Special Rates on Coal).

First reading, February 8, 1928.

Mr. CHURCH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56243 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 26.

An Act to amend the Railway Act (Special Rates on Coal).

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

R.S., c. 170.

1. *The Railway Act*, chapter one hundred and seventy of the Revised Statutes, 1927, is amended by inserting the following section immediately after section three hundred and twenty-five:—

Special tariff rates for carriage of coal and coke.

"**325A.** The Board shall fix, determine and enforce special and preferential tariff rates for carrying coal mined or coked in Canada from eastern and western points in Canada to Central Canada upon such basis, rate structure and principles as shall secure equalization as nearly as possible with the special preferential rates for the carriage of grain from western to eastern points in Canada established under existing legislation; and the Board shall alter and amend all special freight tariffs to conform with this provision."

Explanatory Note.

The object of this Bill is to provide a remedy for the existing problem of supplying coal to the central portion of Canada, and render Canada independent of foreign supply. The present situation is grave and demands an immediate solution. The Bill is an effort to establish a National Policy for the carriage of Canadian coal and coke on the same basis as is provided by the special tariff rates on grain and flour.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 28.

An Act to remove the necessity of the re-election of Members of the House of Commons of Canada on acceptance of office.

First reading, February 9, 1928.

Mr. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55951 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 28.

An Act to remove the necessity of the re-election of Members of the House of Commons of Canada on acceptance of office.

R.S., c. 147.

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

Seat of Member not vacated by accepting office of profit.

1. Sections thirteen and fourteen of the *Senate and House of Commons Act*, chapter one hundred and forty-seven of the Revised Statutes of Canada, 1927, are repealed, and the following are substituted therefor:—

"**13.** Notwithstanding anything in this Act contained, a member of the House of Commons shall not vacate his seat by reason only of his acceptance of an office of profit under the Crown, if that office is an office the holder of which is capable of being elected to, or sitting or voting in, the House of Commons.

Members of Privy Council also excepted.

"**14.** Nothing in this Act contained shall render ineligible, as aforesaid, any person, member of the King's Privy Council, holding the recognized position of First Minister, President of the King's Privy Council for Canada, Minister of Finance, Minister of Justice, Minister of National Defence, Secretary of State, Minister of the Interior, Minister of Railways and Canals, Minister of Public Works, Postmaster General, Minister of Agriculture, Minister of National Revenue, Minister of Marine and Fisheries, Minister of Trade and Commerce, Minister of Labour, Secretary of State for External Affairs, Minister of Immigration and Colonization, Minister of Soldiers' Civil Re-establishment or Solicitor General, or any office which is hereafter created, to be held by a member of the King's Privy Council for Canada and entitling him to be a Minister of the Crown, or shall disqualify any such person to sit or vote in the House of Commons, if he is elected while he

Explanatory Note.

The British Parliament has passed an Act for the same purpose as this proposed legislation, in the Imperial Statutes, 16-17 George V, chapter 19, assented to 15th July, 1926. In New South Wales in 1906, the rule of non-re-election was adopted, and it has always been in force in South Australia and New Zealand. It is now in force in Tasmania and in Queensland. In the Cape, the Transvaal, the Orange River Colony and Natal it was never introduced, and the Union of South Africa, like the Commonwealth of Australia follows the same model.

holds such office, or is a member of the House of Commons at the date of his nomination by the Crown for such office, and is not otherwise disqualified."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 29.

An Act to amend the Railway Act (Return Tickets).

First reading, February 9, 1928.

Mr. JACOBS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55950 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 29.

An Act to amend the Railway Act (Return Tickets).

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

R.S., c. 170.

1. Section three hundred and thirty-six of *The Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsection:—

Return tickets good on railways between same terminals.

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

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 30.

An Act to amend the Admiralty Act.

First reading, February 10, 1928.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54693 1928

2nd Session, 16th Parliament, 18 George V, 1928

HOUSE OF COMMONS OF CANADA.

BILL 30.

An Act to amend the Admiralty Act.

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

R.S., c. 33.

1. Section three of the *Admiralty Act*, Revised Statutes of Canada, 1927, chapter 33, is hereby repealed, and the following is substituted therefor:—

Jurisdiction in Admiralty of Exchequer Court.

"**3.** The Exchequer Court is and shall be, within Canada, a Colonial Court of Admiralty, and, as a Court of Admiralty, shall, within Canada, have and exercise all the jurisdiction, powers and authority conferred by the *Colonial Courts of Admiralty Act, 1890*, and by this Act, and shall also have and exercise, within Canada, the like jurisdiction in Admiralty as has been conferred upon any of His Majesty's Courts in England by any Act passed prior to the first day of January, 1928."

Approval of His Majesty.

2. Pursuant to the requirements of section four of the *Colonial Courts of Admiralty Act, 1890*, this Act shall not come into operation until His Majesty's pleasure thereon has been publicly signified in Canada.

EXPLANATORY NOTES.

1. The section to be repealed reads as follows:—

"3. The Exchequer Court is and shall be, within Canada, a Colonial Court of Admiralty, and as a Court of Admiralty, shall, within Canada, have and exercise all the jurisdiction, powers and authority conferred by the Colonial Courts of Admiralty Act, 1890, and by this Act."

By a recent decision of the Judicial Committee of the Privy Council in two cases relating to the ship "Yuri Maru" and the steamship "Woron" it was held that the jurisdiction in Admiralty of the Exchequer Court of Canada is limited to such jurisdiction as was conferred upon it by the Colonial Courts of Admiralty Act, 1890, and the Admiralty Act, Revised Statutes of Canada, 1906, chapter 141, and that the jurisdiction relating to claims upon charter parties conferred upon the High Court of Justice in England by the Administration of Justice Act, 1920, section 5, and the Judicature (Consolidation) Act, 1925, is not vested in the Exchequer Court of Canada.

The purpose of the amendment is to confer upon the Exchequer Court the same Admiralty jurisdiction as is now vested in the High Court of Justice in England.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act to amend the Supreme Court Act.

First reading, February 10, 1928.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55842 82

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act to amend the Supreme Court Act.

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

Dates of sessions of Supreme Court changed.

1. Subsection two of section thirty-two of the Supreme Court Act, chapter thirty-five of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:—

Dates of sessions of Supreme Court.

"(2) The first session shall begin on the first Tuesday in February, the second on the fourth Tuesday in April, and the third on the first Tuesday in October, in each year."

Notice of adjournment of court.

2. Subsection two of section thirty-three of the said Act is hereby repealed.

Appeal to be on a stated case.

3. Section sixty-eight of the said Act is amended by adding thereto the following proviso:—

Further evidence upon question of fact.

"Provided that the Court may, in its discretion, on special grounds, and by special leave, receive further evidence upon any question of fact, such evidence to be taken in the manner authorized by this Act, either by oral examination in Court, by affidavit, or by deposition, as the Court may direct."

EXPLANATORY NOTES.

1. The present provision is that the Spring Sittings of the Court shall begin on the first Tuesday in May, and the purpose of this amendment is to advance these sittings to the fourth Tuesday in April. This is to facilitate the despatch of business, for the convenience of the Bench, and with the approval of the Bar.

2. The subsection which it is proposed to repeal provides that when a session of the Court is adjourned to a time appointed for the transaction of business, notice of the adjournment and of the day fixed for the continuance of the session shall be given by the Registrar in the Canada Gazette. This provision appears to be unnecessary and has not been observed in practice. As a rule such adjournments are for very short intervals, and sometimes could not be advertised in the Canada Gazette without publication of an extra. They are sufficiently notified by the announcements from the Bench, and no useful purpose would be served by notice in the Gazette. It is for convenience and to avoid useless expense that the amendment is proposed.

3. This amendment is intended to confer upon the Court discretionary power, in special cases to receive evidence in addition to that which is embodied in the stated case. Similar power exists in the Judicial Committee of the Privy Council and is conferred upon the Court of Appeal in England by Order 58, Rule 4, of the Judicature Rules, and the absence of such a rule for the Supreme Court of Canada has been found inconvenient and productive of hardship. For example, in the case of Red Mountain Railway Co. vs. Blue, 39 S.C.R., 390, the Court, on the hearing of the appeal, refused to supplement the appeal case by the introduction of plans of the right of way, which had not been produced at the trial, although it was made reasonably plain that such plans were essential to a proper understanding of the case. The Court considered that, the appeal being upon the stated case, no additional evidence could be received. When subsequently the case went to the Privy Council, (1910, A.C., 361), the evidence was however admitted under the power which the Judicial Committee possessed to take further evidence, and it was held conclusive for the appellants.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 32.

An Act to amend the Dominion Elections Act (Voting by Clergymen, Teachers and Students).

First reading, February 10, 1928.

Mr. BANCROFT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56239 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 32.

An Act to amend the Dominion Elections Act (Voting by Clergymen, Teachers and Students).

R.S., c. 53.

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

Electors, qualifications for.

1. Section twenty-nine of the *Dominion Elections Act*, chapter fifty-three of the Revised Statutes of Canada, 1927, is amended by adding to paragraph *(c)* of subsection one thereof the following:—

Clergymen, school teachers or students.

"Provided, that clergymen or school teachers following their respective occupations or students attending a university or other institution of learning and following their studies, who have ordinarily resided in Canada for at least twelve months immediately preceding the issue of the writ of election, shall be permitted by the Registrar to have their names placed on the voters' list if it be proven to the Registrar's satisfaction that they will be residing, on the day the election is to take place, in the electoral district wherein they seek to vote, and the rules in Schedule A and B of section thirty-two of the Act shall apply to this proviso in so far as they are not inconsistent therewith."

Explanatory Note.

This bill seeks to amend paragraph *(c)* of section 29 of the Dominion Elections Act, which reads as follows:—

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

As the election writs are usually issued about two months before election day, the present act disfranchises all persons who change their places of residence during four months immediately preceding the date of an election.

Clergymen changing pastorates usually do so during July or August.

School teachers begin their duties about September 1st and students in the higher institutions about October 1st.

Every federal election since 1896 has been held during the fall months. All clergymen, teachers and students who, in following their respective duties, change their place of residence within four months preceding the date of an election are disfranchised under the present Act.

This amendment exempts clergymen, teachers and students from paragraph *(c)* of section 29, provided that they can satisfy the registrar that they are otherwise qualified to have their names placed on the voters' list.

This amendment affects approximately 12,000 clergymen, 63,000 teachers and 75,000 students.

33.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 33.

An Act to amend the Public Printing and Stationery Act.

First reading, February 10, 1928.

The SECRETARY OF STATE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53179 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 33.

An Act to amend the Public Printing and Stationery Act.

R.S., c. 162.

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

1. Section thirty-eight of the *Public Printing and Stationery Act*, chapter one hundred and sixty-two of the Revised Statutes, 1927, is hereby repealed and the following substituted therefor:—

How expenses shall be met.

"**38.** For the purpose of carrying out the provisions of this Act, the Minister of Finance may from time to time authorize the advance to the King's Printer, out of the Consolidated Revenue Fund of Canada, of such sums of money as the King's Printer may require to enable him to purchase material for the execution of orders given or requisitions made under the provisions of the Act, and to pay the wages of workmen engaged in the execution of such orders or requisitions.

Accounting.

All expenditures made under such advances shall be accounted for in like manner as other moneys expended for the public service. Any moneys received by the King's Printer from the Houses of Parliament or from any of the departments of the Government, for work executed or for supplies furnished under the provisions of this Act shall be remitted by him to the Minister of Finance in repayment of such advances.

Repayment of advances.

The amount of outstanding advances to the King's Printer, after deducting therefrom all amounts due to him by either House of Parliament or by the several departments shall at no time exceed the sum of seven hundred thousand dollars or such sum as may hereafter be determined, from time to time, by the Governor in Council."

EXPLANATORY NOTES.

The section to be repealed reads as follows:—

"**38.** *The expenses to be incurred under the provisions of this Act shall be paid out of such moneys as are appropriated for the purpose by Parliament*, and shall be accounted for in like manner as other moneys expended for the public service: Provided that the Minister of Finance may from time to time authorize the advance to the King's Printer, out of the Consolidated Revenue Fund of Canada, of such sums of money, *not exceeding at any time two hundred thousand dollars*, as the King's Printer requires to enable him to purchase material for the execution of orders given or requisitions made under the provisions of this Act, and to pay the wages of workmen engaged in the execution of such orders or requisitions, *before such orders or requisitions are completed and paid for by the House of Parliament or department of Government giving them.*"

The underlined words in the text of the Bill show the proposed changes. The words in italics in the section as printed above are to be struck out.

The object of this legislation is to provide the King's Printer with the working capital necessary to enable him to carry out the responsibilities imposed upon him by the Statute, namely, (1) to execute the printing of all kinds required by the Houses of Parliament and by every branch of the Service of the Government of Canada; (2) to provide all stationery and office appliances required by the Houses of Parliament and the various branches of the Government Service; (3) to edit and publish the Canada Gazette; (4) to be the distributing agent of the various departments for their respective publications; (5) to be the exclusive sales agent of all official publications; (6) to audit all advertising undertaken on behalf of the departments of the Government.

Under the terms of the Statute the Minister of Finance authorises advances to the King's Printer, and the King's Printer remits to the Receiver General all monies received for service rendered. The King's Printer necessarily carries an extensive and varied assortment of paper and other printing and binding supplies, estimated to average in value approximately $350,000, and a stock of goods classed generally as stationery and office supplies, estimated to average in value approximately $150,000, a total stock of approximately $500,000. Funds must be provided therefore (1) for the maintenance of this permanent stock (the details of which are of course continually changing), and (2) for meeting contingent expenditures (representing wages and special expenditures for paper and other material) arising between the date of service rendered and receipt of payments due on account of same. Section 38 of the Statute as it stands provides that the Minister of Finance may authorize "the advance to the King's Printer, out of the Consolidated Revenue Fund of Canada, of such sums of money, not exceeding at any time two hundred thousand dollars, as the King's Printer requires," etc. This clause was placed in the Statute in 1900 and was no doubt at that time adequate for the purposes in view. Two causes have combined to render this sum insufficient properly to meet the King's Printer's necessities at the present time, (1) a very large increase in all branches of the activities of the Department; (2) the change in money values; the wages per capita having, for instance, increased by much over 100 per cent. as compared with the per capita cost in 1900. For several years the interpretation placed on the clause was such as seemed to render an amendment unnecessary, but during the last year the Auditor General has pressed strongly for an amendment which would remove the point from doubt or ambiguity. After careful consideration the sum of $700,000 has been estimated as the amount which may be with reasonable safety set as that which should be substituted for that of $200,000 as set in the existing Statute; since, however, extraordinary emergencies may arise, as did in fact actually arise during the year 1926, when departments found it impossible for several months to meet their liabilities for printing and stationery, the King's Printer being compelled nevertheless to carry on at every point, it has been thought desirable to include in the amending clause a provision vesting the Governor in Council with power to vary, should necessity arise, the limit of the amount which may be advanced to the King's Printer.

The effect of the legislation it will be seen is not in any way to increase expenditure at any point, but simply to bring the Statute clearly into harmony with what has long been the practice.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 34.

An Act to amend An Act respecting the National Battlefields at Quebec.

First reading, February 10, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54700 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 34.

An Act to amend An Act respecting the National Battlefields at Quebec.

1908, cc. 57, 58; 1910, c. 41; 1911, c. 5; 1914, c. 46; 1925, c. 47.

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

1. Section eight of chapter fifty-seven of the statutes of 1908, *An Act respecting the National Battlefields at Quebec*, is repealed and the following substituted therefor:—

Payment of $750,000 authorized.

"**8.** The Minister of Finance is hereby authorized to pay out of the Consolidated Revenue Fund of Canada to the Commission the sum of seventy-five thousand dollars a year for a period not exceeding ten years from the first day of April, 1928, to be expended by the Commission for the purposes and subject to the provisions of this Act. Such annual payments shall be made in four equal quarterly instalments payable on the first day of April, July, October and January, respectively, in each year, the first of such quarterly instalments to be paid on the first day of April, 1928."

Explanatory Notes.

The repealed section eight authorized payment to the Commission of the sum of three hundred thousand dollars. The amount granted was duly paid and the only reason for repealing the section is in order that the proposed amendment may appear in an appropriate place in the Act.

35.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 35.

An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

First reading, February 10, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54628 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 35.

An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

1909, c. 23; 1916, c. 3; 1917, c. 3; 1919, c. 67; 1922, c. 30; 1924, c. 56; 1925, c. 16; 1926, c. 11.

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

Short title.

1. This Act may be cited as *The Loan Act, 1928.*

Loan authorized.

2. The Governor in Council may, in addition to the sums now remaining unborrowed and nogotiable of the loans authorized by Parliament by any Act heretofore passed, raise by way of loan, under the provisions of the Consolidated Revenue and Audit Act, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money as may be required, not to exceed in the whole the sum of five hundred million dollars, for paying or redeeming the whole or any portion of loans or obligations of Canada and also for purchasing and withdrawing from circulation from time to time unmatured securities of Canada.

Charge upon Consolidated Revenue Fund.

3. The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

36.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 36.

An Act to amend and revise The Electricity Inspection Act.

AMENDMENTS TO BE PROPOSED IN COMMITTEE OF THE WHOLE HOUSE.

The Minister of Trade and Commerce.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61167 1928

PROPOSED AMENDMENTS.

Section **3.** The wording in the Bill to be struck out and the following substituted therefor:

"The commercial unit of electrical supply shall be the kilowatthour or such units based upon the units of electrical measure established by the Electrical Units Act as are determined by the National Research Council."

Section **5.** Subsection (1). After the word "supervision," line four, substitute for all the words thereafter in this subsection the following:—

"Of all the work necessary to give effect to the provisions of this Act and any regulations established thereunder in connection with the measurement of electricity for sale throughout Canada."

Section **6.** To be deleted. The last sentence to be added as subsection (2) to section 3, viz.:

"(2) The certificate or statement of accuracy of the Department of any electricity measuring instrument shall take precedence over any other certificate."

Section **7.** To be deleted.

Section **8.** The following sentence to be added:—

"Such standards shall conform to primary standards which shall be determined by the National Research Council under the authority of the Research Council Act."

Section **10.** The words "and sealed or stamped," lines four and five, to be struck out.

Section **11.** For the word "Minister" the words "National Research Council" to be substituted.

Section **12.** To be inserted as subsection (2) of section 10.

Section **15.** The following words to be added to the last sentence of this section:—

"Except as may be provided for by Regulation of the Department."

Section **31.** Paragraph *(c)*. To strike out the word "or" between the words "stamps" and "issues" and substitute therefor the word "and."

Section **3.** It is contended that this section would limit the supply companies to the use of kilowatthour meters only for billing purposes. Such limitation was never intended, but to obviate any misunderstanding in the matter the wording suggested as a substitute therefor has been accepted by all parties concerned.

Section **5.** The suggested change in this section is to avoid any conflict with paragraphs (4) and (5) of subsection *(c)* of section 10 of the Research Council Act, Chapter 177, R.S. of Canada, 1927. These paragraphs are as follows:

"**10.** Without thereby limiting the general powers of the Council conferred upon or vested in it by this Act, it is hereby declared that the Council may exercise the following powers, namely:—

"*(c)* To undertake in such way as may be deemed advisable

"(iv) the investigation and determination of standards and methods of measurements, including length, volume, weight, mass, capacity, time, heat, light, electricity, magnestism and other forms of energy; and the determination of physical constants and the fundamental properties of matter,

"(v) the standardization and certification of the scientific and technical apparatus and instruments for the Government service and for use in the industries of Canada, and the determination of the standards of quality of the materials used in the construction of public works and of the supplies used in the various branches of the Government service."

Section **6.** The first sentence to be omitted since its substance is covered by the proposed amendment to section 3. It is considered advisable to retain the last sentence and it is proposed to transfer it to section 3 as subsection (2).

Section **7.** This section is to be deleted as the subject matter comes within the purview of certain paragraphs of section 10 of the Research Council Act. These are given above.

Section **8.** The addition to this section is proposed for the purpose of definitely tying in the Department Inspection Standards with the Primary Standards of the National Research Council.

Section **10.** It is proposed to transfer section 12 to section 10 as subsection (2) in which case the words "and sealed or stamped" are unnecessary.

Section **11.** It is the intention to have all electric apparatus approved by the National Research Council, hence the approval of meters will form a part of this work.

Section **12.** As the subject matter of this section is definitely connected with that of section 10 it is considered a simplification to make it another paragraph of that section.

Section **15.** Exception has been taken to the last sentence of this section on the ground that it might be too drastic if literally enforced, therefore the addition proposed is to allow some modification if necessary.

Section **31.** Paragraph *(c)*. The proposed change in the wording of this section clarifies the meaning. The clause as it stands at present prohibits any person issuing a certificate, whereas it is not the intention to prohibit competent authorities such as universities, etc., issuing certificates. The purpose of the clause is to prohibit irresponsible parties from interfering with sealed meters.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 36.

An Act to amend and revise The Electricity Inspection Act.

AS PASSED BY THE HOUSE OF COMMONS, 20th APRIL, 1928.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
52592 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 36.

An Act to amend and revise The Electricity Inspection Act.

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

SHORT TITLE.

Short title.

1. This Act may be cited as *The Electricity Inspection Act, 1928.*

INTERPRETATION.

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

"Broken seal."

(a) "broken seal" means a seal that has been rendered ineffective;

"Contractor."

(b) "contractor" means any company, commission, corporation, municipality or person undertaking to furnish electrical energy to any purchaser.

"Department."

(c) "department" means the Department of Trade and Commerce;

"Electricity inspection."

(d) "electricity inspection" means any work done under the authority of this Act;

"Inspector."

(e) "inspector" means any officer appointed under the authority of this Act;

"Meter."

(f) "meter" means an electric meter, and includes every kind of machine, apparatus or instrument used for making electrical measurements, and any device utilized for the purpose of obtaining the basis of a charge for electricity;

"Minister."

(g) "Minister" means the Minister of Trade and Commerce;

"Purchaser."

(h) "purchaser" means any person to whom electrical energy is sold.

Explanatory Notes.

The purpose of the revision of the Electricity Inspection Act, 1907, now chapter fifty-five of the Revised Statutes, 1927, is to delete some of the sections that have become obsolete through progress of time and to add and rewrite other sections which will make it conform to the conditions existing to-day and provide, as far as possible, for the future. As will be seen, the Act now in force is some twenty years old and the wonderful advance made in the use of electricity during that time has made a revision necessary.

1. There has been no change made in the first section except a change of date.

2. In the interpretation section changes have been made in the definitions to make the Act have a wider application. In the Act the definition was worded in such a way that the Department was restricted to testing only certain kinds of electricity meters, whereas the definition proposed will give the right to test any electrical measuring instrument. "Purchaser's terminals" and "frequency" are not defined in the proposed Act, but in their place the definition of a "broken seal" and of "electricity inspection" are substituted.

The interpretation section of the Act reads as follows:—

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

(a) "contractor" means any person undertaking to furnish electricity to any purchaser for lighting or other purposes;

(b) "Department" means the Department of Inland Revenue;

(c) "frequency" means the number of complete periods or cycles per second of the alternating current."

(d) "inspector" means an inspector appointed under this Act by the Department;

(e) "meter" means an electric meter, and includes every kind of machine, apparatus, or instrument used for measuring the quantity of electrical energy or pressure furnished to the purchaser;

(f) "Minister" means the Minister of Inland Revenue;

(g) "purchaser" means any person to whom electricity is furnished;

(h) "purchaser's terminals" means the ends of the electric lines or conducto s situate upon the purchaser's premises at which the supply of electricity is delivered from the service lines;

UNIT OF SUPPLY.

Unit of supply.

3. (1) The commercial unit of electrical supply shall be the kilowatthour or such units based upon the units of electrical measure established by the Electrical Units Act as are determined by the National Research Council.

(2) The certificate or statement of accuracy of the Department of any electricity measuring instrument shall take precedence over any other certificate.

REGULATIONS.

Regulations.

4. The Governor in Council may, from time to time, make such rules and regulations, not inconsistent with this Act, as are necessary for giving effect to its provisions and for declaring its true intent and meaning in all cases of doubt, and for specifying the variations in the conditions of supply within which the readings of a verified meter shall be legal.

DIRECTOR AND OFFICERS.

Director.

5. (1) There may be appointed for the purpose of this Act a Director, together with such assistants as may be deemed necessary by the head of the Department. Such Director shall have the direction and general supervision of all the work necessary to give effect to the provisions of this Act and any regulations established thereunder in connection with the measurement of electricity for sale throughout Canada.

Appointment of officers.

(2) No person shall be employed or appointed under this section permanently until he has passed a qualifying technical examination, such examination to be held under the direction of the Civil Service Commission.

Restrictions.

(3) No inspector shall be a seller of electricity or electricity meters, or be employed by any person supplying electricity or meters.

STANDARDS.

Inspection standards.

6. All instruments and measuring apparatus required for electricity inspection shall be supplied by the Department: they shall be designated inspection standards and shall bear the imprint or nameplate of the Department.

Such standards shall conform to primary standards which shall be determined by the National Research Council under the authority of the Research Council Act.

REGISTRATION.

Certificate of registration.

7. (1) Before commencing the supply of electricity for sale in any municipality or rural district the contractor shall obtain from the Department or from an officer appointed for the purpose, a certificate of registration for that municipality or rural district, or other area as may be deemed necessary by the Department, and shall pay the fees prescribed by the Governor in Council. Application for this certificate of registration shall be made on a form supplied by the Department.

Renewal.

(2) Such certificate shall expire on the thirty-first day of March in each year and application for rewewal shall be made on or before that date from year to year.

METERS.

Verification.

8. If the contractor or the purchaser desires to use a meter for the purpose of establishing the charge for electrical service, every meter used for such purpose shall, before being put into service, be verified by an inspector in accordance with the provisions of this Act, and any regulations not inconsistent therewith that may be established thereunder, unless permission has been obtained from the minister for temporary use prior to verification.

Sealing of meters.

(2) Access to the working parts or adjustments of meters presented for verification must be capable of being effectively prevented by a seal to be affixed by the inspector at the time of verification, with the exception of such meters as may be approved by the National Research Council for use unsealed.

Approval of type.

9. No meter shall be admitted to verification in Canada until the type of meter to which it belongs has received the approval of the National Research Council.

Re-verification of meters.

10. Within six years or such lesser periods as the Governor in Council may determine from each verification and sealing or stamping every meter shall be presented by the owner for re-verification and re-sealing or re-stamping or for the cancellation of the seal or stamp by an inspector with the exception of meters that have been scrapped, burnt or destroyed.

3. It is contended that this section would limit the supply companies to the use of kilowatthour meters only for billing purposes. Such limitation was never intended, but to obviate any misunderstanding in the matter the wording suggested as a substitute therefor has been accepted by all parties concerned.

The first sentence to be omitted since its substance is covered by the proposed amendment to section 3. It is considered advisable to retain the last sentence and it is proposed to transfer it to section 3 as subsection (2).

4. This section is new. Rather than state any specific matters for which the Governor in Council may establish regulations, it was thought preferable to make the clause general so that the Governor in Council might make any regulations not inconsistent with the Act. In other words, section 4 of this Bill is practically paragraph *(d)* of section 4 of R.S.C. 55.

Section 4 reads as follows:—

"**11.** The Governor in Council may establish rules and regulations—

(a) for the testing of electric light lamps for illuminating power;

(b) for instituting tests to determine what style or make of meter shall be used to measure the quantity of electrical energy supplied;

(c) for determining a standard or standards for arc lighting; and

(d) such other regulations, not inconsistent with this Act, as are necessary for giving effect to its provisions and for declaring its true intent and meaning in all cases of doubt."

Clauses 5 to 10 of the Act have been omitted from this Bill and we therefore have no control of the voltage and frequency of a circuit both of which affect the accuracy of a meter. For this reason it has been necessary to insert the last part of clause 4 in order to insure that verified meters can be relied upon to measure accurately.

5. Section 5 of this Bill takes the place of section 12 of the Act and deals with the personnel of the Electricity Inspection Service. The change in this section has been made so that it will conform to the change made by the Civil Service Commission at the time of the general re-classification.

Section 12 reads as follows:—

"**12.** An electrical expert, to be known as the Chief Electrical Engineer, together with such inspectors and assistants as the head of the department may from time to time deem necessary shall be appointed in the manner authorized by law and shall hold office during pleasure.

(2) The Chief Electrical Engineer shall, under the direction of the Minister, have the custody of the standards of electrical measure, shall conduct all comparisons, verifications and other operations in respect of such standards and other electrical measuring instruments, and shall have the general supervision and direction of the work of electric inspection throughout Canada."

Sections 5, 6, 7, 8, 9 and 10 of the Act are deleted by this Bill, as they do not come within the jurisdiction of Parliament. These sections refer to the duties and rights of contractors.

The suggested change in this section is to avoid any conflict with paragraphs (4) and (5) of subsection *(c)* of section 10 of the Research Council Act, Chapter 177, R.S. of Canada, 1927. These paragraphs are as follows:

"**10.** Without thereby limiting the general powers of the Council conferred upon or vested in it by this Act, it is hereby declared that the Council may exercise the following powers, namely:—

"*(c)* To undertake in such way as may be deemed advisable

"(iv) the investigation and determination of standards and methods of measurements, including length, volume, weight, mass, capacity, time, heat, light, electricity, magnestism and other forms of energy; and the determination of physical constants and the fundamental properties of matter.

"(v) the standardization and certification of the scientific and technical apparatus and instruments for the Government service and for use in the industries of Canada, and the determination of the standards of quality of the materials used in the construction of public works and of the supplies used in the various branches of the Government service."

6, 7, and 8. These sections are new. They provide for the designation of the standard apparatus deposited in the laboratory as required by the Electrical Units Act, chapter 56, R.S. 1927, and provide authority for the Minister to obtain all the necessary apparatus and standards for use in inspection work.

Certificates.

11. A certificate, covering the verification of every meter, shall be issued by the inspector in accordance with regulations made by the Minister.

Right to break seal.

12. No person, except the owner, or an inspector, for a valid reason, shall break the seal of any verified meter, and no person shall break the seal of any meter the correctness of which is in dispute, except as provided for in this Act and regulations established thereunder. No meter on which the seal is broken shall be continued in use, except as may be provided for by regulation of the Department.

Liability for repair and verification of meters.

13. In every case the owner shall keep every verified meter that is in use in good repair and shall be responsible for the due inspection and testing thereof, and except as herein otherwise provided, shall pay the fee lawfully chargeable for such inspection, and shall be liable for all penalties incurred with respect to such meter. He shall keep a record of all meters in his possession, giving their location and the date of all Departmental tests made thereon which record shall be open to the inspector during business hours and from which the inspector may make such extracts as he may require.

Location of meters to be reported.

14. The contractor shall notify the District Inspector without delay of any change of location of any meter from one inspection district to another and also of the number mark or other description of any meter that may be sold, scrapped, destroyed, burnt or lost.

Contractor to provide facilities for testing.

15. The contractor shall provide free of charge electricity, wiring and such reasonable facilities for testing his meters as may be prescribed by regulations made under the authority of this Act at such places as are agreed upon between the contractor and the department.

Right of access.

16. Any inspector may at all reasonable times enter any premises where electricity is being generated, distributed, or used, for the purpose of performing any duty imposed upon him by this Act.

This section is proposed for the purpose of definitely tying in the Department Inspection Standards with the Primary Standards of the National Research Council.

8. Section 8 of this Bill is section 11 of the Act and has been redrafted in order that there will be no doubt as to who should obtain a certificate of registration.

Section 11 reads as follows:—

"11. Before supplying electricity to purchasers, the contractor shall obtain from the department, or from an officer appointed for the purpose, a certificate of registration for every generating plant owned or operated by the contractor in any city, town, village or other municipality, and shall pay the officer issuing such certificate the fees prescribed by the Governor in Council.

2. Such certificate shall expire on the thirty-first day of March in each year, and shall be renewable from year to year."

9. Section 9 is a redraft of sections 13, 17, 20, 22 and paragraph two of section 14 in the Act. Section 13 of the Act lends itself to different interpretations and therefore is unsatisfactory. Section 10 of this Bill gives the true intention of section 13 and incorporates the other sections above mentioned.

Sections 13, 14, 17, 20 and 22 read as follows:—

"13. The amount of electrical energy supplied by a contractor to any purchaser under this Act, or the electrical quantity contained in such supply, shall, if the purchaser so desires, be ascertained by means of a suitable meter, duly certified in accordance with regulations established under the authority of this Act.

2. Whenever a reading of a meter is taken by the contractor for the purpose of establishing a charge upon the purchaser, the contractor shall cause a duplicate of such reading to be left with the purchaser.

14. No electric meter shall be admitted to verification in Canada until it has received the approval of the department.

2. No meter shall be fixed for use which has not been verified and stamped as hereinafter provided.

3. No meter, after it has been fixed for use, shall be verified or stamped by any person except by the inspector as herein provided.

17. The verification of each meter shall be attested by affixing or impressing, on some essential part thereof, a stamp or mark of such description and in such manner as is directed by regulations made by the Minister.

20. Every purchaser may own and use, for determining the amount of electrical energy consumed, any meter which has been verified and stamped as aforesaid.

22. The verification and testing of meters shall be performed in accordance with the provisions of this Act and with such further regulations, not inconsistent therewith, as are made by the Minister."

Subsection two is new and states the established practice with regard to the sealing of meters.

9. Section 9 of this Bill corresponds to subsection one of section 14 of the Act. It has been redrafted for clearness as to its meaning.

Subsection one of section 14 reads as follows:—

"14. No electric meter shall be admitted to verification in Canada until it has received the approval of the department."

10. Section 10 is section 18 of the Act amended.

Section 18 reads as follows:—

"18. Within twelve months after the expiration of five years from such verification and stamping, every meter shall again be verified and stamped."

DISPUTED METER TESTS.

Disputed meter tests.

17. If at any time the contractor or purchaser is dissatisfied with the condition or registration of any of his meters, the inspector shall, on the request of either party, and upon deposit of the required fee, proceed as prescribed by regulations made by the minister. Tests made under such circumstances shall be designated disputed meter tests.

Certificate.

18. The inspector shall issue to the requesting party a certificate showing the result of the test, and shall give a duplicate thereof to the opposite party. The cost of such certificate shall be borne by the party against whom the decision is given. If either the contractor or the purchaser is dissatisfied with the finding of any inspector, the inspector shall, if so requested in writing by such dissatisfied party, refer the matter to the Director, and the decision of the Director thereon shall be final and conclusive.

Rebate.

19. (1) If on a disputed meter test the meter is found to register with an error greater than that permitted by regulations established under the authority of this Act, such error shall be held to have existed for a period of three months, or from the date on which the meter was last sealed, if the said sealing took place within three calendar months previous to the test, and the contractor or the purchaser, as the case may be, shall be entitled to the amount represented by the full error of the meter.

Multipliers.

(2) In the event of the meter not being a self-contained meter the inspector shall examine the records connected therewith for the purpose of ascertaining whether the correct multiplier has been used in computing the account, and if he finds an incorrect multiplier in use then the error resulting therefrom shall be deemed to have existed during the whole time that such multiplier has been in use.

VOLTAGE AND FREQUENCY TEST.

Test of voltage and frequency.

20. The contractor or purchaser may at any time, on payment of a fee to be fixed by the Governor in Council, call on an inspector to test the voltage or frequency of the electric supply and to furnish a certificate thereof.

11. Section 11 of this Bill is new. In the past certificates have been issued but the matter was not specifically covered in the Act and it is considered advisable that it should be covered.

Section 15 of the Act has been omitted because it can be more thoroughly covered in the regulations regarding the approval of meters. This section reads as follows:—

"15. No meter shall be fixed for use unless it plainly indicates by means of suitable dials the amount of current or energy passing to the purchaser's wires.

2. Every meter fixed for use shall have the maker's number, the maximum current in amperes, the limits of pressure, and, if for alternating currents, the limit of frequency of alternations, legibly stamped or engraved on the case or dial."

12. In the Act there was no section providing for the breaking of a meter seal except under the general heading of penalties, namely, section 36. It was thought desirable to insert a definite section regarding this matter and then to provide a penalty for the violation of the provisions of that section. Section 12 takes care of this point and is new.

Section 36 reads as follows:—

"36. Every person, other than the inspector, who, when the accuracy of any meter which has been verified and sealed under this Act is in dispute, wilfully breaks or causes to be broken the seal of that meter, shall incur a penalty of twenty-five dollars for every such offence.

2. The contractor, however, after giving the purchaser twenty-four hours' notice, in writing, of his intention so to do, may break the seal of an undisputed meter when it is found necessary to disconnect such meter from the service lines for readjustment or repairs."

Section 16 of the Act has been omitted as it deals with a matter that can be more satisfactorily dealt with by regulation. This section reads as follows:—

"16. No meter shall be stamped which is found by the inspector to register quantities varying from the legal standard of electricity more than three per cent in favour of either the contractor or the purchaser."

13. Section 13 of this Bill embodies sections 21 and 27 of the Act and has been redrafted to assist in the better administration of the Act.

Sections 21 and 27 read as follows:—

"21. In every case the owner shall keep the meter in good repair, and shall be responsible for the due inspection and testing thereof, and, except as herein otherwise provided, shall pay the fee lawfully chargeable for such inspection, and shall be liable for all penalties incurred with respect to such meter.

27. The contractor shall at all times keep in his office, in a book or books, the names and addresses of purchasers 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."

14. Section 14 is new and has been inserted so that the district inspector may be empowered to insist that the owner keep proper record of his meters and thereby facilitate the carrying out of the inspection work of his district.

15. Section 15 of this Bill is section 23 of the Act amended to prescribe by regulation definitely what the contractor shall provide.

Section 23 reads as follows:—

"23. The contractor shall provide electricity and wiring and all other reasonable facilities for testing, free of charge, at such places as are agreed upon between the contractor and the department."

16. Section 16 is new and is necessary for the administration of the Act inasmuch as it is frequently necessary for an inspector to visit the premises mentioned in the section.

FEES AND STAMPS.

Inspection fees.

21. The fees for the inspection and testing of meters, lamps and other electrical instruments and appliances, shall be determined from time to time by the Governor in Council and published in the *Canada Gazette*, and such fees shall be regulated so that they will, as nearly as may be, meet the cost of carrying this Act into effect: and all fees received under this Act shall be accounted for and paid to the Minister of Finance and Receiver General and in such manner as the Minister directs, and shall form part of the Consolidated Revenue Fund of Canada.

How payable.

22. All fees shall be due and payable at the time the verifications are made, and shall be paid before the certificate is issued. The inspector shall affix to the certificate an adhesive stamp or stamps equal in value to the amount of such fees, and shall cancel such stamps at the time of affixing the same, and no certificate shall be valid or avail for any purpose whatsoever, unless the requisite stamps have been duly affixed thereto and cancelled.

Preparation of stamps.

23. The Governor in Council may from time to time direct stamps and seals to be prepared for the purposes of this Act bearing such device as he thinks proper, and may defray the cost thereof out of any unappropriated moneys forming part of the Consolidated Revenue Fund. Each stamp shall have expressed thereon the value at which it shall be reckoned in payment of the prescribed fees.

ACCOUNTS.

Accounts.

24. Separate accounts shall be kept of all expenditures incurred and of all fees and penalties collected and received under the authority of this Act.

PENALTIES.

For failing to register.

25. Every contractor who refuses or neglects to obtain or renew the certificate of registration required by this Act, shall be liable to a penalty of ten dollars for each day during which such refusal or neglect continues.

For forging and counterfeiting stamps and seals.

26. Every person who, except under the authority of this Act, makes, causes or procures to be made, or assists in making, or who forges or counterfeits, or causes or procures to be forged or counterfeited, or assists in the forging or counterfeiting of any stamp or mark or seal issued for the stamping, marking or sealing of any meter under this Act, or any certificate required by this Act,

17, 18 and 19. These sections of the Bill deal with the matter of disputed meter tests. In the Act sections 19, 24 and 26 dealt with this subject but there was always more or less uncertainty as to the procedure to be followed when making a test. For instance, the first part of section 19 is contradictory. The sections proposed deal with the matter quite exhaustively and leave very little room for doubt as to the manner in which these tests should be carried out.

Sections 19, 24 and 26 read as follows:—

"19. No meter duly stamped as aforesaid shall be liable to be re-verified or re-stamped within a period of five years from the then last verification or re-verification thereof unless found incorrect under this Act, or requiring re-verification by lapse of time as aforesaid.

2. The purchaser or the contractor may, at any time, at the cost of the party in fault, require the verification of the meter used.

3. In the event of an inspected meter being found, on re-inspection, to vary from the standard, the contractor or the purchaser, as the case may be, shall only be entitled, in estimating any rebate, to the gain or loss, as the case may be, which has taken place during the three months immediately prior to such re-inspection.

24. If any dispute arises between the contractor and the purchaser or between the contractor and the inspector, respecting the correctness of such meter, the inspector shall, if required by any person dissatisfied, refer such dispute to the department for final decision.

2. During the testing of any disputed meter, the contractor or purchaser may be present, by himself or his agent authorized in writing; and twenty-four hours' notice of the test shall be given by the inspector to both the parties interested.

26. The inspector shall give to either the contractor or the purchaser, or to both; on payment of the proper fee, a certificate stating the result of his test, and the time at which it was made, and at whose instance, and any other particulars he thinks right to insert for the information and guidance of the persons concerned.

2. Such certificate shall be prima facie evidence of the condition of the meter or electrical pressure tested; and when more such certificates than one are issued, the proper fee shall be paid upon each certificate."

20. This is section 25 of the Act amended in such a way that the contractor has the same privilege as the purchaser. It includes the testing of the frequency of an electric circuit as well as the voltage.

Section 25 reads as follows:—

"25. The purchaser may at any time, on payment of a fee to be fixed by the Governor in Council, call on an inspector to test the pressure of the electricity supplied by the contractor, and to furnish a certificate thereof."

is guilty of forgery and shall be punished accordingly, and every one who steals any such stamp or seal is guilty of theft; and every person who knowingly sells, utters or disposes of, lets, uses, lends or exposes for sale, any meter with such forged stamp or mark thereon shall for every such offence be liable to a penalty not exceeding two hundred dollars and not less than twenty dollars; and all meters having on them such forged or counterfeited stamps or marks shall be forfeited to His Majesty, and shall be destroyed or otherwise disposed of as the Minister may direct.

For altering or tampering with verified meter.

27. Every person who repairs or alters, or causes to be repaired or altered, or tampers with or does any other act in relation to any verified meter, or the wires leading to such meter so as to cause the meter to register unjustly, or who prevents or refuses lawful access to any meter in his possession or control, or obstructs or hinders any examination or testing authorized by this Act, shall be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars, and shall also be liable to pay the expense of, and fees for, removing and testing the meter and the expense of purchasing and installing a new meter; provided that the payment of any such penalty as aforesaid shall not exempt the person paying it, from liability for any punishment to which he may otherwise be liable upon indictment or other proceeding, or deprive any person of the right to recover damages against such person for any loss or injury sustained in consequence of such act or default.

For installing unverified meter.

For failing to have meter reverified.

For verifying, etc., without authority.

For breaking seal without authority.

28. Every person who,—

(a) puts into service or causes to be put into service any meter for which a certificate is required, before procuring such certificate;

(b) refuses or neglects to present any of his meters for re-verification and re-sealing or re-stamping or for the cancellation of the seal or stamp in accordance with the requirements of this Act;

(c) not being an inspector, seals or stamps and issues a certificate as to the accuracy or condition of any meter after it has been fixed for use.

(d) breaks or causes to be broken the seal of any verified meter in contravention of the provisions of this Act;

shall be liable to a penalty of twenty-five dollars for each meter with respect to which any of the provisions of this section have been violated and in the case of paragraphs *(a)* and *(b)* the meter shall be liable to confiscation.

21. Section 21 of the Bill is identical with section 28 of the Act with the exception that the fee for the testing of purchasers' wires has been deleted.

Section 28 reads as follows:—

"28. The fees for the inspection and testing of purchasers' wires and the testing of lamps and meters and other electrical instruments and appliances, shall be determined from time to time by the Governor in Council and published in *The Canada Gazette*, and such fees shall be regulated so that they will, as nearly as may be, meet the cost of carrying this Act into effect; and all fees received under this Act shall be accounted for and paid to the Minister of Finance and Receiver General and in such manner as the Minister directs, and shall form part of the Consolidated Revenue Fund of Canada."

22. Section 22 is new and is inserted for the purpose of assisting in the general administration of the Act. As a matter of fact, this section outlines the procedure that has been in force for some time, but it is felt desirable to have it definitely embodied in the Act.

23. Section 23 of this Bill is section 29 of the Act rewritten and amended to include seals.

Section 29 reads as follows:—

"29. The Governor in Council may from time to time direct stamps to be prepared for the purposes of this Act, bearing such device as he thinks proper, and may defray the cost thereof out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

2. The device on such stamps shall express the value thereof, that is to say, the sum at which they shall be reckoned in payment of the fees hereby prescribed."

24 Section 24 of this Bill is section 30 of the Act amended to read penalties instead of duties. The last part of section 30 has been deleted as the matter mentioned therein is otherwise regulated.

Section 30 reads as follows:—

"30. Separate accounts shall be kept of all expenditures incurred and of all fees and duties collected and received under the authority of this Act; and a correct statement thereof, up to the thirty-first day of March then last past, shall be yearly laid before Parliament within the first fifteen days of the then next session thereof."

25. Section 25 of this Bill amends that portion of section 31 of the Act dealing with the penalty for the failure to obtain a certificate of registration. Sections 5 to 10 of the Act are omitted from this Bill, therefore eliminating the necessity for penalties therefor.

Section 31 reads as follows:—

"31. Every contractor who makes default in complying with any requirement, as to supply, of sections 5 to 11, both inclusive, of this Act, shall be liable for every such default to a penalty not exceeding twenty dollars for every day during which such default continues."

26. Section 2 o6f this Bill is section 33 of the Act amended and is identical with the section in the Gas Inspection Act (R.S., c. 82), covering similar offences.

Section 33 reads as follows:—

"33. Every person who, except under the authority of this Act, makes, causes or procures to be made, or knowingly acts or assists in making, or who forges or counterfeits, or causes or procures to be forged or counterfeited, or knowingly acts or assists in the forging or counterfeiting any stamp or mark used for the stamping or marking of any meter under this Act, shall incur a penalty not exceeding two hundred dollars and not less than fifty dollars.

For not keeping records or permitting inspection thereof.

29. Every contractor who fails to keep the records required by this Act, or who refuses to allow an inspector to examine such records and to take such extracts therefrom as he may deem necessary, shall be liable to a penalty of not less than ten dollars and not more than fifty dollars.

Offences for which specific penalty is not provided.

30. Every person who violates any of the provisions of this Act, or of any regulation established under this Act, or refuses or neglects to perform any duty imposed by this Act or a regulation, for which violation no penalty is specifically herein provided, shall be liable to a penalty of not less than twenty-five dollars and not more than one hundred dollars, and in the case of an inspector to dismissal from office.

Procedure.

31. All penalties imposed under the authority of this Act or of any regulation shall be recoverable on summary conviction with costs,—

"*(a)* before any justice of the peace, police, district or stipendiary magistrate for the district, county or place in which the offence was committed, if the penalty does not exceed twenty-five dollars;

"*(b)* before any two justices of the peace, police, district or stipendiary magistrate or any magistrate having the power or authority of two or more justices of the peace, if the penalty exceeds twenty-five dollars."

In case of corporation.

(c) When the offender is a corporation any process or other paper required by Part XV of the Criminal Code to be served upon the defendant in proceedings under that Part may in such case be served upon the mayor, or chief officer of such corporation, or upon the clerk or secretary thereof.

Inspector to institute prosecutions.

(d) Every such prosecution shall be instituted by the inspector, as acting in pursuance of this Act, who shall account for the amount of the penalty to the Minister.

Repeal.

32. The *Electricity Inspection Act*, chapter fifty-five of the Revised Statutes of Canada, 1927, is hereby repealed.

2. Every person who knowingly sells, utters or disposes of, lets, lends or exposes for sale, any meter with such forged stamp or mark thereon, shall, for every such offence, incur a penalty not exceeding two hundred dollars and not less than twenty dollars;

3. All meters having on them such forged or counterfeited stamps or marks shall be forfeited and destroyed."

27. Section 27 of this Bill is section 34 of the Act amended and is also almost identical with the section in the Gas Inspection Act covering similar offences.

Section 34 reads as follows:—

"34. Every person who knowingly repairs or alters, or causes to be repaired or altered, or knowingly tampers with or does any other act in relation to any stamped meter or to the wires leading to the meter so as to cause such meter to register wrongly or who prevents, or refuses lawful access to any meter in his possession or control, or obstructs or hinders any inspection or testing authorized by this Act, shall incur a penalty not exceeding one hundred dollars and not less than fifty dollars, and shall pay the fees for removing and testing, and the expense of purchasing and fixing a new meter.

2. The payment of any such penalty shall not exempt the person paying it from liability to indictment or other proceeding to which he would otherwise be liable, or deprive any other person of the right to recover damages against such person for any loss or injury sustained by such act or default."

28. Section 28 of this Bill embodies sections 35, 36 and 38 of the Act which have been rewritten. As the penalty in each case in the Act was the same it seemed simpler to have them all under the one section.

Sections 35, 36 and 38 read as follows:

"35. Every person who knowingly fixes for use, or causes to be fixed for use, any meter, before it has been verified and stamped as herein required, shall incur a penalty of twenty-five dollars for every such unverified or unstamped meter.

36. Every person, other than the inspector, who, when the accuracy of any meter which has been verified and sealed under this Act is in dispute, wilfully breaks or causes to be broken the seal of that meter, shall incur a penalty of twenty-five dollars for every such offence.

2. The contractor, however, after giving the purchaser twenty-four hours' notice, in writing, of his intention so to do, may break the seal of an undisputed meter when it is found necessary to disconnect such meter from the service lines for readjustment or repairs.

38. Every person, except the inspector as herein provided, who verifies or stamps, or causes to be verified or stamped, or who issues a certificate as to the accuracy or condition of any meter after it has been fixed for use shall incur a penalty of twenty-five dollars for every meter so verified."

29. Section 29 of this Bill is section 32 of the Act rewritten and the penalty amended.

Section 32 reads as follows:—

"32. Every contractor who fails at any time to keep in his office in a book or books the names and addresses of the purchasers using meters for the time being open to an inspector during office hours, from which the inspector may take such extracts as he thinks fit, shall incur a penalty of fifty dollars.

30. Section 30 of this Bill is rewritten to include sections 37 and 39 of the Act.

Sections 37 and 39 read as follows:—

"37. Every inspector who stamps any meter without duly testing and finding it correct, or who refuses or neglects, without lawful excuse, for three days after being required under the provisions of this Act, to test any meter, or to stamp any meter found correct on being so tested, or who neglects to perform any duty imposed upon him by this Act, or by any regulations made under the authority thereof, shall incur a penalty not exceeding fifty dollars and not less than ten dollars, and shall be liable to dismissal from office.

39. Every person who violates any of the provisions of this Act, or of any regulations established under this Act, or who neglects any duty imposed on him by this Act, or by any such regulation, for which violation or neglect no penalty is specially herein provided, shall incur a penalty or not more than one hundred dollars."

31. Section 31 of this Bill is section 40 of the Act rewritten to conform to the proper procedure in the matter of imposing penalties.

Section 40 reads as follows:—

"40. All penalties imposed by this Act or by any regulations made thereunder shall be recoverable on summary conviction with costs,—

(a) if the penalty does not exceed twenty dollars, before any justice of the peace for the district, county or place in which the offence was committed; and,

(b) if the penalty exceeds twenty dollars, before any two justices of the peace.

2. Such penalties may, if not forthwith paid, be levied by warrant under the hand and seal of the convicting justice or justices, who may award any imprisonment to which the offender is liable.

3. When the offender is a corporation any process or other paper required by Part XV. of *The Criminal Code* to be served upon the defendant in proceedings under that Part may in such case be served upon the mayor, or chief officer of such corporation, or upon the clerk or secretary thereof."

Section 41 of the Act is omitted because it does not answer any good purpose. This section reads as follows:—

"41. No action or prosecution shall be brought against any person for any fine or penalty under this Act, unless it is commenced within six months after the offence is committed."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 38.

An Act to amend the Bankruptcy Act (Attendance for Examination).

First reading, February 13, 1928.

Mr. BRADY.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1928

56692

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 38.

An Act to amend the Bankruptcy Act (Attendance for Examination).

R.S., c. 11.

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

1. The *Bankruptcy Act*, chapter eleven of the Revised Statutes of Canada, 1927, is amended by inserting the following section immediately after section one hundred and twenty-eight thereof:—

When debtor resides more than 20 miles from Official Receiver.

Assignment sent by registered mail.

First examination at place of residence.

Evidence sent to Official Receiver.

Examinations and attendance at meetings.

Order of Court.

Conduct money and witness fees.

"**128A.** (1) Where the distance from the place of business or residence of the debtor to the office of the Official Receiver is twenty miles or more, the debtor may send in his assignment to the Official Receiver by registered mail, and he shall not be required to attend before the Official Receiver for examination, but the examination of the debtor shall be taken before a magistrate, justice, commissioner for taking affidavits, notary public or any qualified person authorized by the Court to take evidence, at such place of business or residence, or as near thereto as possible.

"(2) The evidence so taken shall be sent to the Official Receiver by registered mail, and he shall communicate it to the creditors at the first meeting.

"(3) In every case where the debtor resides or does business more than twenty miles from the office of the Official Receiver, that officer shall apply to the Court for an order as to when and where the debtor shall appear for examination, and by whom he shall be examined, and what meetings he shall be required to attend, and if in any case the debtor is ordered by the Court to appear at any meeting of creditors or for examination at any other place than his place of business or residence, the debtor shall be paid or tendered his proper conduct money and witness fees before being required to attend such meeting or for examination as ordered.

Explanatory Notes.

Section 160 of the Bankruptcy Act, R.S., c. 11, makes each province a bankruptcy district, but the Governor in Council may divide such district into two or more divisions and name and number them. The same section appoints one official receiver for each district or division.

These districts are large and the distances enormous and in many cases render the Act practically inoperative.

The debtor who has made an assignment is required (section 128) to present himself before the Official Receiver for examination before the first meeting of creditors, and is liable to a heavy penalty if he does not appear (128 (3)).

In many cases this involves long journeys where there are no trains or modern means of travel, and unjustifiable expense.

The Official Receiver appoints a custodian (section 34), who remains in possession until a trustee is appointed by the creditors (34 (3)).

The custodian is directed to call the first meeting of creditors at the office of the Official Receiver. At this meeting a trustee is appointed (section 88).

Every debtor must attend this first meeting for examination (section 131) and subsequent meetings (section 131 (3)). The trustee at the request of the creditors or inspectors may call him for examination before the Registrar, and he must attend under heavy penalties for neglect (section 134, 135). He is allowed conduct money and expenses for attendance other than at the first meeting of creditors.

Under all this it is plain that a debtor may have to travel many miles from his place of business to the office of the Official Receiver, for examination, and again to attend the first meeting of the creditors, at his own expense. In many cases it is entirely impracticable.

The Registrar also is authorized to hold examinations of debtors (section 159 (b)), but the same problems exist here as to distance and expense.

The Court can extend the time for doing any act or thing if the time is limited (section 163 (5)), and, subject to the General Rules, may take the evidence either *viva voce* or by interrogatories or upon affidavit (section 163 (6)).

So far as the Courts are concerned, they are already authorized to hold sittings at such times and places as each such Court shall prescribe for itself (section 155).

In every case where the distances are great, the Court should be empowered to direct proceedings.

Under the General Rules of Bankruptcy, a debtor who is required by a trustee to attend any meeting of creditors other than the first meeting, and who resides at a distance of more than ten miles from the place of such meeting is entitled to be paid the like conduct money as if he were a witness in Court (Rule 113), and under Rules 131 and 132 the examinations may be held before a Registrar or before any person or officer qualified or authorized to hold examinations for discovery, etc., in civil actions, and such examinations may be held at such time and place and in such bankruptcy division as the Court on application may order.

The Act is at present quite inoperative in many districts, and the question of distance and expense of travel and fees for attendance need serious consideration if the law is to be effective.

Conduct money and fees.

"(4) The amount of conduct money and witness fee shall be fixed by General Rule.

Penalty for failure to obey order.

"(5) If the debtor is served with a copy of the order of the Court made as hereinafter provided and is paid or tendered the proper conduct money and witness fees but refuses or neglects to attend as required by such order, or otherwise disobeys such order, the Court may, by warrant, cause the debtor so in default to be apprehended and brought up for examination, and in the absence of reasonable excuse satisfactory to the Court, he may be held guilty of a contempt of Court and be punished accordingly."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 39.

An Act respecting the disposal of certain Canteen Funds.

First reading, February 14, 1928.

The MINISTER OF NATIONAL DEFENCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53507 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 39.

An Act respecting the disposal of certain Canteen Funds.

WHEREAS by an Order in Council of the sixth day of September, one thousand nine hundred and nineteen there have been deposited with the Receiver-General of Canada, and kept in a special account, with interest at the usual Government rate, moneys which were accumulated during the war by certain Units of the CanadianExpeditionary Force in Canada, the Canadian Siberian Forces, and by the Forces stationed at St. Lucia, resulting from the profits of canteens and other like institutions operated by the several Units and Formations; and whereas the said Order in Council of the sixth day of September, one thousand nine hundred and nineteen, contains a provision that the moneys so deposited with the Receiver-General of Canada shall be subject to withdrawal upon the order of the Governor in Council from time to time as the final disposition thereof is decided upon; and whereas the Deputy Minister of Justice has advised that such moneys cannot be disposed of without the authority of the Parliament of Canada therefor; and whereas it is now desirable that such moneys be disposed of: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Canteen Funds (Canada) Act.*

Definitions.

"Canteen Funds."

"Ex. member of the Forces."

2. In this Act "Canteen Funds" shall mean the funds deposited with and held by the Receiver-General of Canada in a special account together with the interest thereon pursuant to the provisions of the Order in Council of the sixth day of September, one thousand nine hundred and nineteen, and "ex-member of the Forces" shall mean an ex-member of the Canadian Expeditionary Force who did not serve outside of Canada or the United States of America except with the Canadian Siberian Forces or at St. Lucia, B.W.I.

Allotment of Funds.

3. Allotment of the Canteen Funds shall be made in the following manner:—

Outstanding accounts.

(a) The sum of $5,000 shall be held by the Receiver-General of Canada until the first day of April, 1930, and kept in a special account and credited with interest at the usual Government rate and shall be used for the purposes of paying any claims and accounts which may be outstanding against any of the several Units and Formations which had accumulated the said Canteen Funds. Any withdrawals for the purpose of the foregoing from the moneys so held by the Receiver-General of Canada shall be upon the authority of the Governor in Council, and any balance remaining on the first day of April, 1930, shall be disposed of in such manner as the Governor in Council may direct.

Disposal of balance.

Nine provincial allotments.

(b) The residue shall be divided into nine different allotments in the proportion indicated by the following percentages for the provinces hereunder specified:—

	Per cent.
Alberta	6·44
British Columbia	3·61
Manitoba	10·92
New Brunswick	5·51
Nova Scotia	4·45
Ontario	41·54
Prince Edward Island	0·32
Quebec	23·59
Saskatchewan	3·62

Administration by provincial Board of Trustees.

4. The portion of the Canteen Funds allotted to each province shall be handed over to the provincial Board of Trustees of the province concerned appointed under the provisions of *The Canteen Funds Act*, chapter thirty-four of the statutes of 1925, and each Board of Trustees shall dispose of the moneys so handed over independently from the funds administered by each such Board under the said *The Canteen Funds Act*, and in the following manner:—

Duties of provincial Board.

(a) Each Provincial Board of Trustees shall receive and hold the portion of the Canteen Funds allotted to it, and apply the moneys so held for the benefit of ex-members of the Forces and the dependents of such ex-members;

(b) It shall be the duty of each such Provincial Board of Trustees to ascertain by such method as may appear to it to be most feasible the manner in which the moneys shall be applied, so as to give effect to the foregoing, but without restricting the powers of each Board in determining the manner in which it shall dispose of

the moneys held by it. The following general principles shall govern in the distribution or apportionment by each such Board:—

General principles of allotment.

(1) Any plans formulated should be based on the assumption that there will be prospective beneficiaries for several years to come.

(2) That any use of the Provincial allotment for relief purposes should be limited to the class of case for which no relief is then available from governmental sources, or from the allotment made under *The Canteen Funds Act.*

Regulations.

5. The Governor in Council may make such regulations as are necessary to carry out and give effect to the purpose and intention of this Act.

Expenses charged to allotment.

6. The expense incurred by each Provincial Board of Trustees in connection with its administration of the portion of Canteen Funds alloted to it shall be a charge against such allotment.

Reports to Minister.

7. A report shall be made as of the thirty-first day of March in each year to the Minister of National Defence by each provincial Board of Trustees setting forth the work accomplished during the preceding twelve months, the amount expended, and the balance in hand.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 40.

An Act to incorporate the British Empire Assurance Company.

First reading, February 15, 1928.

(PRIVATE BILL)

Mr. EDWARDS
(Ottawa).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55843 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 40.

An Act to incorporate the British Empire Assurance Company.

Preamble.

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

Incorporation.

Corporate name.

1. Wilfrid M. Cox, barrister-at-law, Cecil Stowe Wainwright, insurance manager, William Herbert Martin, insurance underwriter, Geoffrey Stubington, secretary, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the Company are incorporated under the name of "The British Empire Assurance Company" hereinafter called "the Company."

Provisional directors.

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

Capital stock. Shares.

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

Commencement of business.

4. (1) The Company shall not commence business until the subscribed and paid capital stock amounts to at least one hundred thousand dollars, and until a premium of one hundred thousand dollars upon the capital stock has been paid into the Company, so that the paid capital and surplus shall amount to at least two hundred thousand dollars. The Company may then commence the business of fire, automobile, explosion, inland transportation, sprinkler leakage, tornado, lightning, burglary, guarantee, accident, sickness, plate glass, ocean marine and inland marine insurance.

Other classes of business.

(2) The other classes of business authorized by this Act, or any of them shall not be commenced until the paid capital, or the paid capital together with the surplus, amounts to at least three hundred thousand dollars.

Word "surplus" defined.

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

Head office.

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

Board of directors.

6. The property affairs and concerns of the Company shall be managed and conducted by a board of directors, not being less than nine and not more than twenty-one who shall hold office for one year but shall be eligible for re-election. The directors shall elect from amongst themselves a president and a vice-president or vice-presidents.

General powers of directors.

7. The directors may, in all things, administer the affairs of the Company, and may make or cause to be made for the Company any description of contract which the Company may, by law, enter into.

By-laws.

8. The directors may make by-laws not contrary to law or to this Act for—

Shares.

(a) The regulating of the allotment of shares; the making of calls thereon; the payment thereof; the issue and registration of certificates of shares; the forfeiture of shares for non-payment; the disposal of forfeited shares and the proceeds thereof and the transfer of shares.

Dividends.

(b) the declaration and payment of dividends.

Officers, etc.

(c) the appointment, functions, duties and removal of all agents, officers, and servants of the Company, the security to be given by them to the Company and their remuneration.

Meetings.

(d) the time and place for the holding of the annual meeting of the Company; the calling of meetings, regular and special, of the directors and of the shareholders of the Company; the requirements as to proxies and the procedure in all things at such meetings.

Penalties.

(e) the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law.

Local advisory boards.

(f) the establishment of local advisory boards or agencies within Canada or elsewhere, at such times and in such manner as the directors may deem it expedient, and to appoint any persons to be members of such local board or agents and to fix their remunerations.

Rates and policies.

(g) fixing the rates, terms and amount of insurance, and issuing all policies, and providing how same shall be executed; determining who shall be entitled to sign on the Company's behalf bills, notes, receipts, acceptances, endorsements and cheques; and on the Company's behalf, execute releases, contracts and documents of all kinds.

Closing of transfer books.

(h) ordering that no entry of a transfer of shares shall be made in the books of the company for a period not exceeding thirty days immediately preceding the holding of an annual or special meeting of the shareholders or the payment of a dividend;

Number of directors.

(i) varying or changing the number of directors, but so that the number shall not be less than nine nor more than twenty-one;

Executive committee.

(j) appointing executive committees composed of members of the board of directors, and delegating such of the powers and authorities of the board of directors as may be deemed expedient to such executive committees; but such delegation shall not relieve the directors from liability in respect of any act or omission by such committees;

Generally.

(k) the conduct, in all other particulars, of the affairs of the Company.

Altering by-laws.

9. The directors may from time to time repeal, amend or re-enact any such by-law; Provided that every such by-law, repeal, amendment, or enactment, unless in the meantime confirmed at a general meeting of the Company duly called for that purpose, shall have force only until the next annual meeting of the Company, and in default of confirmation thereat, shall from the time of such default, cease to have force and effect.

General powers to do insurance business.

10. The Company may, throughout Canada and elsewhere, carry on and transact every kind of insurance business (excepting life insurance) now or hereafter capable of being carried on or transacted.

Specific powers for various kinds of insurance.

11. Without in any way limiting or restricting the generality of the last preceding section the Company may—

(a) carry on the business of fire insurance in all its branches and grant insurance against injury or damage to or loss of property directly or indirectly caused by or resulting from fire, lightning, explosion, cyclone, windstorms and tornado, and against loss or damage by breakage, leakage, freezing, rupture or collapse of sprinklers, tanks, pumps, water pipes, plumbing or fire extinguishing or fire preventing appliances or devices;

(b) carry on the business of marine insurance and inland marine insurance in all its branches, and in particular

and without prejudice to the generality of the foregoing words, make or effect insurance on ships, vessels, boats and craft of all kinds, and on goods, merchandise, live or dead stock, luggage, effects, specie, bullion and/or other property, respondentia and bottomry interests, and on commissions, profits and freights;

(c) carry on the business of all kinds of transit and transportation insurance, including inland transportation insurance, in all their branches and whether partly by land or partly by water, or wholly by land or wholly by water, and including all risks of transit by post, whether alone or in connection with any other mode of transit, and whether by land, sea or air, and also risks incidental to goods or other property wheresoever carried, held, stored or deposited;

(d) be surety in and execute any bail bond or guarantee in lieu of bail, and any bond or guarantee required to be given or executed to obtain the release of any vessel's cargo or freight or otherwise in connection with marine insurance business;

(e) carry on the business of insurance of, against and in connection with accidents, including accidental death, automobiles, including fire, theft, property damage and personal and public liability, collision and accidents, and other losses in connection therewith and resulting therefrom, air, airplanes and flying machines and apparatus, balloons, and other lighter-than-air contrivances for floating or being propelled above the surface of the earth, and any other kind of machine and apparatus to be used or operated above the surface of the earth, aviation of every kind, and all kinds of insurance generally and popularly known as air insurance, including accidents happening on the ground or in the air or as a result of operating or attempting to operate machines or appliances wheresoever, war, riot, strikes, civil commotion, labour disturbances, and insurrection, guarantee and suretyship, credit, earthquake, volcano, weather, hail and industrial, war risks of every kind, loss of health, trade and other losses, including loss of or damage of or to goods, wares and merchandise and other personal property, burglary, theft, pilferage, loss of profits, loss by forfeiture of licences, leases or other property or rights, live stock, employers' liability and liability to the public, trustees,' executors', administrators', and receivers', liability, boiler, steam boiler, plate glass and sickness;

(f) insure, guarantee or indemnify against loss, injury or damage of any description to human beings, or of or to animals, or real or personal property, arising from or in connection with accidents, contingencies, risks and events of any and every kind;

(g) re-insure and counter-insure all or any risks or parts of risks, and undertake all kinds of re-insurance and counter-insurance connected with any of the businesses aforesaid:

(h) do all or any of the above things either as principals, agents, contractors or otherwise, and either alone or in conjunction with others, and either by or through agents, sub-contractors, trustees or otherwise;

(i) undertake and carry on salvage operations for salving buildings and other property insured or re-insured;

(j) do all such other things as are incidental or conducive to the attainment of the above objects.

Investment of Company's funds.

12. (1) The Company may invest its funds, or any portion thereof, in the purchase of—

Government securities.

(a) debentures, bonds, stocks or other securities of or guaranteed by the Government of the Dominion of Canada; or of or guaranteed by the Government of any Province of Canada; or of or guaranteed by the Government of Great Britain or of any colony or dependency thereof; or of or guaranteed by the Government of any foreign country or state forming a portion of such foreign country; or of any municipal or school corporation in Canada, or elsewhere where the Company is carrying on business; or guaranteed by any municipal corporation in Canada; or secured by rates or taxes levied under the authority of the Government of any province of Canada on property situated in such province and collectible by the municipalities in which such property is situated;

Municipal and school securities.

Bonds secured by mortgage.

(b) (i) the bonds of any company which bonds are secured by a mortgage or a hypothec to trustees or to a trust corporation or otherwise, upon real estate or other assets of such company, or

Debentures.

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

Preferred stock.

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

Limitations.

Common stocks.

(iv) the common stocks of any company or corporation (other than an insurance company or corporation) upon which regular dividends of at least four per cent per annum, or in the case of stocks of no par value, of at least four dollars per share per annum, have been paid for the seven years next preceding the purchase of such stocks; Provided that not more than thirty per cent of the common stocks and not more than thirty per cent of the total issue of the stocks of any company shall be purchased by the Company. Provided further that if any such company or corporation has, pursuant to a voluntary reorganization of its capital account and without affecting the status or diminishing the value of its outstanding securities including the capital stock, substituted common shares of no par for shares of par value, then dividends declared on the said no par value stock shall be deemed to be dividends of at least four dollars per share per annum if the sum thereof is equivalent to at least four per cent of the said common stock of par value and the proceeds of any additional issue of common stock made at the time of, or subsequent to, the aforesaid substitution of shares; in such circumstances dividends of at least four per cent per annum on the common stock of par value immediately preceding the substitution shall be regarded as dividends on the no par value stock; And provided further that if any such company or corporation has in any year paid dividends on its common stock amounting to not less than five hundred thousand dollars, the payment of such dividends shall be deemed to be for the purposes of this section equivalent to the payment of a dividend of four per cent for the said year; but the Company shall not be permitted to invest in its own stock;

Proviso as to investment of funds when common shares of no par value are substituted for common shares of par value.

Stock of other insurance companies.

(v) the fully-paid stocks of any Canadian company or corporation transacting the business of insurance, or of any British or foreign company or corporation, licensed under the Insurance Act to transact such business in Canada, but the sum total of money invested in such shares shall not exceed fifteen per cent of the value of the assets of the Company.

Real estate, mortgages, etc. Limitation.

(c) ground rents, mortgages or hypothecs on real estate in Canada, or elsewhere where the Company is carrying on its business; Provided that the amount paid for any such mortgage or hypothec shall in no case exceed sixty per cent of the value of the real estate covered thereby.

Lending funds.

(2) The Company may, in addition, lend its funds or any portion thereof on the security of—

On bonds, etc.

(a) any of the bonds, debentures, stocks or other securities mentioned in the last preceding subsection;

Provided, however, that the amount loaned on the security thereof shall not exceed the amount which might be invested therein under the provisions of the next preceding subsection; or

On real estate.

(b) real estate or leaseholds for a term or terms of years, or other real estate or interest therein in Canada or elsewhere where the Company is carrying on business; Provided, however, that no such loan shall exceed sixty per cent of the value of the real estate or interest therein which forms the security for such loan, but this proviso shall not be deemed to prohibit the Company from accepting as part payment for real estate sold by it a mortgage or hypothec thereon for more than sixty per cent of the sale price of such real estate.

Other bonds etc., may be accepted with consent of Treasury Board.

13. The Company may, with the consent of the Treasury Board, accept bonds, stocks or debentures not fulfilling the requirements of the foregoing section—

(a) in payment or part payment for securities sold by the Company; or

(b) if obtained under a *bona fide* arrangement for the reorganization of a company, or for the amalgamation with another company the securities of which other company were owned by the Company; but the bonds, stocks or debentures whose acceptance is so authorized shall be absolutely sold and disposed of within five years after the acquisition thereof, or within such further time not exceeding one year as the Governor in Council, on report of the Minister of Finance, determines.

Deposits outside of Canada.

14. The Company may deposit outside of Canada, such portion of its funds and securities as is necessary for the maintenance of any foreign branch or branches.

Terms, etc., of investments, loans, etc.

15. Any investment. loan or purchase of securities which the Company is hereby authorized to make may be made on such terms and conditions, and in such manner, and at such times, and for such sums and in such sums of repayment, whether of principal or interest, or of principal and interest together, as the directors may from time to time determine.

Borrowing powers.

16. The Company may borrow money upon the credit of the Company, and limit or increase the amount to be borrowed, and may hypothecate, mortgage or pledge the real or personal property of the Company, or both, to secure any money borrowed for the purposes of the Company.

Holding of real estate.

17. The Company may hold such real estate as is required for its actual use and occupation or such as may

reasonably be required for the natural expansion of its business, or such as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered; Provided that the Company may, with the consent of the Treasury Board, acquire and hold such real estate, in the United Kingdom and other countries in which it transacts business, as its directors deem necessary for the use of the Company's branches, or for the expansion of its business in Great Britain and other countries; Provided that no parcel of land or interest therein, at any time acquired by the Company and not required for its actual use and occupation, present or prospective, as hereinbefore in this section mentioned, and not held by way of security, shall be held by the Company or any trustee on its behalf, for a longer period than twelve years after the acquisition thereof, but shall, at or before the expiration of such period be absolutely sold and disposed of, so that the Company shall no longer retain any interest therein, except by way of security.

Proviso as to United Kingdom and elsewhere.

Proviso as to time of holding.

Disposal of Company's undertaking.

18. The Company may dispose of and transfer the undertaking and business of the Company, or any part thereof, for such consideration and on such terms as the Company may think fit, provided always that a by-law for such purpose shall be passed by the board of directors and confirmed by the votes of the shareholders representing at least two-thirds of the value of the shares represented and voted upon at a special general meeting of the shareholders of the Company duly called for considering such by-law.

By-law requisite.

Acquisition of business etc., of other companies.

19. The Company may purchase or otherwise acquire all or any part of the business, undertaking, property and assets, and assume the liabilities of any company carrying on or formed to carry on, either in Canada or elsewhere, any business which the Company is authorized to carry on, or of any company which is possessed of property suitable for the purposes of the Company and the Company shall have power to re-insure all and any part of any such business of any such company and to assume the liabilities of any such company.

Powers to promote and hold stock in companies. To act as insurance agents.

20. The Company may promote and establish and hold stock in any company, association or bureau for printing, map making, inspection or other like objects, adjusting, rating and salvage, or for supporting fire brigades, whether such company, association or bureau is dividend-paying or not; and the Company may act as an insurance underwriter, agent and settling agent.

Sharing profits, and co-operation with other companies.

21. The Company may enter into any joint-purse arrangement, or any arrangement or treaty for sharing

profits, union of interests, reciprocal concession, or co-operation with any other company, firm or person carrying on or proposing or authorized to carry on any buiness or transaction which the Company is for the time being authorized to carry on, or any business or transaction capable of being conducted so as directly or indirectly to benefit the Company.

Amalgamation, transfer of policies, property, etc., re-insurance, etc.

22. The Company may amalgamate its property and business with those of any other insurance company carrying on a business similar in whole or part to that of the Company, or may transfer all or any portion of its policies to, or re-insure the same in any such other company; or may transfer its property and business or any part thereof, to any such other company or may re-insure the policies or any portion thereof of any such other company; or may purchase and take over the business and property, or any portion thereof, of any such other company; and the Company is hereby authorized to enter into all contracts and agreements necessary to such amalgamation, transfer, re-insurance or purchase.

Acquisition of business.

Benefits for employees.

23. The Company may establish and support, or aid in the establishment and support of, associations, institutions, funds, trusts or conveniences calculated to benefit persons employed by the Company or having dealings with the Company, and pay pensions and give gratuities to employees and ex-employees and others dependent on or connected with them, and subscribe or guarantee money for charitable or benevolent objects or for any exhibition or for any public, general or useful object.

Pensions.

Subscriptions.

Acquisition of business of British Empire Underwriters Agency.

24. The Company may acquire from the British America Assurance Company upon terms and conditions to be mutually agreed upon, the whole, or any part, of the business and undertaking of the British Empire Underwriters Agency of the British America Assurance Company and may assume any or all of the liabilities and obligations thereof.

Condition of bringing this Act into force.

25. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*, and such notice shall not be given until this Act has been approved and accepted by the votes of shareholders of the British America Assurance Company representing at least two-thirds of the value of the shares represented at an annual meeting, or at a special general meeting called for the purpose.

Applications of R.S., c. 101.

26. The *Insurance Act*, and all amendments thereto shall apply to the Company.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 41.

An Act respecting The Imperial Guarantee and Accident Insurance Company of Canada.

First reading, February 15, 1928.

(PRIVATE BILL.)

Mr. EDWARDS
(Ottawa).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55844 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 41.

An Act respecting The Imperial Guarantee and Accident Insurance Company of Canada.

Preamble. 1905, c. 107.

WHEREAS The Imperial Guarantee and Accident Insurance Company of Canada was incorporated by chapter one hundred and seven of the statutes of nineteen hundred and five, section four of which provides that the capital stock of the said company shall be one million dollars divided into shares of one hundred dollars each; and whereas all of the said capital stock was duly subscribed for and the shares thereof were duly allotted and issued, and twenty per centum was called and paid thereon which was repaid to the shareholders by way of distribution in the year nineteen hundred and twenty-five when the Company ceased to transact business, insured all its outstanding risks, and made provision for the protection of its other liabilities; and whereas it is desired that the Company resume its business, and the persons named in the books of the Company as being the present holders of the shares of the Company so allotted and issued have agreed that in the event of the Company being authorized to issue new capital stock they will subscribe for an amount thereof sufficient to enable the Company to resume business and receive a new license under the *Insurance Act;* and whereas a petition has been presented praying that it be enacted as hereinafter set forth and it is expedient to grant the prayer of such petition: Therefore His Majesty, by and with the consent of the Senate and the House of Commons of Canada, enacts as follows:—

R.S., c. 101.

Cancellation of shares and liability.

1. The shares of the capital stock of the Company heretofore subscribed for and issued and all liability thereon or in respect of any distribution made thereon, as well as all shares of the capital stock of the Company authorized but not issued, are hereby cancelled except as hereinafter provided, but notwithstanding such cancellation and any

Explanatory Note.

The purpose of this bill is set out in the preamble. The sections of chapter 107 of the statutes of 1905 which are repealed read as follows:

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

(2) The directors may, after the whole capital stock has been subscribed and fifty per cent paid thereon in cash increase the amount of the capital stock from time to time to an amount not exceeding one million five hundred thousand dollars, but the stock shall not be increased until a resolution of the board of directors authorizing such increase has been first submitted to and confirmed by two-thirds in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for that purpose: Provided that no issue of such increased capital stock shall be made except upon the payment of ten per cent in cash upon the amount of such issue.

5. So soon as one hundred and fifty thousand dollars of the Capital stock has been subscribed, and ten per cent of that amount paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Toronto, at which meeting the shareholders present or represented by proxy who have paid not less than ten per cent on the amount of shares subscribed for by them shall elect a board of not less than seven nor more than twenty directors, of whom a majority shall be a quorum.

(2) No person shall be a director unless he holds in his own name and for his own use at least twenty shares of the capital stock, and has paid all calls due thereon and all liabilities incurred by him to the Company.

6. The shares of the capital stock subscribed for shall be paid by such installments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice shall be given of any call. Provided that the whole amount so paid in by any shareholder shall not be less than ten per cent of the amount subscribed bu such shareholder.

2. The Company shall not commence business until two hundred and fifty thousand dollars of the capital stock have been subscribed and one hundred thousand dollars thereof have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act.

7. A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted; and special general meetings may at any time be called by any five of the directors, or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting.

(2) Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least ten days before the day for which the meeting is called, and addressed to the addresses of the shareholders respectively given in the books of the Company.

8. The Company may make contracts of insurance against any accident or casualty of whatsoever nature or from whatsoever cause arising to individuals, whereby the insured may suffer loss or injury or be disabled, including sickness not ending in death, or in case of death from any accident or casualty not including sickness, securing to the representative of the person assured the payment of a certain sum of money upon such terms and conditions as are agreed upon, and in like manner may also make contracts of indemnity against claims and demands of the workmen and employees of any person or of the legal representatives of such workmen and employees with respect to accidents or casualties of whatever nature or from whatever cause arising whereby the insured suffers pecuniary loss or damage, or incurs costs and expenses, and generally carry on the business of accident and sick insurance as defined by The Insurance Act.

9. The Company may——

(a) guarantee the fidelity of persons filling or about to fill situations of trust or confidence, and the due performance and discharge by such persons of all or any of the duties and obligations imposed upon them by contract or otherwise;

(b) guarantee the due performance and discharge by receivers, official and other liquidators, committees, guardians, executors, administrators, trustees, attorneys, brokers and agents, of their respective duties and obligations;

(c) guarantee persons filling or about to fill situations of trust or confidence against liabilities in connection therewith, and in particular against liabilities resulting from the misconduct of any co-trustee, co-agent, sub-agent or other person.

(d) generally carry on the business of guarantee insurance as defined by The Insurance Act.

act or omission of the Company or of its directors or shareholders the corporate existence of the Company, which is hereby declared to have continued from the date of the coming into force of the said chapter one hundred and seven of the statutes of 1905, shall not be in any way affected and the Company shall continue with a new capital stock as hereby authorized to be the same corporation under the same name as that constituted by the said Act and to be composed until the allotment of shares of the new capital stock of the persons named in the books of the Company as being the holders of the shares hereby cancelled and thereafter to be composed after the Company shall have resumed business or received a license under the *Insurance Act* of those who from time to time hold shares in the new capital stock of the Company.

Protection of claims of existing creditors.

2. The persons named in the books of the Company as being the holders of the shares of the Company hereby cancelled, shall be liable to contribute toward the payment of any debts or liabilities of the Company existing at the date of the coming into force of this Act the amounts which they respectively would have been liable to contribute in respect of the unpaid amounts (including in such amounts the twenty per centum repaid to them as aforesaid) on their shares had this Act not been passed.

Resuming business. R.S., c. 101.

3. The Company shall not resume business nor receive a license under the *Insurance Act* until one hundred thousand dollars of the new capital stock has been subscribed and the whole amount of the stock so subscribed together with a premium of one hundred per centum thereon has been paid in cash to the Company so that the paid up capital and surplus shall amount to at least two hundred thousand dollars. The Company may then commence the business of fire, automobile, explosion, inland transportation, sprinkler leakage, tornado, lightning, burglary, guarantee, accident, sickness, plate glass, ocean marine and inland marine insurance.

Other classes of business.

(2) The other classes of business authorized by this Act or any of them shall not be commenced until the paid up capital together with the surplus, amounts to at least three hundred thousand dollars.

"Surplus" defined.

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

Repeal.

4. Sections 4, 5, 6, 7, 8, 9, 10, 11 and 12 of chapter one hundred and seven of the statutes of 1905, are hereby repealed.

10. The Company may acquire and hold any real property required for its use and accommodation, and may dispose thereof when necessary, but the annual value of such property held in any province in Canada shall not exceed three thousand dollars, except in the province of Ontario where it shall not exceed ten thousand dollars.

11. Notwithstanding anything contained therein, The Companies Clauses Act, except sections 18 and 39 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any of the provisions of The Insurance Act or of this Act.

12. The Insurance Act shall apply to the Company.

Authorisation of new capital stock.

5. The new capital stock of the Company shall be one million dollars divided into shares of one hundred dollars each.

Increase of capital.

(2) The directors may, after the whole of the new capital stock has been subscribed and fifty per centum paid thereon in cash, increase the amount of the capital stock from time to time to an amount not exceeding one million five hundred thousand dollars, but the stock shall not be increased until a resolution of the board of directors authorizing such increase has been first submitted to and confirmed by two-thirds in value of those shareholders who are present or represented by proxy at a special general meeting of the shareholders duly called for that purpose; provided that no issue of such increased capital stock shall be made except upon the payment of ten per centum in cash upon the amount of such issue.

Issue of shares.

(3) The shares of the new capital stock of the Company shall be allotted at such times and in such manner as the directors may determine and shall be paid for in such instalments and at such times and places as the directors may fix.

Directors.

6. The affairs of the Company shall be managed by a Board of not less than nine nor more than twenty one directors, of whom a majority shall be a quorum, when the number of directors does not exceed thirteen; when the number exceeds thirteen the quorum shall be seven. The present directors of the Company shall continue as such until replaced by others duly appointed in their stead, but, save as aforesaid, no person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock and has paid all calls due thereon and all liabilities incurred by him to the Company.

General meetings.

7. A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted; and special general meetings may at any time be called by any three of the directors, or by requisition of shareholders who hold one-fourth part in value of the subscribed stock of the Company, specifying in the notice the object of such meeting.

Notice of meetings.

(2) Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least ten days before the day for which the meeting is called, and addressed to the addresses of the shareholders respectively given in the books of the Company.

General powers to do insurance business.

8. The Company may, throughout Canada and elsewhere, carry on and transact every kind of insurance business, excepting life insurance, now or hereafter capable of being carried on or transacted.

Specific powers for various kinds of insurance.

(2) Without in any way limiting or restricting the generality of the last preceding subsection the Company may—

(a) Carry on the business of fire insurance in all its branches and grant insurance against injury or damage to or loss of property directly or indirectly caused by or resulting from fire, lightning, explosion, cyclone, windstorms and tornado, and against loss or damage by breakage, leakage, freezing, rupture or collapse of sprinklers, tanks, pumps, water pipes, plumbing or fire extinguishing or fire preventing appliances or devices;

(b) Carry on the business of marine insurances and inland marine insurance in all its branches, and in particular and without prejudice to the generality of the foregoing words, make or effect insurances on ships, vessels, boats and craft of all kinds, and on goods, merchandise, live or dead stock, luggage, effects, specie, bullion and/or other property, respondentia and bottomry interests, and on commissions, profits and freights;

(c) Carry on the business of all kinds of transit and transportation insurance, including inland transportation insurance, in all their branches, and whether by land, water or air or partly by one and partly by any other or others, and including all risks of transit by post, whether alone or in connection with any other mode of transit, and whether by land, water or air, and also risks incidental to goods and other property wheresoever carried, held, stored or deposited;

(d) Be surety in and execute any bail bond or guarantee in lieu of bail, and any bond or guarantee required to be given or executed to obtain the release of any vessel's cargo or freight or otherwise in connection with marine insurance business;

(e) Carry on the business of insurance of, against and in connection with accidents, including accidental death, automobiles, including fire, theft, property damage and personal and public liability, collision and accidents, and other losses in connection therewith and resulting therefrom, air, airplanes and flying machines and apparatus, balloons, and other lighter-than-air contrivances for floating or being propelled above the surface of the earth, and any other kind of machine and apparatus to be used or operated above the surface of the earth, aviation of every kind, and

all kinds of insurance generally and popularly known as air insurance, including accidents happening on the ground or in the air or as a result of operating or attempting to operate machines or appliances wheresoever, war, riot, strikes, civil commotion, labour disturbances and insurrection, guarantee or suretyship, credit, earthquake, volcano, weather, hail and industrial, war risks of every kind, loss of health, trade and other losses, including loss of or damage of or to goods, wares and merchandise, and other personal property, burglary, theft, pilferage, loss of profits, loss by forfeiture of licenses, leases or other property or rights, live stock, employers' liability and liability to the public, trustees', executors', administrators', and receivers', liability, boiler, steam boiler, plate glass, and sickness;

(f) Insure, guarantee or indemnify against loss, injury or damage of any description to human beings, or of or to animals, or real or personal property, arising from or in connection with accidents, contingencies, risks and events of any and every kind;

(g) Re-insure and counter-insure all or any risks or parts of risks and undertake all kinds of re-insurance and counter-insurance connected with any of the businesses aforesaid;

(h) Do all or any of the above things either as principals, agents, contractors or otherwise, and either alone or in conjunction with others, and either by or through agents, sub-contractors, trustees or otherwise;

(i) Undertake and carry on salvage operations for salving buildings and other property insured or re-insured;

(j) Do all such other things as are incidental or conducive to the attainment of the above objects.

Powers of directors.

9. (1) The directors of the Company may in all things administer the affairs of the Company and may make or cause to be made for the Company any description of contract which the Company may by law enter into.

Directors may make as to stock.

(2) The directors may from time to time make by-laws not contrary to law or to this Act for:—

(a) the regulating of the allotment of stock, the making of calls thereon, the payment thereof, the issue and registration of certificates of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock and of the proceeds thereof, and the transfer of stock;

Dividends.

(b) the declaration and payment of dividends;

(c) the number of the directors, their term of service, the amount of their stock qualification and their remuneration, if any;

Officers.

(d) the appointment, functions, duties and removal of all agents, officers and servants of the Company, the security to be given by them to the Company and their remuneration;

Meetings.

(e) the time and place for the holding of the annual meeting of the Company, the calling of meetings, regular and special, of the board of directors and of the Company; the quorum at meetings of the directors and of the Company, the requirements as to proxies; and the procedure in all things at such meetings;

Penalties.

(f) the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law;

Rates, policies and execution of documents.

(g) fixing the rates, terms and amount of insurance and issuing all policies, and providing how same shall be executed, determining who shall be entitled to sign on the Company's behalf bills, notes, receipts, acceptances, endorsements and cheques, and who shall be entitled to execute on the Company's behalf, releases, contracts and documents of all kinds; and

Generally.

(h) the conduct, in all other particulars, of the affairs of the Company.

Changing by-laws.

(3) The directors may, from time to time, repeal, amend or re-enact any such by-law; provided that every such by-law, repeal, amendment or re-enactment unless in the meantime confirmed at a general meeting of the Company duly called for that purpose shall only have force until the next annual meeting of the Company and in default of confirmation thereat shall from time of such default cease to have force or effect.

Confirmation necessary.

Holding of real estate.

10. (1) The Company may hold such real estate as is required for its actual use and occupation or such as may reasonably be required for the natural expansion of its business, or such as is *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered: provided, that the Company may, with the consent of the Treasury Board, acquire and hold such real estate in Great Britain and other countries in which it transacts business as its directors deem necessary for the use of the Company's branches, or for the expansion of its business in Great Britain and the said other countries; provided that no parcel of land or interest therein, at any time acquired by the Company and not required for its actual use and occupation, present or prospective, as hereinbefore in this section mentioned, and not held by way of security, shall be held by the Company or any trustee on its behalf, for a longer period than twelve years after the acquisition thereof, but shall, at or before the expiration of such period be absolutely sold and disposed of, so that the Company shall no longer retain any interest therein, except by way of security.

Proviso as Great Britain and elsewhere.

Proviso as to the time of holding.

Forfeiture of lands.

(2) Any such parcel of land, or any interest therein, not within the authorizations or exceptions hereinbefore mentioned, which has been held by the Company for a longer period than twelve years without being disposed of, shall be liable to be forfeited to His Majesty for the use of Canada;

Proviso.

Provided that:—

Notice of intention.

(a) No such forfeiture shall take effect until the expiration of at least six calendar months after notice in writing to the Company by the Minister of Finance, of the intention of His Majesty to claim the forfeiture; and

Company may sell before forfeiture is effected.

(b) The Company may, notwithstanding such notice, before the forfeiture is effected, sell or dispose of the property free from liability to forfeiture.

Investment of Company's funds.

11. (1) The Company may invest its funds, or any portion thereof in the purchase of—

Government securities.

(a) debentures, bonds, stocks or other securities of or guaranteed by the Government of the Dominion of Canada; or of or guaranteed by the Government of any province of Canada; or of or guaranteed by the Government of Great Britain or of any colony or dependency thereof; or of or guaranteed by the Government of any foreign country or state forming a portion of such foreign country; or of any municpal or school corporation in Canada, or elsewhere where the Company is carrying on business; or guaranted by any municipal corporation in Canada; or secured by rates or taxes levied under the authority of the Government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated;

Municipal and school securities.

Bonds secured by mortgage.

(b) (i) the bonds of any company which bonds are secured by a mortgage or a hypothec to trustees or to a trust corporation or otherwise, upon real estate or other assets of such company; or

Debentures.

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

Preferred stock.

(iii) the preferred stocks of any company which has paid regular dividends upon such stocks, or upon its common stocks, for not less than five years preceding the purchase of such preferred stocks, or the stocks of any company which are guaranteed by a company which has paid regular dividends upon its preferred or common stocks for not less than five years preceding

Limitations.

the purchase of such guaranteed stocks; provided that the amount of stocks so guaranteed is not in excess of fifty per cent of the amount of the preferred or common stocks, as the case may be, of the guaranteeing company; or

Common stocks.

(iv) the common stocks of any company or corporation (other than an insurance company or corporation) upon which regular dividends of at least four per cent per annum, or in the case of stocks of no par value, of at least four dollars per share per annum, have been paid for the seven years next preceding the purchase of such stocks; provided that not more than thirty per cent of the common stocks and not more than thirty per cent of the total issue of the stocks of any company shall be purchased by the Company. Provided further that if any such company, or corporation has, pursuant to a voluntary reorganization of its capital account and without affecting the status or diminishing the value of its outstanding securities including the capital stock, substituted common shares of no par value for shares of par value, then dividends declared on the said no par value stock shall be deemed to be dividends of at least four dollars per share per annum if the sum thereof is equivalent to at least four per cent of the said common stock of par value and the proceeds of any additional issue of common stock made at the time of, or subsequent to, the aforesaid substitution of shares; and in such circumstances dividends of at least four per cent per annum on the common stock of par value immediately preceding the substitution shall be regarded as dividends on the no par value stock; and provided further that if any such company or corporation has in any year paid dividends on its common stock amounting to not less than five hundred thousand dollars, the payment of such dividends shall be deemed to be for the purposes of this section equivalent to the payment of a dividend of four per cent for the said year; but the Company shall not be permitted to invest in its own stock;

Proviso as to investment of funds when common shares of no par value are substituted for common shares of par value.

Stock of other insurance companies.

(v) the fully paid stocks of any Canadian company or corporation transacting the business of insurance or of any British or foreign company or corporation, licensed under the *Insurance Act*, or any amendment thereto, to transact such business in Canada, but the sum total of money invested in such shares shall not exceed fifteen per cent of the value of the assets of the investing company.

Real estate, mortgages, etc.

(c) ground rents, mortgages or hypothecs on real estate in Canada, or elsewhere where the Company is carrying on its business: Provided that the amount paid for

Limitation.

any such mortgage or hypothec shall in no case exceed sixty per cent of the value of the real estate covered thereby.

Lending funds.

(2) The Company may, in addition, lend its funds or any portion thereof on the security of—

On bonds, etc.

(a) any of the bonds, debentures, stocks or other securities mentioned in the last preceding subsection: Provided, however, that the amount loaned on the security thereof shall not exceed the amount which might be invested therein under the provisions of the next preceding subsection; or

On real estate.

Limitation.

(b) real estate or leaseholds for a term or terms of years, or other estate or interest therein in Canada or elsewhere where the Company is carrying on business: Provided, however, that no such loan shall exceed sixty per cent of the value of the real estate or interest therein which forms the security for such loan, but this proviso shall not be deemed to prohibit the Company from accepting as part payment for real estate sold by it a mortgage or hypothec thereon for more than sixty per cent of the sale price of such real estate.

Borrowing powers.

12. The directors may borrow money upon the credit of the Company, and limit or increase the amount to be borrowed; and may hypothecate, mortgage or pledge the real or personal property of the Company or both, to secure any money borrowed for the purposes of the Company.

Deposits outside of Canada.

13. The Company may deposit outside of Canada, such portion of its funds and securities as is necessary for the maintenance of any foreign branch or branches.

Terms, etc., of investments, loans, etc.

14. Any investment or loan which the Company is authorized to make may be made on such terms and conditions and in such manner, and at such times, and for such sums and in such sums of payment or repayment, whether of principal or interest, or of principal and interest together, as the directors may from time to time determine.

Disposal of Company's undertaking.

By-law requisite.

15. The Company may dispose of and transfer the undertaking and business of the Company, or any part thereof, for such consideration and on such terms as the Company may think fit; provided always that a by-law for such purpose shall be passed by the Board of Directors and confirmed by the votes of shareholders represented and voted upon at a special general meeting of the shareholders of the Company duly called for considering such by-law.

Acquisition of business etc., of other companies.

16. The Company may purchase or otherwise acquire all or any part of the business, undertaking, property and assets, and assume the liabilities of any company carrying

on or formed to carry on, either in Canada or elsewhere, any business which the Company is authorized to carry on, or of any company which is possessed of property suitable for the purposes of the Company and the Company shall have power to re-insure all and any part of any such business of any such company and to assume the liabilities of any such company.

Powers to promote and hold stock in companies.

17. The Company may promote and establish and hold stock in any company, association or bureau for printing, map making, inspection or other like objects, adjusting, rating and salving, or for supporting fire brigades, whether such company, association or bureau is dividend-paying or not; and the Company may act as an insurance underwriter, agent and settling agent.

To act as insurance agents.

Sharing profits, and co-operation with other companies.

18. The Company may enter into partnership or any joint-purse arrangement, or any arrangement or treaty for sharing profits, union of interests, joint adventure, reciprocal concession, or co-operation with any other company, firm or person carrying on or proposing or authorized to carry on any business or transaction which the Company is for the time being authorized to carry on, or any business or transaction capable of being conducted so as directly or indirectly to benefit the Company.

Amalgamation transfer of policies, property, etc.,

19. The Company may amalgamate its property and business with those of any other insurance company carrying on a business similar in whole or part to that of the Company, or may transfer all or any portion of its policies to, or reinsure the same in any such other company; or may transfer its property and business or any part thereof to any such other company or may re-insure the policies or any portion thereof of any such other company; or may purchase and take over the business and property, or any portion thereof, of any such company; and the Company is hereby authorized to enter into all contracts and agreements necessary to such amalgamation, transfer, re-insurance or purchase.

Benefits for employees.

20. The Company may establish and support, or aid in the establishment and support of, associations, institutions, funds, trusts and conveniences calculated to benefit persons employed by the Company or having dealings with the Company, and pay pensions and give gratuities to employees and ex-employees and other dependent on or connected with them, and make payments towards insurance, and subscribe or guarantee money for charitable or benevolent objects or for any exhibition or for any public, general or useful object.

1905, c. 107.

21. Notwithstanding anything contained in any other statute, chapter one hundred and seven of the statutes of 1905 is hereby declared to have remained and as amended by this Act to be in full force and effect.

Application of R.S., c. 101

22. The *Insurance Act* and all amendments thereto, shall apply to the Company to the same extent as if the Company were originally incorporated after the fourth day of May, one thousand nine hundred and ten.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 42.

An Act to incorporate The Port Huron and Sarnia Bridge Company.

First reading, February 15, 1928.

(PRIVATE BILL)

Mr. ODETTE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56706 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 42.

An Act to incorporate The Port Huron and Sarnia Bridge Company.

Preamble.

WHEREAS a petition has been presented praying that the persons hereinafter named may be constituted a corporation for the purpose of constructing, maintaining and operating a bridge across the St. Clair river at or near a suitable or convenient point in the city of Sarnia and/or the village of Point Edward in the province of Ontario, to a point at or near the city of Port Huron in the state of Michigan, one of the states of the United States of America. for the passage of pedestrians, carriages, electric cars, street cars, automobiles and other vehicles or other like purposes and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Robert McKenzie, William A. Watson, James C. Clark, George N. Galloway, Norman S. Gurd, Henry M. Taylor and Harold E. Fuller, all of the city of Sarnia in the county of Lambton; Peter McGregor Brown of the village of Camlachie in the said county of Lambton, E. R. Harrington, J. N. MacTaggart both of the city of Port Huron in the state of Michigan, and The Port Huron and Sarnia Ferry Company together with such persons as become shareholders in the company, are incorporated under the

Corporate name.

name of "The Port Huron and Sarnia Bridge Company" (hereinafter called the "Company").

Provisional directors.

2. (1) Robert McKenzie, William A. Watson, James C. Clark, George N. Galloway, Norman S. Gurd, Henry M. Taylor, Peter McGregor Brown, E. R. Harrington and J. N. MacTaggart are constituted provisional directors of the Company, and they shall have all the powers which are conferred upon directors elected by the shareholders, and five provisional directors shall form a quorum.

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

Capital stock.

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

Head office.

4. The head office of the Company shall be in the city of Sarnia, in the province of Ontario, but any general meeting of the shareholders of the Company whether annual or special may be held elsewhere than at the head office of the Company and may be held at the city of Port Huron in the state of Michigan, one of the United States of America.

Annual meeting.

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

Number of directors.

6. The number of the directors shall not be less than three nor more than nine, one or more of whom may be paid directors, and it shall not be necessary that a majority of the directors be resident in Canada or subjects of His Majesty.

Powers. Construct bridge across St. Clair river.

7. The Company may construct, maintain and operate a bridge across the St. Clair river for the passage of pedestrians, carriages, electric cars, street cars, automobiles and other vehicles and for any other like purpose, with all necessary approaches, terminals and other facilities and appurtenances, from some point in Canada within the corporate limits of the city of Sarnia, or from some point at or near the village of Point Edward, or from either or both of such points across the St. Clair river, to a point or points, at or near the city of Port Huron in the state of Michigan, so as not to interfere with navigation, and may purchase, acquire and hold such real estate, including lands for sidings and other equipment required for the convenient working of traffic to, from and over the said bridge as the Company thinks necessary for any of the said purposes; but the Company shall not commence the actual construction of the said bridge, nor exercise any of the powers hereunder, until an Act of Congress of the United States or other competent authority in that country has been passed authorizing or approving the bridging of said river, but the Company may, in the meantime, acquire the lands, submit their plans to the Governor in Council and do all other things authorized by this Act; Provided, always,

Real estate.

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

that no other bridge for a like purpose shall be constructed or located at any point nearer than ten miles from the location of the bridge of the Company, except with the consent of the Company or of the Governor in Council.

Location of bridge. Approval of plans by Governor in Council.

8. The said bridge shall be constructed and located under, and be subject to, such regulations for the security of navigation of the said river as the Governor in Council prescribes, and to such end the Company shall submit to the Governor in Council, for examination and approval, a design and drawing of the bridge, and a map of the location, giving the soundings, accurately showing the bed of the stream and the location of other bridges, and shall furnish such other information as is required for a full and satisfactory understanding of the subject; and until the said plans and location are approved by the Governor in Council the bridge shall not be built or commenced, and if any change is made in the plans of the said bridge during its construction, such change shall be subject to the approval of the Governor in Council and shall not be made or commenced until it is so approved.

Expropriation.

9. The Company may,—

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

R.S., c. 170.

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

(b) in reduction of the damage or injury to any lands taken or affected by such authorized works, abandon or grant to the owner or party interested therein, any portion of such lands, or any easement or interest therein, or make any structures, works or alterations in or upon its works for such purposes. And if the Company by its notice of expropriation or some subsequent notice, prior to the first meeting of the arbitrators, specify its decision to take only such easement or undertake to abandon or grant such lands or easement or interest in lands, or to make such structures or works or alterations, the damages (including damages,

if any, resulting from the change in the notice of expropriation) shall be assessed by the arbitrator or arbitrators appointed pursuant to the provisions of the *Railway Act*, in view of such specified decision or undertaking, and the arbitrator or arbitrators shall declare the basis of their award accordingly, and such award, as well as such specified decision or undertaking of the Company, may be enforced by the Board of Railway Commissioners of Canada.

R.S., c. 170.

Right of entry and compensation for damages.

(c) enter into and upon any lands, buildings or structures proximate to the said bridge, for the purpose of ascertaining the state of repair thereof, and for devising the best means of avoiding any possible damage which the execution of the authorized works might occasion thereto, and make upon or in connection therewith any works, repairs or renewals, for the purpose of preventing or mitigating any such damage, and the Company shall make compensation in the manner specified in the *Railway Act*, to all persons interested for the damage sustained by them (if any) by reason of the exercise of the powers in this clause contained;

R.S., c. 170.

R.S., c. 170.

(d) Section two hundred and thirty-nine of the *Railway Act*, shall apply to the exercise of the powers in this section granted so far as is necessary to enable the Company to carry them into effect.

Tolls.

Approval of tolls.

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

Bonding powers.

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

Mortgages.

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

Tolls and revenues.

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

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

12. The directors may issue as paid-up stock shares of the capital stock of the Company in payment for any businesses, franchises, undertakings, rights, powers, privileges, letters patent, inventions, real estate, stocks, assets and other properties which the Company may lawfully

acquire, and may, for such considerations, allot and hand over such shares to any person or corporation, or its shareholders or directors; and any such issue or allotment of stock shall be binding upon the Company and such stock shall not be assessable for calls, nor shall the holder thereof be liable in any way thereon; or the Company may pay therefor wholly or partly in paid-up shares or wholly or partly in debentures, as may be agreed upon.

May accept grants.

13. The Company may receive by grant from any government, municipality or person, as aid in the construction, equipment and maintenance of the said bridge and works connected therewith, any real or personal estate or property, or any sums of money, debentures, or subsidies, either as gifts by way of bonus or guarantee, or in payment or as subventions for services, and may dispose thereof, and may alienate such of the said property as is not required for the purposes of the Company in carrying out the provisions of this Act.

Amalgamation with other companies.

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

Approval by shareholders.

Sanction by Governor in Council.

Assets and liabilities of amalgamated company.

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

Borrowing powers.

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

Securing payment of bonds.

17. The Company in lieu of issuing its own bonds or other securities may mortgage, pledge, or hypothecate all its assets and undertakings, rights, franchises and privileges both present and future jointly and in conjunction with any of the companies referred to in section 14 hereof to secure payment of any bonds or other securities issued by such other company for the joint purposes of the Company and such other company in connection with the construction of the said bridge under any arrangement which may be entered into between the company and such other company in respect thereof and may execute and deliver mortgages or deeds of trust by way of mortgage to secure such payment; provided always that the Company shall not mortgage, pledge or hypothecate its assets, undertakings, rights, franchises and privileges or secure payment of any bonds or other securities to a greater amount than six million dollars.

Time for commencement and completion of bridge.

18. If the construction of the said bridge is not commenced within two years after the Governor in Council and the Executive of the United States or other competent authority therein have approved of such bridging or if the said bridge is not completed within seven years after such commencement then the powers granted by this Act shall

cease and be null and void as respects so much of the undertaking of the Company as then remains uncompleted; provided, however, that if such approval is not obtained within five years after the passing of this Act the powers granted for the construction of the said bridge shall cease and be null and void.

Bridge defined.

19. Whenever in this Act the expression "the said bridge" occurs it means the bridge, approaches, lands, works and facilities hereby authorized.

R.S., c. 27.

20. Section one hundred and fifty-nine of the *Companies Act* shall not apply to the Company.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 43.

An Act respecting the Bell Telephone Company of Canada.

First reading, February 15, 1928.

(PRIVATE BILL.)

Mr. EDWARDS
(Ottawa).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55389 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 43.

An Act respecting the Bell Telephone Company of Canada.

Preamble.
1880, c. 67;
1882, c. 95;
1884, c. 88;
1892, c. 67;
1894, c. 108;
1902, c. 41;
1906, c. 61;
1920, c. 100.

WHEREAS The Bell Telephone Company of Canada has by its petition prayed that it may be empowered to increase its capital stock, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Power to increase capital.

1. The capital stock of The Bell Telephone Company of Canada may be increased from time to time by such amounts as the shareholders may deem necessary for the proper extension of the undertakings of the Company, such increases to be effected by resolution of the Directors by and with the consent of a majority in value of the shareholders present or represented by proxy at any general annual meeting or at any special general meeting of shareholders called for that purpose: provided that the total capital of the said Company, including the present authorized stock, shall not exceed one hundred and fifty million dollars ($150,000,000).

Repeal.

2. Section one of chapter sixty-one of the statutes of 1906, and section four of chapter one hundred of the statutes of 1920, are hereby repealed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 44.

An Act to amend the Bank Act (Mergers).

First reading, February 15, 1928.

Mr. CHURCH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56840 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 44.

An Act to amend the Bank Act (Mergers).

R.S., c. 12.

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

Bank mergers.

1. Subsection two of section ninety-nine of the *Bank Act*, chapter twelve of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

Require approval by Parliament.

"(2) No agreement by a bank to sell the whole or any portion of its assets to another bank shall be of any force or effect until Parliament approves and confirms the agreement."

Application not required.

2. Section one hundred and two of the said Act is amended by striking out the words "and application may be made to the Governor in Council through the Minister for approval thereof," in the last two lines.

Approval of Governor in Council not required.

3. Subsection two of section one hundred and two of the said Act is hereby repealed.

EXPLANATORY NOTES.

1. Subsection 2 of section 99 reads as follows:—

"2. No agreement by a bank to sell the whole or any portion of its assets to another bank shall be made unless and until the Minister, in writing, consents that an agreement under subsection one of this section may be entered into between the two banks."

2. Section 102 provides that if the agreement is approved by the shareholders, the agreement may be executed under the seals of the banks, parties thereto, "and application may be made to the Governor in Council, through the Minister, for approval thereof."

3. Subsection 2 of section 102 reads as follows:—

"2. Until the agreement is approved by the Governor in Council it shall not be of any force or effect."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 45.

An Act to amend the Criminal Code (Greyhound Races).

First reading, February 16, 1928.

Mr. CHEVRIER.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56848 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 45.

An Act to amend the Criminal Code (Greyhound Races).

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

R.S., c. 36.

1. Section two hundred and thirty-five of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsection:—

Dog racing exhibitions.

"(4) The provisions of section two hundred and twenty-seven, of subsections one and two of section two hundred and twenty-nine and also the provisions of this section, shall not apply to bets or records of bets at dog racing exhibitions and sports if made through the agency of a pari-mutuel system as provided for in subsection two of this section, upon the race course of any association incorporated under the authority of any Act of the Dominion of Canada, or of any province thereof, during the actual progress of a race meeting conducted by the association upon races being run thereon: Provided that as to the race meetings at which there are dog races exclusively, no such race meeting continues for more than twelve days on which racing may be carried on in any one calendar month, and that no dog race meetings are held on the same grounds, for more than twenty-four days in all in any one calendar year, and that there be no more than nine races on any such day.

Explanatory Note.

The purpose of this Bill is to amend section 235 of the Criminal Code so as to cover greyhound racing. As the section now stands there is some doubt as to the legality of operating a pari-mutuel system of betting at greyhound races. No mention being made in the said section of dog races, it seems advisable that an amendment be introduced to make it clear that dog races will have at least the same advantages as horse races.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 46.

An Act respecting The Nipissing Central Railway Company.

First reading, February 20, 1928.

(PRIVATE BILL)

Mr. LANG.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55393 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 46.

An Act respecting The Nipissing Central Railway Company.

Preamble. 1907, c. 112; 1908, c. 135; 1913, c. 160; 1918, c. 56; 1923, c. 80.

WHEREAS The Nipissing Central Railway Company (hereinafter called the Company) has by its petition represented that it was authorized by its Act of incorporation, chapter one hundred and twelve of the statutes of 1907, to construct and operate certain lines of railway as therein set forth; and that the Company has commenced to construct and operate the said lines of railway but has been unable to complete the same within the time fixed by chapter eighty of the statutes of 1923, namely, the 13th day of June, one thousand nine hundred and twenty-eight; and prayed that the time for the completion of its lines of railway may be further extended, it is expedient to grant the prayer of the said petition; Therefore His Majesty by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:

Extension of time for completion.

1. The Company may within five years from the passing of this Act complete and put in operation the lines of railway and branch which the Company is by section seven of chapter one hundred and twelve of the statutes of 1907, section two of chapter fifty-six of the statutes of 1918 and section one of chapter eighty of the statutes of 1923 authorized to construct and operate, namely:

(a) Extending from a point in or near the town of Latchford, in the district of Nipissing, now the district of Temiskaming, in the province of Ontario, thence through the townships of Coleman, Bucke, Dymond, Harris and Casey to a point on or near Blanche river, thence in a northerly direction to a point at or near Windigo lake, thence in a northeasterly direction to a point on the line of the National Transcontinental in the province of Quebec at or near the Matagami river; also,

(b) Extending from Latchford in a course following the Montreal river through the townships of Coleman, Barr, Lundy, Auld, Cane, Barber, Tudhope, James, Smyth, Willison, Truax and Davidson, and thence in a northerly direction, by the most direct line to a point on the line of the National Transcontinental; also,

(c) Extending from Latchford in a southerly direction to a point at or near Temagami station; also,

(d) Extending from a point in or near New Liskeard in the said district of Nipissing, now the district of Temiskaming, in a westerly direction through the townships of Dymond, Hudson, Lundy and Auld to meet the line about described as *(b)*; also,

(e) Extending from a point at or near Windigo lake on the line about described as *(a)* in a westerly direction to the line of the Temiskaming and Northern Ontario Railway; also,

(f) Extending from a point in or near New Liskeard in a northwesterly direction through the townships of Kearns, Armstrong, Evanturel, Beauchamp and Dack to Charlton; also,

(g) A branch extending from a point in the township of Casey on the line about described as *(a)* to North Temiscamingue on the river des Quinze.

2. Section one of chapter eighty of the statutes of 1923 is hereby repealed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act to incorporate Canadian American International Bridge Company.

First Reading, February 20, 1928.

(PRIVATE BILL).

MR. EDWARDS
(Ottawa).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56854 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act to incorporate Canadian American International Bridge Company.

Preamble.

WHEREAS a petition has been presented praying that the persons hereinafter named may be constituted a corporation for the purpose of constructing, maintaining and operating a bridge across the St. Clair river from a point in the city of Sarnia or from a point in the village of Point Edward, or from a point in the township of Sarnia, all in the county of Lambton, in the province of Ontario, or from any or all of the said points over the river St. Clair to a point or points in the city of Port Huron or the county of St. Clair in the state of Michigan, one of the United States of America, for the passage of pedestrians, vehicles, carriages, electric cars or other like purposes, and to charge a toll therefor, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Walter John Gilhooly, of the city of Ottawa, in the county of Carleton, barrister-at-law; John Bolster Mulvey, of the city of Ottawa, in the county of Carleton, barrister-at-law; Clarence Clifford Baker, of the city of Ottawa, in the county of Carleton, barrister-at-law; Ernest Gordon Gowling, of the city of Ottawa, in the county of Carleton, barrister-at-law; Duncan Roy Kennedy, of the city of Ottawa, in the County of Carleton, barrister-at-law; together with such persons as become shareholders in Company, are incorporated under the name of "Canadian American International Bridge Company", hereinafter called "the Company".

Declaratory.

2. The works and undertakings of the Company are declared to be for the general advantage of Canada.

Provisional Directors.

3. (1) Walter John Gilhooly, John Bolster Mulvey, Clarence Clifford Baker, Ernest Gordon Gowling, and Duncan Roy Kennedy are constituted provisional directors of the Company and they shall have all the powers which are conferred upon directors elected by the shareholders, and three provisional directors shall form a quorum.

Company funds deposit.

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

Withdrawal.

Capital stock.

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

Head Office.

5. The head office of the Company shall be in the city of Sarnia, in the county of Lambton, in the province of Ontario.

Annual Meeting.

6. The annual meeting of the shareholders shall be held on the tenth day in June in each year, or on such other day as it is determined by by-law.

Powers construct bridge across St. Clair river.

7. (1) The Company may construct, maintain and operate a bridge across the St. Clair river for the passage of pedestrians, vehicles, carriages, electric cars or street cars and for any other like purpose, with all necessary approaches, from a point in the city of Sarnia or from a point in the village of Point Edward, or from a point in the township of Sarnia, all in the county of Lambton, in the province of Ontario, or from any or all of the said points over the river St. Clair to a point or points in the city of Port Huron or the county of St. Clair in the state of Michigan, one of the United States of America, and may purchase, acquire, and hold such real estate, including lands for sidings and equipment required for the convenient working of traffic to, from and over the said bridge as the Company thinks necessary for any of the said purposes; but the Company shall not commence the actual construction of the said bridge, nor exercise any of the powers hereunder, until an Act of Congress of the United States or other competent authority in that country has been passed authorizing or approving the said bridge but the Company may, in the meantime acquire the lands, submit their plans to the Governor in Council and do all other things authorized by this Act.

Real Estate.

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

Plans to be submitted to G. in C.

(2) The said bridge shall be constructed and located under, and be subject to, such regulations as the Governor in Council prescribes, and to such end the Company shall submit to the Governor in Council, for examination and approval, a design and drawing of the bridge, and a map

Any change in plans to be so submitted.

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

Expropriation under the *Railway Act*, R.S., c. 170.

8. The Company may,—

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

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

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

R.S., c. 170.

Right of entry and compensation for damages.

(c) enter into and upon any lands, buildings or structures proximate to the said bridge, for the purpose of ascertaining the state of repair thereof, and for devising the best means of avoiding any possible damage which the execution of the authorized works might occasion

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

R.S., c. 170.

Tolls.

9. The Company may charge tolls for the use of the said bridge, approaches and facilities, and may regulate the said tolls to be charged, provided, however, that such tolls be approved by the Governor-in-Council, who may herein revise the same from time to time, and such tolls shall be equal to all persons using the said bridge, approaches and facilities.

Issue bonds and other securities not exceeding $4,000,000

10. For the purpose of construction and completing the said bridge and for the acquiring of necessary lands therefor and for other corporate purposes the Company may issue debentures and or other securities to an amount not exceeding four million dollars; and notwithstanding any of the provisions of this Act or of the *Railway Act*, and for greater certainty it is declared that the Company in lieu of issuing its own bonds or other securities shall have power jointly and in conjunction with any company or companies incorporated under the laws of Canada or of the state of Michigan or of the United States to issue joint bonds and or debentures or other securities for any such purpose not in excess of the aforesaid amount; and for the purpose of securing any such bonds, debentures or other securities it may mortgage, pledge or hypothecate all or any part of its assets, rights, franchises and privileges in such form and manner and with such provisions as may be approved by a resolution passed at a special meeting of the shareholders called for the purpose.

R.S., c. 170.

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

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

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

12. The Company may receive by grant from any government, municipality or person, as aid in the construction, equipment, and maintenance of the said bridge and works connected therewith, any real or personal estate or property, or any sums of money, debentures or subsidies, either as gifts by way of bonus or guarantee, or in payment or as subventions for services, and may dispose thereof, and may alienate such of the aid property as is not required for the purposes of the Company in carrying out the provisions of this Act.

May alienate such.

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

Approved by shareholders.

Sanction of Governor in Council.

Assets and liabilities of amalgamated company.

14. Upon an amalgamation agreement being sanctioned by the Governor in Council under the last preceding section, the companies, parties to such agreement, shall be amalgamated, and shall form one company under the name and upon the terms and conditions in such agreement provided; and the amalgamated company shall possess and be vested with the undertakings, powers, right, privileges, franchises and properties, real, personal and mixed, belonging to, possessed by, or vested in the companies parties to such agreement, or either of them, or to which they or either of them may be or become entitled, and shall be liable for all

claims, debts, obligations, works, contracts, agreements or duties, to as full an extent as the said companies were or either of them was at the time the said amalgamation took effect.

Amalgamated company may borrow money and mortgage property.

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

Time for commencement and completion of bridge.

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

Proviso.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 48.

An Act respecting The Calgary and Fernie Railway Company.

First reading, February 20, 1928.

(PRIVATE BILL.)

Mr. GERSHAW.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56852 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 48.

An Act respecting The Calgary and Fernie Railway Company.

1906, c. 71; 1908, c. 89; 1910, c. 77; 1912, cc. 48, 72; 1913, c. 46; 1914, c. 75; 1915, c. 35; 1917, c. 47; 1919, c. 77; 1921, c. 55; 1923, c. 75; 1925, c. 58;

WHEREAS The Calgary and Fernie Railway Company has by its petition prayed that the time for the commencement and completion of its authorized line of railway may be extended, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction.

1. The Calgary and Fernie Railway Company may within two years from the passing of this Act commence the construction of a line of railway which it was authorized to construct by section seven of chapter seventy-one of the statutes of 1906, namely:—

From a point at or near the city of Calgary, in the province of Alberta, thence in a south-westerly direction by the most feasible route through Kananaskis Pass to the headwaters of the Elk River, in the province of British Columbia, thence following the valley of the Elk River to the city of Fernie, in the province of British Columbia; and may within the said period expend, including expenditure heretofore made, fifteen per cent of the amount of its capital stock thereon in survey, purchase of right of way and actual construction work, and may complete the said railway and put it in operation within five years after the passing of this Act; and if, within the said periods respectively, the said railway is not so commenced and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted: Provided that the Company shall within two years after the passing of this Act complete the construction of ten miles of the said railway, and if the Company fails to carry out the requirements of this

Proviso.

proviso, the powers of construction granted to it by this Act shall cease and be null and void.

Former limitations repealed.

2. Sections one and three of chapter fifty-eight of the statutes of 1925, are hereby repealed.

Bond executed and delivered.

3. The Calgary and Fernie Railway Company having executed and delivered a bond in the sum of ($25,000.00) twenty-five thousand dollars in favour of His Majesty in the right of the Government of Canada to the Minister of Railways and Canals, pursuant to section three of chapter fifty-eight of the statutes of Canada, 1925, and conditioned to secure the complete construction of ten miles of the railway not later than the twenty-seventh day of June, 1927, shall execute and deliver not later than the first day of October, 1928, to the Minister of the Railways and Canals a good and sufficient bond in the like sum and in lieu of the aforementioned bond, to be approved of by the said Minister, made in favour of the King in the right of the Government of Canada and conditioned to secure the complete construction of ten miles of the said railway within two years of the passing of this Act: Provided that if the Company fails to carry out the requirements of this section the powers of construction granted to it by this Act shall cease and be null and void.

Execution and delivery of bond.

EXPLANATORY NOTE.

2. Sections 1 and 3 of chapter 58 of the statutes of 1925 read as follows:—

"**1.** The Calgary and Fernie Railway Company may within two years from the passing of this Act commence the construction of a line of railway which it was authorized to construct by section seven of chapter seventy-one of the statutes of 1906, namely:—

From a point at or near the city of Calgary, in the province of Alberta, thence in a south-westerly direction by the most feasible route through Kananaskis Pass to the headwaters of the Elk River, in the province of British Columbia, thence following the valley of the Elk River to the city of Fernie, in the province of British Columbia;

and may within the said period expend, including expenditure heretofore made, fifteen per cent of the amount of its capital stock thereon in survey, purchase of right of way and actual construction work, and may complete the said railway and put it in operation within five years after the passing of this Act; and if, within the said periods respectively, the said railway is not so commenced and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted; Provided that the Company shall within two years after the passing of this Act complete the construction of ten miles of the said railway, and if the Company fails to carry out the requirements of this proviso, the powers of construction granted to it by this Act shall cease and be null and void.

3. The Calgary and Fernie Railway Company shall, not later than the first day of January, 1926, execute and deliver to the Minister of Railways and Canals a good and sufficient bond in the sum of twenty-five thousand dollars to be approved of by the said Minister, made in favour of the King in the right of the Government of Canada and conditioned to secure the complete construction of ten miles of the said railway within two years of the passing of this Act: Provided that if the Company fails to carry out the requirements of this section the powers of construction granted to it by this Act shall cease and be null and void."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 49.

An Act to incorporate The Canadian Credit Institute.

First reading, February 22, 1928.

(PRIVATE BILL.)

Mr. THORSON.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57297 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 49.

An Act to incorporate The Canadian Credit Institute.

Preamble.

WHEREAS the persons hereinafter named have by their petition prayed that they may be constituted a corporate body for the purpose of organizing and operating a national institute of credit men, and it is expedient to grant the prayer of the said petition: Therefore His Majesty by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Incorporation.

1. William Edward Davison, credit manager; William Pitt Riley, wholesale grocer; Theodore Edward Howard, wholesale merchant; Alexander Paterson, credit manager; Henry Detchon, general manager, and Edward Cecil Gilliat, manager, all of the city of Winnipeg, in the province of Manitoba, and all other persons who may from time to time be admitted to membership of the corporation are hereby constituted a body politic and corporate by the name of "The Canadian Credit Institute", hereinafter called "the Institute".

Corporate name.

Objects and powers.

2. The objects and powers of the Institute shall be:

(1) To organize, promote, operate and control a national institute of credit men and to examine into and improve conditions relating to the work of credit men throughout Canada and for the said purposes:

(a) To hold such examinations as may be found expedient;

(b) To determine as to the fitness of persons applying for membership;

(c) To fix standards of skill and competency;

(d) To grant certificates of efficiency to its members;

(e) To establish classes of membership;

(f) To determine the rights, privileges, terms and conditions of said classes.

Council.

3. The affairs and business of the Institute shall be managed by a Council consisting of not less than six and not more than twenty-one members, to be constituted in such manner as may be directed by by-law, and the persons named in section one of this Act shall constitute the first council.

Officers.

4. The Council shall elect from its members a president and one or more vice-presidents and such other officer or officers as may be provided by the by-laws and may appoint a secretary and a treasurer (the same person being eligible for both offices) who may or may not be members of the Institute.

Membership.

5. The Institute shall be composed of the persons named in section one of this Act and all other persons of whose qualifications and fitness the council approves, and who have been admitted to membership of the Institute.

Real property, etc.

6. Subject to provincial laws the Institute may take, purchase and hold any personal property, lands, buildings and hereditaments, for the purpose of the Institute only, and may sell, mortgage, pledge, hypothecate or alienate such property in any manner whatsoever, and may dispose thereof, but so that the Institute shall apply all its profits, if any, or other income, in promoting its objects and shall not at any time pay any dividends to its members. The provisions of his section shall not prevent the remuneration of members of the Council, or officers of the Institute for services rendered out of any surplus remaining after the ordinary expenses of the Institute have been met.

Remuneration of members.

General meetings.

7. The first general meeting of the Institute shall be held during the year one thousand nine hundred and twenty-eight at such time and place and upon such notice as the Council may decide. Subsequent general meetings shall be held as the by-laws of the Institute may provide, but at least once in each calendar year. At any general or special meeting members may be represented and vote by proxy, but no such proxy shall be exercised by a person who is not a member of the Institute.

Administration of the Institute.

8. The Council shall have full power in all things to administer the affairs of the Institute and may make, or cause to be made for the Institute, any description of contract which the Institute may by law enter into and may make by-laws for the governing of its members and the carrying out of its objects and powers and may from time to time repeal, amend or re-enact the same. Every such by-law, unless in the meantime confirmed at a general

meeting of the Institute called for the purpose of considering the same, shall have force only until the next annual general meeting, and in default of confirmation thereat, shall cease to have force; provided always that any by-law passed by the Council may be repealed, amended, varied or otherwise dealt with by the Institute, at any annual general meeting or at a special general meeting called for the purpose.

Affiliation.

9. The Institute may affiliate with any Association, University or Corporation having in whole or in part the same or similar objects.

When ceasing to be a member.

10. If any person ceases for any cause whatever to be a member of the Institute he shall not nor shall his representatives have any interest in or claim against the funds and property of the Institute.

Suspension and expulsion.

11. The Institute may by by-law provide for the suspension and expulsion, on complaint made in writing and after due enquiry into same, of any member for misconduct or violation of the rules or by-laws of the Institute.

Designation granted to members.

12. The Institute may grant the designations of "A. C.I.", "M.C.I." or "F.C.I." to credit men who become members of the Institute on completing by successful examination a course of study arranged by the Institute for the improvement of the educational qualifications of its members or by means of experience as credit men deemed by the Council to be sufficient, subject, however, to such rules and regulations as may be deemed expedient by the Institute.

Right to use designations.

13. No person shall be entitled to take or use the designations "Associate Credit Institute", "Member Credit Institute" or "Fellow Credit Institute" or the initials "A.C.I.", "M.C.I." or "F.C.I." either alone or in combination with any other words, or any name, title or designation implying that he is a member of the Institute unless he is a member of the Institute in good standing and registered as such, and has been granted the right to use any such designations by the Institute.

Borrowing and investing powers.

14. (1) The Institute may for the purpose of carrying out its objects and in such manner as the constitution may provide,—

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

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

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

(d) issue bonds, debentures, or other securities of the Institute for sums not less than one hundred dollars each, and pledge or sell such securities for such sums and at such prices as may be deemed expedient.

(e) hypothecate, mortgage or pledge any real or personal property of the Institute to secure any money so borrowed for the objects of the Institute, or any bonds, debentures or other securities as are determined by the by-law.

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

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 50.

An Act to incorporate The United Theological College, Montreal.

First reading, February 22, 1928.

(PRIVATE BILL.)

Mr. CAHAN.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57298 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 50.

An Act to incorporate The United Theological College, Montreal.

Preamble.

WHEREAS a petition has been presented by the members of the Board of Governors of the United Theological College, Montreal, praying that an Act may be passed constituting the said Board a Corporate Body; and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The members of the Board of Governors of The United Theological College, Montreal, an institution for the training of students for the Christian ministry, and for other forms of Christian service, established by a resolution of the General Council of the United Church of Canada passed on the fifteenth day of June, 1926, and such persons as may hereafter be appointed Governors of the Corporation, are hereby incorporated under the name of "The United Theological College, Montreal," hereinafter called "the Corporation."

Corporate name.

Power to train students for the ministry.

2. The Corporation shall have power to educate and train students for the Christian ministry and for other forms of Christian service.

General powers.

3. In addition to the general powers attaching to such a corporation by law and to those set forth elsewhere in this Act, the Corporation shall have power:—

(a) To acquire by purchase, gift, devise, bequest or otherwise any estate or property, real or personal, movable or immovable, or any interest or right to or in any estate or property, to or for its use and purposes. Provided always that the Corporation shall, within ten years after its acquisition of any such real estate, sell or otherwise dispose of and alienate so much of such real estate in Canada, not held by way

of security, as is not required for the use and occupation or purposes of the Corporation; and provided also that the value of the real estate held by, or in trust for, the Corporation at any one time in Canada shall not exceed three million dollars.

(b) To sell, donate, exchange, transfer, mortgage, hypothecate, lease or otherwise dispose of any such property or of any interest therein.

(c) To borrow money for the purposes of the Corporation and to mortgage, hypothecate or pledge any of its property, real or personal, movable or immovable, as security for any such loan.

(d) to exercise the powers enumerated in subsections *(b)* and *(c)* of this section in the same manner as private persons, so that neither the acquirer of property from nor the lender of money to the Corporation is to be concerned as to the application of the monies or other considerations given to the Corporation or the monies lent thereto.

(e) To make such by-laws, rules and regulations and to do all such lawful acts or things as it may deem expedient for the exercise of any power requisite to carry out its purposes.

(f) To affiliate with the Royal Institution for the Advancement of Learning, commonly known as McGill University, Montreal.

Administration by Board of Governors.

4. The affairs of the Corporation shall be managed by a Board of Governors, consisting of not more than thirty-five members, to be appointed by the General Council of The United Church of Canada at each regular session thereof, which Board shall have the power to appoint such officers and officials as it shall deem proper, and delegate any of its powers to Executive and other Committees, and to frame such rules of order and procedure for the conduct of its business as it may deem proper. One-fourth of the members of the Board from time to time in office shall be a quorum, but the Board may change the number of the quorum from time to time with the approval of the said General Council, or its Executive Committee.

Existing Board continued.

5. The first Board of Governors of the Corporation shall consist of the persons presently in office as Governors of The United Theological College, Montreal, and shall be entitled to hold office until their successors are appointed by the General Council of The United Church of Canada, such successors and all subsequent governors to hold office until their successors are appointed, but the Board of Governors shall have power to fill vacancies occurring in its number, the persons so appointed to hold office until the next regular appointment of Governors, or until their successors are appointed.

Faculty. How constituted.

6. The Faculty of the Corporation shall consist of the Principal and the Professors, and, as such, shall be entrusted with the educational work of the Corporation, and the enforcement of its regulations, under the direction of the Senate of the Corporation.

Senate.

7. The Corporation shall have a Senate composed of the members of the Faculty, the Board of Governors, and fifteen other persons appointed by the Faculty and the Board of Governors jointly to hold office for the space of two years, or until their successors are appointed. Vacancies may be filled by the Faculty and Board of Governors jointly.

Principal of the Corporation.

8. The Principal of the Corporation shall be *ex-officio* President of the Senate and Chairman of the Faculty, and shall have such other powers and prerogatives as the Senate may determine or as are customary or necessary for the proper discharge of the duties of his office.

Powers of the Senate.

9. The Senate shall have power and authority:—

(a) To determine the curricula of the Corporation;

(b) To enact regulations relating to examinations and the general educational work of the Corporation;

(c) To determine what degrees shall be conferred, upon whom and the conditions under which such degrees shall be conferred;

(d) To appoint Executive and other committees and delegate any of its powers and authorities thereto.

Conferring degrees.

10. The Corporation is hereby authorized to confer degrees in Divinity, and in any other subjects which may be included in its curricula, upon such persons as the Senate may recommend.

Seal.

11. The Corporation may have and use a Common Seal.

Nomination and appointment of professors.

12. The Principal and the Professors of the Corporation shall be nominated by the Senate and appointed by the Board of Governors, and may be relieved of their office by the Board of Governors, subject in either case to confirmation by the General Council of The United Church of Canada or the Executive Committee thereof.

Lecturers.

13. The Board of Governors of the Corporation shall have power to appoint lecturers and other officers of instruction other than professors and to terminate and revoke such appointments.

Affiliation with other institutions.

14. Subject to the authorization of the General Council of The United Church of Canada, or the Executive Committee thereof, the Corporation shall have power, from

time to time, to acquire and take over or affiliate with any other institution or institutions carrying on theological, religious or social instruction or training within the Dominion of Canada, by agreement therewith, and all its or their property, assets, rights and privileges; and to establish branches, and found institutions with similar objects, in any part or parts of the Dominion of Canada.

Transfer of existing powers.

15. The Corporation may exercise all the rights, authorities and privileges in connection with the Joint Board of the Theological Colleges affiliated with McGill University now vested in or exercised by the Congregational College of Canada, the Presbyterian College, Montreal, within The United Church of Canada, and the Wesleyan Theological College, Montreal, or any of them.

Consolidation of statutes.

16. The Congregational College of Canada, incorporated by the Statute of the late Province of Canada, 27-28 Victoria, chapter 162, amended by Acts of the Quebec Legislature, 47 Victoria, Cap. 49 and 52 Victoria, chapter 65, The Wesleyan Theological College, Montreal, incorporated by the statute of the Quebec Legislature, 42-43 Victoria, Cap. 73, amended by a statute of the Quebec Legislature, 50 Victoria, Cap. 35, and the Presbyterian College, Montreal, within The United Church of Canada, incorporated by resolution of the Executive Committee of the General Council of The United Church of Canada under the provisions of section 17, subsections *(a)* and *(b)*, of The United Church Act, 14-15 George V (Canada), chapter 100, passed on the 26th of May, 1926, and duly approved by the said General Council, are hereby consolidated with, absorbed by and merged into the Corporation.

Property vested in the Corporation.

17. The Corporation is hereby vested with the full ownership of all the property, real and personal, movable and immovable, corporeal and incorporeal, endowments, rights, titles and interests whatsoever of the Colleges enumerated in the next preceding section, which are hereby transferred to it, and it is hereby made responsible and liable for all their debts and liabilities.

Alumni.

18. All alumni of the said Congregational College of Canada, of the Presbyterian College, Montreal, up to and including the thirty-first day of May, 1926, and of the said Wesleyan Theological College, Montreal, who may apply therefor shall be enrolled as alumni of the Corporation, and be given all the rights and privileges thereunto attached.

Investment of funds.

19. The Corporation may invest its funds in any securities in which Life Assurance Companies are authorized, from time to time, by Parliament to invest.

Functions throughout Canada.

20. The Corporation may exercise its functions throughout the Dominion of Canada and elsewhere.

Principal office.

21. The principal office of the Corporation shall be at the city of Montreal, in the province of Quebec.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 51.

An Act to regulate the Sale and Inspection of Root Vegetables.

First reading, February 23, 1928.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53181 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 51.

An Act to regulate the Sale and Inspection of Root Vegetables.

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

Short title.

1. This Act may be cited as *The Root Vegetables Act.*

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

"Minister." *(a)* "Minister" means the Minister of Agriculture;

"Inspector." *(b)* "Inspector" means any person charged by the Minister with the enforcement of this Act;

"Vegetables." *(c)* "Vegetables" means such vegetables as may be prescribed by this Act, or regulations thereunder;

"Grade." *(d)* "Grade" means a grade defined by the Governor in Council;

"Container." *(e)* "Container" includes every package, sack, bag, barrel, crate, car or other receptacle used to contain vegetables.

Vegetables sold, etc., must comply with this Act and regulations.

3. No person shall sell, offer, expose, or have in possession for sale potatoes, onions, turnips, artichokes, beets, carrots, parsnips or such other vegetables as may be named in this Act or by the Governor in Council under the provisions of this Act unless such vegetables comply with all provisions of this Act and regulations made thereunder.

Vegetables to be sold by weight.

4. All potatoes, onions, turnips, artichokes, beets, carrots, parsnips or such other vegetables as may be named by the Governor in Council under the provisions of this Act, except as provided by this Act or by the Governor in Council under the provisions of this Act, shall be sold by

Explanatory Notes.

[The underlined matter is new. The words in italics show where changes are made.]

The purpose of this Act is to amend the Root Vegetables Act by repealing the sections which establish grades for potatoes and onions, and the sections establishing dimensions for containers, and providing that such grades and dimensions shall be prescribed by the Governor in Council.

The new Act provides for the inspection of all classes of vegetables, instead of dealing most particularly with potatoes and onions as was the case in the old Act.

Some changes are also made in the definition of vegetables to which the provisions of the Act shall not apply.

The Root Vegetable Act was chapter 43 of the Statutes of 1922, and is now chapter 181 of the Revised Statutes of Canada, 1927.

2. Paragraphs *(c)* and *(e)* of this section are new.

Paragraph *(d)* is altered. The corresponding definition in c. 181 reads as follows:—

"*(c)* 'grade' means a grade *described in sections three and four of this Act.*"

3. This section is new.

4. The corresponding section in c. 181 reads as follows:—

"**13.** All potatoes, onions, artichokes, beets, carrots, parsnips and turnips *offered for sale* shall be sold by weight, and the standard pound avoirdupois shall be the unit of weight used. *Provided that when any of the foregoing vegetables are offered for sale with the top leaves attached, commonly termed by the trade 'green vegetables', or when potatoes are sold or offered for sale by the closed barrel, this section shall not apply to the same.*"

weight and the standard pound avoirdupois shall be the unit of weight used.

Export from Canada.

5. No vegetables shall be exported from Canada unless the same conform to such requirements as the Governor in Council may by regulation prescribe.

Barrels to be well filled.

6. No person shall sell or offer, expose or have in his possession any potatoes for sale by the closed barrel unless every such barrel is well and properly filled.

Unfit for food.

7. No person shall sell or offer for sale for human consumption any vegetables so diseased or otherwise depreciated as to render them unfit for human consumption.

Fraudulent packing.

False representation defined.

8. No person shall sell or offer for sale any vegetables packed in any container, in which the faced or shown surface gives a false representation of the contents of such container; and it shall be considered a false representation when more than ten per cent of such vegetables are substantially smaller in size than or inferior in grade to those on the faced or shown surface.

Marks to be removed.

9. Every person who by himself or through the agency of another person, again uses for the sale of vegetables any container upon which appears any of the marks required by this Act or regulations thereunder, shall cause such marks to be completely removed, erased or obliterated.

Advisory Board.

10. (1) The Minister shall have power to appoint an Advisory Board which may, at his request, prepare and recommend to him such standards and grades for vegetables and containers thereof as should be established under this Act.

Inspectors.

(2) Such inspectors and other officers as are deemed necessary may be appointed for carrying out the provisions of this Act and the regulations made thereunder.

Power to enter premises.

11. Any inspector may enter upon any premises to make examination of any vegetables suspected of being marked or packed in violation of any of the provisions of this Act, or any regulations made thereunder, whether such vegetables are on the premises of the owner or on other premises or in the possession of a railway or a steamship company.

5. This section is new.

6. This section is the same as section 12 of c. 181.

7. The corresponding section in c. 181 reads as follows:—

"**9.** No person shall sell or offer for sale for human consumption *any potatoes or onions* so diseased or otherwise depreciated as to render them unfit for such purpose."

8. This section reads as follows in c. 181:—

"**10.** No person shall sell or offer for sale any *potatoes or onions* packed in any *package*, in which the faced or shown surface gives a false representation of the contents of such *package;* and it shall be considered a false representation when more than ten per cent of such *potatoes or onions* are substantially smaller in size than or inferior in grade to those on the faced or shown surface."

9. This section reads as follows in c. 181:—

"**7.** Every person who, by himself or through the agency of another person, again uses for the sale of *potatoes or onions* any *bag, barrel or crate* upon which appears any of the marks required by this Act shall cause such marks to be completely removed, erased and obliterated."

10. This section is new.

11. This section reads as follows in c. 181:—

"**14.** Any inspector may enter upon any premises to make examination of any *potatoes or onions* suspected of being marked or packed in violation of any of the provisions of this Act, whether such *potatoes or onions* are on the premises of the owner or on other premises, or in the possession of a railway or steamship company."

Power to detain shipments of vegetables.

12. Any inspector may detain for the time necessary to complete his inspection any shipment of vegetables in respect of which he has reasonable grounds for believing there is a violation of the Act; such vegetables shall at all times be at the risk and charges of the owner thereof; and any inspector detaining vegetables shall give the owner, where ascertained, notice by prepaid telegram or letter that such vegetables are being detained in storage or otherwise, as the case may be.

False marking.

13. (1) Whenever any vegetables packed in any container are found to be falsely marked, the inspector may mark the words "Below Grade" in a plain and indelible manner on the container, or he may efface such false marks and place the proper grade mark upon the container.

Notice.

(2) The inspector shall give notice by letter or by telegram to the packer whose name is marked on the container within twenty-four hours after he marks the words "Below Grade" on the container or has reduced the grade on the container.

Certificate to be *prima facie* evidence.

14. An inspection certificate signed by an inspector or any person charged with the enforcement of this Act or regulations made thereunder, shall be *prima facie* evidence of the truth of the statements contained therein.

Regulations.

15. (1) The Governor in Council may make regulations:—

(a) For the establishment of grades for vegetables intended for sale;

(b) Prescribing standard containers for vegetables, including the dimensions and materials of which such containers shall be made;

(c) Prescribing the units of sale for vegetables in small quantities;

(d) Prescribing brands or marks and the manner in which same shall be placed on vegetable containers;

(e) For issuing inspection certificates and the imposition of fees for same;

(f) To prescribe the time when any regulation shall come into operation, the particular kind or kinds of vegetables to which it shall apply, and the part or parts of Canada within which it shall be in force;

(g) Deemed by him to be necessary to secure the efficient operation and enforcement of this Act.

12. This section is new.

13. This section reads as follows in c. 181:—

"**8.** (1) Whenever any *potatoes or onions in any package* are found to be falsely marked, the inspector may mark the words 'Below Grade' in a plain and indelible manner on the *package*, or he may efface such false marks and place the proper grade upon the *package*.

(2) The inspector shall give notice by letter or by telegram to the packer whose name is marked on the *package* within twenty-four hours after he marks the words 'Below Grade' on the package or has reduced the grade on the *package*."

14. This section is new.

15. The corresponding section in c. 181 reads as follows:—

"**5.** *The Governor in Council may make regulations prescribing the quality, form and dimensions of all containers in which potatoes shall be packed, and the materials of which such containers shall be made, and may prescribe penalties not exceeding fifty dollars and in default of payment of any such penalty imprisonment for any term not exceeding one month, for the violation of any of the provisions of any such regulations.*

(2) *Such penalties shall be recoverable upon summary conviction under Part XV of the Criminal Code relating to summary convictions.*

(3) *The regulations so made shall be published in the Canada Gazette, and shall have the force of law from the date of such publication.*"

Publication.

(2) Such regulations shall come into effect from the date of publication in the Canada Gazette except as provided in paragraph *(f)* of subsection one of this section.

Penalty for violation of Act.

16. Every person who by himself or through the agency of another person violates any of the provisions of this Act or regulations made thereunder shall be liable upon summary conviction, for the first offence to a fine not exceeding twenty-five dollars and not less than ten dollars, for the second offence to a fine not exceeding fifty dollars and not less than twenty-five dollars, and for the third and each subsequent offence to a fine not exceeding two hundred dollars and not less than fifty dollars, together in all cases with the costs of prosecution, and in default of payment of such fine and costs shall be liable to imprisonment for any term not exceeding one month unless such fine and costs and the costs of enforcing them are sooner paid.

Penalty for changing, etc., marks.

17. Every person who, not being an inspector, wilfully alters, effaces, or obliterates, wholly or partially, or causes to be altered, effaced or obliterated, any marks on any container which has undergone inspection, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding one hundred dollars.

Penalty for obstructing inspector.

18. Every person who obstructs any person charged with the enforcement of this Act or regulations made thereunder in entering premises to make examination of vegetables as provided by this Act, or who refuses to permit the making of any such examination, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding five hundred dollars and not less than twenty-five dollars, and in default of payment of such penalty and costs shall be liable to imprisonment for a term not exceeding six months unless such fine and all costs are sooner paid.

Penalty for careless handling, wilfully destroying, etc.

19. Every person who carelessly handles, wilfully destroys or pilfers any vegetables packed in any container prescribed in this Act or regulations made thereunder, shall be guilty of an offence and liable upon summary conviction to a penalty not exceeding twenty-five dollars.

Place of sale to be held situ of offence.

20. For the purpose of jurisdiction under Part XV of the *Criminal Code* in any complaint, information or conviction of any of the provisions of this Act or regulations made thereunder, the matter complained of may be alleged

16. This section is the same as section 15 of chapter 181 except that the underlined words "or regulations made thereunder" are inserted. The effect is to make the penalties apply to any violation of the regulations as well as of the Act.

17. This section reads as follows in c. 181:—

"**16.** Every person who, not being an inspector, wilfully alters, effaces or obliterates, wholly or partially, or causes to be altered, effaced or obliterated, any marks on any *package* which has undergone inspection, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding one hundred dollars."

18. This section reads as follows in c. 181:—

"**17.** Every person who obstructs any person charged with the enforcement of this Act in entering premises to make examination of *potatoes or onions* as provided by this Act, or who refuses to permit the making of any such examination, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding five hundred dollars and not less than twenty-five dollars, and in default of payment of such penalty and costs shall be liable to imprisonment for a term not exceeding six months unless such fine and all costs are sooner paid."

19. This section is new.

20. This section reads as follows in c. 181:—

"**18.** For the purpose of jurisdiction under Part XV of the *Criminal Code* in any complaint, information or conviction of any of the provisions of this Act, the matter complained of may be alleged and shall be held to have arisen at the place where the *potatoes or onions* were offered or had in possession for sale, or at the residence or usual place of residence of the accused."

and shall be held to have arisen at the place where the vegetables were offered or had in possession for sale, or at the residence or usual place of residence of the accused.

Vegetables excepted from operation of Act.

21. The provisions of this Act or regulations made thereunder, shall not apply,—

(a) to new potatoes when shipped between the first day of July and the thirtieth day of September, both dates inclusive;

(b) to certified seed potatoes as defined in the regulations under *The Destructive Insect and Pest Act;* R.S., c. 47.

(c) to what are commonly termed "green onions" or other vegetables with top leaves attached;

(d) to what are commonly known as "pickling onions" or

(e) to any vegetables for export where compliance with the said provisions would prevent the sale or export of such vegetables to any foreign market.

R.S., c. 181 repealed.

22. Chapter one hundred and eighty-one of the Revised Statutes of Canada, 1927, *An Act to regulate the Sale and Inspection of Root Vegetables* is repealed.

21. The corresponding section in c. 181 reads as follows:—

"19. The provisions of this Act shall not apply,—

(a) to new potatoes when shipped between the first day of *June* and the thirtieth day of September, both dates inclusive;

(b) *to seed potatoes;*

(c) to what are commonly termed 'green onions'; or,

(d) to any *potatoes or onions* for export where compliance with the said provisions would prevent the sale or export of such potatoes or onions to any foreign market."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 52.

An Act respecting the Canadian Pacific Railway Company.

First reading, February 23, 1928.

(PRIVATE BILL.)

Mr. SPEAKMAN.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54971 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 52.

An Act respecting the Canadian Pacific Railway Company.

Preamble.

WHEREAS the Canadian Pacific Railway Company has by its petition prayed for the passing of an Act authorizing it to construct certain lines of railway, as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

Lines of railway in Alberta authorized.

1. The Canadian Pacific Railway Company, hereinafter called the "Company", may within two years after the passing of this Act commence to construct the following lines of railway:—

From a point on the Langdon North branch.

(a) From a point at or near Acme on its Langdon North branch in township twenty-nine, range twenty-five, west of the fourth meridian, thence in a generally northerly and northwesterly direction to a point in township thirty-three, range twenty-six or twenty-seven, west of the fourth meridian, a distance of about twenty-five miles, all in the province of Alberta;

From a point on the Rosemary North branch.

(b) From a point on its Rosemary North branch in township twenty-one, range fifteen, west of the fourth meridian, thence in a generally northwesterly direction to a point in township twenty-three, range sixteen, west of the fourth meridian, all in the province of Alberta;

Time for completion.

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

Issue of securities.

2. (1) The Company may issue bonds, debentures or other securities to the extent of forty thousand dollars

per mile, constructed or under contract to be constructed, of the lines of railway described in section one hereof.

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

R.S., c. 170.

R.S., c. 170.

Issue of consolidated debenture stock in lieu of bonds.

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

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 53.

An Act respecting the Manitoba and North Western Railway Company of Canada.

First reading, February 23, 1928.

(PRIVATE BILL.)

Mr. McLEAN
(Melfort).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54974 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 53.

An Act respecting the Manitoba and North Western Railway Company of Canada.

1893, c. 52; 1908, c. 126; 1910, c. 121; 1911, c. 109; 1912, c. 115; 1913, c. 144; 1914, c. 97; 1915, c. 47; 1919, c. 90; 1921, c. 65; 1923, c. 78; 1925, c. 62.

Preamble.

WHEREAS the Manitoba and North Western Railway Company of Canada has by its petition prayed that the time for the completion of the line of railway authorized by chapter sixty-five of the statutes of 1921, namely, from a point at or near Tuffnell to the City of Prince Albert, be extended, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

Extension of time for completion.

1. The Manitoba and North Western Railway Company of Canada, hereinafter called "the Company", may within five years after the passing of this Act complete and put in operation the line of railway which it was authorized to construct by paragraph *(a)*, section one, chapter sixty-five, of the statutes of 1921, as amended by paragraph *(a)*, section one, chapter seventy-eight, of the statutes of 1923, namely:—

From a point at or near Tuffnell.

From a point at or near Tuffnell on its line or railway in or about township thirty, range ten or eleven, west of the second meridian, thence northwesterly, northerly and westerly to a crossing of the North Saskatchewan River in or about townships forty-nine, fifty or fifty-one, range fourteen or fifteen, west of the second meridian, thence in a westerly direction to the city of Prince Albert; and if the said line of railway is not so completed and put in operation within the said period, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said line as shall then remain uncompleted.

54.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 54.

An Act to amend the Excise Act.

First reading, March 1, 1928.

The MINISTER OF NATIONAL REVENUE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56056 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 54.

An Act to amend the Excise Act.

R.S., c. 60.

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

1. Section ten of the *Excise Act*, chapter sixty of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

Minister may refuse or suspend license.

"**10.** The Minister may for any reason which he deems sufficient in the public interest refuse to issue any license or to grant any privilege authorized by this Act, or may suspend, cancel or revoke a license granted or any privilege given by this Act."

2. Section one hundred and seventy-one of the said Act is repealed and the following substituted therefor:—

Bottling spirits in bond.

"**171.** The Governor in Council may make such regulations as to him seem necessary for allowing the bottling of spirits in bond, at the distillery where the spirits were manufactured, or for the bottling of alcohol of a minimum strength of sixty-five over proof by Sikes' hydrometer at the bonded warehouse of any Provincial Liquor Commission, and for their removal therefrom after being so bottled."

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

Duties of excise on imitation beer.

"**198.** There shall be imposed, levied and collected on every gallon of any fermented beverage made in imitation of beer or malt liquor and brewed in whole or in part from any other substance than barley malt, a duty of excise of fifteen cents, which shall be paid to the collector as herein required: Provided the duty of excise hereby imposed shall not be payable when such fermented beverage is exported in bond under regulations prescribed by the Governor in

Explanatory Notes.

New matter is underlined in the text of the Bill. Italics are used where possible to indicate changes.

1. The section repealed reads as follows:—

"**10.** The Minister may for any reason which he deems sufficient in the public interest refuse to issue any license authorized by this Act."

The existing section empowers the Minister for any reason which he deems sufficient in the public interest to refuse to issue a license, but a license once granted cannot be cancelled or revoked. It is proposed to empower the Minister to suspend cancel or revoke a license granted or any privilege given by the Act to individuals in cases where it is apparent that the license or privilege has been abused.

2. The section repealed reads as follows:—

"**171.** The Governor in Council may make such regulations as to him seem necessary for allowing the bottling of spirits in bond, at the distillery where the spirits were manufactured, and for their removal therefrom after being so bottled."

The existing section empowers the Governor in Council by regulation to authorize the bottling of spirits in the distillery when they are manufactured. The amendment is designed to enable Provincial Liquor Commissions to bottle 65 o.p. alcohol in bond under Excise supervision.

3. The section repealed reads as follows:—

198. There shall be imposed, levied and collected on every gallon of any fermented beverage made in imitation of beer or malt liquor, and brewed in whole or in part from any other substance then *malt*, a duty of excise of fifteen cents, which shall be paid to the collector as herein required: Provided that any brewer using sugar, syrup or other saccharine matter in the manufacture of *beer*, and having previously given *ten days'* notice in writing, to the collector of his intention to use such sugar, syrup or other saccharine matter, *and paying the duty hereinbefore mentioned on the beer made therewith*, may receive a drawback equal to the duty of excise paid by him on the malt used with such sugar, syrup or other saccharine matter in making such *beer*, under such restrictions and regulations as the Department prescribes.

The amendment provides for the export in bond of rice beer, etc., and the wording has been changed to make it clear that the duty is intended to apply to all beer other than that brewed entirely for barley malt.

Council: Provided further that any brewer using sugar, syrup or other saccharine matter in the manufacture of any such beverage and having previously given twenty-four hours notice in writing, to the collector of his intention to use such sugar, syrup or other saccharine matter and paying the duty hereinbefore mentioned on the fermented beverage made therewith or entering such beverage for warehouse, may receive a drawback equal to the duty of excise paid by him on the malt used with such sugar, syrup or other saccharine matter in making such beverage under such restrictions and regulations as the Department prescribes."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 55.

An Act to amend the Railway Act.

First reading, March 1, 1928.

Mr. PETTIT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58220 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 55.

An Act to amend the Railway Act.

R.S., c. 170.

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

1. Subsection one of section three hundred and eight of the *Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927, is hereby repealed, and the following is substituted therefor:—

Use of bell and whistle.

"**308.** When any train is approaching a highway crossing at rail level the engine whistle shall be sounded at least eighty rods, and again sounded at a point forty rods and twenty rods, before reaching such crossing, and the bell shall be rung continuously from the time of the first sounding of the whistle until the engine has crossed such highway."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 56.

An Act respecting the Sun Life Assurance Company of Canada.

First reading, March 2, 1928.

(PRIVATE BILL)

Sir EUGENE FISET.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58067 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 56.

An Act respecting the Sun Life Assurance Company of Canada.

Preamble.
1865, c. 43; 1870, c. 58; 1871, c. 53; 1882, c. 100; 1897, c. 82.

WHEREAS a petition has been presented by the Sun Life Assurance Company of Canada, incorporated and established by chapter forty-three of the statutes of the Province of Canada, 1865, and by the Acts amending the same, praying for the passing of an Act to increase its capital stock, to change the par value of its shares, to alter the stock qualification of its directors, to permit and legalize donations and contributions for health and welfare purposes, to divide the stock into different classes, and for other amendments incidental thereto, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Increase of capital.

1. The capital of the Company shall be five million dollars, and the unissued portion thereof may be issued from time to time by the directors in such amounts as they may deem in the interests of the Company.

Conditions of calls in excess of 25% of amount subscribed.

2. Except as hereinafter provided no sums in excess of twenty-five per cent of the amount subscribed thereon shall be called by the directors or received by the Company as payment on account of any shares of the capital stock which may be hereafter issued, except under the authority of and in accordance with the terms of such general enactment, if any, as may be passed by the Parliament of Canada dealing with all life insurance companies which have a capital stock and derive their powers from the said Parliament of Canada, unless the capital of the said Company should at any time become impaired, as defined in subsection two of section seventy of the *Insurance Act*, or the Company should in any year fail to declare dividends to the holders of its participating policies.

R.S., c. 101.

EXPLANATORY NOTES.

1. The capital of the Company is now two million dollars.

2. Section 70 (2) of the *Insurance Act*, reads as follows:—

"The capital of a company shall be deemed to be impaired when its assets, exclusive of its paid-up capital, are less than its liabilities calculated according to the requirements of this Act."

Par value of shares to be ten dollars.

3. The par value of the shares of the capital stock shall be ten dollars per share, and every holder of a share or shares of the par value of one hundred dollars each shall be registered on the books of the Company as holding ten shares of the par value of ten dollars each for every share of the par value of one hundred dollars held by him.

Classes of shares.

4. The shares of the capital stock at present issued and outstanding shall be described and classed as "Class A" stock. Any shares of capital stock which may be issued hereafter shall be described and classed as "Class B" stock.

At each annual meeting it shall be the duty of the holders of "Class B" stock, present or represented, to estimate and establish by resolution the real value of the shares of such "Class B" stock, such estimation to be based on the value of the equity belonging or accruing to the capital stock in the surplus and other funds of the Company, as shown by the statements of its affairs then before them, unless some other value be established by resolution of the Board of Directors and confirmed by the unanimous vote of the said holders of "Class B" stock at an annual meeting; and if at any time any shares of such "Class B" stock are offered for sale and notice thereof is lodged with the Company, or if the sale has not been recorded in the Company's books, or if any of the said shares is transmitted or transferred in any manner whatsoever except by legacy, inheritance or donation, and if proof of such transmission or transfer, satisfactory to the directors, is lodged with the Company, the Company shall, during the two months thereafter, have the right to designate a purchaser or purchasers for such shares, and the purchaser or purchasers so designated shall have the privilege of acquiring the said shares so offered for sale or transfer or transmission as aforesaid on payment or offer of the price of such shares calculated according to the value as established in the manner aforesaid at the then last annual meeting of the Company.

Sale or transfer of "Class B" stock.

No sale or transfer of any of the shares of such "Class B" stock in any manner except by legacy, inheritance or donation, may be made without the formal approval of the directors.

Approval of transfer.

The directors, if they see fit, may approve of any transfer or transmission of any such share or shares and may direct that the person entitled thereunder be registered as a shareholder in respect of the share or shares embraced in any such transfer or transmission, and such transfer or transmission so approved shall be valid and binding notwithstanding anything herein contained.

Surrender of shares for exchange.

5. The directors may provide by by-law that any holder or holders of shares now outstanding (Class A stock) may surrender such shares to the Company for exchange into

"Class B" shares, on such terms and on such basis of respective values as may be therein set forth, and may receive in payment thereof or exchange therefor

Sale of shares to employees and policy-holders.

6. Of any stock which may be hereafter issued, the directors may sell not more than thirty per cent thereof to employees and policyholders of the Company, such sales to be made to such persons and at such times and at such prices as the directors may consider advisable, but not more than one hundred of such shares may be so sold to any one person.

Qualification of share-holders' directors.

7. The stock qualification of a shareholders' director shall be twenty-five shares of the capital stock of the Company of the par value of ten dollars each which he must own at the time of his election and during his continuance in office.

Dividends.

8. The directors may, for the purpose of preparing a dividend, from time to time declare the Company's books closed to transfers of stock for a period not exceeding fifteen days, and such dividend shall be payable to shareholders appearing as such on the books at the time of closing.

Donations and contributions.

9. The directors may from time to time make, as administration expenses, such reasonable donations and contributions for public health or welfare as they may deem advisable. All such donations and contributions heretofore made by the Company or by the Board are approved and legalized.

Meeting of board of directors.

10. Section seventeen of the said Act of incorporation, chapter forty-three of the statutes of the Province of Canada, is hereby repealed.

11. Section nineteen of the said Act of incorporation is hereby repealed and the following is substituted therefor:—

Signing of policies, etc.

"**19.** All policies, cheques or other instruments issued or entered into by the said Company, shall be signed by the president, vice-president or managing director and by the

10. The section repealed reads as follows:—

"**17.** There shall be a weekly or semi-monthly (as may be fixed by the By-laws of the Company) meeting of the board of Directors of the said Company, and any three or more of the said Directors shall be a quorum for the purpose of transacting and managing the details of the business and affairs of the said Company; and at all meetings of the board of Directors, all questions before them shall be decided by a majority of voices or votes, and in case of an equality of votes, the president, vice-president or presiding Director, shall give the casting vote over and above his proper vote as a Director; provided always, that nothing herein contained shall be construed to authorize the making, altering or repealing of any By-laws or ordinances of the said Company, or calling any instalments on stock, or declaring dividends of profits, or the appointment of managing Director, Secretary or Treasurer, or the appointments of salaries to, or securities from, officers or agents of the said Company, by any less number of Directors, or in any other manner than is hereinbefore mentioned and provided."

11. Section nineteen reads as follows:—(The amendments consist in striking out the words in italics.)

"**19.** All policies, checks or other instruments issued or entered into by the said Company, shall be signed by the president, vice-president or managing Director and *countersigned* by the secretary, or as otherwise directed by the rules and regulations of the Company, *in case of their absence*, and being so signed and countersigned, and *under the seal of the said Company*, shall be deemed valid and binding upon them according to the tenor and meaning thereof."

secretary, or as otherwise directed by the rules and regulations of the Company, and being so signed shall be deemed valid and binding upon the Company according to the tenor and meaning thereof."

Further powers as to investment of funds.

12. Section three of chapter one hundred of the statutes of 1882 is hereby repealed.

Investments authorized.

13. Section one of chapter eighty-two of the statutes of 1897 is hereby repealed.

14. All provisions of the said Act of incorporation and the acts amending it which are inconsistent with this Act are hereby amended to accord herewith.

12. The section repealed reads as follows:—

"**3.** The Company, in addition to the powers given by the said Act, may invest their funds or any part thereof in the public or other securities of Great Britain or any of her dependencies, or of any foreign State or States whenever it shall be necessary so to do in order to enable the Company to carry on business in such foreign State or States, and in such manner as the Directors may elect, and may, from time to time, vary or sell the said securities and investments, or pledge the same as occasion may require: Provided always, that the investments of the Company in the securities of any foreign State or States for the purpose of carrying on business therein as aforesaid, shall, at no time, exceed the amount necessary to enable the Company so to do in accordance with the laws of such foreign State or States."

13. The section repealed reads as follows:—

"**1.** The Sun Life Assurance Company of Canada, hereinafter called "the Company," may, in addition to the powers heretofore conferred upon the Company, invest its funds in ground rents on real estate or mortgage security, thereon, in any province of Canada, and in or upon any bonds or debentures of any state of the United States, or of any municipality in the United States, or in mortgage on real estate therein; but the amount so invested in the United States shall not at any time exceed the reserve upon all outstanding policies in force in the United States; and such reserve shall be calculated upon the basis prescribed by *The Insurance Act.*

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 57.

An Act respecting The Edmonton, Dunvegan and British Columbia Railway Company.

First reading, March 2, 1928.

(PRIVATE BILL)

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54972 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 57.

An Act respecting The Edmonton, Dunvegan and British Columbia Railway Company.

1907, c. 85; 1908, c. 104; 1910, c. 94; 1915, cc. 41, 42; 1922, c. 57.

Preamble.

WHEREAS The Edmonton, Dunvegan and British Columbia Railway Company has by its petition prayed that it may be authorized to construct and operate an extension of its main line of railway, and also of its Grande Prairie branch line, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

New branch lines authorized.

1. The Edmonton, Dunvegan and British Columbia Railway Company, hereinafter called "the Company", may lay out, construct, maintain and operate:—

From mile 357 a distance of 68 miles.

(a) An extension of its main line of railway, from mile 357 at or near Spirit river in the province of Alberta, by the most feasible route and in a generally westerly direction a distance of one hundred and two miles more or less to a point in township seventy-seven to seventy-eight, range eighteen, west of the sixth meridian in the province of British Columbia, and

An extension of the Grande Prairie branch.

(b) An extension of the Grande Prairie branch of its existing line of railway from mileage sixty-five at or near Wembley in the province of Alberta by the most feasible route and in a generally northerly and westerly direction a distance of eighty-six miles more or less to a point in township seventy-eight, ranges fourteen or fifteen, west of the sixth meridian in the province of British Columbia.

Limit of time for construction and completion.

2. The Company may within two years from the date of the passing of this Act commence to construct the lines of railway authorized by section one of this Act, and may within five years of the said date, complete the said lines of railway; and, if within the said periods respectively, the

said lines are not commenced or are not completed and put in operation, the powers of construction conferred upon the Company by Parliament, shall cease and be null and void as respects so much thereof as then remains uncompleted.

Issue of securities.

3. The Company may issue bonds, debentures, or other securities to the amount of Forty Thousand Dollars per mile, constructed or under contract to be constructed, of the lines of railway authorized by this Act.

58.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 58.

An Act to incorporate the London and Port Burwell Railway Company.

First reading, March 6, 1928.

(PRIVATE BILL)

Mr. TAYLOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55391 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 58.

An Act to incorporate the London and Port Burwell Railway Company.

Preamble.

WHEREAS a petition has been presented praying for the incorporation of a company to construct and operate a railway from Port Burwell on the North shore of Lake Erie to the city of London, both within the province of Ontario, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. John H. Teall, gentleman, Donald F. Gibson, barrister-at-law, Frederick A. Ramsay, merchant, all of the town of Tillsonburg, in the county of Oxford, Virgil L. Lockrow, of the city of Birmingham, in the state of Michigan, one of the United States of America, attorney-at-law, and Robert Lee Harp, of the city of Detroit, in the state said of Michigan, merchant, together with such persons as become shareholders in the Company, are incorporated under the name of "London and Port Burwell Railway Company", hereafter called "The Company".

Corporate name.

Declaratory.

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

Provisional directors.

3. The persons named in section one of this Act are hereby constituted provisional directors of the Company.

Capital stock.

4. The capital stock of the Company shall be five hundred thousand dollars.

Issue of preference stock.

5. (1) The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders

representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock and preference stock so issued shall have such preference and priority, as respects dividends or otherwise over ordinary stock, as is declared by such resolution.

(2) Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of the *Railway Act*, and shall, in all respects, other than the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

R.S., c. 170.

Head office.

6. The head office of the Company shall be in the town of Port Burwell, in the county of Elgin.

Annual meeting.

7. The annual meeting of the shareholders shall be held on the first Monday in October.

Number of directors.

8. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Line of railway.

9. The company may lay out, construct, and operate a railway from Port Burwell on the north shore of Lake Erie in the Province of Ontario, to the city of London, in the said Province passing through the counties of Elgin and Middlesex.

Securities.

10. The securities issued by the Company shall not exceed forty-five thousand dollars per mile of the railway and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Electric and other power. R.S., c. 170.

11. Subject to the provisions of section three hundred and sixty-eight of the *Railway Act*, the Company shall have power to generate, acquire, use, transmit and distribute electric and other power or energy and for the purposes of such generation, acquisition, use, transmission and distribution may construct, acquire, operate and maintain lines for the conveyance of light, heat, power and electricity.

Telegraph and telephone messages.

12. Subject to the provisions of section three hundred and sixty-nine of the *Railway Act*, the Company shall have power to transmit telegraph and telephone message for the public and to collect tolls therefor.

Steamships and other vessels.

13. The Company may for the purposes of its undertaking, construct, acquire, charter and navigate steamships

and other vessels and ferries, for the conveyance of passengers, goods, and merchandise, and may construct, acquire, lease and dispose of terminal stations, depots, wharves, docks, elevators, warehouses, offices, pumping stations, tanks and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and may charge wharfage and other dues for the use of any such property.

Borrowing powers.

R.S., c. 170.

14. In addition to the securities authorized by section ten of this Act, the directors, if previously authorized as prescribed by section one hundred and thirty-two of the *Railway Act*, may from time to time borrow moneys for the acquisition, construction, extension or development of any such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities, but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works in respect whereof the issue is made.

Agreements for sale, lease or amalgamation of railway.

15. Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the *Railway Act*, the Company may for any of the purposes mentioned in the said section one hundred and fifty-one, enter into agreements with any other company.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 59.

An Act to incorporate The Federal Loan Company.

First reading, March 6, 1928.

(PRIVATE BILL)

Mr. LANG.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58454 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 59.

An Act to incorporate The Federal Loan Company.

Preamble.

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

Incorporation.

Corporate name.

1. Joseph Singer, barrister-at-law; Lawrence Kert, barrister-at-law; David Sher, student-at-law; Catherine Gallagher, stenographer; Margaret Hand, stenographer, all of the city of Toronto, in the county of York, and province of Ontario, together with such other persons as become shareholders of the Company, are incorporated under the name of "The Federal Loan Company," hereinafter called "the Company".

Provisional directors.

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

Capital stock.

3. The capital stock of the Company shall be five hundred thousand dollars divided into shares of one hundred dollars each.

Head office.

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

Objects.

Conditional sales agreements.

5. The Company may,

(a) buy, sell, and deal in conditional sales agreements, lien notes, hire-purchase agreements and chattel mortgages, and may receive, accept and enforce from the vendors or transferors thereof guarantees for the performance and payment thereof;

R.S., c. 102.
R.S., c. 135.
R.S., c. 28.

(b) Notwithstanding anything contained in the *Interest Act*, and the *Money Lenders Act*, and in section 63 *(c)* of the *Loan Companies Act*,

Loans.

(i) lend money secured by assignment of choses-in-action or such other evidence of indebtedness as the Company shall require and may charge interest thereon at the rate of six per centum per annum or less and may deduct such interest in advance and provide for repayment of the amount of such indebtedness in weekly, monthly or other uniform repayments.

Rate of interest.

(ii) charge for a loan made pursuant to this section one dollar for each fifty dollars or fraction thereof loaned, for expenses including any examination or investigation as to character or circumstances of the borrower, co-maker or surety and drawing all documents, acknowledgments or necessary papers, or other expenses incurred in making the loan. Provided that if the amount loaned exceeds two hundred and fifty dollars, the amount of such charge shall be five dollars and one per cent of the amount of the loan in excess of two hundred and fifty dollars, not exceeding in all a total charge of twenty dollars, and provided further that no charge shall be collected unless a loan shall have been made;

Security for loans.

(c) Lend money on the security of real estate or leaseholds, or purchase or invest in mortgages or hypothecs upon freehold or leasehold real estate;

As principals or agents.

(d) Do all or any of the above things and all things authorized by this special Act or any Supplementary Act as principals, agents, contractors, trustees or otherwise and either alone or in conjunction with others.

Powers of directors.

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

(i) borrow money upon the credit of the Company,

(ii) limit or increase the amount to be borrowed,

(iii) hypothecate, mortgage or pledge the real or personal property of the Company or both to secure the payment of any money borrowed for the purpose of the Company.

(iv) Nothing in this section contained shall limit or restrict the power of the Company to borrow money on bills of exchange or promissory notes made, drawn, accepted or endorsed by the Company, on its behalf.

(v) Nothing herein contained shall authorize the Company to issue bonds, debentures or other securities for monies borrowed, or to accept deposits.

Application of Loan Companies Act.

(vi) The *Loan Companies Act*, chapter twenty-eight of the Revised Statutes of Canada, 1927, except section 61 (1) *(f)*; 61 (2) *(c)*; 62 (3); 64; 65; 66; 67; 82; 88; shall apply to the Company.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 60.

An Act respecting the Canadian Surety Company.

First reading, March 6, 1928.

(PRIVATE BILL)

Mr. HOCKEN.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58311 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 60.

An Act respecting the Canadian Surety Company.

Preamble.
1911, c. 60.
1917, c. 62.

WHEREAS a petition has been presented by the Canadian Surety Company, hereinafter called "the Company", representing that it was incorporated by Act of Parliament, namely, chapter sixty of the statutes of 1911, which Act was amended by chapter sixty-two of the statutes of 1917, and it is desirous of obtaining further amendments to its said Act of incorporation by increasing the number of classes of insurance which may be carried on by the Company and by otherwise amending the said Act of incorporation and praying that an Act may be passed for such purposes and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Additional business authorized.

1. Section six of chapter sixty of the statutes of 1911, as amended by chapter sixty-two of the statutes of 1917, is amended by adding thereto the following—

(h) Aviation insurance;
(i) Credit insurance;
(j) Earthquake insurance;
(k) Explosion insurance;
(l) Forgery insurance;
(m) Hail insurance;
(n) Inland marine insurance;
(o) Inland transportation insurance;
(p) Live stock insurance;
(q) Marine insurance;
(r) Sprinkler leakage insurance;
(s) Steam boiler insurance;
(t) Tornado insurance;
(u) Life insurance.

EXPLANATORY NOTES.

1. Section six as amended in 1917 reads as follows:—
"**6.** The Company may carry on the business of:—
(a) Guarantee insurance as defined in The Insurance Act, 1910;
(b) Plate glass insurance, including insurance against the loss or damage by breakage or otherwise of plate or other glass, either local or in transit;
(c) Burglary insurance as defined in The Insurance Act, 1910;
(d) Automobile insurance;
(e) Accident insurance;
(f) Sickness insurance;
(g) Fire insurance."

2. Subsections three, four and five of section seven of chapter sixty of the statutes of 1911, as enacted by section two of chapter sixty-two of the statutes of 1917, are repealed and the following subsections substituted therefor:—

Fire and forgery insurance.

(3) The Company may commence the business of fire insurance, and forgery insurance, in addition to the classes of insurance mentioned in subsections one and two hereof when its paid capital or its paid capital together with its surplus amounts to at least four hundred and twenty-five thousand dollars.

Other classes.

(4) The Company shall not commence the business of the other classes of insurance authorized by the Act, or any of them, until its paid capital or its paid capital together with its surplus amounts to at least five hundred thousand dollars.

"Surplus" defined.

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

2. Section seven as enacted in 1917 reads as follows:—

"7. (1) The Company may commence the business of guarantee, automobile, plate glass, and burglary insurance when two hundred and twenty-five thousand dollars of capital stock have been subscribed and paid.

(2) The Company shall not commence the business of accident and sickness insurance in addition to the classes of insurance mentioned in subsection one hereof until its subscribed and paid-up capital stock has been increased to three hundred thousand dollars.

(3) The Company shall not commence the business of fire insurance in addition to the classes of insurance mentioned in subsection one hereof until its subscribed capital stock has been increased to four hundred and twenty-five thousand dollars and three hundred and twenty-five thousand dollars have been paid thereon.

(4) The Company shall not commence the business of all the classes authorized by this Act until five hundred thousand dollars of its capital stock have been subscribed and at least four hundred and twenty-five thousand dollars have been paid thereon.

(5) In the event of a license being issued to the Company for fire insurance, a further sum of seventy-five thousand dollars shall be paid upon its capital stock within five years by payments amounting in any one year to not less than fifteen thousand dollars, or such that taken together with previous payments under this paragraph would amount to not less than an annual payment of fifteen thousand dollars."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 61.

An Act to amend the Live Stock and Live Stock Products Act.

First reading, March 7, 1928.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58224 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 61.

An Act to amend the Live Stock and Live Stock Products Act.

R.S., c. 120.

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

Regulations.

1. Subsection one of section four of the *Live Stock and Live Stock Products Act*, chapter one hundred and twenty of the Revised Statutes of Canada, 1927, is amended by inserting the following paragraph immediately after paragraph *(q)* thereof:—

Beef for domestic consumption.

"*(q1)* For voluntary application only, specifications and standards for beef for domestic consumption and also the conditions under which brand, applied to beef by the trade, and relating to such standards, may be recognized and protected."

Explanatory Notes.

1. The Act as at present in force does not provide for dealing with meats for domestic consumption, since Section 2 *(i)* defines "live stock products" as meat for export, raw hides, etc., etc.

As it is desired to establish grades and grade standards for beef for domestic consumption, it has become necessary to amend the Act to give power under its provisions to establish such grades, although it is not the intention to make the use of these grades in any way compulsory.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 62.

An Act relating to the submission to Parliament of certain Regulations and Orders in Council.

First reading, March 7, 1928.

The MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57886 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 62.

An Act relating to the submission to Parliament of certain Regulations and Orders in Council.

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

Certain Orders in Council and Regulations declared to be valid.

1. Orders in Council or Regulations heretofore made by the Governor in Council under authority of *The Railway Belt Water Act*, chapter forty-seven of the statutes of 1912; *The Dominion Forest Reserves and Parks Act*, chapter ten of the statutes of 1911; *The Dominion Lands Act*, chapter twenty of the statutes of 1908; *The Rocky Mountains Park Act*, chapter sixty of the Revised Statutes of Canada, 1906, or the *Yukon Act*, chapter sixty-three of the Revised Statutes of Canada, 1906, are hereby declared to be and to have been valid notwithstanding any failure to have the same approved by both Houses of Parliament as required by the said Acts respectively.

EXPLANATORY NOTE.

1. The Acts referred to contain a provision that Regulations passed thereunder shall remain in force until the day immediately succeeding prorogation of that Session of Parliament and no longer unless approved by resolution of both Houses.

During a number of Sessions from 1906 onward the required resolution was not passed and consequently this legislation is needed to validate Regulations and Orders in Council made under the various Acts.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 63.

An Act to amend the Railway Act. (Investigation of subsidiary of Telephone or Telegraph Companies).

First reading, March 9, 1928.

Mr. GEARY.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58579 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 63.

An Act to amend the Railway Act. (Investigation of subsidiary of Telephone or Telegraph Companies).

R.S., c. 170.

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

1. Section three hundred and seventy-five of the *Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927, is amended by inserting the following subsection immediately after subsection twelve thereof:—

Examination and inspection of affairs of subsidiary of telephone and telegraph companies.

"(13) The Board shall have jurisdiction to inquire into and investigate the affairs of any company, corporation or firm in which any telephone company or telegraph company subject to the jurisdiction of the Board has, in the opinion of the Board, a controlling interest as shareholders or partners, or of which such company, corporation or firm in the opinion of the Board is a subsidiary, and to examine the books, accounts, vouchers and papers of the said company, corporation or firm, and for such purposes and to that extent the said company, corporation or firm shall be subject to the jurisdiction of the Board."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 64.

An Act to amend the Railway Act. (Joint hearings of Board and Interstate Commerce Commission.)

First reading, March 13, 1928.

Mr. ODETTE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59242 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 64.

An Act to amend the Railway Act. (Joint hearings of Board and Interstate Commerce Commission.)

R.S., c. 170.

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

1. The *Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927, is amended by inserting the following section immediately after section thirty-three thereof:—

Joint hearings of Board and Interstate Commerce Commission.

"**33A.** Whenever, in any proceedings before the Board there shall be brought in issue any rate, fare, charge, classification, regulation or practice affecting the transportation of persons or property between a point in the Dominion of Canada and a point in the United States of America, the Board, before determining such issue in respect to that portion of such transportation which takes place within the Dominion of Canada, may notify the Interstate Commerce Commission of the United States of America of the proceedings, may hold joint hearings with the said Interstate Commerce Commission in Canada or in the United States, and may avail itself of the co-operation, services, records and facilities of the said Commission."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 65.

An Act respecting the Canadian Pacific Railway Company.

First reading, March 15, 1928.

(PRIVATE BILL.)

Mr. JELLIFF.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59134 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 65.

An Act respecting the Canadian Pacific Railway Company.

Preamble.

WHEREAS the Canadian Pacific Railway Company has by its petition prayed for the passing of an Act authorizing it to acquire and hold the whole or part of the capital stock, bonds and other securities of the Lacombe and North Western Railway Company, and to purchase or lease the undertaking of that Company in whole or in part, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

Power to acquire Lacombe and North Western Ry. Co.

1. The Canadian Pacific Railway Company, hereinafter called "the Company," may acquire and hold the whole or part of the capital stock, bonds and other securities of the Lacombe and North Western Railway Company, and may purchase or lease the undertaking of that Company in whole or in part; provided that every such transaction shall be subject to the approval of two-thirds of the votes of the shareholders of the Company present or represented at an annual general meeting or a special general meeting duly called for the purpose.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 66.

An Act respecting a certain patent of Douglas J. Martin.

First reading, March 15, 1928.

(PRIVATE BILL)

Mr. CLARK.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55390 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 66.

An Act respecting a certain patent of Douglas J. Martin.

Preamble.

WHEREAS Douglas J. Martin has by his petition represented that he is a resident of the city of New York, in the state of New York, one of the United States of America, and is the present owner of Canadian patent, being numbered 196,831, issued the 3rd day of February, 1920, for explosive engines; and that the said patent has expired by reason of the failure of its construction and manufacture in Canada; and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Extension of time for application to revive patent.

1. If the patentee designated by the patent mentioned in the preamble to this Act or his assign or other legal representative makes, within three months from the date of the passing of this Act, an application to the Commissioner of Patents for an order restoring and reviving the said patent mentioned in the preamble to this Act, notwithstanding failure to manufature within Canada the invention covered by the said patent, the provisions of section forty-seven of the *Patent Act*, except the two years' limitation of time for such application contained in the said section, shall apply to such patent, and complying with those provisions, the Commissioner of Patents may make either an order restoring and reviving the said Patent or an order dismissing the application.

R.S., c. 150.

Rights saved.

2. If the Commissioner of Patents makes an order restoring and reviving the patent mentioned in the preamble to this Act, any person who has, since the date of expiry of the said patent and before the twenty-eighth day of January, nineteen hundred and twenty-eight commenced to construct, manufacture, use or sell in Canada the invention covered by the said patent, such person may continue to construct, manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 67.

An Act to incorporate The Peace River and Mackenzie District Railway Company.

First reading, March 15, 1928.

(PRIVATE BILL.)

Mr. HAY.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59135 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 67.

An Act to incorporate The Peace River and Mackenzie District Railway Company.

Preamble.

WHEREAS a petition has been presented praying for the incorporation of The Peace River and Mackenzie District Railway Company, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. John Alexander Whitehead, of the city of London, in the Kingdom of England, contractor, Charles F. Law, broker and Conrad E. Cartwright, civil engineer, both of the city of Vancouver, in the province of British Columbia, together with such persons as become shareholders in the Company are hereby incorporated under the name of "The Peace River and Mackenzie District Railway Company", hereinafter called "the Company".

Corporate name.

Provisional directors.

2. The persons named in section one of this Act are hereby constituted provisional directors of the Company.

Capital stock.

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

Issue of preference stock.

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

Shareholders.

(2) Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of the

R.S., c. 170

Railway Act, and shall, in all respects, other than the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

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

Annual meeting.

6. The annual meeting of the shareholders shall be held on the fourth Monday in the month of January in each year, or on such other day in each year as the directors may determine.

Number of directors.

7. The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors.

Line of railway described.

8. The Company may construct and operate a railway from a point at or near Grimshaw station, on the Edmonton-Dunvegan and British Columbia Railway, on the North side of Peace River, in the province of Alberta, thence running almost due north to Keg River Prairie, east of the Sixth Meridian, thence following the Boyer river in a North-easterly direction to the outlet at Fort Vermillion, thence following the left bank or north side of Peace River to a point below Little Rapids near the 30th Base line, thence northerly and easterly to the head of Salt river, thence northerly to a terminal opposite to Pointe de Gravois on Slave river in the Mackenzie River district of the Northwest Territories, north west of Fort Smith, approximately a distance of 400 miles long from Grimshaw station to the northern terminal, with a branch line from a point near where Bushe River enters the Boyer river due west of Fort Vermillion to the west end of Hay Lake at the eastern boundary of British Columbia, approximately a distance of 120 miles.

Issue of securities. $35,000 per mile.

9. The securities issued by the Company shall not exceed thirty-five thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Electric and other power. R.S., c. 170.

10. Subject to the provisions of section three hundred and sixty-eight of the *Railway Act*, the Company shall have power to generate, acquire, use, transmit and distribute electric and other power or energy and for the purposes of such generation, acquisition, use, transmission and distribution may construct, acquire, operate and maintain lines for the conveyance of light, heat, power and electricity.

Telegraph and telephone messages.

11. Subject to the provisions of section three hundred and sixty-nine of the *Railway Act*, the Company shall have power to transmit telegraph and telephone messages for the public and to collect tolls therefor.

Steamships, depots, wharves, etc.

12. The Company may for the purposes of its undertaking, construct, acquire, charter and navigate steamships and other vessels and ferries, for the conveyance of passengers, goods and merchandise; and may construct, acquire, lease and dispose of terminal stations, depots, wharves, docks, elevators, warehouses, offices, pumping stations, tanks and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and may charge wharfage and other dues for the use of any such property.

Borrowing powers. R.S., c. 170.

13. In addition to the securities authorized by section ten of this Act, the directors, if previously authorized as prescribed by section one hundred and thirty-two of the *Railway Act*, may from time to time borrow moneys for the acquisition, construction, extension or development of any such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities, but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works in respect whereof the issue is made.

Agreements for sale, lease or amalgamation of railway.

14. Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the *Railway Act*, the Company may, for any of the purposes mentioned in the said section one hundred and fifty-one, enter into agreements with any other Company.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 68.

An Act to incorporate the Northwest Canada Conference Evangelical Church.

First reading, March 15, 1928.

(PRIVATE BILL.)

Mr. BROWN.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59245 1928

2nd Session, 16th Parliament, 18 George V, 19

THE HOUSE OF COMMONS OF CANADA.

BILL 68.

An Act to incorporate the Northwest Canada Conference Evangelical Church.

Preamble.

WHEREAS the Northwest Canada Conference Evangelical Church desires to form a corporation under the name of "Northwest Canada Conference Evangelical Church" for the purpose of administering in Canada such of the property, business and other temporal affairs of the said Northwest Canada Conference Evangelical Church as may be entrusted by the said Northwest Canada Conference to the said Corporation, and for the other purposes and objects hereinafter set out, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

Incorporation.

1. Bishop J. S. Stamm of the city of Napierville in the state of Illinois one of the United States of America and J. S. Burn and S. M. Hauch both of the city of Winnipeg in the province of Manitoba the president, treasurer and secretary respectively of the Northwest Canada Conference Evangelical Church by virtue of their respective offices above mentioned and their successors in the said office together with all the qualified voters from time to time of the said Northwest Canada Conference are hereby incorporated under the name of "Northwest Canada Conference Evangelical Church" hereinafter called "the Corporation" for the purpose of administering in Canada such of the property, business and other temporal affairs of the said Northwest Canada Conference as may be entrusted by the said Northwest Canada Conference to the Corporation, and for the other purposes hereinafter set forth.

Corporate name.

Head office.

2. The head office of the Corporation shall be in the city of Winnipeg in the province of Manitoba or in such other place in Canada as may from time to time be designated by by-law of the Corporation.

Objects.

3. The objects of the Corporation shall be the maintenance and carrying on of charities or missions, erection, maintenance and conduct of churches, cemeteries, schools, colleges or orphanages and hospitals in any of the provinces of Canada, the advancement in other ways of education, religion, charity and benevolence and to administer in Canada such of the property, business and other temporal affairs of the said Northwest Canada Conference as may be entrusted by the said Northwest Canada Conference to the Corporation.

Provincial directors.

4. The said J. S. Stamm, J. S. Burn and S. M. Hauch by virtue of their said offices of president, treasurer and secretary respectively of the Northwest Canada Conference Evangelical Church or their successors in office shall be the provisional directors of the Corporation and until the Corporation in general meeting otherwise provides, shall exercise all the powers and functions of the Corporation.

Directors.

5. The directors of the Corporation shall consist of the President, of the Treasurer and the Secretary of the Northwest Canada Conference by virtue of their respective offices, together with not less than three and not more than eighteen to be elected from amongst the members of the Corporation.

By-laws.

6. The Corporation may, from time to time, make by-laws not contrary to law nor inconsistent with the provisions of the constitution of the Northwest Canada Conference, for,—

(a) the appointment, subject as herein provided, of a board of directors for the administration, management and control of the property, business and other temporal affairs of the Corporation;

(b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;

(c) the appointment of committees and defining their duties;

(d) the calling of meetings, regular or special, of the Corporation or of committees;

(e) the fixing of the necessary quorum and procedure in all things at such meetings;

(f) generally, the carrying out of the objects and purposes of the Corporation.

Acquisition of property, etc.

7. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporal or incorporal, whatsoever, and for any or every estate or interest therein whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour

of the uses and purposes of the Corporation, or to, for, or in favour of any religious, educational, eleemosynary or other institution established, or intended to be established, by, under the management of, or in connection with the uses or purposes of the Corporation.

Limit of value of real estate.

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

Holding securities.

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

Investment and disposal of real property.

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

Investment of funds.

9. *(a)* The Corporation may also invest and re-invest any of its funds and money in any bonds or debentures of any municipality or public school corporation or district in the Dominion of Canada, in bonds, stock and debentures or other securities of the Dominion of Canada or of any province thereof or in any security the payment of which is guaranteed by the Dominion of Canada or any Province thereof, or

(b) in the purchase of free hold lands or

(c) in first mortgages or freehold property in Canada and for the purposes of the same may take mortgages or assignments thereof whether such mortgages or assignments be made directly to the Corporation in its own corporate name or to some company or person in trust for it and may sell and assign the same.

Grants, leases, etc.

10. The Corporation may give, grant, convey, lease or otherwise alienate any property, real or personal, to any other church or religious body or organization or to any trustee, trustees, board of directors, committee or governing body thereof, as it may deem expedient in pursuance of any agreement or understanding with such church or religious

body or organization for the purposes of co-operation in the prosecution of religious work.

Gifts, loans, etc.

11. The Corporation may make a gift of or loan any of its property whether real or personal for or to assist in the erection or maintenance of any building or buildings deemed necessary for any church, college, manse, school or hospital or for any other religious, charitable, educational, congregational or social purpose upon such terms and upon such conditions it may deem expedient.

Borrowing powers.

12. (1) The Corporation may, from time to time, for the purposes of the Corporation,—

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

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

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

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

Limit of time for holding unused real estate.

13. (1) No parcel of land or interest therein at any time acquired by the Corporation and not required for its actual use and occupation and not held by way of security, shall be held by the Corporation or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, and after it shall have ceased to be required for actual use or occupation by the Corporation, or any extension of such period, as in this section provided, but shall at or before the expiration of such period or extended period, as the case may be, be absolutely debarred, sold or disposed of, so that the Corporation shall no longer retain any interest or estate therein, except by way of security.

Extension of time.

(2) The Secretary of State may direct that the time for the sale or disposal of any such parcel of land, or any estate or interest therein, shall be extended for a further period or periods not to exceed five years.

Fifteen years limit.

(3) The whole period during which the Corporation may hold any such parcel of land, or any estate or interest therein, under the foregoing provision of this section, shall not exceed fifteen years from the date of the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Corporation.

Forfeiture of property held beyond time limited.

(4) Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned which has been held by the Corporation for a longer period than authorized by the foregoing provisions of this section without being disposed of shall be forfeited to His Majesty for the use of Canada.

Statement of Secretary of State.

(5) The Corporation shall give the Secretary of State when required a full and correct statement of all lands at the date of such statement held by the Corporation, or in trust for it, and subject to the provisions of this section.

Mortmain.

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

Provincial laws to apply.

Transfer of property to the Corporation.

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

Execution of deeds.

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

Power to organize conferences.

17. The said Corporation shall have authority to organize and develop other conferences from time to time in any of the provinces or territories of the Dominion of Canada.

69.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 69.

An Act respecting The Interprovincial and James Bay Railway Company.

First reading, March 15, 1928.

(PRIVATE BILL)

Mr. PARENT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54973 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 69.

An Act respecting The Interprovincial and James Bay Railway Company.

Preamble. 1901, c. 66; 1924, c. 81; 1926, c. 20.

WHEREAS The Interprovincial and James Bay Railway Company has by its petition prayed for the passing of an Act authorizing it to construct a certain line of railway, and also to extend the time for the commencement and completion of another certain line of railway, as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for commencement and completion.

1. The Interprovincial and James Bay Railway Company hereinafter called "the Company", may within two years after the passing of this Act commence to construct the following lines of railway:—

(a) The line of railway which it was authorized to construct by section one of chapter eighty-one of the statutes of 1924, as amended by section one of chapter twenty of the statutes of 1926, extending from the present terminus of its line of railway at or near Angliers, or Ville Marie, thence in a generally northerly and northeasterly direction to a point at or near the headwaters of the Nottaway River in the county of Abitibi, all in the province of Quebec;

Line of railway authorized.

(b) A line of railway extending from the present terminus of its line of railway at or near Ville Marie aforesaid, thence in a generally northerly direction to a point in the township of Guigues, or Nedelec, all in the province of Quebec;

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

so much of the said lines of railway as shall then remain uncompleted.

Issue of securities.

2. The amount of securities to be issued by the Company in respect of the said lines of railway shall not exceed fifty thousand dollars per mile of its railway; and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act to incorporate 1,000 Islands International Bridge Corporation.

First reading, March 19, 1928.

(PRIVATE BILL.)

MR. HAY

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59589 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act to incorporate 1,000 Islands International Bridge Corporation.

Preamble.

WHEREAS a petition has been presented praying that the persons hereinafter named may be constituted a corporation for the purpose of constructing, maintaining and operating a bridge across the St. Lawrence river for the passage of pedestrians, vehicles, carriages, automobiles, trucks, and for any other like purposes, with all necessary approaches thereto, from some suitable or convenient point in Canada, between the city of Brockville and the town of Gananoque, in the county of Leeds, in the province of Ontario, to a point on Hill Island, sometimes called Larue Island, and from the said Hill Island to Wellesley Island, sometimes known as Wells Island, and from the said Wellesley Island to a point at or near Collins Landing, in the town of Orleans, in Jefferson county, in the state of New York, one of the United States of America, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. W. Gilbert Freeman, of the city of Albany, in the state of New York, capitalist; Charlton B. Hibbard, banker, John W. Garrett, banker, and Hamilton C. Rickaby, attorney-at-law, all three of the city of New York, in the United States of America, together with such persons as become shareholders in the Company, are incorporated

Name.

under the name of "1,000 Islands International Bridge Corporation," hereinafter called "the Company".

Provisional directors.

2. (1) The above named W. Gilbert Freeman, Charlton B. Hibbard, John W. Garrett and Hamilton C. Rickaby are constituted provisional directors of the Company, and they shall have all the powers which are conferred upon directors elected by the shareholders, and three provisional directors shall form a quorum.

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

Capital stock.

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

Head office.

4. The head office of the Company shall be at the city of Ottawa, in the province of Ontario, in the Dominion of Canada.

Annual meeting.

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

Number of directors.

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

Power to construct bridge across St. Lawrence.

7. (1) The Company may construct, maintain and operate a bridge across the St. Lawrence river for the passage of pedestrians, vehicles, carriages, automobiles, trucks and for other like purposes, with all necessary approaches thereto, from some suitable or convenient point in Canada, between the city of Brockville and the town of Gananoque, in the county of Leeds, in the province of Ontario, to a point on Hill Island, sometimes called Larue Island, and from the said Hill Island to Wellesley Island, sometimes known as Wells Island, and from the said Wellesley Island to a point at or near Collins Landing, in the town of Orleans, in Jefferson county, in the state of New York, one of the United States of America, so as not to interfere with navigation, and may purchase, acquire and hold such real estate, including lands for sidings, and other equipment required for the convenient working of traffic to, from and over the said bridge as the Company thinks necessary for any of the said purposes; but the Company shall not commence the actual construction of the said bridge, nor exercise any of the powers hereunder until an Act of Congress of the United States of America, or other competent authority therein, has been passed authorizing or approving the bridging of the said river by the Company, but the Company may, in the meantime, acquire the lands, submit their plans to the Governor in Council, and do all other things authorized by this Act; provided always, that no other bridge for a like purpose shall be constructed or located at any point nearer than ten miles from the location of the

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

bridge of the Company, except with the consent of the Company, or of the Governor in Council.

Plans to be submitted to Governor in Council.

8. The said bridge shall be constructed and located under, and be subject to, such regulations for the security of navigation of the said river as the Governor in Council prescribes, and to such end the Company shall submit to the Governor in Council, for examination and approval, a design and drawing of the bridge, and a map of the location, showing the location of other bridges, if any, and shall furnish such other information as is required for a full and satisfactory understanding of the subject; and until the said plans and location are approved by the Governor in Council the bridge shall not be built or commenced, and if any change is made in the plans of the said bridge during its construction, such change shall be subject to the approval of the Governor in Council, and shall not be made or commenced until it is so approved.

Changes submitted also.

Certificate as to financial capacity.

9. The Company shall not exercise any of its corporate powers until it has obtained from the Governor in Council a certificate permitting it so to do, which certificate shall not be issued unless and until the Company has satisfied the Governor in Council that it is financially capable of carrying out and completing the whole of the work in accordance with the plans approved by the Governor in Council.

Use of Dominion Park lands.

10. The use of any Dominion Park lands required for the construction, maintenance and operation of the bridge shall be subject to the Company complying with such terms and conditions governing the use of said lands as the Governor in Council may approve.

Expropriation under the Railway Act.

11. The Company may,—

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

R.S., c. 170.

damaged, or whose land is injuriously affected by reason of such construction for any and all damages that the said proprietor may suffer by reason of such construction;

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

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

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

R.S., c. 170.

Tolls.

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

Issue of bonds and securities not exceeding $5,000,000.

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

Mortgages.

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

Charge the tolls and revenues by mortgage.

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

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

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

May accept grants.

15. The Company may receive by grant from any Government, municipality or person, as aid in the construction, equipment and maintenance of the said bridge and works connected therewith, any real or personal estate or property, or any sums of money, debentures, or subsidies, either as gifts by way of bonus or guarantee, or in payment or as subventions for services, and may dispose thereof,

May alienate such.

and may alienate such of the said property as is not required for the purposes of the Company in carrying out the provisions of this Act.

Amalgamation and agreement with other companies.

16. The Company may unite with any Company or companies incorporated under the laws of Canada, or of the state of New York, or of the United States of America, in building, working, managing, maintaining and using the said bridge, terminals and approaches, and may make agreements with any such company or companies respecting the construction, maintenance, management and use of the said bridge and its appurtenances, and acquiring the approaches and lands therefor, in New York as well as in Canada, and may make arrangements with any such company or companies, or with the Government of Canada, or the Government of the Province of Ontario, for conveying or leasing the said bridge to such company or companies

or government in whole or in part, or any rights or powers acquired by it, as also the franchise, surveys, plans, works, plant, machinery and other property to it belonging, or for an amalgamation with any such company on such terms and conditions as are agreed upon, and subject to such restrictions as the directors deem fit: Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders, duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company are present, or represented by proxy, and that such agreement has also received the sanction of the Governor in Council; and certified copies of such agreement shall be filed forthwith in the office of the Secretary of State for Canada.

Assets and liabilities of amalgamated company.

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

Amalgamated company may borrow money and mortgage property.

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

When property, etc., of Company to be conveyed to Dominion and to State of New York, respectively.

19. When the corporate obligations of the Company and any of the companies mentioned in sections sixteen, seventeen and eighteen of this Act, with which this Company shall join or unite in the construction of said bridge, shall have been paid and their capital stock shall have been retired in the manner prescribed in their by-laws, their property, rights and franchises situate within the Dominion of Canada shall be conveyed to the said Dominion or to such province, municipality or agency thereof, as the

Governor in Council may designate; and their property, rights, and franchises acquired from or situate within the state of New York shall be conveyed to the said state, or to such municipality or agency of the state, as the legislature thereof may designate. Provided always that the period for the payment of the obligations of the companies and the retirement of their capital stock and any extension thereof and the provision of the companies' by-laws in respect thereof shall have been previously approved by the Governor in Council.

Time for commencement and completion of bridge.

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

Rights of municipalities saved.

21. Notwithstanding anything in this Act the Company shall not locate, construct or operate any of the works mentioned in this Act upon or connect the same with any highway, street or other public place, without first obtaining the consent expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed with such municipality, and failing such consent, within sixty days from the date of the request made in writing by the Company for such consent to the said municipality, then upon such terms as are fixed by the Board of Railway Commissioners for Canada.

Labour and materials.

22. Canadian labour and materials shall be used in the construction of the bridge, so far as it may be practical to do so.

"Bridge" defined.

23. Whenever in this Act the expression "The said bridge" occurs, it means the bridge, approaches, lands, works and facilities hereby authorized.

Management of company.

24. Sections one hundred and fifty-seven and one hundred and fifty-nine of the *Companies Act* shall not apply to the Company.

Right to amend, etc., reserved.

25. The right to alter, amend or repeal this Act is hereby expressly reserved.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to incorporate The St. Lawrence River Bridge Company.

First reading, March 19, 1928.

(PRIVATE BILL.)

Mr. SMITH
(Stormont).

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59311 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to incorporate The St. Lawrence River Bridge Company.

Preamble.

WHEREAS a petition has been presented praying that the persons hereinafter mentioned may be incorporated for the purpose of constructing and operating a bridge for railway and general traffic purposes across the St. Lawrence river from the town of Brockville in the province of Ontario, to a point at or near Morristown, in the state of New York, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The Right Honourable George Perry Graham, Senator, and James Gill Gardner, manufacturer, both of the town of Brockville in the province of Ontario; William Arthur McLean of the city of Toronto in the province of Ontario, consulting engineer; Colonel George Patterson Murphy, C.M.G., of the city of Ottawa in the province of Ontario, gentleman; and Ward Chipman Pitfield, of the city of Montreal in the province of Quebec, banker; together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The St. Lawrence River Bridge Company," hereinafter called "the Company".

Corporate name.

Provisional directors.

2. The said The Right Honourable George Perry Graham, James Gill Gardner, William Arthur McLean, George Patterson Murphy and Ward Chipman Pitfield named in section one of this Act, are constituted provisional directors of the Company.

Capital stock.

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

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

(3) Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of the *Railway Act*, and shall, in all respects other than the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

4. The head office of the Company shall be at the town of Brockville in the province of Ontario.

Annual meeting.

5. The annual meeting of the shareholders shall be held on the first Tuesday in February in each year.

Number of directors.

6. The number of directors shall not be less than five nor more than eleven, one or more of whom may be paid directors.

Power to construct a bridge across St. Lawrence river.

7. Subject to the provisions of the *Railway Act*, and of the *Navigable Waters Protection Act*, the Company may,—

(a) lay out, construct, operate, maintain and use a bridge for pedestrians and for all kinds of vehicular traffic of every description and if deemed advisable for the accommodation of tramway, street railway and railway purposes together with the necessary highway and railway approaches from some convenient point at or near the westerly limits of the town of Brockville in the county of Leeds and province of Ontario, thence by way of Smith Island and Refugee Island by the most feasible route across the river St. Lawrence to some convenient point at or near Morristown in the state of New York, one of the United States of America.

Track connections.

(b) construct, maintain and operate lines of railway not exceeding twenty miles in length to connect the said bridge with any railway or railways now or hereafter constructed on either side of the said river;

Pipes, electric, telegraph and telephone wires.

(c) lay, maintain and operate along, upon or under the said bridge, gas, water, and other pipes, and wires, cables and other appliances for the transmission of electricity or other motive power, telegraph and telephone wires, cables and other appliances, and may enter into contracts for the construction, maintenance or operation thereof;

Way for pedestrians, cars and vehicles.

(d) and the Company shall construct as part of the said bridge a way for general traffic purposes for the passage of pedestrians, carriages, cars and vehicles propelled or drawn by any motive power, and may make by-laws, rules and regulations for the management, control and use of the said way;

Lands for bridges, yards and works.

(e) and the Company may expropriate, purchase, lease or otherwise acquire and hold lands for the bridge, tracks, terminal yards, accommodation works and facilities, and construct and erect and maintain buildings and other structures required for the convenient working of traffic to, from and over the said bridge, and for said lines of railway as the Company thinks necessary for any of the said purposes;

Expropriation.

(f) expropriate and take an easement in, over, under or through any lands without the necessity of acquiring a title in fee simple thereto;

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

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

Entering on lands.

(h) enter into and upon any lands, buildings and structures proximate to the said bridge, for the purpose of ascertaining the state of repair thereof, and for devising the best means of avoiding any possible damage which the execution of the said authorized works might occasion thereto, and make upon or in connection therewith any works, repairs or renewals, for the purpose of preventing or mitigating any such damage, and the Company shall make conpensation in the manner specified in the *Railway Act*, to all persons interested for the damage sustained by them (if any) by reason of the exercise of the powers in this clause contained; and section two hundred and thirty-nine of the *Railway Act*, shall apply to the exercise of the

R.S., c. 170.

powers in this clause granted so far as is necessary to enable the Company to carry them into effect;

Power to charge tolls.

(i) charge tolls for the passage of locomotives, engines, railway trains and rolling stock, and for pedestrians, carriages, cars, vehicles and general traffic over the said bridge, approaches, railways and terminal property or for the use thereof or any part thereof; and

Powers of a railway company.

(j) for the purposes of its undertaking, exercise under and subject to the provisions of the *Railway Act*, all or any of the powers, rights and privileges of a railway company.

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

8. The Company shall not commence the actual construction of the said bridge until an Act of Congress of the United States of America or of the Legislature of the State of New York or other competent authority in the said United States has been passed authorizing or approving the bridging of the said river, but the Company may, in the meantime, acquire the lands, submit its plans to the Governor in Council, and do all other things authorized by this Act.

Rights of municipalities saved.

9. The Company shall not construct or operate, any of the works mentioned in section eight of this Act along any highway, street or other public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality, and failing such consent then upon such terms as are fixed by the Board of Railway Commissioners for Canada.

Plans to be submitted to Governor in Council.

10. The said bridge shall be constructed and located under, and be subject to, such regulations as the Governor in Council prescribes, and to such end the Company shall submit to the Governor in Council, for examination and approval, a design and drawing of the bridge, and a map of the location, giving soundings accurately, showing the bed of the stream and the location of other bridges, and shall furnish such other information as is required for a full and satisfactory understanding of the subject, and until the said plans and location are approved by the Governor in Council the bridge shall not be built or commenced; and if any change is made in the plans of the said bridge during its construction, such change shall be subject to the approval of the Governor in Council, and shall not be made or commenced until it is approved.

Borrowing powers.

11. (1) The directors may borrow money on behalf of the Company, and may in the manner prescribed by the *Railway Act*, issue, sell or pledge and secure bonds, deben-

tures and other securities to an amount not exceeding ten million dollars.

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

Tolls.

12. The directors may fix and regulate the tolls and rates to be charged, and such tolls and rates shall, before being imposed, be submitted to and approved by the Board of Railway Commissioners for Canada, which Board may revise the same from time to time.

Amalgamation and agreements with other companies.

13. The Company may unite with any company or companies incorporated under the laws of Canada or of the State of New York or of the United States, or any state thereof, in financing, controlling, building, working, managing, maintaining and using the said bridge, terminals and approaches, and may make agreements with any such company or companies respecting the financing, control, construction, maintenance, management and use of the said bridge and its appurtenances, and acquiring the approaches and lands therefor in the state of New York as well as in Canada, and may, subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the *Railway Act*, make arrangements with any such company or companies for conveying or leasing the said bridge to such company or companies in whole or in part, or any rights or powers acquired by it, as also the franchise, surveys, plans, works, plant, machinery and other property to it belonging or for an amalgamation with any such company on such terms and conditions as are agreed upon and subject to such restrictions as the directors deem fit.

R.S., c. 170.

Amalgamated company may borrow money.

14. The said new or amalgamated company may from time to time borrow such sums of money, not exceeding fifteen million dollars, as may be necessary for constructing and completing the said bridge, and for the acquiring of the necessary lands therefor, and may mortgage its property, assets, rents and revenues, present and future, or such portion thereof as may be described in the mortgage deed, to secure the payment thereof under the provisions of the *Railway Act*, and for greater certainty it is declared that the Company, in lieu of issuing its own bonds or other securities, has power to mortgage, pledge or hypothecate all its assets and undertakings, rights, franchises and

R.S., c. 170.

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

Railway companies may loan credit to or own shares of company or amalgamated company.

15. Any railway company or companies in Canada or elsewhere may agree either jointly or severally with the Company or with the amalgamated company, for the loan of its credit to, or may subscribe to or become the owner of shares of the capital stock of the Company hereby created or the amalgamated company, in the same manner and with the like rights as individuals, and may guarantee either jointly or severally bonds, debentures and other securities of the Company or of the amalgamated company.

Time for commencement and completion of bridge.

16. The said bridge shall be commenced within two years after the Governor in Council and the competent authority representing the state of New York or the United States of America have approved of such bridging, and shall be completed within seven years after such commencement, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted: Provided, however, that if such approval is not obtained within five years after the passing of this Act, the powers granted for the construction of the said bridge shall cease and be null and void. Section one hundred and sixty-one of the *Railway Act*, shall not apply to the Company.

Proviso.

R.S., c. 170.

Equal rights of passage to other companies.

17. Every railway company whose line of railway now has or shall hereafter have a terminus at, or shall run its trains to or from, any point at or near either end of the said bridge, or shall run its trains in connection with any railway having such terminus or upon which trains are or shall be run to or from the localities aforesaid, whether incorporated by Parliament or by any provincial legislature, or by an authority in the state of New York, or by the Congress of the United States, shall have and be entitled to the same and equal rights and privileges in the passage of the said bridge, without discrimination or preference, upon such terms and conditions as are fixed by

Approval of Railway Commission.

the Board of Railway Commissioners for Canada; and the said Board may make and enforce such orders for the purpose of carrying out the provisions of this section as it thinks necessary.

"the said bridge"

18. Whenever in this Act the expression "the said bridge" occurs, it means the bridge, approaches, lands, works and facilities hereby authorized.

Application of Railway Act.

19. The *Railway Act* shall, so far as is not inconsistent with the special provisions of this Act, apply to the works and undertaking of the Company, and wherever in the *Railway Act* the word "railway" occurs, it shall, for the purposes of the Company, and unless the context otherwise requires, mean the said bridge.

Companies Act not to apply.

20. The *Companies Act* shall not apply to the Company.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 72.

An Act to amend the Fertilizer Act.

First reading, March 21, 1928.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53176 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 72.

An Act to amend the Fertilizer Act.

R.S. c. 69.

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

1. Subsection one of section four of the *Fertilizer Act*, chapter sixty-nine of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:—

Registration of brand.

"**4.** (1) No person shall manufacture, import or advertise any fertilizer for sale in Canada, unless each brand is first registered with the Minister and a registration number assigned to it."

2. Section four of the said Act is further amended by inserting the following subsection immediately after subsection seven thereof:—

Non-resident applicant.

"(8) If the applicant for a registration number be non-resident in Canada, the application shall be signed by a representative or agent in Canada of the applicant as well as by the applicant himself, and shall contain an undertaking by the agent or such representative to be held responsible for due compliance with the provisions of this Act."

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

Percentage of different ingredients required.

"**6.** No person shall advertise, offer, sell, expose or hold in possession for sale in Canada,

"*(a)* any fertilizer except as provided by regulation, unless it contains not less than two per cent of nitrogen or five per cent of available phosphoric acid or two per cent of potash soluble in water, and not less than a total of fourteen per cent of nitrogen, available phosphoric acid and potash soluble in water, or

EXPLANATORY NOTES

[The underlined words in the Bill show the new matter. The words in italics below show where the existing sections are affected.]

The purpose of this amendment to The Fertilizers Act is to place some control over the sale of fertilizers manufactured in the United States, by means of agents who take orders from Canadian farmers and have the fertilizer shipped direct from the American factory.

The amendment also prohibits the advertising of fertilizer for sale until it has been properly registered in accordance with the provisions of the Act.

The total amount of Nitrogen, Phosphoric Acid and Potash in mixed fertilizer complying with the Act is raised from 12 per cent to 14 per cent, and provision is also made to restrict the selling of materials purporting to be fertilizers but which are worthless to agriculture.

The restrictions placed on Trona Potash have been found to be rather harsh, and, consequently, these restrictions have been lightened to some extent.

1. The subsection to be repealed reads as follows:—

"(1) No person shall manufacture or import any fertilizer *to be sold, offered or held* for sale in Canada unless each brand is registered with the Minister and a registration number assigned to it."

3. The section to be repealed reads as follows:—

"**6.** No person shall sell, offer, expose or hold for sale in Canada *any material purported to* be a fertilizer, *or any fertilizer except basic slag or natural rock phosphate*, unless it contains not less than two per cent of nitrogen, or five per cent of available phosphoric acid, or two per cent of potash soluble in water, and not less than a total of *twelve* per cent of nitrogen, available phosphoric acid and potash soluble in water."

"*(b)* any substance or material claimed to possess properties beneficial to soil fertility or plant growth unless such claims are substantiated by experimental evidence acceptable to the Minister."

4. Section seven of the said Act is repealed, and the following is substituted therefor:—

Poison to plant life.

"**7.** No person shall advertise, offer, sell, expose or hold in possession for sale any potash salts containing more than five-tenths of one per cent of anhydrous borax, or mixed fertilizer containing more than one-tenth of one per cent of anhydrous borax, or any fertilizer containing sufficient destructive ingredients or properties which may prove harmful to plant growth when the fertilizer is used in a reasonable manner."

5. The first line of section nine and paragraph *(a)* of section nine of the said Act are repealed, and the following are substituted therefor:—

Fertilizers manufactured on prescription and not for sale.

"**9.** Section four of this Act shall not apply,—

"*(a)* to fertilizers which are manufactured from a prescription received by the manufacturer from a purchaser in the purchaser's own handwriting and countersigned by an Inspector appointed under this Act, provided that such fertilizers are not purchased for resale or actually again sold in Canada."

6. The following sections are inserted in the said Act as sections nineteen, twenty and twenty-one:—

Penalty for adulteration, incorrect marks, or false representation.

"**19.** Any person who advertises, offers, sells, exposes or holds in possession for sale in Canada any fertilizer or material purported to be of fertilizing value, found to be adulterated or incorrectly or misleadingly marked, labelled, printed or named, or falsely represented in advertising or otherwise, shall be guilty of a violation of this Act."

Seizure and confiscation.

"**20.** Any fertilizer not properly and correctly tagged, labelled, marked or branded in accordance with the provisions of section five of this Act, may be seized upon view by an inspector and held at the expense of the owner until compliance with the aforesaid provisions is effected, provided if the owner fails to comply with the aforesaid provisions after twenty-one days, such fertilizer may be confiscated and disposed of as the Minister may direct."

4. The section to be repealed reads as follows:—

"**7.** No person shall sell, offer, expose or hold for sale *in Canada any fertilizer* which contains more than *one-tenth* of one per cent anhydrous borax *or any other constituent poisonous to plant life when applied to the soil.*"

5. The line and paragraph to be repealed read as follows:—

"**9.** Section four of this Act shall not apply,—

"*(a)* to fertilizers which are manufactured from a prescription received by the manufacturer *directly* from a purchaser in the purchaser's own writing, *who states therein that such fertilizers are not intended for sale unless such fertilizers* are actually again sold;"

Imported for re-sale or delivery in Canada.

"**21.** Every fertilizer imported for resale in Canada, or for delivery to a purchaser who has purchased the fertilizer in Canada from an agent or representative of a vendor located in another country, shall be subject to the provisions of this Act and the Minister shall have power to establish regulations for the effective enforcement thereof."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 73.

An Act respecting the Inspection and Grading of Hay and Straw.

First reading, March 21, 1928.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
53178 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 73.

An Act respecting the Inspection and Grading of Hay and Straw.

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

Short title.

1. This Act may be cited as *The Hay and Straw Inspection Act, 1928.*

Regulations.

2. The Minister of Agriculture shall have power:—

(a) to establish regulations prescribing standards of class, quantity, quality and or condition for hay and straw.

Advisory Board.

(b) to appoint an Advisory Board which may at his request prepare and recommend to him such standards as should be established under this Act.

Reasons for grading.

3. (1) All inspecting officers shall where necessary enter in their books their detailed reasons for grading any particular bale or bales of hay or straw.

No foreign matter.

(2) Hay or straw pressed in bales for sale in Canada shall be free from all foreign matter that would prejudicially affect the grade or add to the weight of the bale.

Wire to be used.

(3) The wire to be used in baling hay or straw shall be of a strength and quality not below number fourteen standard gauge annealed steel wire.

Condition of fastenings.

(4) When hay or straw that is baled is inspected the inspecting officer shall enter in his book a statement of the character and condition of the fastenings of the bales.

Inspection of scales.

(5) The scales used by pressers of hay or straw shall be inspected at least once every year.

Imported hay and straw, how to be graded.

4. When hay imported into Canada is inspected, it shall be inspected and graded in accordance with the

Explanatory Notes.

(The underlined sections of this Bill are new. Sections 3-8 re-enact the existing legislation without change).

This Act repeals that part of the *Inspection and Sale Act* relating to the inspection and grading of hay and straw, and re-enacts the provisions of the Act, excepting that it deletes all the grades of hay and straw which have been established by Act of Parliament, and gives authority to the Minister to make regulations prescribing such grades and standards as may be deemed advisable after consultation with the Advisory Board, the appointment of which is also provided for.

The Act also provides that moneys derived from penalties under this part of the Inspection and Sale Act, shall go to the Consolidated Revenue Fund rather than to the Inspector or any other person conducting or taking charge of the prosecution, as was provided in the old Act.

The provisions for grading hay and straw were enacted by chapter 30 of the Statutes of 1918, and are now sections 156-165 of the *Inspection and Sale Act*, chapter 100 of the Revised Statutes, 1927.

provisions of this Act applicable to hay grown in the province into which hay is imported, and when straw imported into Canada is inspected, it shall be inspected and graded in accordance with the provisions of the Act.

Tag to be affixed.

5. Every presser of baled hay or straw in Canada shall affix to every bale of hay or straw sold or offered for sale, a tag having thereon plainly written and legible, his name and business address, and the weight of the bale. Such tag shall be securely fastened to the bale and shall be of not less than one and one-half inches in width and three inches in length.

Size of tag.

Penalty for not affixing tag.

6. Any presser of hay or straw who fails to attach a tag to each bale of hay or straw, as prescribed by this Act, shall, on summary conviction, be liable to a fine of five dollars for each such violation.

Fee for inspection.

7. The Governor in Council shall have power to prescribe the fees that are to be charged for the inspection of hay or straw.

Penalty for putting foreign matter in bales of hay.

8. (1) Any person who puts any foreign matter into any bale of hay intended for sale, which improperly increases its weight, or which prejudicially affects the quality of the bale, shall, on summary conviction, be liable to a fine not exceeding forty dollars for a first offence, and for each subsequent offence to a fine not exceeding one hundred dollars.

Straw.

(2) Any person who puts any foreign matter into any bale of straw intended for sale which improperly increases the weight, or which prejudicially affects the quality of the bale, shall, on summary conviction, be liable to a fine not exceeding twenty-five dollars.

Penalty.

Disposition of penalties.

9. All moneys derived from penalties imposed for any contravention of any provision of this Act respecting hay or straw, shall be paid into and form part of the Consolidated Revenue Fund, and no inspector or other person shall be entitled to any portion thereof.

Sections repealed in R.S., c. 100.

10. Sections one hundred and fifty-six to one hundred and sixty-five, both inclusive, of the *Inspection and Sale Act*, chapter one hundred of the Revised Statutes of Canada, 1927, are repealed.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 152.

An Act respecting the Great Lakes and Atlantic Canal and Power Company, Limited.

First reading, March 27, 1928.

(PRIVATE BILL)

Mr. DENIS
(Joliette.)

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54881 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 152.

An Act respecting the Great Lakes and Atlantic Canal and Power Company, Limited.

Preamble.

WHEREAS a petition has been presented by the Great Lakes and Atlantic Canal and Power Company, Limited, a body politic and corporate, duly incorporated under the *Companies' Act*, chapter seventy-nine of the Revised Statutes of Canada, 1906, hereinafter called "the Company," praying that it may be authorized to construct and operate a deep waterway from the western end of lake St. Francis at or near the town of Cornwall in the county of Stormont, in the province of Ontario to Hungry Bay in the county of Beauharnois in the province of Quebec, and to build a canal from said Hungry Bay to a point at or near Melocheville, in the said county at lake St. Louis, and a deep waterway through lake St. Louis to a point at or near Caughnawaga in the county of La Prairie; or by an alternative route to build a canal from Lake St. Francis at Hungry Bay in the county of Beauharnois, through the said county of Beauharnois and thence through the counties of Chateauguay and La Prairie, to some point on La Prairie Basin, in the latter county; to create a deep waterway from La Prairie Basin to deep water in the harbour of Montreal, so as to make and complete throughout the entire distance from Cornwall aforesaid to the harbour of Montreal as aforesaid, a navigable canal or canals and ship channels of a depth of not less than thirty feet, between said points for the passage of ocean-going vessels, and to generate, distribute and sell such electric energy as may be available by the construction of the works aforesaid; to construct a viaduct or vehicular traffic bridge over the river St. Lawrence from a point at or near Valleyfield in the county of Beauharnois to a point at, near or between Coteau Landing and Coteau du Lac, in the county of Soulanges, and to regulate and maintain the waters of lake St. Francis to the average spring level; and it is expedient to grant the prayer of the said petition: Therefore His

R.S., 1906, c. 79.

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

"Canal."

1. *(a)* The word "canal" wherever used in this Act shall mean "canal for navigation," and shall, unless the context otherwise requires, include every kind of work necessary or done in respect of the canal for the purpose of carrying out the objects of this Act;

"Land." R.S., 1927, c. 170.

(b) The word "land" wherever used in the *Railway Act*, or in this Act, shall include land covered or partly covered by water;

"Vessel."

(c) The word "vessel" shall mean and include any steamship, boats or crafts, barges, boats, rafts, or vessels navigating or passing through the ship channels or canals, or any of them hereby authorized, or plying upon the lakes, waters or rivers, connecting herewith;

"Goods."

(d) The word "goods" shall mean and include any goods, wares, merchandise and commodities of whatsoever description passing through the ship channels, or canals or any of them hereby authorized;

"Ship channel."

(e) The word "ship channel" shall mean a channel of a present existing waterway deepened and widened to a depth of at least thirty feet in depth and to a width of at least three hundred feet so as to create a safe passage for ocean-going ships.

Plans to be approved by Governor in Council.

2. Before the Company shall break ground or commence the construction of any of the canals, ship channels, viaduct, or works hereby authorized, the plans, locations, dimensions, and all necessary particulars of such canals, ship channels, viaduct, and other work already authorized under its incorporation, or hereby authorized, shall have been submitted to and have received the approval of the Governor in Council.

R.S., 1927, c. 140; c. 55; c. 54; c. 170; to apply.

3. The provisions of the *Navigable Waters Protection Act*, chapter one hundred and forty of the Revised Statutes of Canada, 1927, the *Electricity Inspection Act*, chapter fifty-five of the Revised Statutes of Canada, 1927, the *Electricity and Fluid Exportation Act*, chapter fifty-four of the Revised Statutes of Canada, 1927, the *Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927; shall so far as they are not inconsistent with the provisions of this Act, and of any Act or Acts of the Legislature of the province of Quebec respecting the said canals and ship channels, apply to the Company and to its works and undertakings and wherever in the *Railway Act*, the word "railway" occurs it shall for the purposes of the Company, and unless the context otherwise requires, mean the aforesaid "ship channels and canals."

Powers.

4. *(a)* The Company may—

lay out, construct, excavate, dig, dredge, maintain and operate a canal from some point on lake St. Francis, at or near Hungry Bay, in the county of Beauharnois, province of Quebec, to a point on lake St. Louis, at or near Melocheville, in the said county, and from a point on lake St. Louis, at or near Caughnawaga to La Prairie Basin, in the county of La Prairie, or by an alternate route, a canal starting from Hungry Bay aforesaid to La Prairie aforesaid;

(b) lay out, dredge, maintain and operate a ship channel in the St. Lawrence river, from the harbour of Montreal to La Prairie Basin, through lake St. Louis from the westerly point of the canal from Caughnawaga to La Prairie Basin, to the easterly point of the canal from Hungry Bay to Melocheville and through lake St. Francis from Hungry Bay to a point at or near the town of Cornwall in the province of Ontario;

(c) construct, erect, maintain and operate by any kind of motive power all such locks, apparatus, appliances and machinery, dams, tow-paths, branches, basins, feeders to supply water from the said lakes, or from any rivers, creeks, reservoirs, or cuttings, as may be desirable or necessary for the construction and operation of the said canals;

(d) enter upon and take such lands as are necessary and proper for the making, preserving, maintaining, operating and using the canals, ship channels, and other works of the Company hereby authorized; dig, cut, trench, get, remove, take and carry away, and lay earth, clay, stone, soil, rubbish, trees, roots of trees, beds of gravel, or sand, or any other matter or things which may be dug or got in making the said intended canals, ship channels and other works, on or out of the lands or grounds of any person or persons, adjoining or lying convenient thereto, and which may be proper, requisite or necessary for making or repairing the said intended canals, ship channels, or the works incidental or relative thereto, or which may hinder, prevent, or obstruct the making, using or completing, extending or maintaining the same, respectively, according to the intent and purpose of this Act;

(e) make, maintain and alter any places or passages over, under or through the said canals or their connections;

(f) obtain, take and use during the construction and operation of the said canals, from the rivers, lakes, brooks, streams, water courses, reservoirs, and other sources of water supply, adjacent or near to said canals, water sufficient for the purposes of constructing, maintaining, operating and using the said canals and works hereby authorized, and sufficient to establish

and maintain a current at the rate on the average of three miles per hour through the navigable channel of the canals, and the Company shall in the exercise of the power by this paragraph granted, do as little damage as possible, and shall make full compensation to all persons interested for all damage by them sustained, by reason of the exercise of such powers, and, such damage, in case of disagreement, shall be settled in the same manner as is provided for fixing compensation under the provisions of the *Railway Act;*

R.S., c. 170.

(g) for the purposes of the said undertaking, construct, maintain and operate, by any motive power, a single or double line of railway, along or near the side or sides of the said canals and ship channels;

(h) acquire, construct, maintain and operate and use and lease or otherwise dispose of, terminals, harbours, wharfs, docks, piers, elevators, and warehouses, dry docks, floating dry docks, and other structure, and building and repairing yards and all works incidental thereto, upon the said canals or upon lands adjoining or near the same;

(i) acquire, lay out, and use and lease or otherwise dispose of, water, lots, and lands, and use, lease, sell or otherwise dispose of water brought by or for the said canals or works and not requisite for the same, construct, maintain and operate works for and produce hydraulic, electric, natural gas, steam or other power, and sell, lease, supply and otherwise dispose of light, heat and power from the same, and propel vessels in and through the said canals by the same or any kind of force, and sell, lease or otherwise dispose of the said works or any of them;

(j) purchase, construct, complete, fit out, charter and repair, sell, dispose of, work and control vessels to ply on the said canals, lakes, rivers, ship channels and canals connecting therewith, and also make arrangements and agreements with vessel proprietors by chartering or otherwise, to ply upon the said lakes, rivers, ship channels and canals;

(k) acquire, by license, purchase or otherwise, the right to use any patented invention for the purposes of the works hereby authorized and again dispose of the same;

(l) construct, make and do all such matter and thing, whatsoever necessary or proper for the making, completing and properly maintaining and operating the said canals and ship channels, and carrying out in other respects the objects in this section mentioned subject, however, to all the provisions of this Act;

(m) the company shall have power to use any waters which may become available by the making and

operating of the said canals and ship channels or any of them, and which has been necessary and has been used to render navigable the said ship channels and canals or any of them; and may generate, acquire, use, transmit and distribute electric and other power and energy, and may sell and dispose of the same and exact tolls therefor, and for the purpose of such generation, acquisition, use, transmission and distribution, may, subject to the provisions of section three hundred and sixty-eight of the *Railway Act*, construct, acquire, operate and maintain the necessary plant, works, and line for the conveyance of light heat, power, and electricity.

R.S., c. 170.

(n) the company shall have power, subject to the approval of its plans, as provided for in section two of this Act, to erect a viaduct from the south bank of the river St. Lawrence at or near Valleyfield, to the north bank, at, near, or between, Coteau Landing and Coteau du Lac, with all necessary locks to be operated as ordered by the Department of Marine and Fisheries, and the Department of Railways and Canals, and to levy tolls for all traffic, vehicular or other, as will make use of the said viaduct, but said viaduct shall not raise the waters of the St. Lawrence river and of lake St. Francis to a point above the mean spring level.

Dimension of canals.

5. The canals and ship channels authorized by this Act, shall in all places therein be of a depth of not less than thirty feet, and of a width of not less than four hundred feet at the water line, except in places where the channels or canals pass through rock formations, in which case the width of the said canals and channels shall be at least three hundred feet and the locks shall be of a length of not less than one thousand feet.

Sale of electricity and power.

6. The Company shall have the right to sell and dispose of any electricity and other power or energy made available by the construction and operation of the said canals and ship channels and generated pursuant to subsection *(m)* of section four of this Act, in the best possible market, regardless of any boundary lines between any of the provinces of Canada, subject to the provisions of section three of this Act.

Crossing of drains and watercourses.

7. (1) The Company shall make due provision for, take care and dispose of all water and drainage, to the extent to which it disturbs or interferes therwith, whether from artificial drains, natural streams or watercourses, which drains, natural streams, or water courses, the said canals cross, touch or interfere with, and which are in existence at the time of the construction of the said canals or any of them.

Settlements of disputes.

(2) All subsequent questions, disputes or complaints as to the construction of new drains and as to the alteration, enlargement and change of existing drains and of natural streams or water courses, and as to who shall make such alteration, enlargement and change, and by whom the expense thereof shall be paid and also any complaint or dispute as to the manner or sufficiency of the compliance with the provisions of the next preceding section, shall be inquired into, heard, and determined by the Board of Railway Commissioners for Canada in the same manner as is provided for other matters to be inquired into, heard and determined by the said Board.

Taking over of Government works.

8. If any lock, canal, dam, slide, boom, bridge, or other work, the property of the Government of Canada, and whether now in their possession or leased to any corporation or person, is required by the Company for the purposes of its undertakings, the Company may, with the consent of the Governor in Council, and upon such terms as may be agreed upon between the Company and the Government, take, acquire or lease such lock, canal, dam, slide, boom, bridge or other work for the purposes of its undertakings.

Telegraph and telephone lines.

9. The Company may, subject to section three hundred and sixty-nine, three hundred and seventy, three hundred and seventy-one, three hundred and seventy-two, three hundred and seventy-three and three hundred and seventy-five of the *Railway Act*, construct, equip, operate and maintain, telegraph and telephone lines, or wires, or pipes, for the purpose of conveying or transmitting messages, along the whole length of the said canals and ship channels and their approaches, and from and between the said canals, and ship channels, and, to all or any of the towns and villages near or adjacent to the said canals and ship channels, and, transmit telegraph and telephone messages for the public and collect tolls therefor.

Works not to affect level of boundary waters.

10. All the works authorized by this Act shall be made and constructed in such manner, as not to materially affect the level or flow of any boundary waters between the Dominion of Canada and the United States of America.

Power to expropriate for certain constructions.

11. The Company shall have power, subject to the provisions of section two of this Act, to expropriate, in the counties wherein its works may be located, immoveable property, or any part thereof, and riparian rights necessary for the construction and maintenance of power-houses, transformer houses, drains, canal sluices, pipes, flumes and dams, and other works or structures necessary or incidental to its undertakings.

Settlement of compensation for lands.

12. (1) When the Company and the owners or occupiers of private property entered upon, cannot agree as to the compensation for lands required for the construction or maintenance of any work authorized under this Act, or for damage to lands injured thereby, the matter shall be settled in the same manner as is provided for obtaining title and fixing compensation under the *Railway Act*, so far as the same may be applicable.

"Lands" defined.

(2) In this section and in section sixteen the expression "lands" means the lands, the acquiring, taking or using of which is incidental to the exercise of the powers given by this Act, and includes real property, messuages, lands, tenements and hereditaments of any tenure, and also comprises any users of the waters of the river St. Lawrence for purposes of developing electric or hydraulic energy, which might be affected or who would claim that they were affected by the canal, navigable channels, viaduct or other works of the Company.

Urgent repairs to works.

13. In case of any accident requiring immediate repair on any of the said canals or any part thereof, the Company, their agents or workmen may enter upon the adjoining land, (not being an orchard or garden) and dig for, work, get and carry away and use all such gravel, stone, earth, clay or other materials, as may be necessary, for the repair of the accident as aforesaid, doing as little damage as may be to such land and making compensation therefor; and in case of dispute or difference regarding the amount to be paid therefor, the same shall be decided by the Board of Railway Commissioners for Canada.

Basins, docks, etc.

14. The Company may open, cut and erect such ponds and basins for the laying up and turning of vessels, boats or rafts, using the said canals, and at such points thereon as it deems expedient and may also build and erect such dry docks, slips and machinery connected therewith for the hauling out and repairing of such vessels as it thinks proper, and may lease or hire the same on such terms, as it deems expedient or may operate the same by their servants or agents, as the Company shall decide from time to time.

Crossing highways.

15. The Company shall, at each and every place, where any of the said canals cross any railways, highway or public road (unless exempted from the provisions of this section, as far as any highway or public road is concerned, by the municipality having jurisdiction over such highway or public road) construct and maintain to the satisfaction of, and as ordered by the Board of Railway Commissioners for Canada, bridges for passage over the said canals, so that the public thoroughfare or railway may be as little impeded as reasonably may be; and the company shall not,

in making the said canals, cut through or interrupt the passage on any highway or public road, until they have made a convenient road past their works for the use of the public; and for every day on which they shall neglect to comply with the requirements of this section, the Company shall incur a penalty of one hundred dollars.

Breadth of land on each side of works.

16. The land, ground or property to be taken or used, without the consent of the proprietors, for the said canals and works and the ditches, drains and fences to separate the same from the adjoining lands, shall not together exceed one thousand four hundred feet in breadth, except in places where basins and other works are required to be cut or made as necessary parts of any of the canals, as shown on the plans to be approved as hereinafter provided by the Governor in Council.

By-laws.

17. In addition to the general powers to make by-laws under the *Railway Act*, the Company may, subject to the approval of the Governor in Council, make by-laws, rules or regulations for the following purposes, that is to say:—

(a) for regulating the speed at which, and the mode by which vessels using the Company's works are to be propelled;

(b) for regulating the hours of the arrival and departure of such vessels;

(c) for regulating the loading and unloading of such vessels and the draught thereof;

(d) for preventing the smoking of tobacco upon the works, the bringing into or upon the property of the Company of dangerous or deleterious substances, and for the proper care and preservation of the Company's property;

(e) for regulating the travelling and transportation upon and the using and the working of the canals;

(f) for regulating the conduct of the officers, servants, and employees of the Company;

(g) for the maintaining, preserving and using the canals and all other works, hereby authorized to be constructed or connected therewith, and for the governing of all persons and vessels passing through the said canals; and

(h) for providing for the due management of the affairs of the Company in all respects.

No tolls unless approved.

18. No tolls of any description shall be levied or taken upon the said canals, until the same are approved of by the Governor in Council, and by the Board of Railway Commissioners for Canada, nor until after two weekly publications in the *Canada Gazette*, of such Order in Council and of

such order of the Board of Railway Commissioners for Canada, and the order of the Board of Railway Commissioners for Canada, approving or levying such tolls, and the amount and rate thereof, shall make such regulations for collecting such tolls as the said Board deems just.

Draught to be marked on vessels.

19. Every vessel using the said canals shall have her draught of water legibly marked, in figures of not less than six inches long, from one foot of her greatest draught, upon the stem and stern posts; and any wilful misstatement of such figures so as to mislead the officers of the Company as to any vessel's true draught, shall be punishable as an indictable offence on the part of the owner and master of such vessel and the Company may detain any such vessel, upon which incorrect figures of draught are found, until the same are corrected at the expense of her owner.

Penalty for incorrect marks.

Measurement of vessels.

20. Every owner or master of a vessel navigating the said canals shall permit it to be gauged and measured, and every such owner or master who refuses to permit the same shall forfeit and pay the sum of two hundred dollars; and the proper officers of the Company may gauge and measure all vessels, using the said canals, and his decision shall be final with respect to the tolls to be paid thereon and he may mark the tonnage or measurement on every vessel using the said canals; and such measure so marked by him shall always be evidence respecting the tonnage in all questions respecting the tolls or dues to be paid to the Company by virtue thereof.

Power of officers of company.

Conveyance of H. M. mails, forces and servants.

21. The Company shall at all times, when thereunto required by the Postmaster General of Canada, the commander of the forces, or any person having the superintendance or command of any police force, carry His Majesty's mails, His Majesty's naval or military forces or militia, and all artillery, ammunition, provisions or other stores for their use, and all policemen, constables and others travelling on His Majesty's services on the said canals on such terms and conditions and under such regulations as the Governor in Council appoints and declares.

Powers reserved to Parliament.

22. Any enactments which the Parliament of Canada hereafter deems it expedient to make, or any order which the Governor in Council deems it expedient to pass, with regard to the exclusive use of the canals by the Government at any time, or the carriage of His Majesty's mails or His Majesty's forces and other persons and articles, or with the rates to be paid for carrying the same or in any way respecting the use of any electric telegraph, electric energy, or

other service to be rendered by the Company to the Government, shall not be deemed an infringement of the privileges conferred by this Act.

Lands to be fenced.

23. The Company shall, within six months after any lands shall be taken for the use of the said canals, divide and separate, and shall keep constantly divided and separated the land so taken, from the lands or ground adjoining thereto with a sufficient post and rail, hedge, ditch, bank or other kind of fence sufficient to keep off hogs, sheep, and cattle, to be set and made on the land or grounds purchased by, conveyed to or vested in the Company as aforesaid, and shall at their own costs and charges, from time to time, maintain, support and keep in sufficient repair the said posts, fences, rails, hedges, ditches, trenches, banks and other fences set up and made as aforesaid.

Milestones along canals.

24. So soon as conveniently may be, after the said canals are completed, the Company shall cause them to be measured, and stones or posts with proper inscriptions on the sides thereof denoting the distances, shall be erected and maintained at distances convenient from each other.

Obstructions in canals, etc.

25. Every person who obstructs, interrupts or impedes the navigation of the said ship channels, canals or any of them or interferes with any of the works belonging thereto, by the introduction of any timber or vessel or any other substance, or by any other means contrary to the provisions of this Act or of the by-laws of the Company, shall for every such offence incur a penalty not to exceed Four Hundred Dollars, one-half of which shall go to the Company and the other half to His Majesty.

Vessels sunk or grounded in canals.

26. If any vessel is sunk or grounded in any part of the said canals or in any approaches thereto, and if the owners or master thereof, neglects or refuses to remove it forthwith, the Company may forthwith proceed to have it raised or removed and may retain possession of it until the charges and expenses necessarily incurred by the Company in so raising and removing it are paid and satisfied; and the Company may sue for and recover in any Court of competent jurisdiction, such charges and expenses from the owner or master of such vessel.

Time for commencement limited.

27. If the construction of the canals or ship channels or works is not commenced and ten million dollars or more expended thereon in surveys, purchase of right of way, and actual construction work within two years after the approval and sanction of the plans as provided hereinabove, and if the said canals and ship channels and works be not completed and in operation within five years from the date of

said approval and sanction, then the powers granted by this Act shall cease and be null and void as respect so much of the said canals, ship channels and works as then remain uncompleted.

Power to acquire Transportation and Power Corporation.

28. The Company may acquire the whole or any part of the rights, goodwill and advantages of every nature and kind, and pay for the same in cash or in shares of the Company, and do all things necessary for and incidental to taking over the enterprises of The Transportation and Power Corporation, Limited, incorporated by letters patent under the *Companies Act*, chapter seventy-nine of the Revised Statutes of Canada, 1906, and in the event of such acquisition the Company shall perform and discharge all such duties, obligations and liabilities of that Company in respect to the rights and property acquired, as are not performed and discharged by that Company.

Division of undertakings.

29. The Company may divide its works and undertakings into different sections for all purposes whatsoever and may finance same separately.

Issue of bonds.

30. The Company may issue bonds on the whole of its undertaking or may issue series of bonds on each separate section or undertaking, so that such distinct sections or undertakings may be covered by a separate deed of trust, covering such section or undertaking and its revenues specially and exclusively.

Additional business.

31. The Company may carry on warehousing, elevating and forwarding business and generally have all powers necessary or incidental thereto, or to an undertaking of this kind.

Arrangements with municipalities

32. The Company may enter into arrangements with municipalities to supply them with energy or water; to obtain from them franchises to construct and operate water works, power plants or tramways in such municipalities.

Approval of arrangements.

33. The Company may enter into arrangements with municipalities and receive from them subsidies or guarantees or other advantages or aid, towards the furthering of its undertaking, provided same are approved of by the respective governments of the provinces of Ontario or Quebec, as the case may be.

Arrangements with land companies.

34. The Company may also enter into arrangements with land companies with respect to the guaranteeing of the bonds of this Company or their own.

Crossing railways or altering bridges.

35. In addition to the powers hereinabove set out, the Company may cross railways or alter bridges, whether railway or other, on such terms and conditions as may be established by the Railway Commission and on plans approved by them and the Departments of Railways, Public Works, and Marine and Fisheries.

Works to be subject to regulations.

36. The said canals, ship channels, buildings, structures, transmission lines and other works shall be located, laid out, constructed and made subject to such regulations as the Governor in Council may prescribe, and to such end, the Company shall submit to the Governor in Council for examination and approval, the plans, locations, dimensions and all necessary particulars of such canals, ship channels, buildings, structures, transmission lines and other works hereby authorized.

Powers not restrictive.

37. None of the powers or enactments granted by this Act, shall be limitative or restrictive of any of the powers granted to any company by Act or Acts of the Legislature of the province of Quebec.

Transfer of head office.

38. The head office of the Company now in the city of Montreal, may be transferred by a resolution of the board of directors to another city, provided it always be located in one of the cities of Canada. The Company on and after the coming into force of this Act may discontinue the use of the word "Limited" of its name, but nothing herein contained shall in any way affect any of its rights, nor free it from any of its obligations, said rights and obligations remaining in full force and effect.

153.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 153.

An Act respecting the Canadian National Railways and respecting the Canadian Northern Railway Company five per cent Income Charge Convertible Debenture Stock.

First reading, March 27, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57676 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 153.

An Act respecting the Canadian National Railways and respecting the Canadian Northern Railway Company five per cent Income Charge Convertible Debenture Stock.

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

Short title.

1. This Act may be cited as the *Canadian Northern Income Charge Act, 1928.*

Scheme of arrangement confirmed with holders of 5 per cent income charge convertible debenture stock of the Canadian Northern Railway Company.

2. Notwithstanding anything in any of the Acts relating to the Canadian Northern Railway Company (hereinafter called the "Northern Company") the Scheme of Arrangement and Compromise set out in the Schedule to this Act, and hereinafter called the "Scheme of Arrangement", to be made with the holders of the five per cent Income Charge Convertible Debenture Stock of the Northern Company (hereinafter called "the Stock") issued pursuant to and secured by Trust Deeds dated the sixth day of May, 1910, and the seventeenth day of May, 1915, made between the Northern Company and The British Empire Trust Company, Limited, and National Trust Company, Limited, (hereinafter called "the Trustees") is hereby duly ratified and confirmed and declared to be valid and binding upon all persons and Companies affected thereby, or interested or mentioned therein, in every respect as if the Scheme of Arrangement had been enacted hereby; and the said persons and companies are hereby authorized and required to observe and carry out all the terms and provisions of such Scheme of Arrangement according to the true intent and meaning thereof.

Scheme to be operative on passing of this Act.

3. The Scheme of Arrangement having already been sanctioned, approved and ratified by Extraordinary Resolution of the holders of the Stock, passed unanimously at a

Explanatory Notes.

Section **2.** This section confirms the Scheme of Arrangement set out in the Schedule to this Act.

Section **3.** The Scheme of Arrangement is made effective immediately after the passage of this Act. Since at a meeting of stockholders duly convened under the terms of the Trust Deed securing the stock an extraordinary resolution has been passed unanimously, all stockholders whether attending the meeting or not are bound by the terms of the resolution. This section merely confirms that which has already become effective by means of the passage of the extraordinary resolution.

meeting of such holders duly convened for such purpose, in accordance with the provisions of Clause 8 *(a)* of such Scheme of Arrangement, shall become operative upon the passage of this Act, and thereupon all the terms and provisions of the Scheme of Arrangement shall be binding upon all holders of the Stock, whether assenting or not assenting to the Scheme of Arrangement, and each and every holder of the Stock shall be bound to give effect to such terms and provisions and shall, upon and after payment to the Trustees of the sums mentioned in Clauses 5 and 6 of the Scheme of Arrangement, be limited (as provided in Clause 6 of the Scheme of Arrangement) to his right to receive his *pro rata* share of such payments, and he shall have no further right in respect of his stock against the Northern Company or its property or assets.

Terms to be binding on all holders of stock.

Rights of holders limited.

Interpretation.

4. Words expressed in the masculine gender in this Act or in the Scheme of Arrangement shall include the feminine and shall apply to an incorporated holder.

Stock registers to be closed.

5. Upon and after April 25th, 1928, which is ten days before the date fixed for repayment of the Stock under Clause 5 of the Scheme of Arrangement, the registers of the Stock shall be closed and no further or other transfers of the Stock shall be registered.

Lost or destroyed certificates.

6. Any money remaining in the hands of the Trustees by reason of the inability of any holder of the Stock to present and surrender to the Trustees (as provided in Clause 7 of the Scheme of Arrangement) proper Certificate of the Stock registered in the name of such holder, may be paid by the Trustees, or either of them, within one year after May 6, 1928, to claimants proving to the satisfaction of the Northern Company title thereto, and that the Certificates of the Stock were lost or destroyed, and furnishing indemnity and discharge satisfactory to the Northern Company and the Trustees. Upon the expiration of the said period of one year after May 6, 1928, the balance of all moneys deposited with the Trustees under the provisions of Clause 5 of the Scheme of Arrangement, after deducting all proper payments made and expenses incurred by the Trustees under the Scheme of Arrangement, shall by the Trustees be paid to the Issuing Company (mentioned in Section 11 *(f)* of this Act) to be dealt with by it subject to any then unfulfilled provisions of the Scheme of Arrangement and of this Act. Upon such payment being made to the Issuing Company the Trustees shall be discharged absolutely from all obligations to the holders of the stock in respect of such unfulfilled provisions.

After one year balance to be paid over by trustees.

Discharge of trustees.

Section **4.** In the Scheme of Arrangement the words "he" and "his" were used to denote all the stockholders, and this language was echoed in the preceding section of this Act. This Section was added in the interest of greater clearness.

Section **5.** This section is for the purpose of enabling a definite list of stockholders to be fixed before the date of repayment of the stock and to avoid last minute transfers.

Section **6.** It often happens in paying off a bond or stock issue that some of the securities are lost or destroyed. This section is to enable the Trustees within one year to deal with claimants so situated, and after the end of the year all balances in the hands of the Trustees are turned over to the Railway Company, subject to any unfulfilled provisions of the Scheme. The Trustees thereupon go out of the picture.

Certificates of stock to be cancelled and cremated.

7. All Certificates of Stock coming into the possession of the Trustees under the provisions of Clause 7 of the Scheme of Arrangement may from time to time be cancelled and cremated in the presence of a representative of the Minister of Finance and of the Trustees, or either of them, and of the Northern Company, and certificates of such cremation, signed in quadruplicate by such representatives, shall be filed with the Minister of Finance and with the Northern Company and with each of the Trustees and shall be conclusive evidence for all purposes of such cancellation and cremation.

Authority to raise money.

8. The Governor in Council may provide for the raising of the money necessary to make the payments specified in Clauses 5 and 6 of the Scheme of Arrangement.

Company may issue new securities and Governor in Council may authorize guarantee thereof.

9. Subject to the provisions of this Act, the Northern Company or, in the discretion of the Governor in Council, the Canadian National Railway Company (hereinafter called the "National Company") may issue notes, obligations, bonds, debentures or other securities (hereinafter called "new securities") in respect of the raising of such money, and the Governor in Council may authorize the guarantee of the principal and interest of the new securities.

Limit to the amount of the new securities.

10. The principal of the Stock outstanding at the present time, expressed in dollars, amounts to twenty-four million, one hundred and thirty seven thousand, eight hundred and forty-six dollars and eight cents ($24,137,846.08) which at ninety-four per cent. (94%) of par (the rate at which under Clause 5 of the Scheme of Arrangement the Stock is repayable) equals twenty-two million, six hundred and eighty-nine thousand, five hundred and seventy-five dollars and thirty-two cents ($22,689,575.32). The new securities shall not exceed in aggregate face value such an amount as may by the Governor in Council be considered sufficient to raise this latter amount of $22,689,575.32, or its equivalent in sterling money.

Details of issue of new securities to be approved by the Governor in Council.

11. (1) With respect to the new securities, the Governor in Council may, subject to the provisions of this Act, from time to time approve or decide—

(a) the kind of new securities to be issued and guaranteed, and the form and terms thereof;

(b) the form and manner of the guarantee or guarantees;

(c) the times, manner and amount of the issue or issues;

(d) the terms and conditions of any sale, pledge or other disposition of the new securities;

(e) the securing, if deemed desirable, of the new securities by mortgage, deed of trust or other instrument,

Section **7.** Most of the certificates of the stock are held in England, and since it is not worth while that surrendered certificates of stock should be shipped over to this country, arrangements are made to cremate the certificates in England or elsewhere in the presence of representatives of the parties interested.

Section **8.** In order to carry out the Scheme of Arrangement, provision must be made for the raising of the necessary money to make the payments covered by the Scheme of Arrangement. The following sections of the Act, except Section 14, deal with these arrangements.

Section **9.** This section provides for the issue of new securities by the Canadian Northern or the Canadian National Railway Company, as the Governor in Council decides, and authorizes the guarantee of the new securities.

Section **10.** This section shows the amount of the stock outstanding at the present time, expressed in dollars, and fixes the limit of the new securities.

Section **11.** This enables the Governor in Council to control absolutely the details of the issue of the new securities.

Subsection (2). This is a standard subsection, providing for the signature of the guarantee or guarantees.

and the manner thereof, and the form and terms of any such indenture, and the Trustee or Trustees thereof;

(f) which Company shall issue the new securities, that is, the National Company or the Northern Company,— the one so selected being in this Act referred to as the "issuing Company."

Signature of guarantees and effect thereof.

(2) The guarantee or guarantees may be signed on behalf of His Majesty by the Minister of Finance or by such other person as the Governor in Council may from time to time designate, and such signature shall be conclusive evidence for all purposes of the validity of any such guarantee and that the provisions of this Act have been complied with.

Proceeds of new securities to be deposited to credit of Minister of Finance in trust.

12. The proceeds of any sale, pledge or other disposition of the new securities shall be deposited, in the first place, to the credit of the Minister of Finance in one or more banks designated by him in trust for the issuing Company, and shall from time to time be released or dealt with by the said Minister in such amounts and in such manner as shall, in the opinion of the said Minister, be required to carry into effect the provisions of Clauses 5 and 6 of the Scheme of Arrangement. Should any balance remain in such bank account after the payments aforesaid, such credit balance shall, three months after May 6th, 1928, be paid to the issuing Company, to be dealt with by it subject to any unfulfilled provisions of the Scheme of Arrangement and of this Act, and should the amount deposited be insufficient to meet the payments mentioned in the Scheme of Arrangement such deficiency shall be paid by the issuing Company.

Accounts to be closed after three months.

Tenders.

13. (1) The issuing Company shall adopt the principle of competitive bids or tenders in respect of the sale of the new securities, but it shall not, subject to the provisions of paragraph *(d)* of Section 11 of this Act, be bound to accept either the highest or the lowest or any bid or tender made or obtained, nor be precluded from negotiating for better prices or terms.

Temporary financing excepted.

(2) This section shall not apply to temporary financing, in whole or in part, by way of pledge or otherwise of the new securities or of the new securities in temporary form, where the Governor in Council approves such temporary financing and the terms thereof.

Agreements for purchase, lease or amalgamation.

14. After payment is made to the Trustees under the provisions of Clause 5 of the Scheme of Arrangement, the National Company, the Northern Company, and any of the Companies within the legislative authority of the Parliament of Canada mentioned or referred to in the

Section **12.** This section places the control of the proceeds of any issue of new securities in the Minister of Finance, the moneys being placed in one or more banks to his credit. The Minister of Finance will release the monies to the English Trustee or the Canadian Trustee necessary to meet the payments in each country. Provision is made for the closing of the bank accounts after three months.

Section **13.** (1) This is an adaptation of the standard clause with respect to competitive bids on any disposal of the new securities.

(2) This is new.

Section **14.** The amalgamation of the Canadian Northern with the Canadian National has been held up pending the adjustment with the stockholders of this Canadian Northern 5 per cent Income Charge Debenture Stock. It is proposed when the new issue of securities is completed and the old stock is retired to proceed with the amalgamation, and also to amalgamate a number of other small subsidiary Companies which are still existing and operating as separate Companies but which may well be amalgamated in the interests of economy.

Canadian National Railways Act, being Chapter 172 of The Revised Statutes of Canada, 1927, and Chapter 13 of the Statutes of Canada, 1920 (hereinafter called the "said Acts") or any one or more of such Companies, or any Company formed by any consolidation under the authority of this Section, may upon the recommendation of the Minister of Railways and Canals and with the sanction of the Governor in Council, notwithstanding anything in any Acts relating to any such Companies, enter into an agreement or agreements from time to time for amalgamation or for purchase, sale or leasing in whole or in part of the undertaking of any such Company, under the provisions of the *Railway Act*, being Chapter 170 of The Revised Statutes of Canada, 1927 (save that no application to or recommendation by the Board of Railway Commissioners shall be necessary) with any of the other Companies in this Section or in the said Acts mentioned or referred to, or with the National Company, or the Northern Company, or with His Majesty, or with any Company at any time approved or designated for such purpose by the Governor in Council,—which approval or designation the Governor in Council is hereby authorized to give or make.

SCHEDULE.

CANADIAN NORTHERN RAILWAY COMPANY.

Scheme of Arrangement and Compromise.

Between the Canadian Northern Railway Company (hereafter called "the Company") and the Holders of its 5 per cent. Income Charge Convertible Debenture Stock (hereafter called "the Stock") secured by Trust Deeds dated 6th May, 1910, and 17th May, 1915, made between the Company and The British Empire Trust Company, Limited, and National Trust Company, Limited (hereafter referred to as "the Trust Deeds.")

1. The Stock is repayable by the Company at par on the 6th May, 1930, as regards Stock registered in the English Register (herein referred to as Sterling Stock) in pounds Sterling and as regards Stock registered in the Canadian Register (hereafter referred to as Dollar Stock) in Canadian Dollars.

2. Interest on the Stock is payable at the rate of 5 per cent per annum or at such less rate (if any) as the net earnings arising from the operation of the Company's lines of railway (as defined in the Trust Deeds) in each year shall be sufficient to pay.

3. Disputes have arisen between the Company and some of the holders of the Debenture Stock as to the rights of the latter and more especially whether any and if so what interest should have been paid on the Debenture Stock in the past and the basis upon which the net earnings arising from the operation of the Company's lines of railway were to be ascertained in the future in the circumstances which have arisen since the execution of the Trust Deeds.

4. As the result of negotiations which have taken place between the Company and a Committee representing the holders of the Stock the following arrangement and compromise has been agreed to subject to confirmation as below mentioned:

5. The Debenture Stock is to become repayable at 94 per cent of par on the 6th May, 1928, on which date the Company shall pay to the Trustees in England in Sterling the amount necessary to redeem at the price aforesaid the Sterling Stock and shall pay to the Trustees in Canada in Dollars the amount required to redeem at the price aforesaid the Dollar Stock.

6. Against such payment as aforesaid and payment to the Trustees of their costs charges and expenses and remuneration in accordance with the provisions of the Trust Deeds the Trustees shall release the whole of the security for the Debenture Stock and discharge the Trust Deed and reconvey the mortgaged premises in accordance with the law, freed and discharged from all claims by the Trustees or the Stockholders and the right of each Stockholder after payment of the above-mentioned sums to the Trustees shall be to receive his *pro rata* share of such payment and he shall have no further right in respect of his Stock against the Company or its property or assets.

7. The sums so paid to the Trustees pursuant to Clause 5 hereof shall be applied by them in redeeming at the price aforesaid the Sterling Stock and the Dollar Stock against presentation and surrender of the relative certificates for such stock and if required by the Company a receipt by the holder in full discharge of all principal and interest in respect of his Stock.

8. This Scheme is conditional upon:—

(a) the same being ratified by extraordinary resolution of the holders of the Stock passed at a meeting duly convened for the purpose;

(b) ratification by an Act of the Parliament of Canada both such ratifications to be obtained on or before the first day of May, 1928, and unless so obtained this Scheme shall be void.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 154.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1929.

AS PASSED BY THE HOUSE OF COMMONS, 27th MARCH, 1928.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
50941 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 154.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1929.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Viscount Willingdon, etc., etc., Governor General of Canada, and the estimates accompanying the said message, that the sum hereinafter mentioned is required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-nine, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 1, 1928.*

$37,198,026.71 granted for 1928-29.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole thirty-seven million, one hundred and ninety-eight thousand, twenty-six dollars and seventy-one cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-eight, to the thirty-first day of March, one thousand nine hundred and twenty-nine, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted, set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty-nine,

as laid before the House of Commons at the present session of Parliament.

Account to be rendered in detail.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 155.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1928.

AS PASSED BY THE HOUSE OF COMMONS, 27th MARCH, 1928.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60365 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 155.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1928.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Viscount Willingdon, etc., etc., Governor General of Canada, and the estimates accompanying the said message, that the sum hereinafter mentioned is required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-eight, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commone of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 2, 1928.*

$3,306,347.02 granted for 1927-28.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole three million, three hundred and six thousand, three hundred and forty-seven dollars and two cents towards defraying the several charges and expenses of the public service, from the 1st day of April, one thousand nine hundred and twenty-seven, to the thirty-first day of March, one thousand nine hundred and twenty-eight, not otherwise provided for, and set forth in Schedule A to this Act.

$4,471,400.87 granted for 1927-28.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole four million, four hundred and seventy-one thousand,

four hundred dollars and eighty-seven cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-seven, to the thirty-first day of March, one thousand nine hundred and twenty-eight, not otherwise provided for and set forth in Schedule B to this Act.

Account to be rendered in detail.

4. 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.

SCHEDULE A.

Based on Further Supplementary Estimates, 1928. The amount hereby granted is $3,306,347.02.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1928, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	CIVIL GOVERNMENT	$ cts.	$ cts.
371	*Civil Service Commission*— Contingencies— Further amount required to meet cost of holding examinations required by law; sundries, printing and stationery, and temporary clerical assistance	20,000 00	
372	*Marine and Fisheries*— Contingencies— Further amount required	8,000 00	
373	*National Defence*— Contingencies— Further amount required	10,000 00	
374	*Public Archives*— Contingencies— Further amount required	6,888 70	
375	*Secretary of State*— Contingencies— Further amount required	5,000 00	49,888 70
	AGRICULTURE		
376	Fruit Branch—Further amount required		35,000 00
	PENSIONS		
377	European War and Active Militia— Further amount required		1,600,000 00
	RAILWAYS AND CANALS		
	(Chargeable to Income)		
	CANALS		
378	Sault Ste. Marie—Compassionate allowance to the widow of the late William H. Tilley, who was drowned while on duty at the Canal, September 23rd, 1916	1,000 00	
379	Welland Canal—Compassionate allowance to Stanley Sleck, minor son of Mrs. Marcella Sleck, who was accidentally injured on a Welland Canal bridge in the City of St. Catharines, on May 28th, 1927, and for payment of said allowance to F. E. Hetherington (Solicitor) as trustee for and on behalf of the said Stanley Sleck	1,000 00	
	MISCELLANEOUS		
380	Board of Railway Commissioners for Canada, maintenance and operation: Additional amount required	15,000 00	17,000 00
	OCEAN AND RIVER SERVICE		
381	Miscellaneous and Unforeseen Expenses— Further amount required	500 00	
382	To provide for the establishment of a patrol service to investigate the conditions of navigation in Hudson Strait and Hudson Bay—Further amount required	200,000 00	200,500 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
	PUBLIC WORKS	$ cts.	$ cts.
	(Chargeable to Capital)		
	MARINE DEPARTMENT		
383	River St. Lawrence Ship Channel—Maintenance and operating dredging fleet—Further amount required		400,000 00
	LIGHTHOUSE AND COAST SERVICE		
384	Construction of lights and aids to navigation—To provide for converting Trawler No. 15 into a buoy steamer to replace the "Brant"—Further amount required		10,000 00
	FISHERIES		
385	Salaries and disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services—Further amount required	50,000 00	
386	Legal and Incidental Expenses—Further amount required	3,000 00	
			53,000 00
	LABOUR		
387	Fair Wages and Inspection—Further amount required	3,000 00	
388	Annuities Act—Further amount required	15,000 00	
			18,000 00
	INDIANS		
389	*New Brunswick*— Relief—Further amount required	3,000 00	
	Medical Attendance and Medicines—Further amount required	3,000 00	
390	*Prince Edward Island*— Medical Attendance and Medicines—Further amount required	800 00	
391	*Ontario and Quebec*— Hospitals and Medical Attendance—Further amount required	8,000 00	
	Repairs to Roads and Bridges and Drainage—Further amount required	2,000 00	
392	*Manitoba, Saskatchewan, Alberta and Northwest Territories*— Supplies for destitute Indians—Further amount required	40,000 00	
	Hospitals, Medical Attendance and Medicines—Further amount required	30,000 00	
393	*British Columbia*— Relief to destitute Indians—Further amount required	5,000 00	
	Medical attendance, Medicines and Hospitals—Further amount required	15,000 00	
			106,800 00
	SOLDIERS' CIVIL RE-ESTABLISHMENT		
394	Unemployment relief—Further amount required		200,000 00
	MISCELLANEOUS		
395	Unforeseen Expenses—Further amount required	25,000 00	
396	Expenses under the Canada Temperance Act	328 73	
397	Expenses under the Naturalization Acts, 1914 and 1920—Further amount required	4,400 00	
			29,728 73
	TRADE AND COMMERCE		
398	Canada Grain Act—Further amount required		175,000 00

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
	GOVERNOR GENERAL'S WARRANTS, 1927-28	$ cts.	$ cts.
399	Repairs to wharf at Bagotville, P.Q. (Governor General's Warrant of June 30, 1927)	31,550 00	
400	Restoration, old Examining Warehouse, Montreal (Governor General's Warrant of August 4, 1927)	150,000 00	
401	To cover cost of repairs to the Wanipigow River Dam, Manitoba (Governor General's Warrant of 7th October, 1927)	3,500 00	
402	Payment for additional work done at the Halifax Elevator (Governor General's Warrant of October 28, 1927)	3,722 59	
			188,772 59
	UNPROVIDED ITEMS, 1926-27		
403	To cover unprovided items, 1926-27, as per Auditor General's Report, Vol. I, page 3, 1926-27	.....	222,657 00
	Total	.....	3,306,347 02

SCHEDULE B.

Based on Supplementary Estimates, 1927-28. The amount hereby granted is $4,471,400.87.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1928, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	RAILWAYS	$ cts.	$ cts.
	MARITIME FREIGHT RATES ACT		
404	Amount required to provide for payment of the difference, estimated by the Board of Railway Commissioners and certified by the said Board to the Minister of Railways and Canals, occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (referred to in Section 9 of the said Act) on all traffic moved during the period July 1st, 1927, to December 31st, 1927, under the tariffs approved, by the following companies:—		
	Atlantic Quebec & Western Railway	9,974 20	
	Canada & Gulf Terminal Railway	890 39	
	Canadian Pacific Railway, including Fredericton & Grand Lake Coal and Railway Co., New Brunswick Coal and Railway Company	130,962 64	
	Cumberland Railway & Coal Co	13,597 03	
	Dominion Atlantic Railway	86,971 71	
	Maritime Coal, Railway & Power Co	10,980 96	
	Quebec Oriental Railway Co	4,905 52	
	Sydney & Louisburg Railway	150,408 00	
	Temiscouata Railway	12,964 11	
			421,654 56
405	Amount required to provide for payment to the Canadian National Railway Company of the portion of the deficit in receipts and revenues of the Eastern lines, as defined in the Maritime Freight Rates Act, occurring within the period of July 1st, 1927, to December 31st, 1927, on account of the application of the said Act	931,809 89	
406	Amount required to provide for payment to the Canadian National Railway Company of the deficit in receipts and revenues of the Eastern lines, as defined in the Maritime Freight Rates Act, occurring within the period July 1st, 1927, to December 31st, 1927, less the portion of such deficit occurring on account of the application of the said Act	2,117,936 42	
			3,471,400 87
	LOAN TO CANADIAN GOVERNMENT MERCHANT MARINE, LIMITED		
407	Loan to the Canadian Government Merchant Marine, Limited, repayable on demand with interest at a rate to be fixed by the Governor-in-Council, upon such terms and conditions as the Governor-in-Council may determine, and to be applied in payment of:—		
	Deficits in operation of the Company and of the vessels under the Company's control during the nine months' period ended December 31st, 1927, and Working Capital requirements		1,000,000 00
	Total		4,471,400 87

156.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 156.

An Act to amend The Income War Tax Act.

First reading, March 27, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58014 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 156.

An Act to amend The Income War Tax Act.

R.S., c. 97.

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

Rates of tax applicable to persons reduced.

1. The first schedule of *The Income War Tax Act*, chapter ninety-seven of the Revised Statutes of Canada, 1927, is amended by striking out from the second line of the proviso thereto the word "ten" and substituting the word "twenty."

Corporations and joint stock companies. Rate reduced.

2. The first schedule of the said Act is further amended by striking out the words

"Rate of Tax Applicable to Corporations and Joint Stock Companies

On the amount in excess of $2,000.00—9 per centum."

which immediately precede the proviso at the end of the said schedule, and by inserting the words

"Rate of Tax Applicable to Corporations and Joint Stock Companies

On the amount in excess of $2,000—8 per centum"

immediately after the said proviso at the end of the said schedule.

Reciprocal shipping Income Tax exemption.

3. Paragraph *(m)* of section four of the said Act is repealed and the following substituted therefor:—

"*(m)* the income from the operation of ships owned or operated by a non-resident person or corporation, provided that the country where such person or corporation resides grants an exemption in respect of income earned therein from the operation of ships owned or operated by a person or corporation resident in Canada which in the opinion of the Minister is fairly reciprocal to the exemption herein provided. The Minister may give effect to this exemption, in any case, from the date, past or future, on which the exemption, granted by the country where the person or corporation aforesaid resides, took effect."

EXPLANATORY NOTES.

1 and 2. For individuals there is a uniform percentage reduction and for companies the tax is made 8% as against what it formerly was of 9% less 10%, that is 8·1% Individual rates in Canada are high as compared with the United States; the main reduction of tax is therefore given to individuals. The company tax in Canada will now be 8% as against the new proposed corporation tax rate of 11½% in the United States. (Present United States rate—13½%).

3. Income Tax is today in force in practically every civilized country of the world. In each country the tax is imposed on the profits derived from the business carried on in each country. Ships calling at different ports in different countries to a greater or lesser degree carry on business in each port and each country might therefore impose a tax on the profits so earned. Obviously this is an undesirable situation and a general intention has grown up among the Nations to have all non-resident ship owners taxed on the profits of shipping in the country in which they reside. The enactment of 1926, which is now proposed to repeal and re-enact, was a statutory formula which had to find an exact counterpart in foreign laws before it could be said to be reciprocal and inasmuch as each country imposing Income Tax has characteristics in its Income Tax law, it makes it difficult for the present law to be applied, unless provision is made for negotiation and arrangement.

The proposed enactment gives an elasticity through negotiation which will permit of an equal benefit to Canadian ships doing business abroad that ships abroad have in doing business in Canada.

Depletion between lessor and lessee.

4. Paragraph *(a)* of subsection one of section five of the said Act is amended by adding thereto the following:—

"And in the case of leases of mines, oil and gas wells and timber limits, the lessor and the lessee shall each be entitled to deduct a part of the allowance for exhaustion as they agree and in case the lessor and the lessee do not agree, the Minister shall have full power to apportion the deduction between them and his determination shall be conclusive."

$500.00 exemption extended.

5. Paragraph *(e)* of subsection one of section five of the said Act is amended by adding thereto the following:—

"or if twenty-one years of age or over, is incapable of self-support on account of mental or physical infirmity."

Election for pension fund income exemption.

6. Subsection one of section five of the said Act is amended by adding thereto the following paragraph:—

(h) In case of a trust established in connection with, or a corporation incorporated for the administration of an employees' superannuation or pension fund or plan, the income from the investment of the superannuation or pension funds shall be exempt if the trustee or corporation so elects. In such event the exemption provided for by the next preceding paragraph shall not be allowed but any payment to an employee out of the fund shall, notwithstanding anything contained in this Act, be exempt according to the proportion that the sum of the amounts paid by the employee into the fund after the effective date of the election bears to the total amount paid by him into the fund.

Election shall be effected by writing, addressed to the Minister, signed by the trustee or corporation in control of the fund.

Notwithstanding the date of election, the Minister shall have full power to determine from what date the election shall take effect."

Information to be given as to payments.

7. Section thirty-nine of the said Act is amended by adding thereto the following subsection:—

"(5) All persons in whatever capacity acting, making payment of interest, royalties, rents, annuities, compensation, remuneration or other fixed or determinable amounts, such as interest upon bonds, mortgages, deeds of trust or other similar obligations, and also payments under contracts, whether written or verbal, relating to the buying and selling and otherwise dealing in stocks, bonds, debentures, mortgages, hypothecs, and other similar securities, shall without any notice or demand being made therefor, render on such forms and at such times as the Minister may prescribe, a true and accurate return of the amounts paid in excess of such sums as the Minister decides, together

4. This is to grant equality of treatment as between an operator on leased property and an owner. The lessee and owner conduct their business in exactly the same manner, both relating their expenditures to the volume of coal, oil and mineral estimated to be in the soil and should therefore be placed in a position of equality so far as depletion is concerned. The Department of the Interior, which grants leases, states that for the purpose in mind the lessee should have the same depletion as an owner because the leases given are renewable and are in substance a selling of the mineral rights.

5. As the Act stands at present a single person, supporting a child twenty-one years of age or over, incapable of self-support on account of mental or physical infirmity, is granted the exemption of a married man, while a married person supporting just such a dependent child receives no benefit. The purpose of the amendment is therefore to remove the anomaly and grant relief to a married person to the extent of $500.00, if he is supporting a child twenty-one years of age or over, incapable of self-support on account of mental or physical infirmity.

6. As the law stands, contributions by employees and companies to superannuation funds are allowed as a deduction from income before being taxed and the interest and dividend income from the investment of the trust fund is taxable against the fund and, if not incorporated, at rates applicable to individuals. The majority are not incorporated, therefore the burden is heavy and it is to prevent the depletion of the funds that this amendment is made. The tax from the employees by not allowing the contribution as a deduction will probably be less than the tax from the fund, therefore there will be more moneys available for pensions for the employees if the fund is preserved by election.

7. The purpose of this amendment is to gather information at the source in the same manner that information is now gathered respecting salaries and dividends. It is believed that many regular payments, such as interest and royalties, are not being fully returned by the recipient for taxation purposes.

It has been said that Government, Municipal and Industrial Bonds pay in interest charges, in the main to Canadian residents, over $500,000,000.00 annually. The portion of this interest income believed presently to be escaping taxation is to be brought within the net of taxation by the proposed amendment.

with the names and addresses of the recipients. For the purposes of this subsection payment shall include amounts credited to the creditor during the fiscal period of the debtor."

Operation of sections 1 2 and 5.

8. Sections one, two and five hereof shall apply to the income of the taxation period 1927 and thereafter.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 169.

An Act to amend the Customs Tariff.

AS PASSED BY THE HOUSE OF COMMONS, 30th MARCH, 1928.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59247 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 169.

An Act to amend the Customs Tariff.

R.S., c. 44.

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

Schedule A amended.

1. Schedule A to The Customs Tariff, chapter forty-four of the Revised Statutes of Canada, 1927, is amended by striking thereout tariff items 219a, 236, 277, 291, 438, 438b, 442, 453e, 462, 465, 467, 468, 494a, 520, 521, 522, 523, 524, 524a, 524b, 525, 526, 527, 528, 529, 530, 531, 532, 533, 533a, 533 b, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 543a, 544, 544a, 545, 546, 547, 548, 548a, 549, 550, 551, 552, 553, 553a, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 568a, 569, 570, 571, 572, 573, 573a, 574, 575, 575a, 575b, 576, 577, 578, 579, 580, 581, 581a, 582, 583, 583a, 583aa, 583b, 583c, 583d, 590c, 610, 620, 621, 626, 627, 630, 631, 638, 638a, 639, 641, 643, 644, 645, 646, 681, 683, 705a, 721, 732, 734, 740, 750, 753, 764, 765, 772, the several enumerations of goods respectively, and the several rates of duties of customs, if any, set opposite each of said items, and by repealing Order in Council, P.C. 2158, dated the 9th day of November, 1927, designated as Item 790 of The Customs Tariff, and the following items, enumerations and rates of duty are inserted in Schedule A:—

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
87b	Small onion plants grown from seeds and imported for bona fide transplanting or propagation purposes only	Free	Free	Free
192a	Pulp board in rolls not less than nine one-thousandths of an inch in thickness for use in wrapping rolls of paper	5 p.c.	7½ p.c.	10 p.c.
208d	Calcium chloride, not in solution, for road-treating purposes only	Free	Free	Free
208e	Xanthates, cresylic acid and compounds of cresylic acid, used in the process of concentrating ores, metals or minerals	Free	Free	Free
219a	Non-alcoholic preparations or chemicals for disinfecting, dipping or spraying, n.o.p.; materials, n.o.p., for use only in producing or manufacturing preparations specified in this item, under regulations prescribed by the Minister of National Revenue	Free	Free	Free
219b	Formaldehyde, containing not more than fifteen per centum of alcohol	Free	Free	Free
236	Surgical dressings, antiseptic or aseptic, including absorbent cotton, lint, lamb's wool, tow, jute, oakum, woven fabric of cotton weighing not more than seven and one-half pounds per one hundred square yards, whether imported singly or in combination one with another, but not stitched or otherwise manufactured; surgical trusses and suspensory bandages of all kinds; sanitary napkins, spinal braces and abdominal supports	12½ p.c.	17½ p.c.	20 p.c.
272b	Crude petroleum not in its natural state, ·725 specific gravity or heavier but not heavier than ·770 specific gravity at 60 degrees temperature, when imported by oil refiners to be refined in their own factories. Until July 1, 1931	Free	Free	Free
277	Palm and palm kernel oil, unbleached or bleached, not edible; shea butter	Free	Free	Free
356b	Nickel chromium, in bars or rods not more than three-fourths of an inch in diameter, containing more than sixty per cent nickel and more than ten per cent chromium, of a class or kind not manufactured in Canada, when imported by manufacturers of electric resistance wire and electric resistance strip or ribbon for use only in the manufacture of such articles in their own factories	Free	Free	Free
438	Locomotives and motor cars for railways and tramways, and chassis, tops, wheels and bodies for same, n.o.p.	22½ p.c.	30 p.c.	35 p.c.
438b	Automobiles for conveying passengers only, n.o.p., valued at retail at place of production, when new, with standard equipment complete at not more than twelve hundred dollars each; motor cars or motor trucks (not for railways or tramways) for carrying goods only; motor cycles; chassis for motor vehicles specified in this item	12½ p.c.	17½ p.c.	20 p.c.
438e	Locomotives and motor cars for railways and tramways, of a class or kind adapted for underground haulage for use only in mining operations	10 p.c.	15 p.c.	20 p.c.
442	Printing presses, lithographic presses, and type making accessories therefor, also machines specially designed for ruling, folding, binding, embossing, creasing or cutting paper or cardboard, sheet feeding machines, when for use exclusively by printers, bookbinders and by manufacturers of articles made from paper or cardboard—including parts thereof composed wholly or in part of iron, steel, brass or wood; machinery and complete parts thereof for printing by photographic methods on plates for use on lithographic and offset presses; stereotypers' and typecasters' blankets, and press blankets used in covering cylinders on rotary printing presses, of a class or kind not made in Canada	Free	5 p.c.	10 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
453e	Engines and complete parts thereof to be used exclusively in the propulsion of boats bona fide owned by individual fishermen for their own use in the fisheries, under regulations prescribed by the Minister of National Revenue	10 p.c.	12½ p.c.	15 p.c.
453g	Machinery, n.o.p., for the concentration of ores, metals or minerals, viz.:—flotation machines, pumps, vibrating and impact screens, jigs, magnetic separators and filters, when for use in the concentration or separation of ores, metals or minerals, and integral parts of all machinery mentioned in this item	10 p.c.	15 p.c.	20 p.c.
453h	Mine hoists of a class or kind not made in Canada	10 p.c.	15 p.c.	20 p.c.
453i	Machine car-loaders, and complete parts thereof, of a class or kind not made in Canada, for use only in mining operations for loading coal into box cars	Free	Free	Free
462	Blowers of iron or steel of a class or kind not made in Canada, for use in the smelting of ores, or in reduction, separation or refining of metals, ores or minerals; rotary kilns, revolving roasters and furnaces of metal of a class or kind not made in Canada, designed for roasting ore, mineral, rock or clay; furnace slag trucks and slag pots of a class or kind not made in Canada, and integral parts of all machinery mentioned in this item	Free	Free	Free
465	The following articles and materials when imported by manufacturers of automatic gas buoys and automatic gas beacons, for use in the manufacture of such buoys and beacons for the Government of Canada, for marine signal purposes or for export, under regulations prescribed by the Minister, viz.:—iron or steel tubes over sixteen inches in diameter; flanged and dished steel heads made from boiler plate, over five feet in diameter; hardened steel balls, not less than three inches in diameter; acetylene gas lanterns and parts thereof; and tobin bronze in bars or rods	Free	Free	Free
468	Machinery and apparatus, of a class or kind not made in Canada, and parts thereof, especially constructed for preparing, manufacturing, testing or finishing yarns, cordage and fabrics made from textile fibres, imported for the exclusive use of manufacturers and scholastic or charitable institutions in such processes only	Free	5 p.c.	10 p.c.
494a	Cork slabs, boards, planks and tiles produced from cork waste or granulated or ground cork	15 p.c.	17½ p.c.	25 p.c.
520	Raw cotton and cotton linters not further manufactured than ginned; rags and waste wholly of cotton unfit for use without further manufacture, not to include used garments nor waste portions of unused fabrics	Free	Free	Free
520a	Waste portions of unused fabrics, or used garments, wholly of cotton, imported by manufacturers to be used exclusively for disintegrating, or for manufacture into wiping rags in their own factories	Free	Free	Free
520b	Garnetted material wholly of cotton, obtained by disintegrating yarns or fabrics, prepared for use; cotton wiping rags and wiping waste; waste portions of unused fabrics, machine-cleaned waste, wholly of cotton, n.o.p., not to include remnants nor mill ends	7½ p.c.	10 p.c.	12½ p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
520c	Linters of short fibres of cotton, bleached, when imported by manufacturers of paper to be used only in their own factories for the manufacture of blotting paper or other grade of paper	7½ p.c.	10 p.c.	12½ p.c.
521	Carded sliver wholly of cotton, not bleached, coloured nor impregnated; cotton fibres, bleached or coloured, n.o.p.	5 p.c.	10 p.c.	12½ p.c.
521a	Batts, batting, sheet wadding and carded sliver wholly of cotton, n.o.p.	7½ p.c.	15 p.c.	17½ p.c.
522	Rovings, yarns and warps wholly of cotton not exceeding number twenty, not more advanced than singles	10 p.c.	15 p.c.	20 p.c.
522a	Yarns and warps wholly of cotton exceeding number twenty, but not exceeding number forty, not more advanced than singles, n.o.p.	12½ p.c.	15 p.c.	22½ p.c.
522b	Yarns and warps wholly of cotton exceeding number forty, not more advanced than singles	Free	10 p.c.	15 p.c.
522c	Rovings, yarns and warps wholly of cotton, including threads, cords and twines generally used for sewing, stitching, packaging and other purposes, n.o.p.; cotton yarns not more advanced than singles, wholly or partially covered with metallic strip, generally known as tinsel thread	15 p.c.	22½ p.c.	25 p.c.
522d	Yarns and warps wholly of cotton, mercerised, number forty and finer, imported by manufacturers to be further manufactured in their own factories	Free	Free	Free
522e	Yarns wholly of cotton, exceeding number twenty, and not exceeding number forty, not more advanced than singles; cotton sewing thread yarn and crochet, knitting, darning and embroidery yarn, in hanks, composed of two strands or more; all yarns specified in this item when imported by manufacturers for use exclusively in their own factories in the manufacturing or spooling of cotton sewing thread and crochet, knitting, darning and embroidery cottons	7½ p.c.	15 p.c.	20 p.c.
522f	Yarns and warps wholly of cotton imported by manufacturers of tapes, braids, webbings and woven labels for use exclusively in the manufacture of such articles in their own factories: Provided that yarns and warps which are entitled to free entry or to lower rates than are mentioned in this item shall not be entered at the rates specified in this item	7½ p.c.	12½ p.c.	15 p.c.
523	Woven fabrics wholly of cotton, not bleached, mercerised nor coloured, n.o.p.	12½ p.c.	20 p.c.	22½ p.c.
523a	Woven fabrics wholly of cotton, bleached or mercerised, not coloured, n.o.p.	15 p.c.	22½ p.c.	25 p.c.
523b	Woven fabrics wholly of cotton, n.o.p.	20 p.c.	25 p.c.	27½ p.c.
523c	Woven fabrics wholly of cotton manufactured from yarns of more than one colour, n.o.p.	20 p.c.	25 p.c.	30 p.c.
523d	Woven fabrics wholly of cotton, imported by manufacturers of corsets, for use exclusively in the manufacture of such articles in their own factories	12½ p.c.	17½ p.c.	20 p.c.
523e	Woven fabrics wholly of cotton with cut pile, n.o.p.	17½ p.c.	25 p.c.	30 p.c.
523f	Woven fabric of cotton, not coloured, when imported by manufacturers of typewriter ribbon for use exclusively in the manufacture of such ribbon in their own factories	10 p.c.	12½ p.c.	15 p.c.
524	Seamless cotton duck in circular form, of a class or kind not made in Canada, for use in the manufacture of hose pipe	Free	Free	Free

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
525	Sheets, pillow cases, diapers, tray cloths, quilts, counterpanes, towels, bath mats, wash cloths, table-cloths, napkins, dresser scarves, curtains, consisting of woven fabrics wholly of cotton, not further manufactured than hemmed or hemstitched, not coloured, not embroidered nor otherwise ornamented.	15 p.c.	25 p.c.	27½ p.c.
526	Household blankets wholly of cotton, not to include horse blankets, automobile or steamer rugs nor similar articles	15 p.c.	22½ p.c.	27½ p.c.
526a	Horse blankets or horse clothing of any material	15 p.c.	22½ p.c.	27½ p.c.
527	Boot, shoe, shirt and stay laces of cotton	15 p.c.	25 p.c.	30 p.c.
528	White cotton bobinet, plain, in the web	15 p.c.	22½ p.c.	25 p.c.
529	Embroideries, lace, braids, nets, nettings, bobinet, n.o.p., fringes and tassels; manufactures of lace, nets, nettings and embroideries; handkerchiefs and pillow shams; curtains, n.o.p.; all articles specified in this item to be wholly of cotton	20 p.c.	27½ p.c.	30 p.c.
529a	Lace and embroideries wholly of cotton, not coloured, imported by manufacturers for use exclusively in the manufacture of clothing in their own factories	12½ p.c.	17½ p.c.	20 p.c.
530	Socks and stockings wholly or in part of vegetable fibres, but not containing silk, artificial silk nor wool	20 p.c.	27½ p.c.	30 p.c.
531	Knitted fabric wholly of cotton, in the web, imported by manufacturers of rubber boots and shoes for use exclusively in the manufacture of such articles in their own factories.	10 p.c.	20 p.c.	25 p.c.
532	Clothing, wearing apparel and articles, made from woven fabrics and all textile manufactures, wholly or partially manufactured, composed wholly of cotton, n.o.p.; fabrics wholly of cotton, coated or impregnated, n.o.p.	22½ p.c.	25 p.c.	30 p.c.
532a	Shirts, not knitted, collars and cuffs, wholly of cotton	20 p.c.	30 p.c.	32½ p.c.
533	Sails for boats and ships	15 p.c.	22½ p.c.	25 p.c.
534	Braided candle-wick with or without wire centre or braided taper-wick with or without wire centre when imported by manufacturers of wax candles or wax tapers for use only in their own factories in the manufacture of wax candles or wax tapers	Free	Free	Free.
535	Grasses, seaweed, mosses and vegetable fibres other than cotton, not coloured, nor further manufactured than dried, cleaned, cut to size, ground and sifted; oakum of flax, hemp, or jute; coir and coir yarn	Free	Free	Free
535a	Grasses, seaweed, mosses and vegetable fibres other than cotton, n.o.p.	10 p.c.	17½ p.c.	17½ p.c.
535b	Rags and waste unfit for use without further manufacture, not to include used garments nor waste portions of unused fabrics, n.o.p.	Free	Free	Free
535c	Waste portions of unused fabrics, or used garments, n.o.p., imported by manufacturers to be used exclusively for disintegrating or for manufacture into wiping rags in their own factories	Free	Free	Free
535d	Garnetted material obtained by disintegrating yarns or fabrics, prepared for use, n.o.p.; wiping rags and wiping waste, n.o.p.; waste portions of unused fabrics, machine-cleaned waste, n.o.p., not to include remnants nor mill ends	7½ p.c.	10 p.c.	12½ p.c.
536	Batts, batting, sheet wadding and carded sliver of vegetable fibres, n.o.p.	12½ p.c.	22½ p.c.	25 p.c.
537	Rovings, yarns and warps wholly or in part of vegetable fibres, not more advanced than singles, n.o.p., not to contain silk, artificial silk nor wool	12½ p.c.	17½ p.c.	25 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
537a	Rovings, yarns and warps wholly or in part of vegetable fibres, including yarn twist, cords and twines generally used for packaging and other purposes, n.o.p., not to contain silk, artificial silk nor wool	20 p.c.	22½ p.c.	25 p.c.
537b	Linen thread for hand or machine sewing	15 p.c.	22½ p.c.	25 p.c.
537c	Rovings, yarns and warps wholly of vegetable fibres other than cotton, not to include materials for sewing, stitching nor packaging purposes, imported by manufacturers for use exclusively in their own factories in weaving fabrics or insulating wire	Free	10 p.c.	15 p.c.
538	Binder twine or twine for harvest binders	Free	Free	Free
538a	Articles which enter into the cost of the manufacture of binder twine, or twine for harvest binders, when imported for such use exclusively by manufacturers who manufacture such twine only	Free	Free	Free
539	Cordage, exceeding one inch in circumference, wholly of vegetable fibres, n.o.p.	20 p.c.	22½ p.c.	25 p.c.
540	Woven fabrics, wholly of flax, or of hemp, or of flax, hemp and cotton, not bleached, mercerised nor coloured, n.o.p.	15 p.c.	25 p.c.	27½ p.c.
540a	Woven fabrics, wholly of flax, or of hemp, or of flax, hemp and cotton, n.o.p.	20 p.c.	30 p.c.	32½ p.c.
540b	Woven or braided fabrics wholly of flax, hemp or cotton, or of flax, hemp and cotton, generally known as tapes or webbing, not exceeding twelve inches in width, with cut pile or not	20 p.c.	27½ p.c.	30 p.c.
541	Woven fabrics, wholly of jute, not bleached nor coloured, n.o.p.	Free	5 p.c.	10 p.c.
541a	Woven fabrics, wholly of jute, n.o.p.	15 p.c.	22½ p.c.	25 p.c.
541b	Woven or braided fabrics, wholly of jute, not exceeding twelve inches in width	15 p.c.	22½ p.c.	25 p.c.
542	Woven or knitted fabrics, wholly or in part of vegetable fibres, and all such fabrics with cut pile, n.o.p., not containing silk, artificial silk nor wool	20 p.c.	27½ p.c.	30 p.c.
542a	Woven or braided fabrics not exceeding twelve inches in width, wholly or in part of vegetable fibres, n.o.p., not to contain silk, artificial silk nor wool	20 p.c.	27½ p.c.	30 p.c.
543	Sail twine and canvas of hemp, or flax, imported for use in the manufacture of boats' and ships' sails	Free	5 p.c.	10 p.c.
544	Sheets, pillow-cases, diapers, tray-cloths, quilts, counterpanes, towels, bath mats, wash cloths, table-cloths, napkins, dresser scarves, consisting of woven fabrics wholly of vegetable fibres, not further manufactured than hemmed or hem-stitched, not coloured, not embroidered nor otherwise ornamented, n.o.p.	20 p.c.	27½ p.c.	30 p.c.
544a	Handkerchiefs consisting of woven fabrics wholly of flax, or of hemp, or of flax, hemp and cotton, not further manufactured than hemmed or hemstitched, not coloured, not embroidered nor otherwise ornamented	20 p.c.	30 p.c.	32½ p.c.
544b	Handkerchiefs composed of flax, or of hemp, or of flax, hemp and cotton, n.o.p.	22½ p.c.	32½ p.c.	35 p.c.
545	Lace and embroideries, wholly of flax, or of hemp, or of flax, hemp and cotton, not coloured, imported by manufacturers for use exclusively in the manufacture of clothing in their own factories	12½ p.c.	17½ p.c.	20 p.c.
546	Articles made from fabrics, finished or unfinished, and all textile manufactures, wholly of jute, n.o.p.; fabrics, wholly of jute, coated or impregnated	12½ p.c.	25 p.c.	30 p.c.
547	Bags or sacks of hemp, linen or jute, and cotton seamless bags; bags in which cement or lime mentioned in Tariff Item 290 is imported	15 p.c.	17½ p.c.	20 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
548	Clothing, wearing apparel and articles, made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly or in part of vegetable fibres but not containing wool, n.o.p.; fabrics, coated or impregnated, composed wholly or in part of vegetable fibres but not containing silk, artificial silk nor wool, n.o.p.	22½ p.c.	30 p.c.	35 p.c.
548a	Clothing and hats made from oiled fabric of cotton or flax, or both	15 p.c.	25 p.c.	30 p.c.
548b	Collars and cuffs wholly of flax, or of hemp, or of flax, hemp and cotton	20 p.c.	30 p.c.	35 p.c.
549	Wool, the hair of the camel, alpaca, goat or other like animal, not further prepared than combed	Free	Free	Free
549a	Hair, cleaned or uncleaned, but not curled, dyed nor otherwise manufactured; and horse hair not further manufactured than simply cleaned and dipped or dyed	Free	Free	Free
549b	Hair, curled or dyed, n.o.p.	12½ p.c.	17½ p.c.	20 p.c.
549c	Haircloth, composed of horse hair in combination with any vegetable fibre	20 p.c.	27½ p.c.	30 p.c.
549d	Manufactures of hair, n.o.p.	22½ p.c.	30 p.c.	35 p.c.
550	Rags and waste, wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, unfit for use without further manufacture, not to include used garments nor waste portions of unused fabric	Free	Free	Free
550a	Waste portions of unused fabrics or used garments wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, imported by manufacturers to be used exclusively for disintegrating in their own factories	Free	Free	Free
550b	Garnetted material, wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, obtained by disintegrating yarns or fabrics, prepared for use, n.o.p.; waste portions of unused fabrics, machine-cleaned waste, wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, n.o.p., not to include remnants nor mill ends	7½ p.c.	10 p.c.	12½ p.c.
550c	Garnetted wool waste in the white when imported by manufacturers of woollen goods for use exclusively in their own factories	Free	Free	Free
550d	Batts, batting and sheet wadding, n.o.p.	12½ p.c.	22½ p.c.	25 p.c.
551	Yarns composed wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, but not containing silk nor artificial silk, n.o.p.	20 p.c.	22½ p.c.	25 p.c.
551a	Yarns and warps composed wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, imported by manufacturers for use exclusively in their own factories, n.o.p.	12½ p.c.	17½ p.c.	20 p.c.
551b	Yarns and warps composed wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, imported by manufacturers for use exclusively in their own factories, in the weaving of woollen or worsted fabrics (but not including carpets nor floor rugs)	Free	10 p.c.	12½ p.c.
551c	Yarns composed wholly or in chief value of merino wool, not more advanced than singles, dry spun on the French or Belgian systems, but not containing silk nor artificial silk, imported by manufacturers of knitted goods for use exclusively in the manufacture of such goods in their own factories	10 p.c.	17½ p.c.	20 p.c.
552	Felt, pressed, of all kinds, in the web, not consisting of or in combination with any woven, knitted or other fabric or material	15 p.c.	22½ p.c.	25 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
553	Household blankets, n.o.p., not to include horse blankets, automobile rugs, steamer rugs nor similar articles	22½ p.c.	30 p.c.	35 p.c.
554	Woven fabrics, composed wholly or in chief part by weight, of wool, the hair of the camel, alpaca, goat or other like animal, not exceeding in weight six ounces to the square yard, when imported in the gray or unfinished condition, for the purpose of being dyed or finished in Canada	10 p.c.	17½ p.c.	25 p.c.
554a	Woven fabrics, consisting of cotton warps with wefts of lustre wool, mohair or alpaca, generally known as lustres or Italian linings, n.o.p.	10 p.c.	20 p.c.	25 p.c.
554b	Woven or knitted fabrics composed wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, not exceeding in weight five ounces to the square yard, n.o.p.	22½ p.c.	30 p.c.	35 p.c.
554c	Woven or knitted fabrics, composed wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, n.o.p.	27½ p.c .	35 p.c.	35 p.c.
554d	Woven or braided fabrics not exceeding twelve inches in width, whether with cut pile or not, wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal	27½ p.c.	35 p.c.	35 p.c.
554e	Woven fabrics, with cut pile, wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, n.o.p.	22½ p.c.	32½ p.c.	35 p.c.
555	Clothing, wearing apparel and articles made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, but of which the component of chief value is not silk nor artificial silk, n.o.p.; fabrics, coated or impregnated, composed wholly or in part of wool, the hair of the camel, alpaca, goat or other like animal, but not containing silk nor artificial silk, n.o.p.	27½ p.c.	35 p.c.	35 p.c.
556	Socks and stockings, wholly or in part of wool, but not containing silk nor artificial silk, valued at more than $1.50 per pound	27½ p.c.	32½ p.c.	35 p.c.
556a	Socks and stockings, wholly or in part of wool, but not containing silk nor artificial silk, valued at more than 90 cents per pound, but not exceeding $1.50 per pound	25 p.c.	32½ p.c.	35 p.c.
556b	Socks and stockings, wholly or in part of wool, but not containing silk nor artificial silk, n.o.p.	20 p.c.	27½ p.c.	30 p.c.
557	Silk cocoons; raw silk, not more advanced than singles, not to include material wholly or partially degummed; rags and waste wholly of silk, artificial silk or similar synthetic fibres produced by chemical processes, unfit for use without further manufacture, not to include used garments nor waste portions of unused fabrics	Free	Free	Free
557a	Waste portions of unused fabrics, or used garments, wholly of silk, artificial silk or similar synthetic fibres produced by chemical processes, imported by manufacturers to be used exclusively for disintegrating in their own factories	Free	Free	Free
557b	Garnetted material wholly of silk, artificial silk or similar synthetic fibres, produced by chemical processes, obtained by disintegrating cocoons, yarns or fabrics, prepared for use; filaments or loose fibres wholly of silk, artificial silk or similar synthetic fibres produced by chemical processes, not more advanced than in the form of sliver; waste portions of unused fabrics, wholly of silk, artificial silk or similar synthetic fibres, n.o.p., not to include remnants nor mill ends	5 p.c.	7½ p.c.	10 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
558	Yarns and warps wholly of thrown silk, in the gum, n.o.p.	10 p.c.	12½ p.c.	15 p.c.
558a	Rovings, yarns and warps wholly of spun silk, generally known as schappe and bourette, not more advanced than singles, n.o.p.	10 p.c.	12½ p.c.	15 p.c.
558b	Rovings, yarns and warps wholly of artificial silk, or similar synthetic fibres, produced by chemical processes, not more advanced than singles, not coloured	12½ p.c.	17½ p.c.	20 p.c.
558c	Rovings, yarns and warps wholly or in part of silk, n.o.p., including threads, cords or twist for sewing, embroidering or other purposes	17½ p.c.	22½ p.c.	25 p.c.
558d	Rovings, yarns and warps wholly or in part of artificial silk or similar synthetic fibres produced by chemical processes, n.o.p., including threads, cords or twist for sewing, embroidering or other purposes, not to contain silk	17½ p.c.	22½ p.c.	25 p.c.
558e	Yarns and warps, wholly of thrown silk in the gum, rovings, yarns and warps, wholly of spun silk, not coloured, imported by manufacturers for use exclusively in their own factories for knitting underwear, for weaving, or for the manufacture of silk thread	Free	7½ p.c.	10 p.c.
559	Black mourning crapes	10 p.c.	17½ p.c.	20 p.c.
560	Woven fabrics wholly or in chief part by weight of silk in the gum, not degummed or bleached, not less than twenty inches in width, imported for the purpose of being degummed, dyed and finished in Canada	12½ p.c.	22½ p.c.	35 p.c.
560a	Woven fabrics wholly of silk, exceeding twenty-six inches in width	17½ p.c.	32½ p.c.	35 p.c.
560b	Woven fabrics wholly of silk, twenty-six inches in width, or less, n.o.p.	17½ p.c.	32½ p.c.	35 p.c.
560c	Woven fabrics composed in part of silk, n.o.p., knitted fabrics wholly or in part of silk, not to contain wool	20 p.c.	32½ p.c.	35 p.c.
560d	Woven fabrics with cut pile, generally known as velvets and plushes, with pile wholly of silk or artificial silk, but not containing wool, exceeding twenty-four inches in width	17½ p.c.	32½ p.c.	35 p.c.
560e	Woven fabrics with cut pile, generally known as velvets and plushes, with pile wholly of silk or artificial silk, but not containing wool, twenty-four inches in width or less, n.o.p.	17½ p.c.	32½ p.c.	35 p.c.
561	Woven fabrics wholly of artificial silk or similar synthetic fibres produced by chemical processes, n.o.p.	17½ p.c.	32½ p.c.	35 p.c.
561a	Woven fabrics composed in part of artificial silk or similar synthetic fibres produced by chemical processes, n.o.p., knitted fabrics wholly or in part of such artificial silk, not to contain silk nor wool	20 p.c.	30 p.c.	35 p.c.
562	Woven fabrics not exceeding twelve inches in width generally known as "ribbons," whether with cut pile or not, wholly or in part of silk but not containing wool	22½ p.c.	32½ p.c.	35 p.c.
562a	Woven fabrics not exceeding twelve inches in width, generally known as "ribbons," whether with cut pile or not, wholly or in part of artificial silk or similar synthetic fibres produced by chemical processes, but not containing silk nor wool	22½ p.c.	32½ p.c.	35 p.c.
563	Bolting cloth, not made up	Free	Free	Free
564	Woven fabrics wholly, or in chief part by weight, of silk or artificial silk, or both, imported in the web in lengths of not less than five yards each by manufacturers of neckties for use exclusively in the manufacture of such articles in their own factories	17½ p.c.	20 p.c.	20 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
565	Embroideries, lace, braids, cords, chenille, gimp, fringes and tassels, whether containing cinsel or not, n.o.p.; nets, nettings, bobinet, manufactures of lace, nets, nettings and embroideries; handkerchiefs, pillow shams and curtains, n.o.p.	25 p.c.	32½ p.c.	35 p.c.
566	Socks and stockings wholly or in part of silk..	25 p.c.	32½ p.c.	35 p.c.
566a	Socks and stockings wholly or in part of artificial silk or similar synthetic fibres produced by chemical processes, but not containing silk	25 p.c.	32½ p.c.	35 p.c.
567	Clothing, wearing apparel and articles, made from woven fabrics and all textile manufactures, wholly or partially manufactured, n.o.p., of which silk is the component of chief value; fabrics, coated or impregnated, n.o.p., composed wholly or in part of silk....	30 p.c.	35 p.c.	37½ p.c.
567a	Clothing, wearing apparel and articles made from woven fabrics and all textile manufactures, wholly or partially manufactured, n.o.p., of which the component of chief value is artificial silk or similar synthetic fibres produced by chemical processes; fabrics, coated or impregnated, n.o.p., composed wholly or in part of artificial silk or similar synthetic fibres produced by chemical processes but not containing silk	30 p.c.	35 p.c.	37½ p.c.
567b	Church vestments of any material	12½ p.c.	17½ p.c.	20 p.c.
568	Knitted garments, knitted underwear and knitted goods, n.o.p., all valued at more than ninety cents per pound	20 p.c.	30 p.c.	35 p.c.
568a	Knitted garments, knitted underwear, and knitted goods, n.o.p., all valued at ninety cents per pound, or less	15 p.c.	30 p.c.	35 p.c.
569	Hats, caps, hoods and bonnets, n.o.p.; hat and bonnet crowns and hat, cap and bonnet shapes	22½ p.c.	30 p.c.	35 p.c.
569a	Unfinished hoods, composed of leghorn, manila, palm leaf, grass, willow or chip, not bleached nor blocked	Free	Free	Free
569b	Hat sweats, cap peaks, hatters' tips and sides when cut to shape, imported by manufacturers for use exclusively in the manufacture of hats and caps in their own factories	Free	Free	Free
569c	Braids or plaits, of chip, palm leaf, manila, willow, osier, rattan, straw, tuscan or grass; braids or plaits of artificial silk or similar synthetic fibre produced by chemical processes; braids or plaits of glazed cotton thread; all to be imported for use exclusively in the manufacture of hat bodies or shapes, but not for ornamentation or trimming of such bodies or shapes	Free	Free	Free
569d	Woven fabrics, not exceeding three inches in width, in lengths of not less than eighteen yards, of a class or kind not made in Canada, generally known as "single, double or four shot corded ribbon," imported by manufacturers for use exclusively in their own factories in making the bands on hats or in binding the edge of the hat brim	Free	Free	Free
570	Mats, door or carriage, other than metal, n.o.p.	25 p.c.	30 p.c.	35 p.c.
571	Carpeting, rugs, mats and matting of cocoa, straw, hemp or jute; carpet linings and stair pads	15 p.c.	22½ p.c.	25 p.c.
572	Turkish or imitation Turkish or other floor rugs or carpets, and carpets, n.o.p.	25 p.c.	30 p.c.	35 p.c.
573	Enamelled carriage, floor, shelf and table oilcloth, linoleum, and cork matting or carpets	25 p.c.	32½ p.c.	35 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
574	Woven fabrics, non-elastic, not exceeding three inches in width, imported by manufacturers of suspenders, garters and hose supporters for use exclusively in the manufacture of such articles in their own factories	10 p.c.	17½ p.c.	20 p.c.
574a	Webbing, with strands of rubber interwoven, or braided therein, not exceeding twelve inches in width, n.o.p.; round elastic braid	20 p.c.	32½ p.c.	35 p.c.
574b	Webbing, with strands of rubber interwoven or braided therein, exceeding one inch but not exceeding twelve inches in width, imported by manufacturers for use exclusively in their own factories	12½ p.c.	20 p.c.	25 p.c.
575	Cordage exceeding one inch in circumference, n.o.p.	20 p.c.	22½ p.c.	25 p.c.
576	Window shades mounted on rollers, n.o.p.	20 p.c.	30 p.c.	35 p.c.
577	Collars and cuffs of xylonite, xyolite or celluloid	15 p.c.	20 p.c.	25 p.c.
578	Regalia, badges and belts of all kinds, n.o.p., except silk belts	22½ p.c.	30 p.c.	35 p.c.
590c	Engines and complete parts thereof, when imported for use only in the equipment of aircraft constructed in Canada	Free	7½ p.c.	10 p.c.
	On and after 1st July, 1930	15 p.c.	25 p.c.	27½ p.c.
610	Belting for machinery, n.o.p.	20 p.c.	25 p.c.	27½ p.c.
620	Tinsel wire when imported by manufacturers of braids, cords, tassels, ribbons or trimmings, for use only in the manufacture of such articles in their own factories	5 p.c.	7½ p.c.	10 p.c.
621	Nitrate of thorium and nitrate of cerium for use in the manufacture of incandescent gas mantles, when imported by manufacturers of such mantles or of stocking for such mantles	Free	Free	Free
626	Twine or yarn of paper when imported by manufacturers of furniture for use only in their own factories in the manufacture of furniture	Free	Free	Free
627	Gloves of all kinds	22½ p.c.	30 p.c.	35 p.c.
627a	Mitts or mittens of all kinds	15 p.c.	25 p.c.	30 p.c.
630	Boot, shoe, shirt and stay laces, n.o.p.	20 p.c.	27½ p.c.	30 p.c.
681	Junk, old; paper waste clippings and waste of all kinds, n.o.p., except metallic; broken glass or glass cullet	Free	Free	Free
682a	Aluminum net floats of a class or kind not made in Canada, for use only in deep-sea or lake fishing, not to include floats for sportsmen's use	Free	Free	Free
705a	Settlers' effects, viz.:—Machines and implements for agricultural purposes, moved by mechanical power, and motor vehicles valued at not more than one thousand dollars, and boats for fishing purposes, if actually owned abroad by the settler for at least six months before his removal to Canada, and subject to regulations prescribed by the Minister of National Revenue. Provided that in respect to motor vehicles valued in excess of one thousand dollars duty shall be payable only on the amount in excess of one thousand dollars. Provided further that the said machines, vehicles, implements and boats may not be so entered unless brought by the settler on his first arrival, and shall not be sold or otherwise disposed of without payment of duty until after twelve months' actual use in Canada	Free	Free	Free

Schedule B amended.

2. Schedule B to The Customs Tariff, chapter forty-four of the Revised Statutes of Canada, 1927, is amended by striking thereout Tariff Items 1011, 1012, 1024, 1029, the enumeration of goods, and the rates of drawback of Customs duties set opposite to each of the said items, and the following items, enumerations and rates of drawback of Customs duties be inserted in the said Schedule B:—

Tariff Item.	Goods.	When Subject to Drawback.	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback
1011	Botany yarn, single, numbers thirty and finer, on mule cops, tubes or cones, or in hanks, dry spun on the French or Belgian systems, in white only, not doubled or twisted.	When used prior to the first day of October, 1928, in the manufacture of socks and stockings and Jersey cloth.....	99 p.c.
1012	Woven fabrics in the web.....	When used in the manufacture of linings for hats and caps, and in the manufacture of hat shapes and bonnet shapes made from buckram.....	99 p.c.
1024	Yarns composed in chief value of wool, single, numbers thirty and finer, on mule cops, tubes or cones, or in hanks, dry spun on the French or Belgian systems, in white only, not doubled or twisted.	When used prior to the first day of October, 1928, in the manufacture of socks and stockings.....	99 p.c.
1029	Materials.....	When imported by manufacturers of hat sweats, cap peaks and hatters' tips and sides and used in the manufacture of such articles in their own factories.....	99 p.c.
1060	Newsprint paper covered by Tariff Item 197 and other paper covered by Tariff Items 197a or 198a.	When used exclusively in the production of publications devoted primarily to agriculture, magazines or periodicals, published and issued at regular intervals and enjoying second class postal privileges, containing critical, informative and descriptive articles on various subjects, current topics, political and other news or reviews, criticisms or other informative matter, or fiction, being bound, wire stitched or otherwise fastened together: Provided that no drawback shall be paid under this item on trade journals, supplements of newspapers, publications devoted to the private interest of the publisher, or association publications or publications devoted to the enterprise of the publisher, but not to exclude publications devoted primarily to agriculture..	80 p.c.
1061	Woven fabric manufactured for covering the outside of books, of a class or kind not made in Canada.	When used by bookbinders in binding books in their own factories.....	99 p.c.
1062	Materials, including all parts.....	When used in the manufacture of bit braces, marking gauges of metal or wood, levels of metal or wood, planes or hand tool scrapers of metal or wood, spoke shaves, try squares and bevels with metal or wood handles: Provided that no drawback shall be paid under this item unless at least fifty per cent of the cost of producing the finished article has been incurred in Canada; And provided further that no drawback under this item shall be payable more than once on any article.....	60 p.c.

Tariff Item.	Goods.	When Subject to Drawback.	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback.
1063	Materials, including all parts.....	When used in the manufacture of engines for use only in the equipment of aircraft: Provided that on and after July 1, 1930, no drawback shall be paid under this item unless at least forty per cent of the cost of producing the finished engine has been incurred in Canada.....	50 p.c.
1064	Seamless iron or steel tubing over four inches in diameter.	When used in the transmission of natural gas under high pressure from the gas wells to point of distribution.....	50 p.c.
1065	Bituminous coal.....	When used in melting, evaporating and preparing salt produced in Canada: Provided that no drawback under this item shall be payable on coal used in producing salt or brine when such salt or brine is further manufactured than salt enumerated in tariff items 40, 41, 42, and 42a.....	99 p.c.
1066	Bituminous coal.....	When pulverized by proprietors of rolling mills for heating iron or steel for use only in the production of rolled iron or steel at their rolling mills.....	99 p.c.

Date of coming into force.

3. This Act shall be deemed to have come into force on the seventeenth day of February, one thousand nine hundred and twenty-eight and to have applied to all goods mentioned in the foregoing resolutions imported or taken out of warehouse for consumption on and after that date and to have applied to goods previously imported for which no entry for consumption was made before that day.

170.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 170.

An Act to amend the Special War Revenue Act.

First reading, March 30, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58015 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 170.

An Act to amend the Special War Revenue Act.

R.S., c. 179.

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

Tax on trust and loan company income repealed.

1. (1) Part II of the *Special War Revenue Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, is repealed.

(2) The said Part shall be deemed to have been repealed as of and from the thirty-first day of December, 1927.

2. Section eighty of the said Act is amended by adding thereto the following as subsection four:—

Goods for use of manufacturer or producer not for sale, liable to tax.

"(4) When goods of any class mentioned in Schedule I are manufactured or produced in Canada and are for use by the manufacturer or producer thereof and not for sale, such goods shall, for the purposes of this Part, be deemed to have been manufactured or produced in Canada and sold, and the sale shall be deemed to have taken place when the goods are used or appropriated for use. The Minister may determine the value of the said goods for the tax."

Sale tax reduced from 4% to 3%.

3. (1) Section eighty-six of the said Act is amended by striking out in the fourth line thereof the word "four" and substituting the word "three".

Date of commencement.

(2) This section shall be deemed to have come into force on the seventeenth day of February, one thousand nine hundred and twenty-eight, and to have applied to all goods imported or taken out of warehouse for consumption on or after that date and to have applied to goods previously imported for which no entry for consumption was made before that date.

Change in number of tariff items.

4. Schedule III to the said Act is amended by striking out the figures "544" wherever they occur in the said Schedule and substituting therefor the figures "538".

Explanatory Notes.

1. Part II of the Special War Revenue Act imposes a tax of one per centum upon the gross interest from loans and investments in Canada and upon the gross income from business transacted in Canada.

Such tax is a deduction from the tax otherwise payable under The Income War Tax Act.

There is but a small collection of revenue under this Act over the amount that would otherwise be collected under the Income War Tax Act, and rather than have a multiplicity of taxes this is repealed. Further, the excess apart from Income Tax that is collected is generally from companies that have no profits as the Special War Revenue Act is upon the gross income or interest.

Consumption or sales tax.

5. Paragraph *(c)* of subsection one of section eighty-six of the said Act is repealed and the following substituted therefor:—

Goods sold by licensed wholesalers.

"*(c)* Sold by a licensed wholesaler to another than a licensed manufacturer, and the tax shall be computed on the duty paid value of goods imported or (if the goods were manufactured or produced in Canada) the tax shall be computed on the price for which the goods sold were purchased by the said licensed wholesaler from the manufacturer or producer, and the said price shall include the amount of the excise duties on goods sold in bond."

6. Subsection two of section eighty-six of the said Act is repealed and the following substituted therefor:—

Sales tax not payable on certain goods.

"(2) Notwithstanding anything contained in the preceding subsection, the consumption or sales tax shall not be payable on goods,—

(a) exported, except that the said tax shall be payable on the sale of spirituous and fermented liquors, other than wine, unless such goods are exported in bond and foreign landing certificates satisfactory to the Minister are produced as proof that said goods have been landed at the place designated in the export entry.

(b) sold by a licensed manufacturer to another licensed manufacturer if the goods are partly manufactured goods; or

(c) imported by a licensed manufacturer if the goods are partly manufactured goods; or

(d) imported by a licensed wholesaler, on importation; or

(e) sold by a licensed manufacturer to a licensed wholesaler."

Reductions and refunds.

7. Section ninety-one of the said Act is amended by adding to subsection one thereof the following paragraphs:—

Manufacturer not previously licensed.

"*(d)* When a manufacturer becomes licensed under the Act, not previously having held a license, and has on hand goods on which he has paid the tax;

Wholesalers or jobbers.

(e) When a license is granted to a wholesaler or jobber, a deduction of the tax paid on the goods in his inventory at the date of the said license, but such deduction shall not be greater than the amount of tax computed at the prevailing rate on the date when the license was issued."

5. The paragraph to be repealed reads as follows:—

"*(c)* sold by a licensed wholesaler to another than a licensed manufacturer, and (if the goods were manufactured or produced in Canada) the tax shall be computed on the price for which the goods are sold by the licensed manufacturer to the said licensed wholesaler and the said price shall include the amount of the excise duties on goods sold in bond."

This section is merely designed to more clearly set forth the value on which the tax shall be paid by licensed wholesalers.

The proposed amendment does not change the existing law in any way.

6. This is to provide that the sales tax shall apply on spirituous and fermented liquors, unless proper documentary proof of export is supplied. This amendment is designed to prevent a repetition of the present argument as to whether or not taxes apply on other than *bona fide* export sales.

The remainder of the section remains the same.

7. Sales by licensed manufacturers and licensed wholesalers being subject to the tax, it is decided to avoid possible confusion and duplication of taxation by authorizing the reduction of tax paid on goods on hand when manufacturer or wholesaler takes out his license.

There is no provision in the Act at present which permits the person obtaining a license to receive recompense for tax he has paid on stock on hand.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 171.

An Act to amend the Copper Bounties Act, 1923.

AS PASSED BY THE HOUSE OF COMMONS,
30th MARCH, 1928.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58019 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 171.

An Act to amend the Copper Bounties Act, 1923.

1923, c. 40.

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

Bounties on Canadian produced copper bars or rods sold in Canada for consumption.

1. Section two of *The Copper Bounties Act, 1923*, being chapter forty of the statutes of 1923, is amended by adding thereto the following:—

From the first day of July, 1928, to the thirtieth day of June, 1929, both inclusive...one-half of one cent per pound;

From the first day of July, 1929, to the thirtieth day of June, 1930, both inclusive...one-half of one cent per pound;

From the first day of July, 1930, to the thirtieth day of June, 1931, both inclusive...one-half of one cent per pound.

EXPLANATORY NOTE.

1. Section two of The Copper Bounties Act, 1923, provides for the payment of "bounties on copper bars or rods manufactured in Canada and sold for consumption therein, from copper produced in Canada from ore mined in Canada." The bounty expires on June 30, 1928.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 187.

An Act to amend the Immigration Act.

First reading, April 10, 1928.

The MINISTER OF IMMIGRATION AND COLONIZATION.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60245 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 187.

An Act to amend the Immigration Act.

R.S., c. 93.

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

Persons deemed to belong to prohibited classes.

1. Section forty-one of the *Immigration Act*, chapter ninety-three of the Revised Statutes of Canada, 1927, is hereby repealed.

EXPLANATORY NOTES.

The section of the Act to be repealed reads as follows:—

"**41.** Every person who

(a) by word or act in Canada seeks to overthrow by force or violence the government of or constituted law and authority in the United Kingdom of Great Britain and Ireland, or Canada, or any of the provinces of Canada, or the government of any other of His Majesty's dominions, colonies, possessions or dependencies, or advocates the assassination of any official of any of the said governments or of any foreign government, or who in Canada defends or suggests the unlawful destruction of property or by word or act creates or attempts to create any riot or public disorder in Canada; or

(b) without lawful authority assumes any powers of government in Canada or in any part thereof; or

(c) by common repute belongs to or is suspected of belonging to any secret society or organization which extorts money from or in any way attempts to control any resident of Canada by force or by threat of bodily harm, or by blackmail; or

(d) is a member of or affiliated with any organization entertaining or teaching disbelief in or opposition to organized government;

shall, for the purposes of this Act, be deemed to belong to the prohibited or undesirable classes, and shall be liable to deportation in the manner provided by this Act, and it shall be the duty of any officer becoming cognizant thereof and of the clerk, secretary or other official of any municipality in Canada wherein any such person may be, forthwith to send a written complaint to the Minister, giving full particulars: Provided, that this section shall not apply to any person who is a British subject, either by reason of birth in Canada, or by reason of naturalization in Canada.

2. Proof that any person belonged to or was within the description of any of the prohibited or undesirable classes within the meaning of this section at any time since the fourth day of May, one thousand nine hundred and ten, shall, for all the purpose of this Act, be deemed to establish *prima facie* that he still belongs to such prohibited or undesirable class or classes."

This Bill is designed to make deportation for certain causes dependent upon a conviction in Canada, under Part II of the *Criminal Code*, relating to offences against public order, rather than upon a hearing before a Board of Inquiry concerning certain offences under section 41 of the *Immigration Act*.

Proceedings for the deportation of such undesirable classes are provided by sections 40, 42 and 43 of the Act, and under those sections deportation may be carried out. It is considered that the provisions of section 41 are unnecessary as section 40 and Part II of the *Criminal Code* cover the case.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 188.

An Act to amend the Canada Grain Act.

First reading, April 10, 1928.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60231 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 188.

An Act to amend the Canada Grain Act.

R.S., c. 86.

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

Red Spring Wheat.

1. (1) Section ninety-six of the *Canada Grain Act*, chapter eighty-six of the Revised Statutes of Canada, 1927, is amended by striking out the heading "*Spring Wheat*" and substituting therefor the heading "*Red Spring Wheat.*"

(2) The said section is further amended by inserting after the grades entitled "*Spring Wheat*" and before the grades entitled "*Winter Wheat*," the following:—

"*White Spring Wheat.*

White Spring Wheat.

"No. 1 Canada western hard white spring wheat shall include all varieties of white spring wheat equal in value to "Quality" wheat, shall be well matured and well cleaned, weighing not less than 60 pounds to the bushel, and practically free of damaged kernels, and shall contain 60 per cent of hard white kernels. It may contain 3 per cent of Red Spring or Winter wheat. It shall not contain singly or in any combination, more than one per cent of Amber Durum, Red Durum or Kota wheat.

No. 2 Canada western hard white spring wheat shall include all varieties of white spring wheat equal in value to "Quality" wheat, shall be reasonably sound and reasonably clean, weighing not less than 58 pounds to the bushel, and shall contain 45 per cent of hard white kernels. It may contain 5 per cent of Red Spring or Winter wheat. It shall not contain singly or in any combination more than 2 per cent of Amber Durum, Red Durum, or Kota wheat.

No. 3 Canada western white spring wheat shall include all varieties of White Spring wheat which are excluded from the preceding grades on account of damage, and shall be reasonably sound and reasonably clean, of fair milling

Explanatory Notes.

White Spring Wheat.

Section **1.** (1), (2). The Chief Grain Inspector advises that a large quantity of this wheat has been produced in the West and new varieties are being introduced almost yearly, with the result that the quantity has increased to such an extent that it was considered advisable to classify it in grades from No. 1 to No. 5 under the name of "Canada Western White Spring Wheat." Wheat of this nature had been classed as "No established Grade", as provided for in the Act. Designating this Wheat as "No Established Grade" seemed to kill the sale, other than at a very low price. The past two years' crops sold under the grades of No. 1 to No. 5 Canada Western White Spring Wheat has given satisfaction to all concerned and it is desirable, in the interests of the producers, that provision be made in the Grain Act for the classification of this wheat.

If it should be decided to establish these grades of Wheat under the title of "White Spring Wheat" it will be necessary to amend the present heading "Spring Wheat" in section 96, to read "Red Spring Wheat".

quality, weighing not less than 57 pounds to the bushel. It may contain 10 per cent of Red Spring or Winter wheat. It shall not contain singly or in any combination, more than 5 per cent of Amber Durum, Red Durum or Kota wheat.

No. 4 Canada western white spring wheat shall be white spring wheat excluded from the preceding grades on account of damage, and shall be reasonably clean, weighing not less than 55 pounds to the bushel. It may contain 20 per cent of Red Spring or Winter wheat. It shall not contain singly or in any combination, more than 10 per cent of Amber Durum, Red Durum, or Kota wheat.

No. 5 Canada Western white spring wheat shall be white spring wheat excluded from the preceding grades on account of damage, and shall be reasonably clean, weighing not less than 53 pounds to the bushel. It may contain 30 per cent of Red Spring or Winter wheat. It shall not contain singly or in any combination, more than 10 per cent of Amber Durum, Red Durum, or Kota wheat."

(3) The said section is further amended by adding, under the heading "*Oats*" and before the grades entitled "*Barley*" the following:—

Oats.

"No. 1 Canada Western Yellow oats shall be yellow, sound, clean, and free from other grain. It shall contain 95 per cent of yellow oats, and shall weigh not less than 36 pounds to the bushel.

No. 2 Canada Western Yellow oats shall be sound, reasonably clean and reasonably free from other grain. It shall contain 90 per cent of yellow oats, and shall weigh not less than 34 pounds to the bushel."

Nos. 1 and 2 Canada Western Yellow Oats.

Section **1.** (3) A large acreage in the Western Provinces is sown with varieties of Yellow Oats, principally known as "Gold Rain" and "Orloff". The former is a large heavy oat with good appearance but the latter is of much poorer quality. Both varieties, however, are yellow in colour and for this reason are excluded from the grades of No. 1 and No. 2 Canada Western Oats, as the provisions of the Canada Grain Act specify that these grades must contain 95% and 90% of White Oats, respectively.

When the variety of oats known as "Gold Rain" was first introduced into the West, they were considered equal in every way to our No. 2 Canada Western White Oats and were graded as such for a number of years. Complaints were, however, received from Eastern millers and European buyers against the mixture of these Yellow Oats which had been certificated as No. 2 Canada Western. The trade was advised at that time that, owing to these complaints, only the very choice cars of "Gold Rain" Oats would be allowed into the grade of 2 Canada Western and, if complaints continued, the Inspection Branch would have to discontinue issuing certificates for the grade of 2 Canada Western if such cars contained "Gold Rain" Oats. As complaints were still received, it was decided to grade "Gold Rain" Oats no higher than No. 3 Canada Western, and this has been the practice since the Fall of 1925.

The "Orloff" variety of Oats has always been graded as 3 Canada Western, or lower.

The Board therefore feels that, if markets can be established for No. 1 and No. 2 Yellow Oats, provision should be made to include the definitions of these grades in Section 96 of the Canada Grain Act, under the present heading of "Oats" on Page 31.

It might be pointed out here that it is not necessary to make provision for a grade of No. 3 Canada Western Yellow Oats, as this class can be allowed in the present grade of No. 3 Canada Western and, as far as the producers are concerned, will be better graded as such.

(4) The said section is still further amended by striking out the grades under the heading "*Barley*" and substituting the following therefor:—

Barley.

"No. 1 Canada Western barley shall be composed of 95 per cent of six-rowed barley that is equal in value to variety O.A.C. 21. It shall be plump, bright, sound, and clean, free from other grain, weighing not less than 48 pounds to the bushel.

No. 2 Canada Western barley shall be composed of 95 per cent of six-rowed barley that is equal in value to variety O.A.C. 21. It shall be reasonably clean and sound, reasonably free from other grain, but not bright and plump enough to be graded as No. 1, weighing not less than 46 pounds to the bushel.

No. 1 Canada Western two-rowed barley shall be composed of 95 per cent of two-rowed barley that is equal in value to variety Canadian Thorpe. It shall be plump, bright, sound and clean, free from other grain, weighing not less than 50 pounds to the bushel.

No. 2 Canada Western two-rowed barley shall be composed of 95 per cent of two-rowed barley that is equal in value to variety Canadian Thorpe. It shall be reasonably clean and sound, reasonably free from other grain, but not bright and plump enough to be graded as No. 1, weighing not less than 48 pounds to the bushel.

No. 3 Canada Western barley shall be composed of barley excluded from the preceding grades on account of inferior variety or mixture of varieties. It shall be reasonably clean, and reasonably free from other grain. It shall include weather stained and shrunken but reasonably sound barley, weighing not less than 45 pounds to the bushel.

No. 4 Canada Western barley shall include damaged barley, weighing not less than 42 pounds to the bushel. It may contain 8 per cent of wild oats or wild oats and seeds, or 8 per cent of other domestic grain. It shall not contain more than 3 per cent of seeds.

Feed barley shall include all barley excluded from the preceding grades on account of light weight or mixtures. It may contain 18 per cent of wild oats or wild oats and seeds, or 18 per cent of other domestic grain. It shall not contain more than 5 per cent of seeds.

Barley inspected as "No Grade" for moisture and dried, may be graded as dried of the grade to which it belongs, or as straight grade, in the discretion of the inspector."

Canada Western Barley.

Section **1.** (4) The present definitions for Canada Western Barley are obsolete, in that they make no provision for classifying according to variety. A large number of varieties of Barley are being produced in the Western Division. A number of these varieties are two-rowed but the greater number are six-rowed, with a few exceptions. The two and six-rowed varieties are good malting Barleys when the identity of each is preserved, but when the two and six-rowed are mixed, or when either or both varieties are mixed with the non-malting varieties, the combination is useless as a Malting Barley and can be sold only as Feed Barley. This is just what has been and is taking place under the present regulations. Classifications according to variety are essential before the individual producers can receive fair prices for their product. Under a variety classification the producer who ships barley of tne better varieties, and free enough from foreign matter, will receive the benefit of the higher grades, while the producer who ships barley of a mixed variety, or of feeding varieties, will have to be content with a lower grade and consequently a lower price. This will tend to the production of the better varieties and cleaner Barley.

The Chief Inspector is convinced that, in the interests of the Western Producer, changes in the definitions of Canada Western Barley are essential and recommends that the present grades for Barley, pages 31 and 32 of the Grain Act, be struck out and that there be substituted therefor the seven (7) definitions as outlined on the attached form.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 189.

An Act to amend the Prisons and Reformatories Act.

First reading, April 10, 1928.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60445 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 189.

An Act to amend the Prisons and Reformatories Act.

R.S., c. 163.

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

1. Section one hundred and forty-eight of the *Prisons and Reformatories Act*, chapter one hundred and sixty-three of the Revised Statutes, 1927, is repealed and the following is substituted therefor:—

Application of certain sections of Part IX extended to Nova Scotia.

"**148.** Sections one hundred and forty-nine to one hundred and fifty-four, both inclusive, of this Part apply to the Provinces of New Brunswick and Prince Edward Island only; sections one hundred and fifty-five to one hundred and sixty, both inclusive, of the said Part apply to the Provinces of Nova Scotia, New Brunswick and Prince Edward Island."

Date of coming into force.

2. (1) Section one of this Act shall be deemed to have come into force on the first day of February, one thousand nine hundred and twenty-eight.

Interprovincial Home for young women.

(2) Chapter fifty of the statutes of 1925, entitled, *An Act to amend the Prisons and Reformatories Act*, shall be deemed to have applied to the Province of Nova Scotia.

EXPLANATORY NOTE.

Part IX of the Prisons and Reformatories Act applies only to the Province of New Brunswick and Prince Edward Island. The purpose of the amendment is to extend the application of the sections of the said Part, relating to the Interprovincial Home for Young Women at Coverdale, New Brunswick, to the Province of Nova Scotia; and to make the provisions of the amendment retroactive to the date of the passage of the Prisons and Reformatories Amendment Act, c. 50 of the Statutes of 1925.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 190.

An Act to amend the Exchequer Court Act.

First reading, April 10, 1928.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56844 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 190.

An Act to amend the Exchequer Court Act.

R.S., c. 34.

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

1. Section four of the *Exchequer Court Act*, chapter thirty-four of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

Constitution of Court.

"**4.** The Exchequer Court shall consist of the President and one Puisne Judge, who shall be appointed by the Governor in Council by letters patent under the Great Seal.

President or puisne judge may exercise jurisdiction.

(2) Whenever in any Act of the Parliament of Canada reference is made to the Judge or a Judge of the Exchequer Court of Canada for the purpose of conferring any power, authority, or jurisdiction upon such Judge, the same shall be taken to confer the said power, authority or jurisdiction severally and respectively upon the President and the Puisne Judge of the Court."

Official referees.

2. Section fourteen of the said Act is repealed.

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

Jurisdiction in cases of patents, copyright and trade marks.

"**22.** The Exchequer Court shall have jurisdiction as well between subject and subject as otherwise,

(a) in all cases of conflicting applications for any patent of invention, or for the registration of any copyright, trade mark or industrial design;

(b) in all cases in which it is sought to impeach or annul any patent of invention, or to have any entry in any register of copyrights, trade marks or industrial designs made, expunged, varied or rectified; and

EXPLANATORY NOTES.

[New matter is underlined in the text of the Bill.]

1. The purpose of this amendment is to make it clear that either the President or a puisne judge may exercise the jurisdiction given to the "Judge of the Exchequer Court", *eo nomine*, with reference to particular matters by certain statutes passed since 1887. Some doubt has been expressed as to the power of the President to act in such cases.

2. This was only intended to soften the blow of abolition to the old official Arbitrators by making it possible to employ them during their life-time. They are all dead long ago. It is an anomaly now in every way, because the Rules of Court provide for referees being appointed by the judges when they deem it necessary.

3. Subsection *(c)* is amended so as to give the Court jurisdiction at common law or in equity in all cases relating to patents, copyright trade marks and industrial designs. The necessity for this is demonstrated in trade mark cases. At the present time the Court is confined to "infringement" actions, and it has frequently happened that the evidence in such cases showed that the defendant was guilty of passing off his goods as those of the plaintiff, quite apart from the issue of infringement, and for "passing-off" the Court had no common law jurisdiction to grant relief. It is considered to be in the interest of justice that a plenary remedy should be open to a plaintiff who comes into the Exchequer Court. The amendment omits the express mention of "infringement" but it is covered by the phraselogy used

(c) in all other cases in which a remedy is sought under the authority of any Act of the Parliament of Canada or at Common Law or in Equity, respecting any patent of invention, copyright, trade mark, or industrial design."

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

Practice and procedure, how regulated.

"**36.** The practice and procedure in suits, actions and matters in the Exchequer Court, shall, so far as they are applicable, and unless it is otherwise provided for by this Act, or by general rules made in pursuance of this Act, be regulated by the practice and procedure in similar suits, actions and matters in His Majesty's High Court of Justice in England on the first day of January, 1928."

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

General rules and orders.

"**87.** (1) The Judges of the Court may, from time to time, make general rules and orders,

(a) for regulating the procedure of and in the Exchequer Court;

(b) for the effectual execution and working of this Act, and the attainment of the intention and objects thereof;

(c) for the effectual execution and working in respect to proceedings in such Court or before such Judge, of any Act giving jurisdiction to such Court or Judge and the attainment of the intention and objects of any such Act;

(d) for fixing the fees and costs to be taxed and allowed to, and received and taken by, and the rights and duties of the officers of the said Court; and

(e) for awarding and regulating costs in such Court in favour of or against the Crown, as well as the subject.

Jurisdiction of registrar.

(2) In addition to any powers, jurisdiction and authority conferred upon the Registrar by this or any other Act of the Parliament of Canada, the Judges of the Court may, by any general rule or order empower the Registrar to do any such thing and transact any such business as is specified in such rule or order, and to exercise any authority and jurisdiction in respect of the same as is now or may be hereafter done, transacted or exercised by a Judge of the Court sitting in Chambers in virtue of any statute or custom or by the practice of the Court."

4. This amendment speaks for itself. There have been many important and beneficial amendments to the English practice in relation to such actions since the year 1887 and suitors in the Exchequer Court should have the advantage of them.

5. This amendment is suggested for the purpose of bringing the Exchequer Court in line with the practice of the Supreme Court of Canada, as well as with that of the English Courts, so far as that practice relates to the making of rules regulating the practice and procedure in such Courts.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 191.

An Act to amend the Criminal Code.

First reading, April 10, 1928.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60230 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 191.

An Act to amend the Criminal Code.

R.S., c. 36.

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

Unlawful associations. Publishing seditious books, etc.

1. Section ninety-eight of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is hereby repealed.

EXPLANATORY NOTES.

1. The sections to be repealed read as follows:—

"**98.** (1) Any Association, organization, society or corporation, whose professed purpose or one of whose purposes is to bring about any governmental, industrial or economic change within Canada, by use of force, violence or physical injury to person or property, or by threats of such injury, or which teaches, advocates, advises or defends the use of force, violence, terrorism, or physical injury to person or property, or threats of such injury, in order to accomplish such change, or for any other purpose, or which shall by any means prosecute or pursue such purpose or professed purpose, or shall so teach, advocate, advise or defend, shall be an unlawful association.

"(2) Any property, real or personal, belonging or suspected to belong to an unlawful association, or held or suspected to be held by any person for or on behalf thereof may, without warrant, be seized or taken possession of by any person thereunto authorized by the Commissioner of the Royal Canadian Mounted Police, and may thereupon be forfeited to His Majesty.

"(3) Any person who acts or professes to act as an officer of any such unlawful association and who shall sell, speak, write or publish anything as the representative or professed representative of any such unlawful association, or become and continue to be a member thereof, or wear, carry or cause to be displayed upon or about his person or elsewhere, any badge, insignia, emblem, banner, motto, pennant, card, button or other devise, whatsoever, indicating or intended to show or suggest that he is a member of or in anywise associated with any such unlawful association, or who shall contribute anything as dues or otherwise, to it or to any one for it, or who shall solicit subscriptions or contributions for it, shall be guilty of an offence and liable to imprisonment for not more than twenty years.

"(4) In any prosecution under this section, if it be proved that the person charged has

(a) attended meetings of an unlawful association; or

(b) spoken publicly in advocacy of an unlawful association; or

(c) distributed literature of an unlawful association by circulation through the Post Office mails of Canada, or otherwise,

it shall be presumed, in the absence of proof to the contrary, that he is a member of such unlawful association.

"(5) Any owner, lessee, agent or superintendent of any building, room, premises or place, who knowingly permits therein any meeting of an unlawful association or any subsidiary association or branch or committee thereof, or any assemblage of persons who teach, advocate, advise or defend the use, without authority of the law, of force, violence or physical injury to person or property, or threats of such injury, shall be guilty of an offence under this section and shall be liable to a fine of not more than five thousand dollars or to imprisonment for not more than five years, or to both fine and imprisonment.

"(6) If any judge of any superior or county court, police or stipendiary magistrate, or any justice of the peace, is satisfied by information on oath that there is reasonable ground for suspecting that any contravention of this section has been or is about to be committed, he may issue a search warrant under his hand, authorizing any peace officer, police officer, or constable with such assistance as he may require, to enter at any time any premises or place mentioned in the warrant, and to search such premises or place, and every person found therein, and to seize and carry away any books, periodicals, pamphlets, pictures, papers, circulars, cards, letters, writings, prints, handbills, posters, publications or documents which are found on or in such premises or place, or in the possession of any person therein at the time of such search, and the same, when so seized, may be carried away and may be forfeited to His Majesty.

"(7) Where, by this section, it is provided that any property may be forfeited to His Majesty, the forfeiture may be adjudged or declared by any judge, of any superior or county court, or by any police or stipendiary magistrate, or by any justice of the peace, in a summary manner, and by the procedure provided by Part XV of this Act, in so far as applicable, or subject to such adaptations as may be necessary to meet the circumstances of the case.

"(8) Any person who prints, publishes, edits, issues, circulates, sells or offers for sale or distribution any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication or document of any kind, in which is taught, advocated, advised or defended, or who shall in any manner teach, advocate, or advise or defend the use, without authority of law, of force, violence, terrorism, or physical injury to person or property, or threats of such injury, as a means of accomplishing any governmental, industrial or economic change, or otherwise, shall be guilty of an offence, and liable to imprisonment for not more than twenty years.

"(9) Any person who circulates or attempts to circulate or distribute any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication, or document of any kind, as described in this section by mailing the same or causing the same to be mailed or posted in any Post Office, letter box, or other mail receptacle in Canada, shall be guilty of an offence, and shall be liable to imprisonment for not more than twenty years.

"(10) Any person who imports in Canada from any other country, or attempts to import by or through any means whatsoever, any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication or document of any kind as described in this section, shall be guilty of an offence and shall be liable to imprisonment for not more than twenty years.

"(11) It shall be the duty of every person in the employment of His Majesty in respect of His Government of Canada, either in the Post Office Department, or in any other Department to seize and take possession of any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication or document, as mentioned in this section, upon discovery of the same in the Post Office mails of Canada or in or upon any station, wharf, yard, car, track, motor or other vehicle, steamboat or other vessel upon which the same may be found and when so seized and taken, without delay to transmit the same, together with the envelopes, coverings and wrappings attached thereto, to the Commissioner of the Royal Canadian Mounted Police."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 192.

An Act respecting Interprovincial and International Traffic in Intoxicating Liquors.

First reading, April 10, 1928.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60232 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 192.

An Act respecting Interprovincial and International Traffi in Intoxicating Liquors.

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

Short title.

1. This Act may be cited as *The Importation of Intoxicating Liquors Act.*

Definitions.

"Intoxicating liquor".

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

(a) "intoxicating liquor" means any liquor which is, by the law of the province for the time being in force, deemed to be intoxicating liquor, and which it is unlawful to sell or have in possession without a permit or other authority of the Government of the province or any board, commission, officer or other governmental agency authorized to issue such permit or grant such authority;

"Province".

(b) "province" means any province of Canada in which there is for the time being in force an Act giving the Government of the province, or any board, commission, officer or other governmental agency control over the sale of intoxicating liquor therein.

Importation into province forbidden unless consigned to His Majesty, the Executive Government, or commission, etc.

3. (1) Notwithstanding the provisions of any other Act or law, no person shall import, send, take or transport, or cause to be imported, sent, taken or transported into any province from or out of any place within or without Canada, any intoxicating liquor, except such as has been purchased by or on behalf of, and which is consigned to His Majesty or the Executive Government of the province into which it is being imported, sent, taken or transported, or any board, commission, officer or other governmental agency which, by the law of the province, is vested with the right of selling intoxicating liquor.

Explanatory Notes.

The provisions of this Bill are self-explanatory, and are designed to prevent, with certain exceptions, the importation of intoxicating liquor into any province where the sale of such liquor is under Government control, except such liquor as is consigned to the local Government or its agents.

3. Similar provisions were contained in Bill 43 which passed the House of Commons on 3rd May, 1923, but which did not pass the Senate.

Exceptions.

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

Transportation into and through a province by common carrier by water or railway.

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

Importation by licensed distiller or brewer for blending purposes only.

(b) the importation of intoxicating liquor into a province by any person duly licensed by the Government of Canada to carry on the business or trade of a distiller or brewer where the intoxicating liquor so imported is imported solely for the purpose of being used for blending with or flavouring the products of the business or trade of a distiller or brewer carried on by him in the province, and while kept by him in the province is kept in a place or warehouse which conforms in all respects to the requirements of the law governing such places or warehouses, and is used solely for blending with or flavouring the products of his said business or trade as a distiller or brewer.

Burden of proof.

4. The burden of proving the right to import intoxicating liquor, or to cause intoxicating liquor to be imported, or to send, take or transport intoxicating liquor, or to cause intoxicating liquor to be sent, taken or transported into any province shall be on the person accused.

Penalties for violation.

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

Prosecution in place where liquor imported.

6. A prosecution for any offence under this Act may be brought and carried on, and a conviction had, in the city, town or place to or into which any intoxicating liquor is unlawfully imported, sent, taken or transported, or in the place where the accused resides, but no prosecution shall be brought in any province against a person not within or residing in such province without the written approval of the Attorney General of such province.

Where accused resides.

Non-resident.

Prosecution in place from which liquor is imported or sent.

7. A prosecution for any offence under this Act may be brought and carried on and a conviction had in the city, town or other place from which any intoxicating liquor is

4. Similar provisions were contained in the said Bill 43.

5. Similar provisions were contained in the said Bill 43.

6. Similar provisions are contained in section 172 of the Canada Temperance Act, chapter 196 of the Revised Statutes of Canada, 1927.

7. Similar provisions are contained in section 173 of the Canada Temperance Act, chapter 196 of the Revised Statutes of Canada, 1927.

unlawfully imported, sent, taken or transported, as aforesaid.

Search warrants.

8. If it is proved upon oath before any judge of the sessions of the peace, recorder, police magistrate, stipendiary magistrate, two justices of the peace, or any magistrate having the power or authority of two or more justices of the peace, that there is reasonable cause to suspect that any intoxicating liquor is in any premises or place and that such intoxicating liquor is or has been dealt with contrary to the provisions of this Act, such officer may grant a warrant to search such premises or place, including any Government railway, vehicle or steamship, for such intoxicating liquor, and if the same or any part thereof is there found, to seize and bring the same before him; and when any person is convicted of any offence against any of the provisions of this Act, the officer or officers so convicting may adjudge and order, in addition to any other penalty, that the intoxicating liquor in respect to which the offence was committed and which has been seized under a search warrant as aforesaid, and all kegs, barrels, cases, boxes, bottles, packages, and other receptacles of any kind whatsoever, found containing the same, be forfeited and destroyed, and such order shall thereupon be carried out by the constable or peace officer who executed the said search warrant or by such other person as may be thereunto authorized by the officer or officers who have made such conviction.

Liquor and receptacles to be forfeited and destroyed upon conviction.

Sacramental, medicinal and other purposes exempted.

9. Nothing in this Act shall be deemed to forbid the importing, sending, taking or transporting, or causing to be imported, sent, taken or transported into any province from or out of any place within or without Canada of intoxicating liquor for sacramental or medicinal purposes or for manufacturing or commercial purposes other than for the manufacture or use thereof as a beverage.

8. Similar provisions are contained in section 174 of the Canada Temperance Act, chapter 196 of the Revised Statutes of Canada, 1927.

9. Similar provisions are contained in section 180 of the Canada Temperance Act, R.S.C., 1927, chapter 196.

193.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 193.

An Act to amend the Dominion Forest Reserves and Parks Act.

First reading, April 10, 1928.

The MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60426 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 193.

An Act to amend the Dominion Forest Reserves and Parks Act.

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

R.S., c. 78.

1. The Schedule to the Dominion Forest Reserves and Parks Act, chapter seventy-eight of the Revised Statutes of Canada, 1927, is amended as follows:—

MANITOBA.

Withdrawal from Rid'g. Mtn. For. Res.

(1) Paragraph four of the said Schedule is amended by striking out the words and figures "all of the sections in township 20, range 19 except sections 5, 6, 7, the west halves of sections 4 and 8;" in the eighteenth, nineteenth and twentieth lines of the said paragraph and inserting therefor "all of the sections in township 20, range 19 except sections 5, 6 and 7, the west halves of sections 4 and 8 and the southwest quarter of section 18;" and by striking out the figures and words "1,148.29 square miles" in the second line from the end of the said paragraph and inserting therefor the figures and words "1,148.04 square miles".

SASKATCHEWAN.

Porcupine Forest Reserve No. 2.

(2) Paragraph seven of the said Schedule is repealed and the following is substituted therefor:—

"7. Porcupine Forest Reserve No. 2 situate in the province of Saskatchewan and more particularly described as follows:—Consisting of the following sections in township 36, range 30: sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; all of the sections in township 36, range 31, except the southwest quarter of section 4; the following lands in township 36, range 32; the northwest quarter of section 13 and the northwest quarter of section 25, all of the sections in township 37, ranges 30 and 31; all of the sections and fractional sections in fractional township 37, range 32; all of the sections in township 38, ranges 30 and 31; all of the sections and fractional sections in fractional township 38, range 32; all of the sections in township 39, ranges 30 and 31; all of the sections and fractional sections

Explanatory Notes.

This Bill provides for the withdrawal of areas aggregating 32 square miles from forest reserves in Manitoba and Saskatchewan. No provision is made for the placing of additional areas under reservation for forestry in any of the provinces and no revisions whatever are provided for in connection with the forest reserves in Alberta and British Columbia.

The lands comprising the proposed withdrawals are, in every instance, situated immediately inside the boundaries of the reserves, in the transition zone between agricultural and absolute forest lands. Intensive re-examination has shown that the areas comprising the withdrawals are of agricultural value and all have been applied for on behalf of prospective settlers.

Par. (1) This amendment withdraws one quarter section of agricultural land from the Riding Mountain Forest Reserve in the province of Manitoba.

Par. (2) This withdraws two quarter sections of agricultural land from the Porcupine Forest Reserve No. 2, in the province of Saskatchewan.

in fractional township 39, range 32; all of the sections in township 40, ranges 30 and 31, all of the sections and fractional sections in fractional township 40, range 32; all of the sections in township 41, ranges 30 and 31; all of the sections and fractional sections in fractional township 41, range 32; all of the sections in township 42, ranges 30 and 31; all of the sections and fractional sections in fractional township 42, range 32; all of the sections in township 43, ranges 30 and 31; all of the sections and fractional sections in fractional township 43, range 32; all of the sections in township 44, ranges 30 and 31; except sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; the following sections in township 44, range 32: sections 1, 12, 13 and 24 and all of the fractional sections 2, 11, 14 and 23; all being west of the Principal meridian. Also all of the sections in the north halves of township 37, ranges 1 and 2; all of the sections in township 37, range 3, except sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; the following sections in township 37, range 4; sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36; all of the sections in township 38, ranges 1, 2, 3, 6, 7, and 8; all of the sections in township 38, range 4, except sections 5, 6, 7 and 8; all of the sections in township 38, range 5, except sections 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12; all of the sections in township 38, range 9, except sections 5, 6, 7, 8, 17 and 18; all of the sections in township 39, ranges 1, 2, 3, 4, 5, 6, 7 and 8, all of the sections in township 39, range 9, except sections 27, 28, 29, 30, 31, 32, 33 and 34; the following sections in township 39, range 10; sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23 and 24; all of the sections in township 40, ranges 1, 2, 3, 4, 5, 6, 7 and 8; all of the sections in township 41, ranges 1, 2, 3, 4, 5, 6, 7 and 8; the following sections in township 41, range 9: sections 1, 2, 11, 12, 16, 17, 18, 19 and 20, the northwest quarter of section 7, the south halves of sections 13 and 14, and the west half of section 21; all of the sections in township 41, range 10, except sections 1, 2, 35 and 36 and the north halves of sections 25 and 26; all of the sections in township 41, range 11; all of the sections in township 42, ranges 1, 2, 3, 4 and 5; all of the sections in township 43, range 1; all of the sections in the east half of township 43, range 2; the following sections in township 43, range 3: sections 5, 6, 7, 8, 9, 16, 17, 18, 19, 20 and 30, the north half and southwest quarter of section 4, the southwest quarter of section 15, the southwest quarter of section 29, the south half and northwest quarter of section 31 and those portions of the west half of section 3, the southeast quarter of section 4, of section 10, of the east half and northwest quarter of section 15, the south half and northwest quarter of section 21, the southwest quarter of section 22, the southwest quarter of section 28, the east half and northwest quarter of section 29, the northeast quarter of

section 31 and all of section 32 lying west of the west bank of the Etomami River; all of the sections in township 43, ranges 4 and 5; the following sections in township 43, range 6: sections 29, 30 31 and 32; the following sections in township 43, range 8: sections 34, 35 and 36 and the north halves of sections 25, 26, 27, 31, 32 and 33; the following in township 43, range 9: the north halves of sections 34, 35 and 36; all of the sections in township 43, range 10; the following sections in township 43; range 11: sections 25, 35 and 36 and the north half of legal subdivision 1, and those portions of legal subdivision 7 and 8 and of the north half of section 13 lying east of the east shore of Bjork Lake and those portions of sections 23, 24, 26, 27 and 34 lying north of the north shore of Bjork Lake; all of the sections in township 44, range 1; all of the sections in township 44, range 2, except sections 4, 5 and 6; the following sections in township 44, range 3: sections 23, 24, 25, 26, 35 and 36, the northeast quarter of section 15 and that part of section 6 lying west of the west bank of the Etomami River; the following sections in township 44, range 4: sections 1, 2, 3, 4, 5, 6, 11, 12 and 13, and those parts of sections 7, 8, 9, 10 and 25 lying south of the south bank of Red Deer River and those portions of sections 14, 15, 23 and 24 lying east of the east bank of Red Deer River; all of the sections in township 44, ranges 5 and 6; legal subdivision 7 of section 18, township 44, range 7; all of the sections in township 44, ranges 8, 9 and 10; all of the sections in township 44, range 11, except sections 6 and 7, the west half of section 18, the southwest quarter of section 19 and the northwest quarter of section 31; all being west of the 2nd meridian, both parts containing by admeasurement 2,790.5 square miles, more or less.

Pasquia Forest Reserve.

(3) Paragraph twelve of the said Schedule is repealed and the following is substituted therefor:—

12. "Pasquia Forest Reserve situate in the province of Saskatchewan and more particularly described as follows:—

Consisting of that part of the northwest quarter of section 31, township 50, range 30, lying west of the right of way of the Canadian National Railway; the following sections in township 50, range 31; sections 19, 28, 29, 30, 31, 32, 33 and 34, and those parts of sections 7, 17, 18, 20, 21, 22, 26, 27, 35 and 36, lying north of the right of way of the Canadian National Railway; the following fractional sections in fractional township 50, range 32: fractional sections 13, 24, 25 and 36, and those parts of fractional sections 1 and 12 lying north of the right of way of the Canadian National Railway; all of the sections in township 51, range 30, except sections 1, 2 and 12, and those portions of sections 3, 4, 5, 10, 11, 13, 14 and 24, lying south of the north boundary of the right of way of the Canadian National Railway; all of sections and fractional sections in fractional

Par. (3) This withdraws one half section of agricultural land from the Pasquia Forest Reserve in the province of Saskatchewan.

township 51, range 31, all of the sections in township 52, range 30; all of the sections and fractional sections in fractional township 52, range 31; all of the sections in township 53, range 30; all of the sections and fractional sections in fractional township 53, range 31, that part of township 54, range 30, lying south of the south bank of Carrot River; the following sections and fractional sections in fractional township 54, range 31: sections 1, 2, 3, 4, 5, fractional section 6, sections 9, 10, 11, 12, 13, 14 and those parts of sections 8, 15, 16, 17, 22, 23, 24, 25, 26 and of fractional sections 7 and 18 lying south or east of the south or east bank of the Carrot River; the following sections in township 55, range 30: sections 1 and 12 and those portions of sections 2, 3, 11, 13 and 14, lying south of the south bank of the Carrot River; all being west of the Principal meridian. Also consisting of all of the sections in township 45, ranges 5 and 6; all of the sections in township 45, range 7, except sections 1, 2, 3, 4, 5 and 6 and those portions of sections 8, 9, 10, 11 and 12 and of the south half and northeast quarter of section 7 lying south of the southern boundary of the Canadian National Railway right of way; all of the sections in township 45, range 8; the following sections in township 45, range 9: sections 1 to 12 inclusive; the following sections in township 45, range 10: sections 1 to 12 inclusive, and sections 29, 30, 31, 32 and 33, the north halves of sections 17 and 19, the northwest quarter of section 21, and the west half of section 28; all of the sections in township 45, range 11, except section 6 and the south half of section 7; the following sections in township 46, range 3: sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34, those parts of section 15 and the north half of section 10, lying west of the west shore of Ruby Lake, and those parts of sections 22, 23, 26, 35 and 36, lying west of the right of way of the Canadian National Railway; all of the sections in township 46, ranges 4, 5, 6, 7, 8, 9, 10; the following sections in township 46, range 11: sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23 and 24; the following sections in township 47, range 2: sections 29, 30, 31, 32 and 33, and those portions of sections 7, 18, 19, 20, 21, 27, 28, 34 and 35, lying west of the right of way of the Canadian National Railway; all of the sections in township 47, range 3, except those parts of sections 1 and 12, lying east of the west boundary of the right of way of the Canadian National Railway; all of the sections in township 47, ranges 4, 5, 6, 7, 8 and 9; all of the sections in township 47, range 10, except sections 17, 18, 19, 20, 29, 30, 31, 32, 33 and 34; the following sections in township 48, range 1: section 31 and those parts of sections 18, 19, 20, 30 and 32, lying west of the right of way of the Canadian National Railway; all of the sections in township 48, range 2, except those parts of sections 1, 2, 12 and 13, lying east

of the west boundary of the right of way of the Canadian National Railway; all of the sections in township 48, ranges 3, 4, 5, 6, 7, 8 and 9; the following sections in township 48, range 10: sections 25, 35 and 36, and those parts of sections 23, 24, 26, 27, 33 and 34 lying east of the east bank of Connell creek; the following sections in township 49, range 1: sections 6, 7, 8, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33 and 34, and those parts of sections 4, 5, 9, 15, 16, 22, 26, 27, 35 and 36, lying west of the right of way of the Canadian National Railway; all of the sections in township 49, ranges 2, 3, 4, 5, 6, 7, 8 and 9, the following sections in township 49, range 10: sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24, 25, 26, those parts of sections 4, 5, 8, 17, 20, 21, 27, 28 and 34, lying east of the east bank of Connell creek, that part of section 35, lying east of the east bank of Connell creek and south of the south bank of Carrot river, and that part of section 36, lying south of the south bank of Carrot River; all of the sections in township 50, range 1, except that portion of section 1, lying east of the west boundary of the right of way of the Canadian National Railway; all of the sections in township 50, ranges 2, 3, 4, 5, 6, 7 and 8; all of the sections in township 50, range 9, except sections 19, 30, 31, 32 and those parts of sections 6, 7, 8, 17, 18, 20, 28, 29 and 33, lying west of the east bank of Carrot river; that part of section 1, township 50, range 10, lying south of the south bank of the Carrot river; all of the sections, in township 51, ranges 1, 2, 3, 4, 5, 6 and 7; all of the sections in township 51, range 8, except sections 30, 31, 32 and 33, and those parts of sections 18, 19, 20, 21, 26, 27, 28, 29, 34, 35 and 36, lying north of the south bank of Carrot river; the following sections of township 51, range 9: sections 1 and 12, and those portions of sections 2, 3, 4, 9, 10, 11, 13, 14 and 24, lying south of the south bank of Carrot river; all of the sections in township 52, ranges 1, 2 and 3; all of the sections in township 52, range 4, except those portions of sections 30, 31, 32, 33 and 34, lying north of the south bank of Carrot river; the following sections in township 52, range 5; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 18 and 30, and those portions of sections 10, 11, 12, 13, 14, 23 and 24 not included in Shoal Lake Indian Reserve No. 28a and those portions of sections 15, 22 and 26, lying south of the south bank of Carrot river and not included in Shoal Lake Indian Reserve No. 28a, those portions of sections 19, 20, and 29, lying west of the west bank of Carrot river, and those portions of sections 16, 17, 25, 31 and 32, lying south of the south bank of Carrot river; the following sections in township 52, range 6: sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26 and 27; that part of section 17, lying south of the south bank of Carrot river and not included in Carrot River Indian Reserve No. 29a; that part of section 18 not included in Carrot River Indian Reserve 29a; those

parts of sections 16, 21, 28, 29, 32, 33, 34, 35 and 36, lying south or east of the south or east bank of Carrot river; the following sections in township 52, range 7: sections 1, 2, 3, 4, 5, 10, 11 and 12, those parts of sections 6, 7, 8, 9, 14, 15, 16, 22, 23 and 24, lying south of the south bank of Carrot river and that part of section 13 lying south of the south bank of Carrot river, and not included in Carrot River Indian Reserve No. 29a; that part of section 1, township 52, range 8, lying south of the south bank of Carrot river; all of the sections in township 53, range 1, except those portions of sections 29, 31, 32, 33, 34, 35 and 36, lying north of the south bank of Carrot river; all of the sections in township 53, range 2, except section 31, and those portions of sections 29, 30, 32, 33, 34 and 35, lying north of the south bank of Carrot river; the following sections in township 53, range 3, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and those portions of sections 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29, lying south of the south bank of Carrot river; the following sections in township 53, range 4, sections 1 and 12, and those portions of sections 2, 3, 11, 13, 14 and 24, lying east of the east bank of the Carrot river; those parts of sections 4 and 5, township 53, range 6, lying within the bend of the Carrot river; in township 54, range 1, those portions of sections 12 and 13, and of the east half of section 1, lying east of the east bank of Carrot river, and those portions of the southwest quarter of section 1, the southeast quarter of section 2, the southwest quarter of section 3, the south half of section 4, and the southwest quarter of section 6, lying south of the south bank of Carrot river; those parts of the south halves of sections 1, 2 and 3, in township 54, range 2, lying south of the south bank of Carrot River; all being west of the second meridian; both parts containing by admeasurement 2,535.25 square miles more or less."

Keppel Forest Reserve.

(4) Paragraph fifteen of the said Schedule is repealed and the following is substituted therefor:—

15. Keppel Forest Reserve situate in the province of Saskatchewan and more particularly described as follows:— "Consisting of the following sections of township 36, range 12: sections 7, 19, 20, 29, 30, 31, 32, the northwest quarter of section 8, and the west half of section 18; the following sections of township 36, range 13, sections 12, 13, 14, 23, 26, the north half of section 11, the south half and northeast quarter of section 24, the southeast quarter of section 25; the following sections of township 37, range 12: sections 6, 7, 8, 17, 18, 19, 20 and the south half and the northwest quarter of section 5; the following sections of township 39, range 17: sections 16, 20, 21, 22, 26, 27, 28, 29, 32, 33, 34, 35, 36, the northwest quarter of section 14, the north half and the southwest quarter of section 15, the northwest quarter of section 18, the south half and the northeast

Par. (4) This provides for the withdrawal of 2·25 square miles of land of possible agricultural value from the Keppel Forest Reserve in the province of Saskatchewan.

quarter of section 19, the north half and the southwest quarter of section 23, the north half of section 24, the north half of section 25, the south half and the northeast quarter of section 30; the following sections of township 40, range 17: sections 2, 3, 4, 10, 11, 12, 14, the south half and the northwest quarter of section 1, the south half and the northeast quarter of section 9, the southeast quarter of section 13, the south half of section 15, the southeast quarter of section 16, the southeast quarter of section 23, and the southwest quarter of section 24; the following sections in township 40, range 14: sections 1, 3, 9, 10, 11, 12, 13, 14, 15, 16, 21, 23 and 26, the west half of section 2, the northeast quarter of section 4 and the east halves of sections 17 and 20; all being west of the third meridian and containing by admeasurement 64·25 square miles, more or less.

Fort a la Corne Forest Reserve.

(5) Paragraph sixteen of the said Schedule is repealed and the following is substituted therefor:—

16. Fort a la Corne Forest Reserve situate in the province of Saskatchewan and more particularly described as follows:—

Consisting of the following sections in township 48, range 17: section 18 and the northwest quarter of section 7; all of the sections in township 48, range 18, except sections 1, 2, 3, 23, 24, 25, 26, 27, 35 and 36, the south halves of sections 4, 5 and 6, the east half of section 22 and the south half of section 34; the following sections in township 48, range 19: sections 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35 and 36, the north half of section 1, the northeast quarter of section 10, those parts of sections 17 and 20 not included in Cumberland Indian Reserve No. 100A, that part of section 19 not included in Cumberland Indian Reserve No. 100A or the Hudson's Bay Company's Reserve, that part of section 30 not included in the Hudson's Bay Company's Reserve and that part of section 31 lying east of the east bank of Saskatchewan River; the following sections in township 48, range 20: sections 31, 32, 33, 34, 35 and 36, those parts of section 30 and the north halves of sections 25 and 26 lying north of the north bank of the Saskatchewan River, those parts of sections 27 and 29 lying north of the north bank of the Saskatchewan River and north of the north boundary of the James Smith Indian Reserve No. 100 and that part of section 28 not included in the James Smith Indian Reserve No. 100; the following sections in township 48, range 21: sections 24, 25, 31, 32, 34, 35 and 36, the northeast quarter of section 26; and the north half of section 33; east half of section 36 of township 48, range 22; all of the sections in township 49, range 18, except sections 1, 2, 11, 12, 13, 14, 23, 24, 25 and 26; all of the sections in township 49, range 19, all of the sections in township 49, range 20;

Par. (5) This withdraws 6·65 square miles of land of possible agricultural value from the Fort a la Corne Forest Reserve in the province of Saskatchewan.

the following sections in township 49, range 21: sections 1, 2, 3, 4, 5, 6, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36, the south halves of sections 7, 8 and 9, the southwest quarter, legal subdivisions 1 and 2 and that part of section 10 lying north of the north bank of the Saskatchewan River, those portions of sections 12 and 13, lying east of the east bank of the Saskatchewan River and those portions of sections 14, 15, 19, 20, 21, 22, 23 and 30 lying north of the north bank of the Saskatchewan River; the following sections in township 49, range 22: sections 33, 34, 35 and 36, the southeast quarter of section 1, and those parts of sections 23, 24, 25, 26, 27 and 28, and of the northwest quarter of section 21 and the north half of section 22 lying north of the north bank of the Saskatchewan River; all of the sections in township 50, range 16, except sections 1, 2 and 6 and those parts of sections 3, 4, 5, 7, 8, 10, 11 and 12 lying south of the north bank of the Saskatchewan River; all of the sections in township 50, range 17, except those parts of sections 1, 2, 3 and 12, lying south of the north bank of the Saskatchewan River; all of the sections in township 50, ranges 18, 19, 20 and 21; all of the sections in township 50, range 22, except sections 5, 6, 7, 17, 18, 19, 20, 29, 30, 31 and 32, and the south half and northeast quarter of section 8; the following sections in township 51, range 16: sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and the west half of section 11; the following sections in township 51, range 17: sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; the following sections of township 51, range 18; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; the following sections of township 51, range 19: sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16 and 17, the south half and northeast quarter of section 18 and the east half of section 19; the following sections of township 51, range 20: sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, and the south halves of sections 13, 14, 15, 16 and 17; the following sections of township 51, range 21: sections 1, 2, 3, 4, 5, 6, 11 and 12; the following sections of township 51, range 22: sections 1, 2 and 3; all being west of the 2nd Meridian and containing by admeasurement 504·10 square miles more or less.

Withdrawal from Nisbet Forest Reserve.

(6) Paragraph seventeen of the said Schedule is amended by striking out the words and figures "the following sections in township 50, range 25: sections 1, 2, 3, 4, 5, the east half of section 6, the southeast quarter of section 7 and the south halves of sections 8, 9, 10, 11 and 12;" in the thirty-eighth to the forty-first lines of the said paragraph and inserting therefor the following: "the following sections in township 50, range 25: sections 1, 2, 3, 4 and 5, the east half of section 6, legal subdivisions 1 and 2 of section 8, and the south halves of sections 9, 10, 11 and 12;" and by striking out the figures and words "155·28 square miles" in the second line from the end of the said paragraph

Par. (6) This amendment withdraws from the Nisbet Forest Reserve in the province of Saskatchewan an area of 0·63 of a square mile of land which is considered to be of agricultural value.

and inserting therefor the figures and words "154·65 square miles".

Pines Forest Reserve.

(7) Paragraph eighteen of the said Schedule is repealed and the following is substituted therefor:—

18. "Pines Forest Reserve situate in the province of Saskatchewan and more particularly described as follows:—

Consisting of the following sections in township 44, range 1, those parts of sections 34 and 35 lying west of the west bank of the South Saskatchewan River; all of the sections in township 45, range 1, except section 1, the northwest quarter of section 34 and those parts of sections 2, 11, 12, 13 and 14 lying east or south of the west or north bank of the South Saskatchewan; the following sections in township 45, range 2: sections 25, 26, 35 and 36; the following sections in township 46, range 1: sections 6, 7, 8, 9, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34, the north half and southwest quarter of section 5, the northwest quarter of section 16 and the west half of section 22; all of the sections in township 46, range 2, except sections 5, 6 and 7, the southwest quarter of section 18 and legal subdivisions 12 and 13 of section 30; the following sections in township 47, range 1: sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34, the northwest quarter of section 15, the north half of section 16 and the north half and southwest quarter of section 22; all of the sections in township 47, range 2, except those parts of sections 30, 31 and 32 lying west of the east bank of the North Saskatchewan River; the following sections in township 47, range 3: sections 12 and 13, the west half of section 2; that portion of section 11 lying east of the creek which flows northward through the section, that portion of the northeast quarter of section 14 lying east of the said creek, that portion of section 23 lying south of the south bank of the North Saskatchewan River and east of the creek which flows northward through the section; those parts of sections 24 and 25 lying south of the south bank of the North Saskatchewan River, the following sections in township 48, range 2: sections 1, 2, 3, 4, 10, 11, 12, 13, 14 and 15, the south halves of sections 22 and 23, and those portions of sections 5, 8, 9, 16 and the southeast quarter of section 21, lying east of the east bank of the North Saskatchewan River; all being west of the third meridian, and containing by admeasurement 160·68 square miles, more or less.

Big River Forest Reserve.

(8) Paragraph twenty of the said Schedule is repealed and the following is substituted therefor:—

20. Big River Forest Reserve situate in the province of Saskatchewan and more particularly described as follows:—

Consisting of that part of section 31, township 52, range 8, lying west of the west bank of the Big River; all of the sections of township 52, range 9, except the southeast quarter

Par. (7) This amendment withdraws one quarter section of agricultural land from the Pines Forest Reserve in the province of Saskatchewan.

Par. (8) This provides for the withdrawal of 21 square miles of land of some potential agricultural value from the Big River Forest Reserve in the province of Saskatchewan.

and that portion of the northeast quarter of section 25, lying east of the west bank of the Big River and those portions of section 36 and the northeast quarter of section 24 lying east of the west bank of the Big River; the following sections of township 52, range 10: sections 11, 12, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35 and 36, the east half and that portion of the west half of section 10 lying east of the west shore of the lake, the east half and that portion of the northwest quarter of section 15 lying east of the west shore of the lake; all of the sections in township 52, range 12, except sections 1, 2, 11, 12, 13, 14, 15, 22, 23, 24, 25 and 36 the east half of section 21, those portions of sections 3 and 10 which are included in Sylvander Lake, the south half and that portion of the north half of section 27 lying east of the west shore of Twin Bay Lake, and those portions of sections 26 and 35 lying east of the west shore of Twin Bay Lake; all of the sections in township 52, range 13, except sections 26, 27, 28, 33, 34 and 35, all of the sections in township 52, range 14, except sections 5, 6, 7, 8 and the west half of section 4; the following sections in township 53, range 9: sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17 and those parts of sections 11, 14, 15, 18, 19, 20, 21, 22, 23 and 29, lying south of the south bank of the Big River; the following sections in township 53, range 10: sections 1, 2, 3, 11 and 12, and those parts of sections 13, 14, 23 and 24 lying south of the south bank of Big River; all of the sections in township 53, range 12, except sections 1, 2, 3, 10, 11, 12, 13, 14, 24 and 31, and those parts of sections 15, 22, 23, 25 and 26 lying east of the east bank of Big River; the following sections in township 53, range 13: sections 1, 5, 6, 7, 8 and 12, the west half of section 9, the southwest quarter of section 16 and the south halves of sections 17 and 18; all of the sections in township 53 range 14; all of the sections in township 54, range 10; all of the sections in township 54, range 12, except sections 29, 30, 31 and 32 and those parts of sections 6, 7, 18, 19 and 20 lying west of the west shore of Edward Lake; the following sections in township 54, range 13: sections 31 and 32 and the west halves of sections 18, 19 and 30; all of the sections in township 54, range 14; all of the sections in township 55, ranges 9, 10 and 11; all of the sections in township 55, range 12 except sections 4, 5, 6, 7, 8 and 9; all of the sections in township 55, ranges 13 and 14; those parts of sections 5, 6, 7 and 18, township 56, range 7 lying west of the west bank of Big River and west of the west shore of Cowan Lake; that part of township 56, range 8 lying west of the west shore of Cowan Lake; all of the sections in township 56, ranges 9, 10, 11, 12 and 13; the following sections in township 57, range 8, sections 4, 5, 6, 7 and 8, and those parts of sections 3, 9, 10, 16, 17, 18 and 19, lying west of

the west shore of Cowan Lake; all of the sections in township 57, range 9, except those parts of sections 24, 25, 35 and 36, lying east of the west shore of Cowan Lake; all of the sections in township 57, ranges 10, 11, 12 and 13; that part of township 58, range 9, lying west of the west shore of Cowan Lake; all of the sections in township 58, ranges 10, 11, 12 and 13; those parts of sections 5, 6, 7 and 18, township 59, range 9 lying west of the west shore of Cowan Lake; all of the sections in township 59, range 10, except sections 24, 25, 26, 34, 35 and 36 and those parts of sections 12, 13, 14, 15, 22, 23, 27, 28 and 33, lying east of the west shore of Cowan Lake; all of the sections in township 59, ranges 11 and 12; that part of the west half of township 60, range 10 lying west of the west shore of Cowan Lake and west of the west bank of Cowan River; all of the sections in township 60, range 11, except the west halves of sections 19, 30 and 31; the following sections in township 60, range 12, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 and that part of the remaining two-thirds of the township lying west of the east shore of Green Lake; all being west of the third meridian and containing by admeasurement 1,321 square miles, more or less.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 194.

An Act to amend the Canadian National Railway Act.

First reading, April 10, 1928.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60546 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 194.

An Act to amend the Canadian National Railway Act.

R.S., c. 172.

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

1. Section sixteen of the *Canadian National Railways Act*, chapter one hundred and seventy-two of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

Application of Railway Act to Canadian Government Railways.

"**16.** Notwithstanding anything in the *Government Railways Act* or any other Act, the provisions of the *Railway Act* (excepting those provisions relating to the location of lines of railway, the making and filing of plans and profiles—other than highway and railway crossing plans—the taking and using of lands and expropriation proceedings) shall apply to such of the Canadian Government Railways (the management and operation of which is entrusted to the Company under the provisions of this Act) as would, but for the passing of this Act, be subject to the *Government Railways Act*, during such time only as the operation and management thereof is entrusted to the Company, it being however declared that all the provisions of the *Expropriation Act* and all legal procedure in matters arising under the *Expropriation Act* shall apply, during the said period, to such Canadian Government Railways in like manner as if this Act had not been passed."

Explanatory Note.

1. Section sixteen to be repealed reads:—

"**16.** Notwithstanding anything in the Government Railways Act or any other Act, the provisions of the Railway Act respecting the operation of a railway, as distinguished from the provisions of such Act respecting the construction or maintenance of a railway, shall apply to such of the Canadian Government Railways as would but for the passing of this Act be subject to the Government Railways Act, during such time as the operation and management thereof is entrusted to the Company under the provisions of this Act.

2. The provisions of the Railway Act, respecting maintenance of a railway, shall also apply to such railways during the time aforementioned in so far as the such maintenance affects the safety and protection of railway employees and the passengers upon the railway."

Under Section 16 the Government Railways while under the management and operation of the Canadian National Railway Company are subject to the Railway Act in matters of operation, and in the matters of maintenance, in so far as such maintenance affects the safety and protection of railway employees and passengers upon the railway.

This Bill is to the effect of making the Government Railways while under the management and operation of the Canadian National Railway Company subject to the provisions of the Railway Act in matters of construction and maintenance as well as operation as the railways of the said Company are subject to the said Act, reserving to the Government Railways full application of the Expropriation Act and legal procedure thereunder as under present legislation.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 195.

An Act to facilitate the provision of storage in Lac Seul in the Province of Ontario, and to repeal the Lake of the Woods Regulation Act, 1921.

First reading, April 10, 1928.

The MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58127 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 195.

An Act to facilitate the provision of storage in Lac Seul in the Province of Ontario, and to repeal the Lake of the Woods Regulation Act, 1921.

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

Short title.

1. This Act may be cited as *The Lac Seul Conservation Act, 1928.*

Agreement binding, and Governor in Council authorized to carry out its provisions.

2. The agreement between the Dominion of Canada, the Province of Ontario and the Province of Manitoba, in the terms set out in the schedule hereto, shall be as binding on the Dominion of Canada as if the provisions thereof had been set forth in an Act of this Parliament, and the Governor in Council is hereby authorized to carry out the provisions of the said agreement.

Repeal.

3. *The Lake of the Woods Regulation Act, 1921,* chapter thirty-eight of the statutes of 1921, is repealed.

Date of operation of section 2.

4. Section two of this Act shall come into force on a day to be named by the Governor General by his proclamation.

Explanatory Notes.

The object of the bill is to confirm an agreement entered into between the governments of Canada, Ontario and Manitoba for the purpose of building and maintaining a storage and regulating dam at the outlet of Lac Seul in the province of Ontario whereby to increase the dependable flow of the English and Winnipeg rivers and so augment their possibilities for water-power development.

Section **2.** The agreement confirmed by this section provides in brief as follows:—

(1) The province of Ontario is to build a dam at the outlet of Lac Seul which is to be the sole property of that province.

(2) The capital cost of the dam, estimated at a total of $700,000 will be paid three-fifths by Canada and two-fifths by Ontario, but the Dominion will pay interest at the rate of five per cent per annum to Ontario on the latter's two-fifths share until the water-powers on the English river in Ontario are developed; the interest charge payable by the Dominion being progressively reduced as these water-powers come into use.

(3) The costs of operating and maintaining the dam will be assumed by the Dominion in the first instance, but will be progressively reduced as power is developed on the English river. When the Ontario section of that river is fully developed, the Dominion will pay three-fifths of these annual costs and Ontario two-fifths.

(4) The control of the level of Lac Seul and of the outflow therefrom will be in the hands of the Lake of the Woods Control Board in accordance with concurrent legislation passed by the Dominion in 1921 and by Ontario in 1922.

Section **3.** The repeal of the Lake of the Woods Regulation Act is one of the conditions precedent to the coming into effect of the agreement to be confirmed by this Bill and is also a necessary condition to the bringing into effect, by proclamation of the Lieutenant-Governor, of the Ontario Lake of the Woods Control Board Act, 1922, which, with the Dominion Lake of Woods Control Board Act, 1921, will replace the Lake of the Woods Regulation Act and form the concurrent legislation referred to in the agreement.

Section **4.** The reason for delaying the confirmation of the agreement in the schedule to this Bill is to enable the Dominion Government to enter into agreements with the licensees of the existing power developments on the Winnipeg river binding these licensees to repay to the Dominion their appropriate shares of the capital cost of the dam and the annual operating and maintenance charges, so that in course of time the Dominion will be fully recouped by existing and future developments on the Winnipeg river for all expenditures assumed under the agreement.

Date of operation of section 3.

5. Section three of this Act shall come into force on the day upon which the Lieutenant-Governor of the Province of Ontario shall bring into force by his proclamation the *Lake of the Woods Control Board Act, 1922*, chapter twenty-one of the statutes of Ontario, 1922.

SCHEDULE.

Agreement made this ..... day of February, A.D. 1928.

BETWEEN:

THE GOVERNMENT OF THE DOMINION OF CANADA, herein represented by the Honourable Charles Stewart, Minister of Interior for the said Dominion of Canada, hereinafter referred to as "Canada,"

of the first part,

THE GOVERNMENT OF THE PROVINCE OF ONTARIO, herein represented by the Honourable William Finlayson, Minister of Lands and Forests for the said Province of Ontario, hereinafter referred to as "Ontario,"

of the second part,

AND

THE GOVERNMENT OF THE PROVINCE OF MANITOBA, herein represented by the Honourable John Bracken, Prime Minister of the Province of Manitoba, hereinafter referred to as "Manitoba,"

of the third part.

Whereas the Crown in the right of the Province of Ontario is the owner of the lands under and bordering on Lac Seul in the District of Kenora in the Province of Ontario and also of all ungranted lands under and bordering on the rivers and waters flowing into and out of said lake in the Province of Ontario, and the water powers and water power sites connected therewith;

And whereas the Crown in the right of the Dominion of Canada is the owner of all ungranted lands under the waters of the Winnipeg River in the Province of Manitoba and the water powers and water power sites connected therewith and has leased certain of such power sites to companies and others who have developed the same in whole or in part;

And whereas there are a number of water powers and water power sites at the outlet of Lac Seul and upon the English and Winnipeg Rivers between that lake and the Provincial Boundary between the Provinces of Ontario and Manitoba, all of which powers are vested in the Crown in the right of the Province of Ontario and none of which has as yet been developed;

Section **5.** The reason for this section is to ensure that the Lake of the Woods Regulation Act, 1921 shall remain in force until the concurrent legislation is proclaimed by the Governor General and the Lieutenant-Governor of Ontario so that the Lake of the Woods Control Board, which is now performing essential duties, should not at any time be without legislative sanction.

And whereas it is desirable to construct a regulating dam at Lower Ear Falls at the outlet of Lac Seul for the purpose of increasing the capacity of the power plants already erected and that may hereafter be erected on the Winnipeg River in the Province of Manitoba;

And whereas the erection of a dam at Lower Ear Falls will facilitate the development of power at that point, and be of advantage in the development of power at other power sites on the waters flowing out of Lac Seul between Lower Ear Falls and said Provincial Boundary;

And whereas Canada has requested Ontario to erect a dam at the location and for the purposes aforesaid, and has offered to contribute towards the cost of the construction and maintenance of the same, and Ontario has agreed so to do subject to the terms, stipulations, conditions and reservations hereinafter contained;

Now therefore this Agreement witnesseth:

1. In this agreement unless there is something in the context or subject inconsistent therewith the expressions following shall have the following meanings, namely:

"Capital Cost" shall mean and include:

(a) The cost of all works of every character and kind whatsoever in connection with the construction of said dam;

(b) The cost of acquiring flooding privileges or other necessary easements;

(c) Compensation for timber, buildings and improvements, including Ontario Crown Lands, Indian Lands and lands owned by private individuals taken or in any way injuriously affected in connection with the proposed work;

(d) Cost of surveys and all engineering work connected with the undertaking;

(e) Cost of providing means of communication by telephone or otherwise with said dam;

(f) Cost of providing the necessary transportation facilities required for the construction, maintenance and operation of said dam;

(g) Cost of the necessary houses and buildings required for those employed in the care and operation of said dam;

(h) Cost of equipment for operating and repairing said dam;

(i) Interest during construction;

(j) The sum of $50,000.00 in respect of flooding Pelican Falls in Ontario;

(k) All other costs and expenses of every character and kind whatsoever, whether similar to or different from those above enumerated that may properly be incurred in the construction of said work that are usually or may properly be considered capital.

"Cost of Maintenance" shall mean and include all cost and expenses necessary to keep said dam and appurtenances

thereto in good repair and condition and fit for the purposes of a control or regulating dam.

"Cost of Operation" shall mean and include salaries and wages of men in charge of said dam and all costs and all expenses in connection with the operation thereof and the control of the water passing through or over the same, including such remuneration as may be paid or provided for the members of the Board of Control hereinafter mentioned.

"Provincial Boundary" shall mean the boundary between the Provinces of Ontario and Manitoba.

"Concurrent Legislation" shall mean the Act of the Dominion of Canada known as "The Lake of the Woods Control Board Act, 1921," being Chapter 10 of 11-12 George V, and the Act of the Province of Ontario, known as "The Lake of the Woods Control Board Act, 1922," being Chapter 21 of 12 George V.

"Engineer" shall mean an engineer or engineers appointed by the Province of Ontario.

"Said Waters" shall mean waters in the Province of Ontario flowing out of Lac Seul, between and including Lower Ear Falls and the Provincial Boundary.

2. Ontario shall construct a dam for the purposes of conservation, regulation and power at Lower Ear Falls at the outlet of Lac Seul on lands owned by the Crown in the right of the Province of Ontario which said dam shall be absolutely owned, controlled and operated by Ontario and neither of the other parties hereto shall have any ownership in, title to or authority or control over it.

3. The said dam shall be of concrete construction with proper stop logs or other control and so designed as to permit a storage range in Lac Seul of approximately twelve feet or such reasonable variation therefrom as the Engineer shall determine.

4. The said dam shall be constructed in accordance with plans and specifications prepared by the Engineer, and a certificate of the Engineer that said dam has been constructed in accordance with the provisions hereof shall be conclusive evidence of such fact. Upon the giving of such certificate, Ontario shall be released from all liability in respect of such construction.

5. Three-fifths of the capital cost of said dam shall be paid and borne by Canada and two-fifths by Ontario, said proportions being approximately equivalent to the difference in the mean water elevation between said Provincial Boundary and Lake Winnipeg, and between the present mean water level of Lac Seul and the said Provincial Boundary.

6. All capital cost as herein defined payable by Canada shall be advanced to Ontario monthly or otherwise as may be agreed upon on certificates furnished by the Engineer.

7. After the said dam has been completed and put in operation the total interest on the capital cost apportioned to and contributed by Ontario under the provisions of paragraph 5 hereof shall be paid annually at the rate of five per centum per annum by Canada to Ontario, subject to the provision in the next succeeding paragraph hereof contained.

8. From time to time as the powers on said waters are developed and used Canada shall be relieved from payment of interest on that proportion of the capital cost contributed by Ontario that the amount of head so developed and used bears to the total developable head on said waters; and when and so soon as the total developable head on said waters shall have been developed and used, Canada shall be relieved altogether from payment of interest on Ontario's share of the capital cost. In computing the developable head at Lower Ear Falls the storage range provided by said dam shall not be taken into consideration.

9. At the end of every five years from the date of the completion of said dam as fixed by the Engineer under paragraph 17 hereof, an account shall be taken of the interest payable by Canada to Ontario in respect of Ontario's share of the said capital cost and proper adjustments made in accordance with the provisions hereinbefore set forth.

10. The cost of maintenance and operation of said dam shall be wholly paid by Canada until powers on said waters have been developed and put to use. As such powers are developed and put to use, Ontario shall pay that proportion of two-fifths of the cost of such maintenance and operation that the head so developed and used on said waters bears to the total developable head thereon. When and so soon as the total developable head on said waters has been fully developed and put to use, Canada shall bear three-fifths and Ontario two-fifths of the cost of said maintenance and operation.

11. At the end of every five-year period an account shall be taken of the amount payable by Canada and Ontario respectively for the cost of maintenance and operation, computed in the manner aforesaid, and proper adjustments made in respect thereof.

12. As soon as the lands over which flooding or other privileges are required have been determined, Ontario shall withdraw the same from sale, location or staking under *The Public Lands Act* or *The Mining Act of Ontario* or otherwise, but nothing herein contained shall limit or restrict the right of Ontario to develop or grant such lands or utilize or deal with the same in any manner that may be thought proper, provided the storage and regulation of water by said dam is not improperly interfered with.

13. Any capital cost incurred in the construction of said dam by reason of making provision for works for the develop-

ment of power, over and above the cost that would necessarily have been incurred in the construction of said dam for conservation and regulation purposes only shall be paid by the Province of Ontario.

14. After said dam has been completed the amount, if any, payable by Ontario under the provisions of the next preceding paragraph hereof shall be determined by two engineers, one appointed by Canada and one by Ontario. Should the engineers so appointed fail to agree the matter shall be referred to an engineer to be appointed by the Chief Justice of Ontario whose decision shall be final and binding upon the parties.

15. Should said dam after the completion thereof be destroyed by the act of God, or otherwise without the consent or approval of Ontario or should it become physically impossible for any reason to operate the same in the manner intended all parties hereto shall be relieved from all liability hereunder, other than and except the liability of Canada to pay to Ontario such sums of money as may be then due and payable by Canada to Ontario under the provisions of this agreement.

16. Nothing herein contained shall by implication or otherwise be considered as a covenant or guarantee by Ontario, with reference to the level at which said waters will be kept or the flow thereof or that said dam will control or regulate the flow of said waters as intended and neither Canada or Manitoba shall have any recourse or claim for damages against Ontario by reason or on account of the construction of said dam or the operation thereof or anything done or attempted by virtue hereof. It being distinctly declared and agreed that Ontario shall incur no liability whatever hereunder either by reason of negligence, non-feasance or mis-feasance of its officials, representatives, servants or agents or otherwise howsoever.

17. The said dam shall for the purpose of this agreement be deemed to be completed at a date to be fixed by the Engineer, and after such date the provisions hereof with reference to maintenance and operation shall become applicable. The fixing of such date of completion shall not interfere with the contribution to and adjustment of capital expenditure by and between Canada and Ontario as herein provided for.

18. Notwithstanding anything herein contained the Lake of Woods Control Board, appointed under the concurrent legislation shall have full power and authority to regulate and control the outflow of Lac Seul by means of said dam in accordance with the principles laid down in the concurrent legislation relating to the regulation and control of the outflow of the waters of Lac Seul.

19. The members of said Board of Control appointed by Canada shall be paid such remuneration as may from time

to time be fixed by the Minister of the Interior for Canada and the members of said Board of Control appointed by Ontario shall be paid such remunerations as may from time to time be fixed by the Minister of Lands and Forests for Ontario.

20. It is understood and declared that all contributions by Canada hereunder, whether for capital cost, interest, or cost of maintenance and operation are subject to the right of Canada to be reimbursed therefor by tolls or dues levied or imposed on water powers developed or hereafter developed in Manitoba.

21. When and so soon as this agreement has become effective in accordance with the provisions of paragraph 23 hereof Ontario shall proceed with all reasonable and convenient dispatch to make the necessary engineering investigations and studies to acquire the requisite rights and easements and to perform all other acts necessary for the complete construction of said dam and appurtenances.

22. Manitoba hereby concurs in and approves of all the terms and conditions herein contained. It is understood however that neither this concurrence and approval nor the execution of this agreement by Manitoba shall in any way be construed as an admission express or implied in respect to the rights of the Province or shall in any way prejudice or affect those rights.

23. This agreement shall not become valid and effective until it has been confirmed by an Act of the Parliament of Canada and an Act of the legislature of Ontario nor until the Act of the Parliament of Canada, entitled "The Lake of the Woods Regulation Act, 1921," being Chapter 38 of 11-12 George V has been repealed. Upon such repeal, everything necessary shall be done to bring said concurrent legislation into effect.

In witness whereof the parties hereto have executed these presents the day and year first above written.

WITNESS:

THE GOVERNMENT OF THE DOMINION OF CANADA,

By.....

Minister of Interior.

THE GOVERNMENT OF THE PROVINCE OF ONTARIO,

By.....

Minister of Lands and Forests.

THE GOVERNMENT OF THE PROVINCE OF MANITOBA,

By.....

Prime Minister.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 196.

An Act to amend the Yukon Quartz Mining Act.

First reading, April 10, 1928.

The MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57883 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 196.

An Act to amend the Yukon Quartz Mining Act.

R. S., c. 217.

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

1. Section ninety-three of the *Yukon Quartz Mining Act*, chapter two hundred and seventeen of the Revised Statutes of Canada, 1927, is hereby repealed and the following is substituted therefor:—

Annual royalty payable to the Crown.

"**93.** There shall be paid to the Crown on every mine in the Yukon Territory, acquired under the provisions of this Act or under the provisions of the Quartz Mining Regulations preceding the said Act, an annual royalty on any profits of such mine which exceed the sum of $10,000 during any calendar year, and the owner, manager, holder, tenant, lessee, occupier or operator of the mine shall be liable for and shall pay to the Crown an annual royalty as follows:—

Rates of royalty.

(a) Upon annual profits in excess of $10,000.00 and up to $1,000,000.00 ..... 3 per centum;

(b) On the excess above $1,000,000.00 up to $5,000,000.00 ..... 5 per centum;

(c) On the excess above $5,000,000.00 up to $10,000,000.00 ..... 6 per centum;

(d) On the excess above $10,000,000.00 .. a proportional increase of one per centum for each additional $5,000,000.00.

Mines under same management.

(2) For the purpose of this section, all mines and mineral workings in the said Territory, occupied, worked or operated by the same person, or under the same general management or control, or the profits of which accrue to the same person, shall, for the purpose of determining whether there is liability for royalty hereunder, be deemed to be and be dealt with as one and the same mine, and not as separate mines.

Explanatory Notes.

1. The section to be repealed reads as follows:—

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

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

Gold, valued at $15.00 an ounce, royalty, 37½ cents an ounce;
Silver valued at 60 cents an ounce, royalty, 15 mills an ounce;
Copper, valued at 12 cents a pound, royalty, 30 cents a hundred-weight;
Zinc, valued at 4 cents a pound, royalty, 10 cents a hundred-weight;
Lead, valued at 4 cents a pound, royalty, 10 cents a hundred-weight;

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

The Yukon Quartz Mining Act and the regulations which preceded it, provide that the grant of a mineral claim, by entry or by lease, shall reserve to the Crown such royalty on the sales of the products of the location as may from time to time be fixed by order of the Governor in Council, and by an Order in Council dated the 6th day of March, 1922, this royalty was fixed at the rate of two and one-half per cent of the value of the products of the location.

By an Order in Council dated the 5th June, 1922, authority was given to exempt from payment of royalty the content of silver-lead ores shipped from the Yukon Territory for treatment, owing to the excessive cost of production and transportation, and this exemption has been extended from time to time up to the 1st day of January, 1928.

Representations were made to the Department, particularly by the Treadwell-Yukon Company, Limited, the largest operator under the Act, that the exacting of a royalty on the sales of the products of the mine is not the most equitable method of taxing the industry, since the base metals are constantly subject to fluctuation in value; that this fact renders the industry particularly hazardous in the Yukon Territory, for the reason that ore may be mined at an apparent profit, but before it reaches the smelter nearly a year later, the value of the metal may have so fallen as to result in an actual loss; that in such case, the imposition of a royalty would increase the operator's loss; that the miners of the Territory are prepared to pay the tax provided for in Mining Tax Act of Ontario; and that the substitution of such a tax for the present royalty provisions of the Yukon Quartz Mining Act would prove most acceptable to all operators.

These representations were submitted for consideration to the Advisory Committee on Mining Regulations, and at a meeting of that Committee, held in May last for the purpose of considering the above representations, there were also present representatives of the Treadwell-Yukon Company and others interested in quartz mining in that Territory.

As a result of the investigation conducted, the Committee recommended that before the expiration of the exemption period, consideration be given to a tax on profits, instead of a royalty on the sales of the products of the mine, and attention was directed to the tax imposed in this respect by the Provincial Governments of Ontario and Quebec, which tax appears to meet with the approval of the mining industry in the said provinces.

The purpose of this bill is to rescind the royalty provisions of the Yukon Quartz Mining Act, and substitute a profits tax similar in amount to that provided for in the Mining Tax Act of Ontario and in the Mining Law of Quebec.

The above bill prescribes the amount of the tax, and provides that His Excellency in Council shall make such regulations as may from time to time appear to be necessary for the carrying out of the provisions and purposes of the amendment, and for determining and fixing the profits upon which the tax shall be payable, which regulations may also prescribe penalties for default and for filing false or incorrect statements.

Regulations for carrying out this section.

(3) Such regulations as may from time to time appear to be necessary shall be established under the authority of His Excellency in Council for the carrying out of the provisions and purposes of this section, and for determining and fixing the profits upon which the above royalties shall be payable. The said regulations may also prescribe penalties for failure on the part of the owner, manager, holder, tenant, lessee, occupier or operator of any mine, to comply with the provisions of the Act or the regulations, or for furnishing false or inaccurate statements relating thereto."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 197.

An Act to amend the Militia Pension Act.

First reading, April 10, 1928.

The Minister of National Defence.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59937 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 197.

An Act to amend the Militia Pension Act.

R.S., c. 133.

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

1. Subsection ten of section 4 of the *Militia Pension Act*, Revised Statutes of Canada, 1927, chapter one hundred and thirty-three, is repealed and the following substituted therefor:—

Reservations from salary treated as deductions.

"(10) If, by reason of a position in the public service of Canada to which any officer is seconded, he becomes subject to the provisions of Part I of the *Civil Service Superannuation Act*, Revised Statutes of Canada, 1927, chapter twenty-four, the reservations from his salary in the public service of Canada by the said Part I required to be made, shall be treated in all respects as deductions under this Act, and as satisfying the contributions which such officer is, by the two last preceding subsections, required to make."

2. Subsection one of section six of the said Act is repealed and the following substituted therefor:—

Time served in public service reckoned in term of service.

"**6.** (1) Time served in the public service of Canada, which, under Part I of the *Civil Service Superannuation Act*, Revised Statutes of Canada, 1927, chapter twenty-four, would be reckoned in computing the period of service for the purpose of a superannuation allowance under the said Act, or time served in the public service of Canada which was of such a nature as could be reckoned in computing the period of service for purposes of a superannuation allowance under the said Act had the officer remained in the public service and had elected to become a contributor under any part of the said Act, may be included in the term of service of an officer for the purposes of this Act."

Officers' service in R.C.M.P.

3. Subsection one of section seven of the said Act is repealed and the following substituted therefor:—

"**7.** Time served in the Royal Canadian Mounted Police as a police officer or constable may also be included in the term of service of an officer for the purposes of this Act."

Explanatory Notes.

Section **1.** This section substitutes a new subsection for the present subsection (10) of section 4, which is as follows:—

"(10) If, by reason of the position in the public service of Canada to which any officer is seconded, he becomes subject to the provisions of Part II of the Civil Service Superannuation and Retirement Act, the reservations out of the salary of such officer by the said Part II required to be made shall, instead of being transferred to the credit of the Retirement Fund, form part of the Consolidated Revenue Fund of Canada, and be treated in all respects as deductions under this Act, and as satisfying the contributions which such officer is by the two last preceding subsections required to make."

This amendment is necessary due to the coming into force of the Civil Service Superannuation Act, 1924.

Section **2.** This substitutes a new subsection for subsection (1) of section 6, which is as follows:—

"**6.** Time served in the Civil Service as constituted heretofore for the purposes of the Civil Service Superannuation Act, or as constituted for the purpose of Part I of the Civil Service Superannuation and Retirement Act, which has been reckoned under the Civil Service Superannuation Act, or which would be reckoned under Part I of the Civil Service Superannuation and Retirement Act, in computing a period of service for the purposes of either of such Acts, may also be included in the term of service of an officer for the purposes of this Act."

This amendment is necessary to enable there being included for purposes of a Militia Pension service which under the new Civil Service Superannuation Act can be reckoned for purposes of a superannuation upon the contributor electing, and which service, under the subsection as it at present stands, cannot count for purposes of a Militia pension.

Section **3.** This subsection is in substitution for the present subsection (1) of section 7, which is as follows:—

"**7.** Time served in the Royal Canadian Mounted Police may also be included in the term of service of an officer for the purposes of this Act."

The Department of Justice has expressed the opinion that this subsection, as it at present stands, enables only time served as a Police Officer being included in the term of service for purposes of a Militia pension, and excludes time served as a Constable. It is considered that both Police Officers and Constables' service should be so included, and this amendment is intended to so provide.

In South African Constabulary.

4. (1) Paragraph *(b)* of section eight of the said Act is repealed and the following is substituted therefor:—

"*(b)* Time served with the South African Constabulary."

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

In Royal Canadian Navy and Air Force.

"*(g)* Time served in the Royal Canadian Navy and the Permanent Active Air Force of Canada."

5. Section eleven of the said Act is amended by adding thereto the following subsection:—

Gratuity in case of death before pension may be granted.

"(3) If an officer dies before a period at which a pension might be granted him, the Governor in Council may grant to his widow, or, if he leaves no widow, to his children under eighteen years of age at the date of his death a gratuity equal to the amount of the deductions made under subsection one of section ten of this Act from such officer's pay during his service, provided, however, that if such officer leaves no widow and no child under the age of eighteen years, the Governor in Council may grant to the person or persons to whose support the officer contributed during his life time an amount not exceeding the amount of the gratuity herein mentioned."

6. Subsection three of section fourteen of the said Act is amended by adding thereto the following paragraph:—

Term of service of militiaman.

"*(g)* Time served in the Royal Canadian Navy and the Permanent Active Air Force of Canada."

7. The said Act is further amended by adding thereto the following section:—

Pension to officer or militiaman of His Majesty's Army Reserve who enlisted in Permanent Force.

"**33.** (1) An officer or militiaman who, whilst belonging to His Majesty's Army Reserve, enlisted in the Permanent Force and who on the calling out of the said Army Reserve upon the commencement of the War between Great Britain and Germany in August, 1914, was under liability as a member of such Army Reserve to rejoin his corps, but who, under arrangements made with His Majesty's Government, was not discharged from the Force subsequent to the said calling out of the said Army Reserve shall, if he so elects as provided in the subsection immediately following be granted a pension equal to that which he would have received from British Funds had he rejoined his corps upon the said calling out of the Army Reserve, and served in His Majesty's Regular Army in ranks corresponding to those he held from time to time in the Canadian Military Forces until the date he was struck off the strength of the Canadian Expeditionary Force, such pension to commence

Section 4. Subsection (1) of this section repeals paragraph *(b)* of section 8 of the Act, which is as follows:—

"*(b)* Time served by an officer of the Canadian Militia with the South African Constabulary."

The amendment in effect deletes from the present subsection thewords "by an officer of the Canadian Militia." The Department of Justice has expressed the opinion that under the subsection as it at present stands, the South African Constabulary service which may be included must be that of a person who during such service was also an officer of the Canadian Militia. As a result of this opinion an officer of the Permanent Force who served with the South African Constabulary, but not whilst an officer of the Canadian Militia, is precluded from counting such service, whereas in the case of non-commissioned officers and men, membership in the Canadian Militia is not required to enable service with the South African Constabulary being included in their term of service for purposes of a Militia pension.

Subsection (2). This amendment is intended to enable there being included in the term of service of an officer of the Permanent Force any time served in the Permanent Naval and Air Forces of Canada, it being observed in this connection tnat under this Bill provision is made for the application of the Militia Pension Act to personnel of the Permanent Naval and Air Forces of Canada who will thereby be permitted to count for purposes of pension time served in the Permanent Force. It is considered that a like provision should be made with respect to officers of the Permanent Force as regards any Permanent, Naval or Air Force service which they may have performed.

Section 5. Under the Act as it at present stands, provision is made for the payment of a gratuity to an officer who retires before completing a period of service at which a pension might be granted, but there is no provision made for the payment of any gratuity to his widow or dependents should he die before completing such period, although during the officer's life time whilst a member of the Permanent Force he paid a pension contribution.

Section 7, subsection (2) and (3) of the Civil Service Superannuation Act, Revised Statutes, 1927, Chapter 24, provide for the payment of a gratuity to the widow or dependent children of a contributor who dies while in the Civil Service and whose period of service is less than 10 years, such gratuity not exceeding one month's pay for each year of service, and the said Act provides further that if he leaves no widow or child under the age of 18 years, there may be granted to the dependents of such contributor an amount not exceeding the amount of the contributions made by him under the said Act without interest.

It is considered that a like provision should be made in the Militia Pension Act, but not to the extent of that contained in the Civil Service Superannuation Act. The amendment in question provides merely for the payment to the widow or dependents, as the case may be, of a gratuity equal to the amount of deductions made from the pay of the officer whilst in the Permanent Force.

Section 6. This amendment involves the same principle as that involved by the amendment made by section 4 (2) of this Bill, and is intended to enable non-commissioned officers and men of the Permanent Force including in their term of service for purposes of pension any time served in the Permanent, Naval and Air Forces of Canada. The reasons for this inclusion are identical with those stated above in the case of officers.

Section 7. This is a new section, intended to cover the cases of certain British Army Reservists, numbering approximately 149, who whilst members of the Regular Army Reserve enlisted in the Permanent Force prior to the Great War. These Reservists were enlisted pursuant to an undertaking with the War Office that such enlistment did not impair their liability as Reservists to return to the colours upon mobilization, and each of these Reservists was enlisted under the express condition that such enlistment did not involve the man's discharge from the Army Reserve, but that if required for duty therein, he would be discharged from the Permanent Force.

The majority of these Reservists were employed in the Permanent Force on Instructional duties, and at the outbreak of the War mobilization of the Reserves was ordered in England, and these men should have been discharged from the Permanent Force so as to enable them to fulfill their liability as Reservists and rejoin their former corps. They were not so discharged, however, and in reply to a request from the War Office that they be so discharged, the Department of Militia and Defence requested that it be permitted to retain their services which were urgently required. The War Office thereupon had these men discharged from the Army Reserve, at the same time stating that in its opinion any claims for pension should fall upon Canadian funds. These men, who were so discharged from the Army Reserve, continued to serve in the Permanent Force. A number of them have since been retired therefrom, and the balance have continued their service in the Force.

Representations have been made on behalf of these former Reservists that through not discharging them from the Permanent Force when mobilization of the Army Reserve was ordered, they were precluded from rejoining their former corps of the Regular Army, with the result that they could not receive the British pension to which they would have been entitled had they served in the Regular Army during the War, which pension would have been based on their colour service plus their Reserve service, and that this situation occurred through no fault of their own, but as a result of the action taken by the Department of Militia and Defence in retaining their services and requesting the War Office to have them discharged from the Army Reserve as stated.

as of and from the date following that on which such officer or militiaman was struck off the strength of the Canadian Expeditionary Force.

Election.

(2) An officer or militiaman to whom the preceding subsection applies, shall be required to elect whether he shall be granted the pension therein mentioned, and if he so elects his service from the date of his enlistment in the Force whilst belonging to the said Army Reserve until the date he was struck off the strength of the Canadian Expeditionary Force, shall not be included in the term of service for any other pension or a gratuity under this Act.

Re-computation.

Any gratuity or pension under this Act granted to an officer or militiaman prior to his so electing shall be re-computed as of the date on which the pension mentioned in subsection one of this section commenced by excluding from the term of service on which such gratuity or pension was based the service first mentioned in this subsection. If by the exclusion of such service the officer or militiaman has not sufficient service to entitle him to a gratuity or pension, or the gratuity or pension to which he would be entitled on such re-computation is less than the gratuity or pension heretofore granted, there will be recovered from the pension payable to such officer or militiaman, under the provisions of subsection one of this section, all payments of gratuity and pension or over-payments thereof which have resulted. Provided, however, that if an officer who has already been granted a pension under this Act elects as aforesaid, and by the exclusion of the service mentioned he becomes ineligible for the grant of such pension, but becomes eligible for the payment of a gratuity under this Act, then such gratuity shall be applied towards the recovery of the payments of pension already made, and any balance of such payments not met by the application of such gratuity shall be recovered from the pension payable to such officer under the provisions of subsection one of this section."

Proviso.

8. The said Act is further amended by adding thereto the following section:—

Provision of 1919, c. 61, to apply to certain cases.

"**34.** The provisions of chapter sixty-one of the statutes of 1919, being *An Act to amend the Militia Pension Act*, which came into force on the seventh day of July, 1919, shall apply to those officers and militiamen who by reason of wounds or disabilities received or suffered whilst on active service during the War between Great Britain and Germany, which commenced on the fourth day of August, 1914, were retired or discharged from the Force prior to the said seventh day of July, 1919, and an officer who, by reason of such retirement before a period at which a pension might have been granted him, received a gratuity and who will by virtue of this section, become eligible for the grant of a pension under this Act, shall be required to elect

The amendment to the Act is intended to put each of these Reservists who so elects in exactly the same position, as regards a pension, as he would have been had he been discharged from the Permanent Force, returned to his former corps and served therein until the date he was struck off the strength of the Canadian Expeditionary Force. The pension which would then be payable from Canadian Funds to be equal to that which he would have received from British Funds had he rejoined his corps and served therein as stated.

If a former Reservist so elects such election will preclude him from counting towards a pension under this Act the time served in the Permanent Force which would be counted for the purposes of the pension equivalent to the British one which he would have received as stated.

The amendment also makes provision for the refund of any overpayment of Canadian pension or gratuity already made, which will result if a former Reservist elects as mentioned.

Section 8. Chapter 61 of the Statutes of 1919 amended the Militia Pension Act inter alia, by reducing the minimum period of service required to establish eligibility for pension from 20 years to 10 years. This amendment came into force on the 7th July, 1919, and was not retroactive with the result that those Officers and men who were retired or discharged prior to that date, with less than 20 years' service or less than 15 years' service in the case of men discharged as medically unfit, could not be granted a pension although they had more than 10 years' service which could be counted under the Act.

It has been represented that so far as concerns those Officers and men retired or discharged on account of Wounds or Disabilities received on Active Service during the Great War, they were, by reason of such wounds or disabilities, prevented from serving in the Force until the 7th July 1919, on or after which date they would have been entitled to the grant of a pension through the reduction of the minimum period required for the same, from 20 years to 10 years as stated.

It has been represented that the provisions of the said Chapter 61 should be made applicable to Officers and men who by reason of wounds or disabilities received on Active Service during the Great War, were retired or discharged prior to the 7th July, 1919, so that if any of them had 10 years' service on the date of retirement or discharge, they would be granted the same pension as would have been granted to an Officer or man with like service, but who was fortunate enough to have had his retirement carried out under the amendment in question.

whether he shall be granted such pension and if he so elects he shall repay such gratuity in such manner as the Governor in Council may determine."

9. The said Act is further amended by adding thereto the following Part:—

"PART II.

Application to Royal Canadian Navy.

"**35.** This Act shall, subject to the modifications set out in this Part (being the modifications required to adapt said Act to the circumstances of the Royal Canadian Navy), apply with respect to the Royal Canadian Navy.

"Force".

"**36.** *(a)* The expression "Force" shall mean the officers, midshipmen, warrant officers, petty officers and seamen in the Royal Canadian Navy.

"Officer".

(b) "Officer" shall include a commissioned officer and midshipman and warrant officer in the Royal Canadian Navy.

"Man".

(c) "Man" means chief petty officer, petty officer, leading seaman, naval seaman and ordinary seaman and equivalent in the Royal Canadian Navy, and the expression "Militiaman", as used in this Act, shall include a "man" as herein defined.

"Rank".

(d) "Rank" shall mean substantive rank, and includes Commodore First Class.

"Service", in case of officer.

(e) (i) "Service" in the case of an officer shall include service in the Force in commissioned, warrant, or midshipman rank over the age of eighteen years, whilst on full pay or consolidated pay, except time forfeited by a sentence of a Court Martial.

(ii) One-half of the time served in the Force in commissioned or warrant rank whilst in receipt of unemployed pay or half-pay.

"Service" in case of man.

(f) "Service" in the case of a man shall include—

Time served in the Force over the age of eighteen years except:—

(a) Time during which a man may have borne an indifferent or bad character.

(b) Time served under sentence of imprisonment, detention, or confinement in cells.

(c) Time prior to desertion, unless the "Run" against his name shall have been removed by duly constituted authority.

"Pay".

(g) "Pay" shall mean full pay including, in the case of an officer, specialist's pay, and, in the case of a man, pay for non-substantive rank held, and shall include in both cases marriage allowance and the allowances payable in lieu of lodgings, provisions, light and fuel, but shall exclude all other extra pay.

Allowances.

(h) Notwithstanding that lodging, provisions, light and fuel, or any of them, are furnished in kind to an officer,

Section **9.** Part II. This section adds a new part to the Act, being intended to apply the Militia Pension Act to the Royal Canadian Navy which consists solely of the Permanent Naval Forces of Canada; this application of the Act to the Royal Canadian Navy being subject to the modifications mentioned in the new part, which are necessary to adapt the Act to the circumstances of the Royal Canadian Navy.

Section **36.** Paragraphs *(a)*, *(b)*, *(c)* and *(d)* define the expressions therein mentioned so as to adapt the definitions already existing in the Act to the Royal Canadian Navy.

Paragraphs *(e)* and *(f)* are necessary to include service which is peculiar to the Navy in the term of service for purposes of a pension.

Paragraphs *(g)* and *(h)* are necessary to provide for the particular conditions governing pay which exist in the Royal Canadian Navy. The emoluments which are included in the term "Pay" under this definition correspond to the similar emoluments upon which the pension of an Officer or soldier of the Permanent Force is computed under the Act.

Section **37** is intended to provide that the compassionate allowance payable to the children of a deceased Naval Officer shall be equal to that payable to the children of a Military Officer of equivalent Military Rank, e.g., the dependent children of a Commander of the Royal Canadian Navy should receive the same Compassionate Allowance as would be granted the dependent children of a Lt.-Colonel of the Permanent Force.

the deductions from pay and pension, mentioned in section ten of this Act, and the pensions by this Act provided shall be computed as if the allowances in lieu thereof had in fact been paid.

Compassionate allowance to child.

"**37.** With respect to the payment of a compassionate allowance to the child of an officer under the provisions of this Act, the allowance so payable shall be by reference to the equivalent Naval rank held."

10. The said Act is further amended by adding thereto the following Part:—

"PART III.

Application to Permanent Active Air Force.

"**38.** This Act shall, subject to the modifications set out in this Part, (being the modifications required to adapt said Act to the circumstances of the Permanent Active Air Force of Canada), apply with respect to the said Permanent Active Air Force.

"Force".

"**39.** *(a)* The expression "Force" shall mean the officers, warrant officers, non-commissioned officers and aircraftmen of the Royal Canadian Air Force who are comprised in the Permanent Active Air Force as defined in the King's Regulations and Orders for the Royal Canadian Air Force.

"Officer".

(b) "Officer" shall include a commissioned officer and warrant officer of the Force.

"Airman". "Militiaman".

(c) "Airman" means a non-commissioned officer or aircraftman of the Force, and the expression "Militiaman", as used in this Act, shall include an "Airman" as herein defined.

"Service" in case of officer.

(d) "Service" in the case of an officer shall include—

(i) Time served with pay or salary in the Public Service of Canada under the Air Board prior to the first day of April, 1924.

(ii) Time served with pay in the Canadian Air Force prior to the first day of April, 1924.

(iii) Half the time served in the Canadian Air Force other than as mentioned in the preceding paragraph, or in the Royal Canadian Air Force other than the Force, provided that the time to be credited under this paragraph shall in no case exceed ten years, and provided further, that if an officer's pension is increased by reason of this paragraph, then in addition to the deductions mentioned in section ten of this Act, such pension shall be subject to an annual deduction for a number of years equal to the number of years added to his service under this paragraph, such annual deductions to be equal to five per centum of the pay which the officer was receiving at the time of his retirement from the Force.

Section **10.** Part III. This section adds a new part to the Act being intended to apply the Militia Pension Act to that portion of the Royal Canadian Air Force comprising solely the Permanent Active Air Force of Canada; this application of the Act being subject to the modifications necessary to adapt the said Act to the circumstances of the Permanent Active Air Force of Canada.

Section **39.** Paragraphs *(a)*, *(b)* and *(c)* define the expressions therein mentioned, so as to adapt the definitions already existing in the Act to the Permanent Active Air Force.

Paragraph *(d)* Clauses (i) and (ii). These clauses are intended to include in the term of service of an Air Force Officer the service with pay or salary under the Air Board, or in the Canadian Air Force as the case may be, prior to the reorganization of the Air Force on the 1st April, 1924, on a basis corresponding to that of the Permanent Force; the time which it is intended should be so included, is in effect Permanent Service, as the personnel concerned were during such time performing identically the same type of duties as they subsequently performed as officers of the Permanent Air Force.

Clause (iii) is identical in principle with clause *(e)* of Section 8 of the Act, which reads as follows:—

"Half the time served in the active militia other than the force, if he has served at least ten years in the force: Provided, however, that the time to be credited to an officer under this paragraph for Active Militia service shall in no case exceed ten years; and provided, further, that if an officer's pension is increased by reason of this paragraph, then, in addition to the deductions mentioned in this Act, such pension shall be subject to an annual deduction for a number of years equal to the number of years added to his service under the authority of this paragraph, such deduction to be equivalent to five per cent of the pay which the officer was receiving at the time of his retirement from the Force;"

The intention of this amendment is to enable an officer who was brought into the Permanent Air Force from the Non-Permanent Air Force counting one-half his Non-Permanent service in exactly the same manner as an officer of the Permanent Military Forces brought into the Permanent Force from the Non-Permanent Militia can count one-half the time which he served in the latter.

Paragraph *(e)*. This paragraph is intended to enable there being included in the term of service of an Airman, for purposes of a Pension, the time served in permanent employment under the Air Board or in the Canadian Air Force prior to the 1st April, 1924, on which date, as stated above, in the case of the Officers the Air Force was re-organized on a basis corresponding to that of the Permanent Force. The reasons which exist for the inclusion of this service in the case of officers also exist in the case of Non-Commissioned Officers and Aircraftsmen.

Section **40.** This is intended to provide that the compassionate allowance payable to the dependent children of a deceased Air Officer shall be equal to that payable to the children of a deceased permanent Military Officer of equivalent military rank, e.g., the allowance payable to the dependent children of a Wing Commander would be equal to that payable to the dependent children of a Lieutenant-Colonel.

"Service" in case of airman.

(e) "Service" in the case of an airman shall include—

(i) Time served with pay or salary in the public service of Canada under the Air Board prior to the first day of April, 1924.

(ii) Time served with pay in the Canadian Air Force prior to the first day of April, 1924.

Compassionate allowance to child.

"**40.** With respect to the payment of a compassionate allowance to the child of an officer under the provisions of this Act, the allowance so payable shall be by reference to the equivalent Air Force rank held."

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 198.

An Act to amend the Customs Act.

First reading, April 10, 1928.

The MINISTER OF NATIONAL REVENUE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57478 1928

2nd Session, 16th Parliament, 18 George V, 192

THE HOUSE OF COMMONS OF CANADA.

BILL 198.

An Act to amend the Customs Act.

R.S., c. 42.

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

1. Section one hundred and fifty-one of the *Customs Act*, chapter forty-two of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

Vessels found hovering in territorial waters may be boarded and brought into port.

"**151.** (1) If any vessel is hovering in territorial waters of Canada, any officer may go on board such vessel and examine her cargo and may also examine the master or person in command upon oath touching the cargo and voyage and may bring the vessel into port.

Vessel must bring to when required.

(2) Any vessel in territorial waters of Canada, shall bring to when required so to do in the King's name by any officer or upon signal made by any Government vessel or cruiser by hoisting the pennant and ensign approved and appointed for the purpose by order of the Governor in Council.

Otherwise may be fired into after signal of a gun.

(3) On any vessel failing to bring to when required, the captain or master or other person in charge of any vessel or cruiser in the service of the Government of Canada may, after first causing a gun to be fired as a signal, fire at or into such vessel.

Officer indemnified.

(4) Such captain, master or other person, as well as any person acting in his aid or by his direction, is hereby indemnified and discharged from any indictment, penalty, action or other proceeding for so doing, and His Majesty shall not be liable in any claim for damage to life or property by reason of such act.

No throwing overboard or destruction of cargo.

(5) No person on board any vessel required to bring to as herein provided shall throw overboard, stave or destroy any part of the cargo, or any papers or documents relating to the vessel or cargo.

EXPLANATORY NOTES.

1. Section 151 at present reads as follows:—

"151. If any vessel is found hovering in British waters, within one league of the coasts or shores of Canada, any officer may go on board and enter into such vessel and stay on board such vessel, while she remains within the limits of Canada or within one league thereof; and if any such vessel is bound elsewhere, and so continues hovering for the space of twenty-four hours after the master has been by such officer required to depart, such officer may bring the vessel into port, and examine her cargo."

Doubts have arisen and still exist as to powers of officers under sections 151 and 207 to seize vessels and cargoes in territorial waters when outside the distance of one league from the coast or shore and it is desirable to have the difficulty cleared by legislation.

The subsections relating to boarding and search are adopted with necessary changes from The Customs and Fisheries Protection Act, chapter 43 of the Revised Statutes, 1927.

"Territorial waters of Canada" as hereby defined are more extensive than the waters under control of the Customs and Fisheries Protection Act, hence the necessity of including in the Customs Act these similar rights of boarding and search.

Where the vessel is of Canadian registry the maritime belt to which the section applies is extended to twelve miles.

The Royal Commission on Customs and Excise recommend such legislation as this.

Evidence of location.

(6) The evidence of the officer that the vessel was within territorial waters of Canada, shall be *prima facie* evidence of the fact.

Territorial waters defined.

(7) For the purposes of this section and section two hundred and seven of this Act, "Territorial waters of Canada", shall mean the waters forming part of the territory of the Dominion of Canada and the waters adjacent to the Dominion within three marine miles thereof, in the case of any vessel, and within twelve marine miles thereof, in the case of any vessel registered in Canada.

2. The said Act is amended by inserting the following section immediately after section one hundred and eighty-one thereof:—

Importer to keep books and records.

"**181**A. (1) Every person importing goods for resale shall keep such adequate records and books showing the purchase, importation, cost, value of or payment for and subsequent disposal of all goods imported by him as will enable officers to ascertain the facts relating to such importations and satisfy themselves as to compliance with all the requirements of this Act or any other law relating to the Customs; and shall retain and preserve all books and records, invoices, bills, accounts, statements and correspondence relating to importation and disposal of goods for a period of six years succeeding such importation.

Minister may prescribe form.

(2) The Minister may prescribe the form of such records or books if in his opinion adequate records are not being kept.

(3) Every person who fails or neglects to keep such adequate records and books as required by this section or to retain and preserve for the period mentioned all books and records, invoices, bills, accounts, statements and correspondence relating to importation and disposal of goods, shall be liable on summary conviction to a penalty of not less than one hundred dollars and not exceeding five hundred dollars."

Penalty.

3. Section two hundred and seven of the said Act is repealed and the following is substituted therefor:—

Vessel hovering in territorial waters.

"**207.** (1) If upon the examination by any officer of the cargo of any vessel hovering in territorial waters of Canada, any dutiable goods or any goods the importation of which into Canada is prohibited are found on board, such vessel with her apparel, rigging, tackle, furniture, stores and cargo shall be seized and forfeited and if the master or person in charge refuses to comply with the lawful directions of such officer or does not truly answer such questions as are put to him respecting such vessel or her cargo or her voyage, he shall be liable to a penalty of not less than four hundred dollars.

Dutiable or prohibited goods.

Forfeiture.

Penalty against master.

2. Customs officials have been greatly hampered in their investigations by reason of failure of certain importers to keep books of account and records containing the necessary information in respect of their importations and it is desirable to amend the Customs Act to provide that persons importing goods for resale should be required to keep a complete record of all importations and should also be required to retain all vouchers, invoices and correspondence connected therewith for a reasonable period, and that a proper penalty be imposed for default in compliance with such requirements.

Preservation of records for six years corresponds with the period mentioned in section 180 of the Customs Act, giving officers authority to demand production of invoices, etc.

Amendment of the section in this respect is recommended in the report of the Royal Commission on Customs and Excise.

3. Section 207 at present reads as follows:—

"**207.** If, upon examination by any officer of the cargo of any vessel found hovering in British waters within one league of the coasts or shores of Canada, any goods the importation of which into Canada is prohibited are found on board, such vessel with her apparel, rigging, tackle, furniture, stores and cargo shall be seized and forfeited, and, if the master or person in charge refuses to comply with the lawful directions of such officer, or does not truly answer such questions as are put to him respecting such ship or vessel or her cargo, he shall incur a penalty of four hundred dollars."

This section is supplementary to section 151 of the Act and provides penalties for offences thereunder.

The penalty for throwing overboard or destroying goods is same as provided in The Customs and Fisheries Protection Act for same offences thereunder. See Chap. 43, Sec. 12, Revised Statutes, 1927.

Vessel forfeited for throwing goods overboard or destroying.

(2) If any person contravenes the provisions of subsection five of section one hundred and fifty-one of this Act, such vessel shall be seized and forfeited."

Burden of proof where goods are liquors or narcotics.

4. Subsection one of section two hundred and seventeen of the said Act, is amended by striking out the proviso at the end thereof.

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

Burden of proof.

"**262.** In any proceedings instituted for any penalty, punishment or forfeiture or for the recovery of any duty under this Act, or any other law relating to the customs or to trade and navigation, in case of any question of, or relating to the identity, origin, importation, lading or exportation of any goods or the payment of duties on any goods, or the compliance with the requirements of this Act

Proceedings against party.

with regard to the entry of any goods, or the doing or omission of anything by which such penalty, punishment, forfeiture or liability for duty would be incurred or avoided, the burden of proof shall lie upon the owner or claimant of the goods or the person whose duty it was to comply with this Act or in whose possession the goods were found, and not upon His Majesty or upon the person representing His Majesty.

Proceedings against Crown.

2. Similarly, in any proceedings instituted against His Majesty or any officer for the recovery of any goods seized or money deposited under this Act or any other such law, if any such question arises the burden of proof shall lie upon the claimant of the goods seized or money deposited, and not upon His Majesty or upon the person representing His Majesty."

6. Paragraph *(n)* of section two hundred and eighty-four of the said Act is repealed and the following is substituted therefor:—

Distribution of proceeds.

"*(n)* Prescribing the manner in which the proceeds of penalties and forfeitures shall be distributed and providing for payment of awards forthwith after seizure of goods or the preferring of charges of avoidance of payment of duties on any goods where the goods

4. Subsection 1 of section 217 at present reads as follows:—

"**217.** If any person, whether the owner or not, without lawful excuse, the proof of which shall be on the person accused, harbours, keeps, conceals, purchases, sells or exchanges any goods unlawfully imported into Canada, whether such goods are dutiable or not, or whereon the duties lawfully payable have not been paid, such goods, if found, shall be seized and forfeited without power of remission, and, if such goods are not found, the person so offending shall forfeit the value thereof without power of remission: Provided that in all cases where the goods are wines, spirituous or fermented malt liquors or narcotics, the burden of proof that the duties lawfully payable on such goods have been paid shall rest upon the claimant thereof or the person in whose possession the goods are found."

The Proviso underlined is being struck out.

It has been found in practice of enforcement that this proviso inserted last year is not effective for the intended purpose which was to establish beyond doubt the burden of proof upon the claimant.

Courts have held that notwithstanding the wording of this proviso the Crown must where the goods are not domestic prove the importation thereof.

This defect is being corrected by substituting a new section 262 in place of the present general section in the Act on the subject of "burden of proof".

5. Section 262 at present reads as follows:—

"**262.** The burden of proof that the proper duties payable with respect to any goods have been paid, and that all requirements of this Act with regard to the entry of any goods have been complied with and fulfilled shall, in all cases, lie upon the person whose duty it was to comply with and fulfill the same or in whose possession the goods were found; and, without restricting the generality of the foregoing provision, if any prosecution or suit is brought for any penalty, punishment or forfeiture, or for the recovery of any duty under this Act, or any other law relating to the Customs, or to trade and navigation, or if any proceeding is taken against the Crown or any officer for the recovery of any goods seized or money deposited under the authority of this Act, or any other such law, and if any question arises as to the identity or origin of goods seized, or as to the payment of the duties on any goods, or as to the lawful importation thereof, or as to the lawful lading or exportation of the same, or as to the doing or omission of any other thing by which such penalty, punishment or forfeiture or liability for duty would be incurred or avoided, the burden of proof shall lie on the owner or claimant of the goods seized or money deposited or on the party in whose possession the goods were found and not on the Crown or on the party representing the Crown."

In the effort to suppress smuggling by prosecutions for indictable offences under sections 203 and 217 of the Act, Courts have held with strong dissenting opinions that where the goods are not domestic goods it is still incumbent upon the Crown to prove importation.

This section has from time to time been amended and it was thought advisable to redraft a new section to overcome the difficulty.

6. Paragraph *(n)* at present reads as follows:—

"*(n)* Prescribing the manner in which the proceeds of penalties and forfeitures shall be distributed, and providing for payment to informers forthwith after seizure of an award based upon the value of the goods seized and not dependent upon forfeiture or proceeds of forfeiture."

The Royal Commission in their final report, page 11, recommend that provision be made for prompt payment of awards where goods not seized.

are not seized, based upon the value of the goods seized or the amount of the unentered value or undervaluation for duty of the goods not seized, and not dependent upon forfeiture or proceeds of forfeiture."

Export of Deer.

7. Paragraph *(r)* of section two hundred and eighty-four of the said Act is amended by striking out the words "by any person not domiciled in Canada" contained in the third and fourth lines thereof.

7. Under The Export Act, deer in the carcass or parts thereof are prohibited exportation except as authorized by regulation of the Governor in Council made under the authority of The Customs Act. This authority is covered by paragraph *(r)* of section 286, which at present reads as follows:—

"*(r)* Regulating the number of deer and parts thereof which may be exported in any year, when shot under provincial or territorial authority in Canada, by any person not domiciled in Canada, and limiting the ports at which such deer may be exported, and for prescribing the conditions under which such exportation may be permitted."

It is proposed to strike out the words underlined.

At present there is only authority for making regulations respecting deer shot by persons not domiciled in Canada and there is no provision for permitting exportation of deer in the carcass or parts thereof shot by persons domiciled in Canada.

Dealers in deer hides do not find any satisfactory market in Canada but can sell to advantage in the markets of the United States and from time to time very urgent requests have been made upon this Department to permit the exportation of hides of deer shot by persons domiciled in Canada.

The chief object of The Export Act is no doubt to conserve game and this will not be affected by the proposed change because the shooting of deer either by parties domiciled in Canada or parties not domiciled in Canada is limited by provincial legislation.

It is not considered that any Canadian industry will be seriously affected by allowing the exportation.

199.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 199.

An Act to amend the Dominion Lands Act.

First reading, April 11, 1928.

The MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58215 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 199.

An Act to amend the Dominion Lands Act.

R.S., c. 113.

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

Entry in southern part of Saskatchewan and Alberta.

1. Subsection four of section nine of the *Dominion Lands Act*, chapter one hundred and thirteen of the Revised Statutes of Canada, 1927, is hereby repealed.

Explanatory Notes.

1. Subsection 4 of section 9 of the Dominion Lands Act (as enacted by section 1 of chapter 10 of 15-16 George V (1925) reads as follows:—

"(4) Notwithstanding anything contained in this Act, no person shall be granted entry for lands situate within that part of the provinces of Saskatchewan and Alberta south of the south boundary of Township 16 in the Dominion Lands system of survey unless such person submits evidence satisfactory to the Minister of the Interior that he or she is in permanent residence and conducting farming operations upon a farm of not less than eighty acres distant not more than nine miles in a direct line from the parcel for which entry is desired, exclusive of the width of road allowances crossed in the measurement, or that such person is the father, mother, son, daughter, brother or sister of a settler in permanent residence and conducting farming operations as aforesaid."

As the result of Conferences held from time to time between the Provincial Authorities and the Department of the Interior on problems arising from successive dry seasons in the southern districts of Saskatchewan and Alberta, it was decided to withdraw the right of homestead entry in that part of the Provinces named lying south of the south boundary of Township 16.

This area which, for administrative purposes, was designated Area "A," was at first set aside altogether from homesteading and the vacant lands therein were only granted under grazing lease, the object being to shut out new-comers who might otherwise have come into that part of the country and taken up land without due consideration of the difficulties with which they might be confronted.

It was urged, however, that an exception should be made in favour of farmers, or the sons of farmers, already established in the tract in question. Through the experience gained from year to year farmers actually located in these southern districts had a very much greater chance of success in farming operations.

In 1925 the Act was amended restricting the right of homestead entry in Area "A," as set forth in the provision quoted above.

This clause was put in the Act to assist the Provincial Governments in working out the idea that by extending the area farmed by a settler and his family, mixed farming could be undertaken and the settler enabled to stay in the district. It would seem that the possibilities of the experiment have been exhausted and the provision is being removed so that settlement will not be thwarted.

2. Subsections eight and nine of section eleven of the said Act are hereby repealed and the following is substituted therefor:—

Second homestead.

"**8.** Except as otherwise provided in this Act, every person who has received or receives, or has become or becomes entitled to letters patent for a homestead by the performance of homestead duties, with or without payment of purchase money, or by the location of scrip thereon, shall be deemed to have exhausted his homestead right and shall not be entitled to obtain another entry for a free homestead;

Provided, however, that any person who on the first day of January, 1928, had obtained or had become entitled to letters patent for a homestead as aforesaid, may, in the discretion of the Minister, be granted the right to make entry for a second homestead, subject to the provisions of this Act.

The holder of a pre-emption or purchased homestead entry shall not be permitted to abandon the same in his own favour or in favour of a relative for the purpose of making entry for the land as a second homestead under the provisions of this subsection."

2. Subsections 8 and 9 of section 11 which are proposed to be repealed, read as follows:—

"(8) Except as otherwise provided in this Act, every person who has received or receives, or has become or becomes entitled to letters patent for a homestead by the performance of homestead duties, with or without payment of purchase money, or by the location of scrip thereon, shall be deemed to have exhausted his homestead right and shall not be entitled to obtain another entry for a free homestead: Provided, however, that any person who, on the second day of June, in the year one thousand eight hundred and eighty-nine, had obtained or had become entitled to letters patent for a homestead, shall be permitted to make a second entry for a homestead.

(9) Notwithstanding anything contained in the last preceding subsection, any person who, on the first day of January, one thousand nine hundred and twenty-three, had obtained letters patent for a homestead, within that part lying south of the south boundary of township thirty-one of the tract known as the pre-emption and purchased homestead area, and defined by subsection one of section twenty-seven of chapter twenty of the statutes of the year one thousand, nine hundred and eight, but who is no longer the owner of a farm, may, in the discretion of the Minister, be granted the right to make entry for another homestead subject to the provisions of this Act, upon submitting proof of his bona fides as a settler in the form of a certificate from the Government of the Province setting forth that the said applicant conscientiously endeavoured to farm his land but failed because of circumstances not favourable to successful agriculture. 1908, c. 20, s. 11; 1918, c. 19, s. 2; 1923, c. 44, ss. 1 and 2."

Under subsection 8 of section 11 of the Dominion Lands Act as originally enacted, a settler who has received patent for a free homestead is not entitled to a second homestead unless he had obtained patent for his first homestead or had become entitled thereto on or before the 2nd June, 1889.

In 1923 the Act was amended (see subsection 9 quoted above) so as to permit a second homestead entry to be obtained by

"any person who, on the first day of January, 1923, had obtained letters patent "for a homestead, within that part lying south of the south boundary of town- "ship thirty-one of the tract known as the pre-emption and purchased home- "stead area."

The right of second homesteads so provided for was made subject to the following restriction:—

"upon submitting proof of his bona fides as a settler in the form of a certificate "from the Government of the Province setting forth that the said applicant "conscientiously endeavoured to farm his land but failed because of circum- "stances not favourable to successful agriculture."

Since that time a great number of applications have been made for the right of second homestead from settlers whose former patented homesteads were located in the Province of Manitoba or in those parts of Saskatchewan and Alberta outside the tract described in the amendment of 1923.

The special circumstances which led up to the amendment of 1923, have relation to the peculiar climatic conditions which had prevailed over the southern portions of Saskatchewan and Alberta during a period of years. From the number of applications since received, it seems evident that there are many settlers not provided for by the 1923 amendment who are nevertheless equally entitled to the privilege of a second homestead, having been confronted with similar circumstances.

It is therefore proposed to withdraw the restriction which now confines the right of second homestead entry to settlers coming from southern Saskatchewan and Alberta, and to grant this privilege to any settler, without regard to his previous location, who up to the 1st January, 1928, had obtained letters patent for a homestead without requiring him to submit a certificate of approval from the Provincial authorities.

The proposed legislation will not entitle a man who has already received patent for two homesteads to make entry for a third homestead.

It is alleged by correspondents that families are prevented from relocating upon land because the head of the family has lost his right to a free homestead entry. This section provides for the restoration of the right.

3. Subsection four of section thirty-eight of the said Act is hereby repealed and the following is substituted therefor:—

Sale of school lands.

"(4) Notwithstanding anything to the contrary in this Act, the Minister may sell school lands required for reservoir, church, cemetery or hospital sites, or for other public purposes, or as right of way for any project, at a price to be fixed by an officer of the Department as the actual market value of the land, and upon such terms of payment as the Minister may prescribe, provided that the Government of the Province in which the land is situated expresses its approval of the sale and price in each case."

4. Subsection one of section thirty-nine of the said Act is hereby amended by repealing the first fourteen lines thereof and substituting therefor the following:—

Terms of payment.

"**39.** In respect of sales of school lands made subsequent to the first day of April, 1928, the amount to be paid in cash at the time of sale shall be at least one-tenth of the purchase price and the balance of such purchase shall be paid in eighteen equal, successive, annual instalments with interest at the rate of six per cent per annum, which interest shall be paid with each instalment on the balance thereof from time to time remaining unpaid."

3. Subsection 4 of section 38 which it is proposed to amend, reads as follows:—

"(4) Notwithstanding anything to the contrary in this Act, the Minister may sell school lands required as right of way for any project or for reservoir, church, cemetery or hospital sites, at a price to be fixed by an officer of the Department as the actual market value of the land, and upon such terms of payment as the Minister may prescribe, provided that the Government of the Province in which the land is situated expresses its approval of the sale and price in each case. 1908, c. 20, s. 40; 1914, c. 27, s. 11; 1920, c. 11, s. 4; 1925, c. 10, s. 2."

In connection with the disposal of school lands it has been found necessary from time to time to make provision for selling small areas without putting the same up at auction. In 1925 the Dominion Lands Act was amended so as to give the Minister of the Interior power to sell school lands as required "as right of way for any project or for reservoir, church, cemetery or hospital sites." In every case the sale and price must be subject to the approval of the Government of the Province.

At the present time we are in a position to issue leases of lands required for purposes of agricultural societies and recreation grounds but sometimes it is found that a lease is not sufficient as substantial buildings are to be erected and title is desired.

It is therefore proposed to amend subsection 4 of section 38 by inserting after the word "sites" the words "or for other public purposes."

This would enable a sale to be made of any small area of school lands required for the purpose of agricultural societies or for recreation grounds.

This is the only change in the purport of the legislation, although it will be observed that the subsection has been rearranged as to wording.

4. The first two paragraphs of subsection 1 of Section 39 read as follows:—

"**39.** Except as hereinafter provided, at least one-tenth of the purchase price of school lands shall be paid in cash at the time of sale, and the balance in nine equal consecutive annual instalments, with interest at the rate of six per cent per annum, which interest shall be paid with each instalment on the balance thereof from time to time remaining unpaid:

Provided that in respect of sales of school lands made subsequent to the first day of January, one thousand nine hundred and twenty-three, the amount to be paid in cash at the time of sale shall be at least one-twentieth of the purchase price, and the balance of such purchase price shall be paid in nineteen equal consecutive annual instalments, with interest as hereinbefore enacted."

From 1908 to 1923 the Act required one-tenth of the purchase price to be paid at the time of sale, with the balance in nine annual instalments.

In 1923 the Act was changed to allow the payment of one-twentieth of the purchase price at date of sale, the balance to be paid in nineteen annual instalments.

It is now proposed to provide that in the case of future sales of school lands the original arrangement shall prevail as to the amount to be paid at the date of the sale, that is to say, one-tenth must be paid down. The remainder of the purchase price may be spread over eighteen annual payments with interest.

The principal reason for the proposed amendment is that experience goes to show that the payment of one-twentieth of the purchase price at time of sale is not a sufficient guarantee of bona fides, and that one-tenth of the purchase price would not be too much to ask as the initial payment from those who purchase school lands.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 200.

An Act to amend the Insurance Act (Lapsed Policies).

First reading, April 11, 1928.

Mr. CHURCH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60558 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 200.

An Act to amend the Insurance Act (Lapsed Policies).

R.S., c. 101.

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

1. Section thirty of the *Insurance Act*, chapter one hundred and one of the Revised Statutes of Canada, 1927, is amended by adding the following subsection thereto:—

Annual returns. Lapsed policies.

"(2) Every such annual statement shall exhibit the number of policies which have lapsed during the preceding year and the amount thereof, and what proportion of such policies has been renewed."

2. Section eighty-three of the said Act is amended by adding the following subsection thereto:—

Commission on renewal of lapsed policy.

"(5) In every case where an application is made or solicited for the renewal of a lapsed policy, the commission or allowance to be charged by the Company or paid or allowed to any agent, broker or other person, firm or corporation for procuring or making the application, or for the issue of the renewed policy, shall not exceed ten per cent of the charge, commission or allowance paid on the policy when first issued and in every case when the holder of a lapsed policy makes application for its renewal, the company shall, if he passes the required medical examination, re-issue the said policy upon payment of the premiums in arrears with simple interest at a rate not exceeding five per cent."

Explanatory Notes.

The large amount of lapsed policies demonstrates the necessity of giving the department of Insurance adequate powers to examine the business of these Insurance Companies and protect not only the Government in the matter of revenue, but also the policy holders. The widest powers must be given to the Superintendent so that there can be proper regulations of the large Companies that we have in Canada. In some years in the past, pretty nearly half of the new business written lapsed during the year. The figures for 1921 and 1922 are disappointing. Over forty per cent of the gross new business written was surrendered.

Some adequate system of inspection should be inaugurated in the interests of the policy holders. That inspection should include a Government actuary, who could report to the Department the amount of business lost through lapsing of policies, and what steps have been taken by the Companies to protect the policy holder and to encourage him to renew any lapsed policy.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 201.

An Act respecting a certain Treaty of Commerce and Navigation between the United Kingdom and Spain and a certain Agreement between the United Kingdom and Spain regulating the treatment of companies.

First reading, April 12, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61042 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 201.

An Act respecting a certain Treaty of Commerce and Navigation between the United Kingdom and Spain and a certain Agreement between the United Kingdom and Spain regulating the treatment of companies.

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

Short title.

1. This Act may be cited as *The Spanish Treaty Act, 1928.*

Treaties sanctioned.

2. The following treaties, that is to say:—

(i) the Treaty of Commerce and Navigation between the United Kingdom and Spain signed at Madrid on the thirty-first day of October, 1922, set forth in Schedule I to this Act;

(ii) the Agreement between the United Kingdom and Spain regulating the treatment of companies signed at Madrid on the twenty-seventh day of June, 1924, set forth in Schedule II to this Act;

(iii) the Convention between the United Kingdom and Spain signed at London on the fifth day of April, 1927, revising certain provisions of the said treaty of October thirty-first, 1922, set forth in Schedule III to this Act,

are hereby sanctioned and declared to have the force of law in Canada.

To come into force on proclamation.

3. This Act shall come into force on a day to be fixed by proclamation of the Governor General in Council published in the *Canada Gazette.*

SCHEDULE I.

Treaty of Commerce and Navigation between the United Kingdom and Spain.

Signed at Madrid, October 31, 1922.

[*Ratifications exchanged at Madrid, April 23, 1924.*]

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Spain, being desirous of further facilitating and extending the commercial relations already existing between their respective countries, have determined to conclude a Treaty of Commerce and Navigation with this object, and have appointed as their plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Sir Esme William Howard, K.C.B., K.C.M.G., C.V.O., His Majesty's Ambassador Extraordinary and Plenipotentiary at Madrid;

His Majesty the King of Spain:

His Excellency Senor Don Joaquin Fernandez Prida, His Minister of Foreign Affairs, Senator, Knight Grand Cross of the Order of Leopold II of Belgium;

who, after having communicated to each other their respective full powers, found in good and due form, have agreed to the following articles:—

Article 1.

There shall be between the territories of the two contracting parties reciprocal freedom of commerce and navigation.

The subjects of each of the two contracting parties shall have liberty freely to come, with their ships and cargoes, to all places and ports in the territories of the other, to which subjects of that contracting party are or may be permitted to come, and shall enjoy the same rights, privileges, liberties, favours, immunities and exemptions in matters of commerce and navigation as are or may be enjoyed by subjects of that contracting party.

The subjects of each of the contracting parties shall not be subject in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether

general or local, or to imposts or obligations, of any kind whatever, other or greater than those which are or may be imposed upon subjects of the other, or subjects or citizens of the most favoured nation.

It is nevertheless understood that the treatment to be accorded in the territories of each contracting party to the companies registered in the territories of the other shall form the subject of a separate special agreement between the contracting parties.

ARTICLE 2.

The contracting parties agree that, in all matters relating to commerce, navigation and industry, any privilege, favour or immunity which either contracting party has actually granted or may hereafter grant, to the ships and subjects or citizens of any other foreign State, shall be extended simultaneously and unconditionally without request and without compensation to the ships and subjects of the other, it being their intention that the commerce, navigation and industry of each contracting party shall be placed in all respects on the footing of the most favoured nation.

ARTICLE 3.

The subjects of each of the contracting parties in the territories of the other shall be at full liberty to acquire and possess every description of property, movable and immovable, which the laws of the other contracting party permit or shall permit, the subjects or citizens of any other foreign country to acquire and possess. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, or acquire the same by inheritance under the same conditions which are or shall be established with regard to subjects of the other contracting party. They shall not be subjected in any of the cases mentioned to any taxes, imposts or charges of whatever denomination other or higher than those which are or shall be applicable to subjects of the other contracting party.

The subjects of each of the contracting parties shall also be permitted, on compliance with the laws of the other contracting party, freely to export the proceeds of the sale of their property and their goods in general without being subjected as foreigners to other or higher duties than those to which subjects of such party would be liable under similar circumstances.

ARTICLE 4.

The subjects of each of the contracting parties in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army,

navy, national guard or militia. They shall similarly be exempted from all judicial, administrative and municipal functions whatever, other than those imposed by the laws relating to juries, as well as from all contributions, whether pecuniary or in kind, imposed as an equivalent for personal service. and finally from any military exaction or requisition. The charges connected with the possession by any title of landed property are, however, excepted, as well as compulsory billeting and other special military exactions or requisitions, to which all subjects of the other contracting party may be liable as owners or occupiers of buildings or land.

In the above respects the subjects of each of the contracting parties shall not be accorded in the territories of the other less favourable treatment than that which is or may be accorded to subjects or citizens of the most favoured nation.

ARTICLE 5.

The articles enumerated in the first part of Schedule (A) to this treaty, produced or manufactured in His Britannic Majesty's territories, from whatever place arriving, shall not, on importation into Spain, be subjected to higher customs duties than those specified in the schedule.

The articles enumerated in the second part of Schedule (A) to this treaty, produced or manufactured in His Britannic Majesty's territories, from whatever place arriving, shall not be subject on importation into Spain to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country. All other articles produced or manufactured in His Britannic Majesty's territories, from whatever place arriving, shall be subject on importation into Spain to duties no higher than those prescribed in the second column of the Spanish customs tariff in force at any time, provided that if at any time any benefit or advantage is conceded to any foreign country in respect of any specified article which is of interest to the trade of His Britannic Majesty's territories, the Government of His Catholic Majesty will be prepared to extend such benefit or advantage to similar articles produced or manufactured in His Britannic Majesty's territories, on receiving an application for such extension from His Britannic Majesty's representative at Madrid.

It is further agreed that the produce and manufactures of His Britannic Majesty's territories are entitled to any advantages in respect of modifications in Dispositions IV and V annexed to the Spanish customs tariff which may be accorded in future by Spain to any foreign country.

Notwithstanding the provisions of the preceding paragraphs, His Britannic Majesty will not be entitled to claim

for raw materials or manufactured articles the produce of the territories of His Britannic Majesty the benefit of any special treatment which His Catholic Majesty has conceded or may concede to the products of Portugal or to those originating in and proceeding from the Spanish zone of Morocco.

ARTICLE 6.

Articles the produce or manufacture of Spain imported into His Britannic Majesty's territories, from whatever place arriving, shall not be subjected to other or higher duties or charges than those paid on the like articles, the produce or manufacture of any other foreign country.

The articles the produce of Spain enumerated in the first part of Schedule (B) to this treaty shall not be subject to any customs duty on importation into His Britannic Majesty's territories, nor shall any prohibition be imposed on the importation of these articles except such prohibitions as it may be found necessary to impose during time of war.

The articles the produce of Spain enumerated in the second part of Schedule (B) to this treaty shall not be subject on importation into the territories of His Britannic Majesty to higher customs duties than those in force at the date of signature of this treaty.

ARTICLE 7.

No prohibition or restriction shall be maintained or imposed on the importation of any article the produce or manufacture of the territories of either of the contracting parties into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other foreign country.

The only exceptions to this general rule shall be in the case of the sanitary or other prohibitions occasioned by the necessity of securing the safety of persons, or of cattle, or of plants useful to agriculture, and of the measures applicable to the territories of either of the contracting parties to articles enjoying a direct or indirect bounty in the territories of the other contracting party.

ARTICLE 8.

Articles the produce or manufacture of the territories of either of the contracting parties, exported to the territories of the other, shall not be subjected to other or higher charges than those paid on the like articles exported to

any other foreign country. Nor shall any prohibition or restriction be imposed on the exportation of any article from the territories of either of the two contracting parties to the territories of the other which shall not equally extend to the exportation of the like article to any other foreign country.

ARTICLE 9.

The stipulations of the present treaty with regard to the mutual accord of the treatment of the most favoured nation apply unconditionally to the treatment of commercial travellers and their samples. The chambers of commerce as well as such other trade associations and other recognized commercial associations in the territories of the contracting parties as may be authorized in this behalf, shall be mutually accepted as competent authorities for issuing any certificates that may be required for commercial travellers.

Articles imported by commercial travellers as samples shall, in the territories of each of the contracting parties, be temporarily admitted free of duty on compliance with the customs regulations and formalities established to assure their re-exportation or the payment of the prescribed customs duties if not re-exported within the period allowed by law. But the foregoing privilege shall not extend to articles which, owing to their quantity or value, cannot be considered as samples, or which, owing to their nature, could not be identified upon re-exportation.

The marks, stamps, or seals placed upon such samples by the customs authorities of one contracting party at the time of exportation and the officially attested list of such samples containing a full description thereof issued by them shall be reciprocally accepted by the customs officials of the other as establishing their character as samples and exempting them from inspection except so far as may be necessary to establish that the samples produced are those enumerated in the list. The customs authorities of either contracting party may, however, affix a supplementary mark to such samples in special cases where they may think this precaution necessary.

ARTICLE 10.

No internal duties levied for the benefit of the State, local authorities or corporations which affect, or may affect, the production, manufacture or consumption of any article in the territories of either of the contracting parties, shall for any reason be a higher or more burdensome charge on articles the produce or manufacture of the other than on similar articles of native origin.

The produce or manufacture of either of the contracting parties imported into the territories of the other, and intended for warehousing or transit, shall not be subjected to any internal duty.

ARTICLE 11.

Limited liability and other companies and associations—commercial, industrial and financial—already or hereafter to be organized in accordance with the laws of either high contracting party, and registered in the territories of such party, are authorized, in the territories of the other, to exercise their rights and appear in the courts either as plaintiffs or defendants, subject to the laws of such other party.

ARTICLE 12.

Each of the contracting parties undertakes to place no obstacle in the way of any company (duly organized in accordance with the laws of the other) which may desire to carry on in its territories whether through the establishment of branches or otherwise, commercial, industrial, insurance, banking or other description of business which the subjects or companies of any other foreign country are or may be permitted to carry on, and in framing and administering laws with regard to the taxation of such companies and branches, each contracting party will be guided by the principles embodied in the last paragraph of article 1 of this treaty.

ARTICLE 13.

1. The measures taken by the contracting parties for regulating and forwarding traffic across their territories shall facilitate free transit by rail or waterway on routes in use convenient for international transit. No distinction shall be made which is based on the nationality of persons, the flag of vessels, the place of origin, departure, entry, exit or destination, or on any circumstances relating to the ownership of goods or of vessels, coaching or goods stock, or other means of transport.

In order to ensure the application of the foregoing provisions the contracting parties will allow transit in accordance with the customary conditions and reserves across their territorial waters.

2. Traffic in transit shall not be subject to any special dues in respect of transit (including entry and exit) except for such dues as are intended solely to defray expenses of supervision and administration entailed by such transit.

3. Neither contracting party shall be bound by this article to afford transit for passengers whose admission into its territories is forbidden, or for goods of a kind of which the importation is prohibited, either on grounds of public health or security, or as a precaution against diseases of animals or plants.

4. For the purposes of this article, persons, baggage and goods, and also vessels, coaching and goods stock, and other means of transport shall be deemed to be in transit across the territory of one of the contracting parties, when the passage across such territory, with or without transhipment, warehousing, breaking bulk, or change in the mode of transport, is only a portion of a complete journey, beginning and terminating beyond the frontier of the party across whose territory the transit takes place.

ARTICLE 14.

Each of the contracting parties shall permit the importation or exportation of all merchandise which may be legally imported or exported, and also the carriage of passengers from or to their respective territories, upon the vessels of the other; and such vessels, their cargoes and passengers shall enjoy the same privileges as, and shall not be subjected to any other or higher duties or charges than national vessels and their cargoes and passengers or the vessels of any other foreign country and their cargoes and passengers.

ARTICLE 15.

The provisions of this treaty relating to the mutual concession of national treatment in matters of navigation do not apply to the coasting trade, in respect of which the subjects and vessels of the contracting parties shall enjoy most-favoured-nation treatment.

British and Spanish vessels may, nevertheless, proceed from one port to another, either for the purpose of landing the whole or part of their cargoes or passengers brought from abroad or of taking on board the whole or part of their cargoes or passengers for a foreign destination.

It is also understood that, in the event of the coasting trade of either contracting party being exclusively reserved to national vessels, the vessels of the other party, if engaged in trade to or from places not within the limits of the coasting trade so reserved, shall not be prohibited from the carriage between two ports of the former party of passengers holding through tickets or merchandise consigned on through bills of lading to or from places not within the above-mentioned limits and while engaged in such carriage these vessels and their passengers and cargoes shall enjoy the full privileges of this treaty.

ARTICLE 16.

In all that regards the stationing, loading and unloading of vessels in the ports, docks, roadsteads and harbours of the territories of the contracting parties, no privilege or facility shall be granted by either party to vessels of any other foreign country or to national vessels which is not equally granted to vessels of the other party.

ARTICLE 17.

In regard to duties of tonnage, harbour, pilotage, light-house, quarantine or other analogous duties or charges of whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind the vessels of either contracting party shall enjoy in the ports of the territories of the other treatment as favourable as that accorded to national vessels or the vessels of any other foreign country.

ARTICLE 18.

Any vessel of either of the contracting parties which may be compelled, by stress of weather or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any vessel of one of the contracting parties should run aground or be wrecked upon the coasts of the other, such vessel and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including any which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Spanish consular officer in whose district the wreck or stranding may have taken place upon being claimed by him within the period fixed by the laws of the country, and such consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck or stranding of a national vessel.

The contracting parties agree, moreover, that merchandise saved shall not be subjected to the payment of any customs duty unless cleared for internal consumption.

In the case either of a vessel being driven in by stress of weather, run aground or wrecked, the respective consular officers shall, if the owner or master, or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE 19.

All vessels which, according to the British law, are to be deemed British vessels, and all vessels which, according to Spanish law, are to be deemed Spanish vessels, shall, for the purposes of this treaty, be deemed British or Spanish vessels respectively.

ARTICLE 20.

It shall be free to each of the contracting parties to appoint consuls-general, consuls, vice-consuls and consular agents to reside in the towns and ports of the territories of the other in which such representatives may be admitted by the respective Governments. Such consuls-general, consuls, vice-consuls and consular agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent.

Consuls-general, consuls, vice-consuls, subjects of the State which appoints them, will be exempted from all public service, municipal or other, and in respect of direct taxation of all kinds levied either by the State or the local authorities will enjoy the treatment accorded or which may be accorded to similar officials of the most favoured nation, and subject to the same conditions under which such most favoured nation enjoys this treatment.

ARTICLE 21.

The consular officers of each of the contracting parties residing in the territories of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

Provided that this stipulation shall not apply to subjects or citizens of the contracting party in whose territory the desertion takes place.

ARTICLE 22.

The subjects of each of the contracting parties shall have in the territories of the other the same rights as subjects of

that contracting party in regard to patents for inventions, trade marks and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE 23.

This treaty shall not be deemed to confer any right or to impose any obligation in contravention of any general international convention to which His Britannic Majesty and His Catholic Majesty are or hereafter may be parties.

ARTICLE 24.

The stipulations of the present treaty shall not be applicable to any part of His Britannic Majesty's territories outside the United Kingdom unless notice is given by His Britannic Majesty's representative at Madrid of the desire of the Government of such part of His Britannic Majesty's territories that the said stipulations shall be so applicable.

As regards the parts of His Britannic Majesty's territories to which the stipulations of the present treaty shall have been made applicable under this article, either of the contracting parties shall have the right to terminate it separately at any time on giving six months' notice to that effect.

ARTICLE 25.

The present treaty shall be ratified, and the ratifications shall be exchanged at Madrid as soon as possible. It shall come into force immediately upon ratification and shall be binding during three years from the date of its coming into force. In case neither of the contracting parties shall have given notice to the other, six months before the expiration of the said period of three years, of its intention to terminate the present treaty, it shall remain in force until the expiration of six months from the date on which either of the contracting parties shall have denounced it.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done at Madrid in duplicate this thirty-first day of October, in the year one thousand nine hundred and twenty-two.

(L.S.) ESME HOWARD.

(L.S.) JOAQUIN F. PRIDA.

SCHEDULE II.

AGREEMENT BETWEEN THE UNITED KINGDOM AND SPAIN REGULATING THE TREATMENT OF COMPANIES.

Signed at Madrid, June 27, 1924.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions Overseas, Emperor of India, and His Catholic Majesty the King of Spain, being agreed that it is desirable to conclude a separate Agreement regulating the treatment to be accorded in the territories of each of the High Contracting Parties to the Companies registered in the territories of the other, have for this purpose named as their plenipotentiaries:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions Overseas, Emperor of India: The Right Honourable Sir Horace George Montagu Rumbold, Baronet, G.C.M.G., M.V.O., His Ambassador Extraordinary and Plenipotentiary at Madrid;

His Catholic Majesty the King of Spain: His Excellency Senor Don Fernando Espinosa de los Monteros y Bermejillo, Under-Secretary in charge of the Ministry of State, Knight of the Military Order of Calatrava, Grand Cross of the Orders of Leopold II of Belgium, of St. Maurice and St. Lazarus and of the Crown of Italy, of the House of Orange of the Netherlands and of the Pontifical Order of St. Gregory the Great;

Who, having exhibited their respective full powers, found in good and due form, have agreed as follows:—

ARTICLE 1.

For the purposes of the present Agreement the expression "Companies of a Contracting Party" means Joint Stock Companies and other associations engaged in commercial, industrial, transport, insurance, financial or other description of business, constituted and authorized in accordance with the laws in force in the territories of that Contracting Party, and having their central management and control situated in those territories.

ARTICLE 2.

Except in so far as modified by the present Agreement, the Companies of either Contracting Party shall enjoy in the territories of the other the benefits accorded to

subjects by the Treaty of Commerce and Navigation signed at Madrid on 31st October, 1922.

ARTICLE 3.

In particular it is agreed that the Companies of one Contracting Party, when carrying on business in the territories of the other, shall not be subject in respect of their property, business, trade, industry or any other matter, to taxes, general or local, or imposts of any kind whatever, other or greater than those which are or may be imposed on the Companies of the second Contracting Party.

ARTICLE 4.

Any taxes or imposts levied on the Companies of either Contracting Party in the territories of the other shall be strictly limited—

(a) if levied on capital, to that part of the capital which is effectively engaged within;

(b) and if based on volume of business done, to the business carried on or controlled within;

(c) and if based on profits, to profits arising from business carried on or controlled within;

that part of the territories of the second Contracting Party in which similar taxes or imposts are levied on the Companies of that Party. Such taxes or imposts shall be levied at rates not greater than those applicable to the Companies of that Party.

This Article in no way affects the powers which, under the laws of either Contracting Party in force at the date of signature of this Agreement, the Administrative Authorities possess for the determination of the amount of capital employed by a foreign Company, or profits of the Company, in the territory in which the tax is levied, subject always to the provisions of Article 5 of this Agreement.

ARTICLE 5.

Notwithstanding the provisions of the preceding Article, if the law of either of the Contracting Parties requires as a general rule, for all classes of Companies, that the amount of any tax levied on Companies of the other Contracting Party carrying on business in the territory of the first Party shall be computed on a percentage of the total profits or total capital of the Company as a whole, then the percentage shall be calculated in accordance with the following provisions:—

(a) In the case of a deposit bank the percentage shall not exceed the proportion of the total of deposit and

current accounts in the territory in which the tax is levied to the total of deposit and current accounts of the bank as a whole. For this purpose a deposit bank is understood to be one whose principal liability as shown in the balance-sheet of the bank as a whole arises from deposits and current accounts payable at sight or within 90 days, and whose principal assets consist of bills discounted and commercial promissory notes and loans, all of which are payable at sight or within 90 days, and investments in public funds.

(b) In the case of Insurance Companies the percentage shall as a general rule not exceed the proportion which the amount of the premiums attributable to the territory in which the tax is levied bears to the total premiums.

(c) In all other cases the percentage shall be based on a comparison of capital or assets or turnover or profits or the volume of purchases or sales, or some combination of these factors, but it shall not exceed the proportion which the figure calculated for the territory in which the tax is levied bears to the corresponding figure calculated for the enterprise as a whole.

In the event of a Company not furnishing within the prescribed period and in the proper form the necessary particulars required by the law, or furnishing false information, or obstructing the Administration in the verification of the information furnished, the percentage referred to in this Article shall be estimated by the Administrative Authorities at such figure as appears to them to be equitable.

The relevant stipulations of this Article and of the preceding Article will be applied to all assessments by the Spanish authorities on capital and profits of British Companies for which the percentage had not been published by the Administration in the "Madrid Gazette" prior to 1st May, 1924. In the latter case the percentage published by the Administration shall be regarded as final.

Article 6.

As an exception to the provisions of Articles 4 and 5, it is agreed that any British bank having branches established in Spain may be subjected, under paragraph *(b)* of disposition XI of the 3rd Tariff of Article 4 of the Spanish Income Tax Law, Revised Text of 22nd September, 1922, to a tax at a rate not exceeding one-fourth per mille on its total nominal capital and reserves after deduction of the amount of such capital and reserves corresponding to the branches in Spain calculated in accordance with the stipulations of Article 5 of this Agreement.

ARTICLE 7.

In no case shall the treatment accorded by either Contracting Party to Companies of the other be less favourable in respect of any matter whatever than that accorded to the Companies of the most-favoured foreign country.

ARTICLE 8.

No charge shall be imposed and no conditions prescribed by either of the Contracting Parties in respect of transactions with Companies of the other Contracting Party carrying on business in its territories other or more burdensome than the charges or conditions in respect of transactions with national Companies.

ARTICLE 9.

If the law of either Contracting Party does not provide for appeal against the determination by the taxing authority of the percentage referred to in Article 5 the assessment shall, before becoming effective, be communicated to the Company in the usual form and the Company shall have the right in the prescribed period to submit to the Minister of Finance any considerations which it deems relevant and in such a case the Minister, or the Government, as the case may be, after full inquiry and after the Company has been heard, will give a final decision.

No Company shall have the right to contest the determination of the percentage by the taxing authority if it has failed to furnish within the time and in the form prescribed the declarations and particulars required by the taxing authority in order to establish the percentage in accordance with the provisions of this Agreement.

ARTICLE 10.

The present Agreement shall come into force immediately and shall continue in operation until the expiration of twelve months from the date on which either Contracting Party shall have given notice to terminate it.

ARTICLE 11.

The stipulations of the present Agreement shall not be applicable to India or to any of His Britannic Majesty's Self-Governing Dominions, Colonies, Possessions, or Protectorates, unless notice is given by His Britannic Majesty's Representative at Madrid of the desire of His Britannic Majesty that the said stipulations shall apply to any such territory.

ARTICLE 12.

The terms of the preceding Article relating to India and to His Britannic Majesty's Self-Governing Dominions, Colonies, Possessions and Protectorates shall apply also to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty.

ARTICLE 13.

As regards India or any of His Britannic Majesty's Self-Governing Dominions, Colonies, Possessions or Protectorates, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to which the stipulations of the present Agreement shall have been made applicable under this Article, either of the Contracting Parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

In witness whereof the undersigned have signed the present Agreement and have affixed thereto their seals.

Done at Madrid in duplicate, this twenty-seventh day of June, in the year one thousand nine hundred and twenty-four.

(L.S.) HORACE RUMBOLD.

(L.S.) FERNANDO ESPINOSA DE LOS MONTEROS.

SCHEDULE III.

CONVENTION BETWEEN HIS BRITANNIC MAJESTY AND HIS MAJESTY THE KING OF SPAIN REVISING CERTAIN PROVISIONS OF THE ANGLO-SPANISH TREATY OF COMMERCE AND NAVIGATION OF OCTOBER 31, 1922, AND NOTES EXCHANGED.

Signed at London, April 5, 1927.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Spain, being desirous of further facilitating and extending the commercial relations already existing between their respective countries, have resolved to revise certain of the provisions of the Treaty of Commerce and Navigation,

signed at Madrid on the 31st October, 1922, and for that purpose have appointed their plenipotentiaries, that is to say:—

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India,

for Great Britain and Northern Ireland,

The Right Honourable Sir Austen Chamberlain, K.G., M.P., His Majesty's Principal Secretary of State for Foreign Affairs,

His Majesty the King of Spain,

His Excellency the Marquess de Merry del Val, Knight Grand Cross of the Order of Carlos III, G.C.V.O., His Ambassador Extraordinary and Plenipotentiary at the Court of His Britannic Majesty,

who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE 1.

The fourth paragraph of Article 1 of the Treaty of Commerce and Navigation, signed at Madrid on the 31st October, 1922, shall be deleted.

ARTICLE 2.

For Articles 5 and 6 of the Treaty signed at Madrid on the 31st October, 1922, and Schedules A and B referred to therein, there shall be substituted the following Articles:—

"Article 5.

"Articles produced or manufactured in His Britannic Majesty's territories from whatever place arriving shall not be subjected on importation into Spain, that is to say, the territories of the Peninsula, the Balearic Islands, the Canary Islands and towns under Spanish sovereignty in the North of Africa, to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country.

"Notwithstanding the provisions of the preceding paragraph, His Britannic Majesty will not be entitled to claim for raw materials or manufactured articles the produce of the territories of His Britannic Majesty the benefit of any special treatment which His Catholic Majesty has conceded or may concede to the produce or manufactures of Portugal or of the Spanish Zone of Morocco.

"*Article 5A.*

"Pit coal (hullas) comprised under Tariff heading 31 of the Spanish Tariff at present in force when originating in and proceeding from Great Britain and Northern Ireland will benefit by a reduction of 40 per cent on the duties of the Second Column of the Tariff which may be in force at any time. This reduction will be applicable to an annual quota of 750,000 tons.

"*Article 6.*

"Articles produced or manufactured in Spain, that is to say, the territories of the Peninsula, the Balearic Islands, the Canary Islands and towns under Spanish sovereignty in the North of Africa, from whatever place arriving, shall not be subjected on importation into His Britannic Majesty's territories to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country.

"*Article 6A.*

"In order to remove doubts it is hereby agreed that the most-favoured-nation principle is to be invariably applied (subject to the proviso in the second paragraph of Article 5) in such manner that articles produced or manufactured in the territories of one of the Contracting Parties imported into the territories of the other shall not be subjected to higher duties than the lowest duties accorded to any similar articles produced or manufactured in any other foreign country whatever may be their specific denomination; and, in this connection, it is specifically agreed that Spanish wines of whatever character and by whatever name known shall not on their importation into Great Britain or Northern Ireland be dutiable under a scale less favourable, or at a higher rate, than the wines of a similar character imported in similar containers from any other foreign country, and shall not be subjected to any Customs formalities which are not applicable to such wines of any other foreign country as are of the same character. The above-mentioned similarity of character between still Spanish wines and still wines of any other foreign country shall be established exclusively on the basis of alcoholic strength."

ARTICLE 3.

The following words appearing at the end of Article 12 of the Treaty signed at Madrid on the 31st October, 1922, shall be deleted:—

"and in framing and administering laws with regard to the taxation of such companies and branches, each contracting party will be guided by the principles embodied in the last paragraph of Article 1 of this treaty."

ARTICLE 4.

For Article 24 of the Treaty signed at Madrid on the 31st October, 1922, there shall be substituted the following Article which shall apply to the said Treaty as modified by the present Supplementary Convention:—

"Article 24.

"The stipulations of the present Treaty shall not be applicable to any part of His Britannic Majesty's territories other than Great Britain and Northern Ireland unless notice is given by His Britannic Majesty's Representative at Madrid of the desire of the Government of such part of His Britannic Majesty's territories that the said stipulations shall be so applicable.

"Nevertheless, goods produced or manufactured in any such part of His Britannic Majesty's territories shall enjoy in Spain, that is to say, the territories of the Peninsula, the Balearic Islands, the Canary Islands and towns under Spanish sovereignty in the North of Africa, complete and unconditional most-favoured-nation treatment so long as goods produced or manufactured in Spain, that is to say, the territories of the Peninsula, the Balearic Islands, the Canary Islands and towns under Spanish sovereignty in the North of Africa, are accorded in such part of His Britannic Majesty's territories treatment as favourable as that accorded to goods produced or manufactured in any other foreign country subject, however, to the reservation of the right of His Catholic Majesty to accord special treatment to the produce or manufactures of Portugal or the Spanish Zone of Morocco.

"As regards the parts of His Britannic Majesty's territories to which the stipulations of the present Treaty shall have been made applicable under this Article, either of the Contracting Parties shall have the right to terminate it separately at any time on giving three months' notice to that effect."

ARTICLE 5.

Notwithstanding the provisions of Article 25 of the Treaty signed at Madrid on the 31st October, 1922, the provisions of that Treaty which are revised by the present Convention shall cease to have effect as from midnight on the 23rd-24th April, 1927, and the Treaty as modified by the present Convention shall continue in force until the expiration of the present Convention.

ARTICLE 6.

The present Convention shall come into force at midnight on the 23rd-24th April, 1927, and shall remain in force until the expiration of three months from the date on which either of the Contracting Parties shall have denounced it.

In witness whereof the undersigned have signed the present Convention and have affixed thereto their seals.

Done in duplicate at London, this 5th day of April, 1927.

(L.S.) AUSTEN CHAMBERLAIN.

(L.S.) MARQUES DE MERRY DEL VAL.

No. 1.

Sir Austen Chamberlain to the Spanish Ambassador.

Your Excellency, *Foreign Office, S.W. 1, April 4, 1927.*

I HAVE the honour to state that, it being the desire of His Britannic Majesty's Government in Great Britain and the Spanish Government that trade between the two countries should as far as possible not be impeded by any kind of prohibitions or restrictions, His Britannic Majesty's Government in Great Britain, so long as the Anglo-Spanish Commercial Treaty remains in force, will in general not impose any prohibitions or restrictions on importation, exportation, consumption, storage or use, except on one or other of the following grounds, it being understood that such exceptional prohibitions or restrictions are extended at the same time and in the same way to other foreign countries in which similar conditions prevail:—

(a) Public safety;

(b) Sanitary grounds, or for protection of animals and plants against diseases and pests;

(c) In respect of weapons, ammunition and war material and, under exceptional circumstances, also in respect of other materials needed in war;

(d) For the purpose of prohibiting the importation of articles where such prohibition is imposed under the Patent Laws of the respective countries or the laws relating to the marking of imported goods;

(e) For the purpose of extending to foreign goods prohibitions and restrictions which are or may hereafter be imposed by internal legislation upon the production, sale, consumption, or forwarding in Great Britain and Northern Ireland of goods of the same kind produced in Great Britain and Northern Ireland, including, in particular, goods which are or may be the subject of a State monopoly or similar arrangement;

(f) For the purpose of facilitating Customs administration or safeguarding the revenue;

(g) In respect of synthetic organic dye-stuffs and colours or colouring matter containing them, as well as organic intermediate products used in the manufacture of such dye-stuffs, colours or colouring matter, the importation of which is prohibited by virtue of the Dye-stuffs (Import Regulation) Act, 1920.

2. In the event of His Britannic Majesty's Government in Great Britain considering it necessary, on grounds other than those above enumerated, to impose a new prohibition or restriction on the import, export, consumption, storage or use of an article which is of substantial interest to Spanish trade, they will give the Spanish Government three weeks' notice of their intention, and will give sympathetic consideration to any representations which may be made by the Spanish Government in respect of such prohibition or restriction.

3. In pursuance of the earnest desire of both Governments to refrain from measures impeding the maintenance and normal development of commerce between the two countries, His Britannic Majesty's Government in Great Britain declare that any restriction adopted will be made operative in such a way as to afford to trade between the two countries all facilities which are compatible with the object aimed at in imposing the restriction. In particular, interference with the established channels of import and distribution will be avoided so far as may be; licensing formalities will be made as little burdensome as possible, applications for licences will be dealt with expeditiously, and any licences issued will be given a reasonable period of validity.

I have, etc.,
(Signed) AUSTEN CHAMBERLAIN.

(Translation.)

Spanish Embassy, London,
April 5, 1927.

SIR,

I have the honour to state that, it being the desire of the Government of His Catholic Majesty and His Britannic Majesty's Government in Great Britain that trade between the two countries should as far as possible not be impeded by any kind of prohibitions or restrictions, my Government so long as the Anglo-Spanish Commercial Treaty remains in force will in general not impose any prohibitions or restrictions on importation, exportation, consumption, storage or use except in any of the cases mentioned below, it being understood that such exceptional prohibitions or restrictions are extended at the same time and in the same

way to other foreign countries in which similar conditions prevail:—

(a) Public safety.

(b) Sanitary grounds or for protection of animals and plants against diseases and pests.

(c) In respect of weapons, ammunition and war material and, under exceptional circumstances, also in respect of other materials which can be utilized in war.

(d) For the purposes of prohibiting the importation of articles where such prohibition is imposed under the Patent Laws of the respective countries or the laws relating to the marking of imported goods.

(e) For the purpose of extending to foreign products prohibitions and restrictions which are or may hereafter be imposed by internal legislation upon the production, sale, consumption, or forwarding in Spain of goods of the same kind produced in Spain, including, in particular, goods which are or may be the subject of a State monopoly or similar arrangement.

(f) For the purpose of facilitating customs administration or safeguarding the revenue.

(g) Colouring materials, the importation of which into Spain is subject to the restrictive provisions of the Royal Decree of the 9th March, 1926, in connection with explosives and the principle of special protection for this industry and for national defence.

In the event of my Government considering it necessary, for reasons other than those enumerated above, to impose a new prohibition or restriction on the import, export, consumption, storage or use of an article which is of primary importance to British trade, my Government will notify their intention to His Britannic Majesty's Government in Great Britain three weeks in advance, and will sympathetically consider any representations which His Britannic Majesty's Government in Great Britain may make with regard to such prohibition or restriction.

In pursuance of the earnest desire of both Governments to refrain from measures impeding the maintenance and normal development of commerce between the two countries, my Government declare that any restriction adopted will be applied in practice in such a way as to afford to trade between the countries all the facilities compatible with the object in view in imposing the restriction. In particular, interference with the established channels of import and distribution will be avoided as far as possible; the formalities relating to licences will be made as little burdensome as possible; applications for licences will be dealt with expeditiously, and any licence granted will be given a reasonable period of validity.

I have, etc.,

(Signed) MARQUES DE MERRY DEL VAL.

202.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 202.

An Act respecting a certain trade convention between His Majesty and the President of the Czechoslovak Republic.

First reading, April 12, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60559 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 202.

An Act respecting a certain trade convention between His Majesty and the President of the Czechoslovak Republic.

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

Short title.

1. This Act may be cited as *The Czechoslovak Convention Act, 1928.*

Convention approved.

2. The convention of the fifteenth day of March, one thousand nine hundred and twenty-eight, entered into at Ottawa by plenipotentiaries appointed by His Majesty and by the President of the Czechoslovak Republic, copy of which is set forth in the schedule of this Act, is hereby approved.

Extension of advantage to the Czechoslovak Republic.

3. After the said convention is brought into force, and so long as it remains in force, articles the produce or manufacture of the Czechoslovak Republic which are imported into Canada shall be admitted into Canada on the most favourable terms granted to any foreign power.

Orders in Council authorized.

4. The Governor in Council may make such orders and regulations as are deemed necessary to carry out the provisions and intent of this Act and of the said convention.

Suspension of inconsistent laws.

5. The operation of all laws inconsistent with the giving to the provisions of the said convention and of this Act their full effect shall from time to time be suspended to the extent of such inconsistency.

SCHEDULE.

Convention of Commerce

between

Canada and Czechoslovakia.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the President of the Czechoslovak Republic, being desirous of improving and extending the commercial relations between Canada and Czechoslovakia, have resolved to conclude a Convention with that object and have named as their respective Plenipotentiaries, that is to say:

His Majesty the King of Great Gritain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada:

The Honourable James Alexander Robb, a Member of His Majesty's Honourable Privy Council for Canada, a Member of the Parliament of Canada, Minister of Finance and Receiver General of Canada;

The Honourable James Malcolm, a Member of His Majesty's Honourable Privy Council for Canada, a Member of the Parliament of Canada, Minister of Trade and Commerce of Canada;

And the President of the Czechoslovak Republic:

Monsieur Frantisek Kveton, Consul of the Czechoslovak Republic, in Montreal;

Who, after communicating to each other their respective full powers, found in good and due form, have agreed upon the following articles:

Article 1.

Articles the produce or manufacture of Canada imported into Czechoslovakia and articles the produce or manufacture of Czechoslovakia imported into Canada shall not be subjected to other or higher duties or charges than those paid on the like articles the produce or manufacture of any other foreign country. No prohibition or restriction shall be maintained or imposed on the importation of any article the produce or manufacture of Canada into Czechoslovakia or of any article the produce or manufacture of Czechoslovakia into Canada which shall not equally extend to the importation of like articles being the produce or manu-

facture of any other foreign country. This provision is not applicable to articles which constitute a state monopol nor to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of the State, of persons or of animals or plants.

ARTICLE 2.

Articles the produce or manufacture of Canada exported to Czechoslovakia and articles the produce or manufacture of Czechoslovakia exported to Canada shall not be subjected to other or higher duties or charges than those paid on the like articles exported to any other foreign country. Nor shall any prohibition or restriction be imposed on the exportation of any article from Canada to Czechoslovakia or from Czechoslovakia to Canada which shall not equally extend to the exportation of the like articles to any other foreign country.

ARTICLE 3.

Articles the produce or manufacture of Canada passing in transit through Czechoslovakia and articles the produce or manufacture of Czechoslovakia passing in transit through Canada shall be reciprocally free from all transit duties whether they pass through direct or whether during transit they are unloaded, warehoused or reloaded.

ARTICLE 4.

It is understood that in all matters governing the import, export and transit of merchandise Czechoslovakia grants to Canada and Canada grants to Czechoslovakia the treatment of the most favoured nation.

ARTICLE 5.

To enjoy the benefit of the tariff advantages provided for in the foregoing articles, without prejudice to the stipulations of Article 4, goods the produce or manufacture of Czechoslovakia shall be conveyed without transhipment from a port of Czechoslovakia, such being understood to be a port of a foreign country in which Czechoslovakia has defined rights under treaties to which Canada is a party, or from a port of a country enjoying the benefit of the Preferential or Intermediate Tariff, into a sea or river port of Canada.

ARTICLE 6.

The present Convention, after being approved by the Parliament of Canada and by the competent authority on the part of Czechoslovakia, shall be ratified and the ratifications shall be exchanged at Ottawa as soon as possible. It shall come into force fifteen days after the exchange of ratifications and shall be binding upon the Contracting Parties during four years from the date of its coming into force. In case neither of the Contracting Parties shall have given notice to the other twelve months before the expiration of the said period of four years of its intention to terminate the present Convention it shall remain in force until the expiration of one year from the date on which either of the Contracting Parties shall have given to the other notice of its intention to terminate it.

In witness whereof the respective Plenipotentiaries have signed this Convention and have affixed thereto their seals.

Done in duplicate at Ottawa, this fifteenth day of March, in the year 1928.

(Seal) (Sgd.) JAMES A. ROBB.

(Seal) (Sgd.) JAMES MALCOLM.

(Seal) (Sgd.) F. KVETON.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 203.

An Act respecting trade between Canada and Esthonia, Hungary, Latvia, Lithuania, Portugal, Roumania, and the Serb, Croat and Slovene Kingdom.

First reading, April 12, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60560 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 203.

An Act respecting trade between Canada and Esthonia, Hungary, Latvia, Lithuania, Portugal, Roumania, and the Serb, Croat and Slovene Kingdom.

Preamble.

WHEREAS by treaties of Commerce and Navigation or by agreements made by exchanges of notes between the United Kingdom of Great Britain and Ireland and the countries and on the dates set out in the schedule to this Act, it is provided that the stipulations of the said treaties or agreements respectively shall not be applicable to any self-governing Dominion unless notice is given of the desire of His Majesty that the said stipulations shall apply to such Dominion but that nevertheless goods of such Dominion shall enjoy in each of the said countries respectively the same treatment as would be enjoyed by similar goods if produced in the United Kingdom so long as goods produced or manufactured in the respective countries are accorded in such Dominion favoured nation treatment; and whereas it is desirable that Canada should have the benefit of that portion of each of the treaties or agreements which provides for the exchange of the said mutual trade advantages: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Trade Agreements Act, 1928.*

Favoured nation treatment granted.

2. Goods produced or manufactured in any of the countries mentioned in the schedule to this Act shall receive in Canada treatment as favourable as that accorded to goods produced or manufactured in any other foreign country so long as goods produced or manufactured in Canada enjoy in such country the same treatment as is enjoyed by similar goods produced or manufactured in the United Kingdom.

Proviso.

EXPLANATORY NOTES.

EXCERPTS FROM AGREEMENTS RESPECTING COMMERCIAL RELATIONS between the United Kingdom of Great Britain and Ireland and the British dominions beyond the seas and the following countries: Esthonia, Hungary, Latvia, Lithuania, Portugal, Roumania, and the Serb, Croat and Slovene Kingdom:

TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED KINGDOM AND ESTHONIA, signed on January 18, 1926, ESTHONIA:

Article 28 (second paragraph):

Nevertheless, goods produced or manufactured in India or in any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates shall enjoy in Esthonia complete and unconditional most-favoured-nation treatment so long as goods produced or manufactured in Esthonia are accorded in India or such self-governing dominion, colony, possession or protectorate treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

Article 30.

The present Treaty shall be ratified and the ratifications shall be exchanged at Tallinn (Reval), as soon as possible. It shall come into force immediately upon ratification and shall remain in force until the expiration of one year from the date on which either of the two Contracting Parties shall have denounced it.

As regards, however, India or any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions or Protectorates, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to which the stipulations of the present Treaty shall have been made applicable under articles 28 or 29, either of the Two Contracting Parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED KINGDOM AND HUNGARY, signed on July 23, 1926, HUNGARY:

Article 20 (second paragraph):

Nevertheless, goods produced or manufactured in India or in any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates shall enjoy in Hungary complete and unconditional most-favoured-nation treatment so long as goods produced or manufactured in Hungary are accorded in India or such self-governing dominion, colony, possession or protectorate treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

Article 22 (first two paragraphs):

The present treaty shall be ratified and the ratifications shall be exchanged at London as soon as possible. It shall come into force immediately upon ratification, and shall be binding during ten years from the date of its coming into force. In case neither of the two contracting parties shall have given notice to the other twelve months before the expiration of the said period of ten years of its intention to terminate the present treaty, it shall remain in force until the expiration of one year from the date on which either of the two contracting parties shall have denounced it.

As regards, however, India or any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty to which the stipulations of the present treaty shall have been made applicable under articles 20 and 21, either of the two contracting parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT BRITAIN AND LATVIA, signed on June 22, 1923, LATVIA:

Article 26 (second paragraph):

Nevertheless, goods produced or manufactured in India or in any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates shall enjoy in Latvia complete and unconditional most-favoured-nation treatment so long as goods produced or manufactured in Latvia are accorded in India or such self-governing dominion, colony, possession or protectorate treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

Article 28 (second paragraph):

As regards, however, India or any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to which the stipulations of the present treaty shall have been made applicable under articles 26 or 27, either of the contracting parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

Orders in Council authorized.

3. The Governor in Council may make such orders and regulations as are deemed necessary to carry out the provisions and intent of this Act, and may upon giving six months' notice to the government of any of the countries mentioned in the said schedule of his intention so to do, order and direct that the favoured nation treatment accorded to such country by this Act shall cease and determine, whereupon it shall cease and determine accordingly.

Suspension of inconsistent laws.

4. The operation of all laws inconsistent with the giving to the provisions of this Act their full effect shall from time to time be suspended to the extent of such inconsistency.

When Act comes into force.

5. The favoured nation treatment authorized by this Act to be extended to goods produced or manufactured in any country mentioned in the schedule to this Act, shall be so extended to such country on and after a day to be fixed by proclamation of the Governor in Council, which proclamation shall be published in the *Canada Gazette*.

SCHEDULE.

The following are the countries referred to in this Act having treaties or agreements respecting trade and commerce with the United Kingdom of Great Britain and Ireland and the dates of which the said treaties or agreements were entered into:—

Country	Date	
Esthonia	January 18, 1926	Treaty.
Hungary	July 23, 1926	Treaty.
Latvia	June 22, 1923	Treaty.
Lithuania	May 6, 1922	Agreement.
Portugal	August 12, 1914	Treaty.
Roumania	May 11/24, 1923	Agreement.
The Serb, Croat and Slovene Kingdom	May 12, 1927	Treaty.

AGREEMENT BETWEEN GREAT BRITAIN AND LITHUANIA RESPECTING COMMERCIAL RELATIONS, signed May 6, 1922, LITHUANIA:

Article 4 (latter part):

Nevertheless goods the produce or manufacture of India or of any of His Britannic Majesty's dominions, colonies, possessions and protectorates will enjoy in Lithuania complete and unconditional most-favoured-nation treatment, so long as India or such dominion, colony, possession or protectorate accords to goods the produce or manufacture of Lithuania treatment as favourable as that accorded to the produce of the soil or industry of any other foreign country.

Article 6 (second paragraph):

As regards India and the British dominions, colonies, possessions and protectorates which may have acceded to this arrangement in virtue of the provisions of paragraph 4, either of our respective governments shall have the right to terminate it separately on giving three months' notice to that effect.

TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT BRITAIN AND PORTUGAL, signed August 12, 1914, PORTUGAL:

Article 21, (second paragraph):

Nevertheless, the goods produced or manufactured in any of His Britannic Majesty's dominions, colonies, possessions, and protectorates shall enjoy in Portugal complete and unconditional most-favoured-nation treatment so long as such dominion, colony, possession, or protectorate shall accord to goods the produce or manufacture of Portugal treatment as favourable as it gives to the produce or manufacture of any other foreign country; and reciprocally the goods produced or manufactured in any Portuguese colony or possession shall enjoy like most-favoured-nation treatment in the United Kingdom of Great Britain and Ireland so long as such colony or possession shall accord to goods the produce or manufacture of the United Kingdom treatment as favourable as it gives to the produce or manufacture of any other foreign country.

Article 23, (second paragraph):

As regards, however, the dominions, colonies, possessions, and protectorates which may have adhered to the present treaty in virtue of article 21, either of the contracting parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

NOTES EXCHANGED BETWEEN THE BRITISH AND ROUMANIAN GOVERNMENTS RELATIVE TO THE COMMERCIAL RELATIONS BETWEEN THE BRITISH EMPIRE AND ROUMANIA, dated May 11 and May 24,1923: ROUMANIA:

Nevertheless, goods, the produce or manufacture of India or of any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates or of any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, shall enjoy in Roumania complete and unconditional most-favoured-nation treatment, so long as India or any such self-governing dominion, colony, possession, protectorate or territory accords to goods, the produce or manufacture of Roumania, treatment as favourable as that accorded to the produce of the soil or industry of any foreign country.

As regards India and any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, which may have acceded to the arrangement in accordance with the foregoing provisions, either of our respective governments shall have the right to terminate the arrangement separately on giving six months' notice to that effect.

TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED KINGDOM AND THE SERB, CROAT AND SLOVENE KINGDOM, signed on May 12, 1927, SERB, CROAT AND SLOVENE KINGDOM:

Article 30 (second paragraph):

Nevertheless, goods produced or manufactured in India or in any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates shall enjoy in the Serb-Croat-Slovene Kingdom complete and unconditional most-favoured nation treatment so long as goods produced or manufactured in the Serb-Croat-Slovene Kingdom are accorded in India or such self-governing dominion, colony, possession or protectorate treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

Article 32 (second paragraph):

As regards, however, India or any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to which the stipulations of the present treaty shall have been made applicable under articles 30 and 31, either of the two contracting parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 204.

An Act respecting The Toronto Terminals Railway Company.

First reading, April 12, 1928.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1928

60548

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 204.

An Act respecting The Toronto Terminals Railway Company.

1906, c. 170. 1924, c. 70; 1925, c. 28.

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

1. Subsection three of section 15A of chapter one hundred and seventy of the statutes of 1906, as enacted by section one of chapter twenty-eight of the statutes of 1925, is hereby repealed and the following substituted therefor:—

Issue of securities by C.N.R. to purchase securities of Company.

"(3) The Canadian National Railway Company may issue, in addition to the security issue authorized by subsection two of this section, bonds, debentures or other securities to an amount not exceeding ten million five hundred thousand dollars to be used,—

(a) In the purchase at par of securities issued by the Company not exceeding, together with the securities purchased under the provisions of subsection two of this section, one-half of the total securities to be issued by the Company for the purpose of its undertaking;

Purposes for which to be used.

(b) In defraying the cost of portions of the said Viaduct and Works, which will not be included in the works to be owned by the Company and will have to be constructed for or by the Canadian National Railway Company itself, and in defraying the cost of other railway facilities necessitated by or incidental to the construction of the said viaduct and works."

Explanatory Note.

The object of this Bill is to provide for the payment of Railway facilities which cannot strictly be considered part of the Viaduct and Works referred to in the original Act, and the construction of which has been necessitated by or is incidental to the construction of the said Viaduct and Works.

[*The words underlined in the Bill are new.*]

The subsection to be repealed reads as follows:—

"(3) The Canadian National Railway Company may issue, in addition to the security issue authorized by subsection two of this section, bonds, debentures or other securities to an amount not exceeding seven million dollars to be used,— Issue of securities by C.N.R. to purchase securities of Company.

(a) In the purchase at par of securities issued by the Company not exceeding, together with the securities purchased under the provisions of subsection two of this section, one-half of the total securities to be issued by the Company for the purpose of its undertaking;

(b) In defraying the cost of portions of the said Viaduct and Works, which will not be included in the works to be owned by the Company and will have to be constructed for or by the Canadian National Railway Company". Purposes for which to be used.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 205.

An Act respecting the Departments of Health and Soldiers' Civil Re-establishment.

First reading, April 13, 1928.

The MINISTER OF HEALTH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57010 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 205.

An Act respecting the Departments of Health and Soldiers' Civil Re-establishment.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the Department of

INTERPRETATION.

Definitions.

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

"Department".

(a) "Department" means the Department of

"Deputy Minister".

(b) "Deputy Minister" means the Deputy Minister of

"Minister".

(c) "Minister" means the Minister of

DEPARTMENT.

Department.

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

Deputy Minister.

4. (1) The Governor in Council may appoint an officer, who shall be called the Deputy Minister of who shall be the deputy head of the Department and who shall hold office during pleasure.

Officers, clerks, etc.

(2) There may be appointed in the manner authorized by law such other officers, clerks and employees as are necessary for the proper conduct of the business of the Department.

PART I.

NATIONAL HEALTH.

Duties and powers of Minister.

5. The duties and powers of the Minister under this Part shall extend to and include all matters and questions relating to the promotion or preservation of the health of the people of Canada over which the Parliament of Canada has jurisdiction, and, without restricting the generality of the foregoing, particularly the following matters and subjects:—

(a) Co-operation with the provincial, territorial, and other health authorities with a view to the co-ordination of the efforts proposed or made for preserving and improving the public health, the conservation of child life and the promotion of child welfare;

(b) The establishment and maintenance of a national laboratory for public health and research work;

(c) The inspection and medical care of immigrants and seamen, and the administration of marine hospitals;

(d) The supervision, as regards the public health, of railways, boats, ships and all other methods of transportation;

(e) The supervision of federal public buildings and offices with a view to conserving and promoting the health of the civil servants and other Government employees therein;

(f) The enforcement of any rules or regulations made by the International Joint Commission, promulgated pursuant to the treaty between the United States of America and His Majesty relating to boundary waters and questions arising between the United States of America and Canada, so far as the same relate to public health;

(g) The administration of the Acts mentioned in the Schedule to this Act, and of all orders and regulations passed or made under any of the said Acts;

(h) Subject to the provisions of the *Statistics Act*, the collection, publication and distribution of information relating to the public health, improved sanitation and the social and industrial conditions affecting the health and lives of the people;

(i) Such other matters relating to health as may be referred to the Department by the Governor in Council.

Regulations.

6. The Governor in Council may make such regulations as may be necessary to give effect to and carry out the objects of this Part, and may impose penalties for any violation of such regulations.

Dominion Council of Health.

7. (1) There shall be a Dominion Council of Health consisting of the Deputy Minister, who shall be chairman, the chief executive officer of the Provincial Department or Board of Health of each province, and such other persons, not to exceed five in number, as may be appointed by the Governor in Council, who shall hold office for three years.

Meetings and duties.

(2) Such Dominion Council shall meet at such times and places as the Minister may direct, and shall be charged with such duties and powers in respect to this Part as the Governor in Council may prescribe.

Provincial or Municipal Boards not affected.

8. Nothing in this Part or in any regulations made hereunder shall authorize the Minister or any officer of the Department to exercise any jurisdiction or control over any Provincial or Municipal Board of Health or other health authority operating under the laws of any province.

PART II.

VETERANS' WELFARE.

Minister to have control of civil re-establishment, etc.

9. The Minister shall have the management and control of all such matters as are assigned to him from time to time by the Governor in Council, relating in any way to the care, treatment or re-establishment in civil life, of all persons who since the first day of August, one thousand nine hundred and fourteen, served in the naval, military or air forces of His Majesty or any of His Majesty's Allies, and to the care of the dependents of such persons.

Power to make regulations.

10. (1) Subject to the approval of the Governor in Council, the Minister may make such regulations, from time to time, as he may deem necessary and advisable,—

Hospitals, workshops, and other institutions.

(a) for the control and management of any hospital, workshop, home, school, or other institution, owned, acquired, or used by His Majesty for the training, care or treatment of persons who have served in the Great European War which commenced in August, 1914, and of the persons undergoing care, treatment or training therein, or who receive any benefit administered by the Minister;

Selection and employment of staff.

(b) for the selection and employment of such part time professional officers, or part or full time employees whose compensation is determined by the rates payable for similar work in the locality in which such persons are employed, as may be required from time to time for the carrying on of the work with which the Minister is charged under this Part and the creation for this purpose of appropriate positions, notwithstanding anything contained in the Civil Service Act, and the

said staff and positions are hereby wholly excluded from the operation of the said Act;

Artificial limbs and appliances.

(c) for the marking or stamping of artificial limbs or appliances issued from the Department, and to prevent the removal or defacement of such stamps or marks or the use of any counterfeit thereof, and to prevent the purchase, sale, receiving or other disposal of such artificial limbs or appliances without the authority of the Minister; to forbid any false statement, suggestion or representation with respect to any artificial limbs, appliances or other goods manufactured in or for or issued from the Department;

Retention of properties or moneys and receipts therefor.

(d) for the receipt and retention of any properties or moneys held or payable by the Crown or any other authority, person or persons on behalf of any persons or their dependents whenever such persons are being or have been cared for under the provisions of this Part, either by medical treatment, training or otherwise, and for giving therefor a valid receipt; and in the case of insane persons who are being or have been so cared for under this Part, the assumption or authorization of guardianship in whole or in part in respect of such properties or moneys, and for the disposal of such properties or moneys to such persons or their dependents, or as may be deemed expedient or the disposal thereof to the estates of such persons if deceased;

Guardianship of insane.

Prescribing payments, grants or allowances.

(e) for prescribing the payments, grants or allowances, if any, to be made to persons or their dependents whenever such persons are being cared for under the provisions of this Act, either by medical treatment, training or otherwise;

Reciprocal or other arrangements with other Governments.

(f) with respect to reciprocal or other arrangements with the Government of Great Britain and Ireland, or the Government of any British Dominion or the Government of any of His Majesty's Allies in the said war, or the Government of the United States of America, for the treatment, care and training and the issue of payments, grants or allowances to persons who have served in the forces of any such Government when cared for under the provisions of this Act, either by medical treatment, training or otherwise, or to their dependents; and the assumption or authorization of guardianship in respect of property or moneys of such persons or of any persons who may be the beneficiaries of any of the said Governments and the dependents of such persons, and for the disposal of such properties or moneys to such persons or their dependents or the disposal thereof to the estates of such persons if deceased;

Sheltered employment of ex-members of forces, etc.

(g) for the sheltered employment of ex-members of the forces, including after-care of the tuberculous, for the granting of free transportation in Canada to any ex-member of the forces who has been pensioned for total blindness or for a disability which necessitates an escort when travelling; for providing burial expenses for ex-members of the forces who die in destitute circumstances; for the administration and disposal of canteen funds; for the treatment of former members of the forces classified as wholly incurable or chronically recurrent cases needing institutional care; for the provision of measures of unemployment relief to ex-members of the forces and their dependents; and for the payment of compensation in respect of industrial accidents; the whole subject to such appropriations as Parliament may provide;

Appeals, and Review and Appeal Tribunals.

(h) to provide for appeals from decisions as to the right of ex-members of the forces to treatment with pay and allowances, and to designate for that purpose the Federal Appeal Board provided for by the Pension Act, and to vest in such board all powers which may be deemed necessary or expedient for the effectual hearing and disposal of such appeals, and to prescribe or adapt procedure therefor;

Penalties.

(i) for imposing penalties not exceeding in any case a fine of two hundred dollars or imprisonment for a term not exceeding three months enforceable upon summary conviction for the violation of any provision of any such regulation.

Generally.

(j) for the purpose of carrying out the provisions of this Part, with respect to any matter placed under the control and management of the Minister.

Regulations to be laid before Parliament.

(2) All regulations made hereunder approved by the Governor in Council shall be laid before Parliament within fifteen days after they are made if Parliament is then sitting, and if not, then within fifteen days after the opening of the next session of Parliament.

Official Soldiers' Adviser.

11. The Governor in Council may, on the recommendation of the Minister, appoint at such salary or remuneration as may be decided in each case, in each unit or district of the Department, one or more ex-members of the forces, to be known as Official Soldiers' Advisers, whose duties shall be generally to advise and assist ex-members of the forces in matters pertaining to re-establishment, treatment and pension, and to perform such other duties as may be prescribed by the Minister.

Power to take evidence on oath.

12. The Minister shall have power to appoint a person or persons to hear and receive evidence with respect to any matter pertaining to the Department or the procedure

of the Department under this Part, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada.

PART III.

GENERAL.

Title of Minister altered.

13. (1) Whenever in any Act of the Parliament of Canada, or in any regulations or orders made thereunder, the Minister of Health or the Minister of Soldiers' Civil Re-establishment is mentioned or referred to, there shall in each and every case be substituted therefor the Minister of

Title of Deputies and Departments altered.

(2) Whenever in any Act of the Parliament of Canada, or in any regulations or orders made thereunder, the Department of Health, the Deputy Minister of Health, the Department of Soldiers' Civil Re-establishment, or the Deputy Minister of Soldiers' Civil Re-establishment is mentioned or referred to, there shall in each and every case be substituted therefor the Department of and the Deputy Minister of respectively.

Appointment, classification and salaries of staff.

14. (1) Such members of the staff of the Department appointed under the *Department of Soldiers' Civil Re-establishment Act*, as may be designated by the Governor in Council, shall, notwithstanding anything contained in the *Civil Service Act*, be thereby appointed to the Department of at the salaries and in the classification fixed under the *Department of Soldiers' Civil Re-establishment Act*, and shall thereafter become subject in all respects to the *Civil Service Act*.

Permanent and temporary employees.

(2) Such employees shall be regarded as permanent or as temporary employees accordingly as their positions are certified by the Civil Service Commission upon the recommendation of the Minister based upon the report in writing of the Deputy Minister to be of determinate or indeterminate duration.

Annual report.

15. The Minister shall annually lay before Parliament, within fifteen days after the meeting thereof, a report and statement of the transactions and affairs of the Department during the year then next preceding.

Chap. 90 and Chap. 187 of R.S. 1927 repealed.

16. The *Department of Health Act*, chapter ninety of the Revised Statutes of Canada, 1927, is hereby repealed.

2. The *Department of Soldiers' Civil Re-establishment Act*, chapter one hundred and eighty-seven of the Revised

Statutes of Canada, 1927, except paragraph *(b)* of subsection two of section five thereof, which shall continue in force until the thirty-first day of May, 1929, and no longer, is hereby repealed.

SCHEDULE.

Quarantine Act.
Public Works Health Act.
Leprosy Act.
Proprietary or Patent Medicine Act.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 214.

An Act to provide for a loan to the Quebec Harbour Commissioners.

First reading, April 19, 1928.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58797 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 214.

An Act to provide for a loan to the Quebec Harbour Commissioners.

1913, c. 41; 1914, c. 47; 1917, c. 4; 1919, c. 53; 1922, c. 40; 1925, c. 51.

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

Short title.

1. This Act may be cited as *The Quebec Harbour Loan Act, 1928.*

$8,500,000 may be loaned to Harbour Commissioners for terminal facilities.

2. The Governor in Council may, from time to time, loan to the Corporation of the Quebec Harbour Commissioners, hereinafter called "the Corporation," in addition to the moneys heretofore authorized to be loaned to the Corporation by the Governor in Council for the construction of harbour improvements, and which have not, at the date of the passing of this Act, been so loaned,—such sums of money, not exceeding in the whole the sum of eight million, five hundred thousand dollars, as may be required to enable the Corporation to carry on the construction of terminal facilities in the harbour of Quebec, for which the plans, specifications and estimates have been approved by the Governor in Council before the passing of this Act; and to construct such additional terminal facilities as may be likewise approved as necessary to properly equip the said port, it being understood that the amount hereby authorized to be loaned, in addition to the balance remaining of amounts heretofore authorized, shall meet the total requirements of the said Corporation for the said purposes for five years from the date of the passing of this Act.

EXPLANATORY NOTES.

1. Title to distinguish it from previous Acts authorizing loans.

2. Harbour Commissioners have a program of improvements under way carried on with the assistance of loans made under previous Acts. In order to complete the works under way and to provide for new works immediately necessary, it is desired to authorize further loans to the Commissioners.

Interest on debentures during construction to be charged to capital account.

3. During the period of construction of the works referred to in the preceding section, the interest payable on the debentures deposited with the Minister of Finance and Receiver General under the provisions of this Act in respect of the construction of such works shall be deemed to be money required to enable the Corporation to construct the said works and to be a part of the cost of construction thereof, and the said interest may be paid out of the said sum of eight million, five hundred thousand dollars; the period of construction herein referred to shall begin on the day when the first loan is made on account of the said construction, and shall terminate on such date as the Governor in Council shall fix and determine.

Plans, etc., to be approved before work is commenced.

4. No such loan shall be paid in respect of the construction of terminal facilities, unless such detailed plans, specifications and estimates, for the works to be performed by the Corporation and on which the money so to be loaned is to be expended, as are satisfactory to the Minister of Marine and Fisheries, have been submitted to and approved by the Governor in Council before any work on the same has been commenced.

Monthly applications for loans to be made and be accompanied by certain statements.

5. The Corporation shall submit to the Minister of Marine and Fisheries, for approval, monthly applications for loans on account of the different items of construction of terminal facilities, accompanied by statements showing the total expenditure on these different items in detail, for the month which the loan is to cover, and any other statements required in such form as the Minister shall direct; and upon approval of the application, authority for the payment of the amount so applied for may be granted by the Governor in Council.

Debentures to be deposited with Minister of Finance.

6. The Corporation shall, upon any loan being made, deposit with the Minister of Finance and Receiver General debentures of the Corporation equal in par value to the loan so made (which debentures the Corporation is hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date on the day when such loan is made, and shall be repayable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of five per centum per annum, such interest to be payable half yearly, on the first day of July and the first day of January in each year.

3. This section is designed to relieve the Commissioners' income from revenue of the expense of carrying the works until they become revenue producing. It has only partially been taken advantage of in the past.

4. This section is designed to give the Governor in Council, with the advice of the Minister, power to prevent the Commissioners entering into any work of development in advance of the approval of the plans for same.

5. This section is to provide the necessary material for an audit of the expenditures made by the Commissioners on account of which loans are claimed, to be made by the Supervisor of Harbour Commissions,—an officer of the Department of Marine and Fisheries,—and to keep the Minister generally informed as to the financial status of the Commissioners at all times.

6. This section is to provide an evidence of the indebtedness of the Commissioners and the rate of interest and length of time the loans made are to run.

Repayment of loan.

7. The principal and interest of the sums loaned under the authority of this Act to the Corporation shall be payable by the Corporation out of all its property, assets, tolls, rates, dues, penalties and other sources of revenue and income whatsoever, and shall rank as a charge thereon next after, and have precedence in regard to payment next after, the principal and interest of all debentures or bonds heretofore issued by the Corporation to the public and amounting to the sum of one million one hundred and fifty thousand dollars, such debentures or bonds having been issued under the provisions of chapter forty-eight of the statutes of 1898, chapter thirty-four of the statutes of 1899 and chapter thirty-six of the statutes of 1907.

1898, c. 48; 1899, c. 34; 1907, c. 36.

7. This section provides for the method of security of payment for interest and principal on loans advanced.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 216.

An Act to provide for a loan to the Saint John Harbour Commissioners.

First reading, April 20, 1928.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58795 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 216.

An Act to provide for a loan to the Saint John Harbour Commissioners.

1919, c. 70; 1927, c. 67.

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

Short title.

1. This Act may be cited as *The Saint John Harbour Loan Act, 1928.*

Loan of $5,000,000 to Harbour Commissioners for terminal facilities.

2. The Governor in Council may, from time to time, loan to the Corporation of the Saint John Harbour Commissioners, hereinafter called "the Corporation," such sums of money, not exceeding in the whole the sum of five million dollars, as are required to enable the Corporation to construct such terminal facilities as are necessary to properly equip the port of Saint John, it being understood that the amount hereby authorized to be loaned shall meet the total requirements of the said Corporation for the said purposes for three years from the date of the passing of this Act.

Interest during construction to be charged to capital account.

3. During the period of construction of the works referred to in the preceding section, the interest payable on the debentures deposited with the Minister of Finance and Receiver General under the provisions of this Act in respect of the construction of such works shall be deemed to be money required to enable the Corporation to construct the said works and to be a part of the cost of construction thereof, and the said interest may be paid out of the said sum of five million dollars; the period of construction herein referred to shall begin on the day when the first loan is made on account of the said construction, and shall terminate on such date as the Governor in Council shall fix and determine.

Explanatory Notes.

2. This loan is for the purpose of extending the present facilities and creating new facilities.

3. This section is designed to relieve the Commissioners' income from revenue of the expense of carrying the works until they become revenue producing. It has only partially been taken advantage of in the past.

Plans, etc., to be approved before work commenced.

4. No such loan shall be paid in respect of the construction of terminal facilities, unless such detailed plans, specifications and estimates, for the works to be performed by the Corporation and on which the money so to be loaned is to be expended, as are satisfactory to the Minister of Marine and Fisheries, have been submitted to and approved by the Governor in Council before any work on the same has been commenced.

Monthly applications for loans with other statements as required.

5. The Corporation shall submit to the Minister of Marine and Fisheries, for approval, monthly applications for loans on account of the different items of construction of terminal facilities, accompanied by statements showing the total expenditure on these different items in detail, for the month which the loan is to cover, and any other statements required in such form as the Minister shall direct; and upon approval of the application, authority for the payment of the amount so applied for may be granted by the Governor in Council.

Debentures to be deposited with Minister of Finance.

6. The Corporation shall, upon any loan being made, deposit with the Minister of Finance and Receiver General debentures of the Corporation equal in par value to the loan so made (which debentures the Corporation is hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date on the day when such loan is made, and shall be repayable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of five per centum per annum, such interest to be payable half yearly on the first day of July and the first day of January in each year.

Repayment of loan.

7. The principal and interest of the sums loaned to the Corporation under the authority of this Act shall be payable by the Corporation out of all its property and assets and out of all its tolls, rates, dues, penalties and other sources of revenue and income, and shall rank as a charge thereon and have precedence in regard to payment, next after payments provided for in sections fifteen and twenty-two of chapter sixty-seven of the statutes of 1927.

1927, c. 67.

4. This section is designed to give the Governor in Council, with the advice of the Minister, power to prevent the Commissioners entering into any work of development in advance of the approval of the plans for same.

5. This section is to provide the necessary material for an audit of the expenditures made by the Commissioners on account of which loans are claimed, to be made by the Supervisor of Harbour Commissions,—an officer of the Department of Marine and Fisheries,—and to keep the Minister generally informed as to the financial status of the Commissioners at all times

6. This section is to provide an evidence of the indebtedness of the Commissioner and the rate of interest and length of time the loans made are to run.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 217.

An Act to provide for a loan to the Halifax Harbour Commissioners.

First reading, April 20, 1928.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58798 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 217.

An Act to provide for a loan to the Halifax Harbour Commissioners.

9 27, c. 58.

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

Short title.

1. This Act may be cited as *The Halifax Harbour Loan Act, 1928.*

Loan of $500,000 to Harbour Commissioners for terminal facilities.

2. The Governor in Council may, from time to time, loan to the Corporation of the Halifax Harbour Commissioners, hereinafter called "the Corporation," such sums of money, not exceeding in the whole the sum of five hundred thousand dollars, as are required to enable the Corporation to construct such terminal facilities as are necessary to properly equip the port of Halifax, it being understood that the amount hereby authorized to be loaned shall meet the total requirements of the said Corporation for the said purposes for one year from the date of the passing of this Act.

Limitation.

Interest during construction to be charged to capital account.

3. During the period of construction of the works referred to in the preceding section, the interest payable on the debentures deposited with the Minister of Finance and Receiver General under the provisions of this Act in respect of the construction of such works shall be deemed to be money required to enable the Corporation to construct the said works and to be a part of the cost of construction thereof, and the said interest may be paid out of the said sum of five hundred thousand dollars; the period of construction herein referred to shall begin on the day when the first loan is made on account of the said construction, and shall terminate on such date as the Governor in Council shall fix and determine.

EXPLANATORY NOTES.

2. This loan is for the purpose of extending the present facilities and creating new facilities.

3. This section is designed to relieve the Commissioners' income from revenue of the expense of carrying the works until they become revenue producing. It has only partially been taken advantage of in the past.

Plans, etc., to be approved before work commenced.

4. No such loan shall be paid in respect of the construction of terminal facilities, unless such detailed plans, specifications and estimates, for the works to be performed by the Corporation and on which the money so to be loaned is to be expended, as are satisfactory to the Minister of Marine and Fisheries, have been submitted to and approved by the Governor in Council before any work on the same has been commenced.

Monthly applications for loans with other statements as required.

5. The Corporation shall submit to the Minister of Marine and Fisheries, for approval, monthly applications for loans on account of the different items of construction of terminal facilities, accompanied by statements showing the total expenditure on these different items in detail, for the month which the loan is to cover, and any other statements required in such form as the Minister shall direct; and upon approval of the application, authority for the payment of the amount so applied for may be granted by the Governor in Council.

Debentures to be deposited with Minister of Finance.

6. The Corporation shall, upon any loan being made, deposit with the Minister of Finance and Receiver General debentures of the Corporation equal in par value to the loan so made (which debentures the Corporation is hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date on the day when such loan is made, and shall be repayable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of five per centum per annum, such interest to be payable half yearly on the first day of July and the first day of January in each year.

Repayment of loan.

7. The principal and interest of the sums loaned to the Corporation under the authority of this Act shall be payable by the Corporation out of all its property and assets and out of all its tolls, rates, dues, penalties and other sources of revenue and income, and shall rank as a charge thereon and have precedence in regard to payment, next after payments provided for in section nineteen of chapter fifty-eight of the statutes of 1927.

1927, c. 58.

4. This section is designed to give the Governor in Council, with the advice of the Minister, power to grant the Commissioners entering into any work of development in advance of the approval of the plans for same.

5. This section is to provide the necessary material for an audit of the expenditures made by the Commissioners on account of which loans are claimed, to be made by the Supervisor of Harbour Commissions,—an officer of the Department of Marine and Fisheries,—and to keep the Minister generally informed as to the financial status of the Commissioners at all times.

6. This section is to provide an evidence of the indebtedness of the Commissioners and the rate of interest and length of time the loans made are to run.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 218.

An Act to amend The Federal District Commission Act, 1927.

First reading, April 20, 1928.

The PRIME MINISTER.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60100 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 218.

An Act to amend The Federal District Commission Act, 1927.

1927, c. 55.

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

1. Section seven of *The Federal District Commission Act, 1927*, chapter fifty-five of the statutes of 1927, is amended by inserting immediately after paragraph *(d)* thereof the following paragraph:—

Power to sell or lease real property.

"*(e)* subject to the approval of the Governor in Council, sell or lease any real property of the Commission not being a portion of any public park or square, street, avenue, drive or thoroughfare, which is not required for the purposes of the Commission."

2. Sections eight, nine, ten and eleven of the said Act are repealed and the following substituted therefor:—

Period for payment of annual grants extended.

"**8.** The Minister is hereby authorized to pay out of the Consolidated Revenue Fund of Canada to the Commission the sum of two hundred thousand dollars a year for a period not exceeding thirty years from the first day of April one thousand nine hundred and twenty-eight, to be expended by the Commission for the purposes and subject to the provisions of this Act. Such annual payment shall be made in four equal quarterly instalments, payable on the first day of April, July, October and January, respectively, in each year, the first of such quarterly instalments to be paid on the first day of July, 1928, and the amount of each such quarterly payment shall be paid by the Minister into a chartered bank to be designated by him, to the credit of the Commission, and no payment shall be made by such bank from any amount at the credit of the Commission except on the joint cheque of the Chairman or Acting Chairman and the Secretary or Acting Secretary of the Commission.

EXPLANATORY NOTES.

1. By section 2, chapter 43, of the statutes of 1921, the Ottawa Improvement Commission Act, 1919, was amended by adding at the end of paragraph *(a)*, section 8, the following:—

"and, subject to the approval of the Governor in Council, sell or lease any real property of the Commission, not being a portion of any public park or square, street, avenue, drive or thoroughfare, which is not required for the purposes of the Commission.

The purpose of the present amendment is to give similar power to the Federal District Commission.

2. Section 8 of the present Act is as follows:—

"**8.** The Minister is hereby authorized to pay out of the Consolidated Revenue Fund of Canada to the Commission the sum of two hundred and fifty thousand dollars a year for a period not exceeding sixteen years from the first day of April one thousand nine hundred and twenty-seven, to be expended by the Commission for the purposes and subject to the provisions of this Act. Such annual payment shall be made in four equal quarterly instalments, payable on the first day of April, July, October and January, respectively, in each year, the first of such quarterly instalments to be paid on the first day of July, 1927, and the amount of each such quarterly payment shall be paid by the Minister into a chartered bank to be designated by him to the credit of the Commission, and no payment shall be made by such bank from any amount at the credit of the Commission except on the joint cheque of the chairman or acting chairman and the secretary or acting secretary of the Commission."

As provision is being made for providing a capital sum not exceeding $3,000,000, the amount of the annuity is reduced to $200,000, estimated to be the amount which will be required for upkeep and maintenance on the completion of the present programme. Pending such completion, any surplus out of the annuity will be available for small capital expenditure of an incidental nature.

$3,000,000 for purposes of Commission.

"**9.** (1) The Minister may provide, for the purposes of the Commission in so far as they relate to the purchase of land or the carrying into effect of any scheme of improvements and undertakings requiring a larger outlay than is available out of the actual annual income of the Commission, by the sale or other disposition of securities of the Commission, guaranteed as hereinafter provided, an amount or amounts not to exceed in the aggregate three million dollars, or he may, with the approval of the Governor in Council, pay to the Commission, out of any unappropriated moneys in the Consolidated Revenue Fund, such sum or sums, not exceeding three million dollars as may be required for said purposes, or may make such provision partly in one way and partly in the other.

Issue of securities.

Limitation.

(2) The Commission may, for the purposes of this section, create and issue obligations, bonds, debentures or other securities, herein called securities. All negotiations for the sale or other disposition of the securities, shall be carried on by the Minister.

Guarantee.

(3) The Governor in Council may from time to time authorize the guarantee of the principal and interest of such securities.

Nature and form of securities and guarantee to be approved.

(4) With respect to such securities, the Governor in Council may from time to time approve or decide,—

(a) the rate of interest and the kind of securities to be issued and guaranteed, and the form and terms thereof;

(b) the form and manner of the guarantee or guarantees;

(c) the time, manner and amount of any issue or issues;

(d) the terms and conditions of any sale, pledge or other disposition of the securities.

Signatures.

(5) The guarantee or guarantees may be signed on behalf of His Majesty by the Minister, or by such other person as the Governor in Council may from time to time designate for that purpose, and such signature shall be conclusive evidence for all purposes of the validity of any such guarantee and that the provisions of this Act have been complied with.

Disposition of proceeds deposited in trust.

(6) The proceeds of any sale, pledge or other disposition of the securities shall be deposited in a bank or banks to the credit of the Minister, in trust for the Commission, and shall from time to time be released to the Commission by the Minister in his discretion, to be applied for the purposes of this Act.

Time limited for issue of debentures.

"**10.** (1) No securities shall be issued by the Commission for a period extending beyond the first day of July, one thousand nine hundred and fifty-eight.

Interest.

(2) The Minister may, from time to time, out of any unappropriated moneys in the Consolidated Revenue Fund, provide such sums as may be required to pay the interest on any securities issued under the provisions of this Act,

Sections 9 and 10 are as follows:—

"**9.** The Commission may borrow from time to time on debentures of the Commission bearing interest at a rate to be approved by the Governor in Council,—which debentures the Commission is hereby authorized to issue,—such sum or sums of money not exceeding on the whole two hundred and fifty thousand dollars as are required to enable the Commission to purchase land or to carry into effect any scheme of improvements and undertakings requiring a larger outlay than is available out of the actual income of the Commission or for both purposes: Provided always that no moneys shall be borrowed by the Commission except with the previous consent of the Governor in Council.

"**10.** No debentures shall be issued by the Commission for a period extending beyond the first day of July one thousand nine hundred and forty-two; and the debentures issued under the authority of this Act shall be paid and redeemed by the Commission in equal annual instalments, beginning at the expiration of one year from the date of issue thereof, so that the total amount of the debentures so issued shall be fully paid and redeemed on or before the said first day of July one thousand nine hundred and forty-two."

The purpose of the amendments is to enable the Commission to complete the scheme of improvement to be known as "Confederation Park," and to make more adequate provision for meeting the future needs of the Commission.

Section 11 reads as follows:—

"**11.** The principal of the debentures issued under this Act, and the interest thereon, shall be a first charge and lien upon the income of the Commission from whatever source derived, and the Commission shall each year set apart and appropriate such amount of its income as is required to pay and discharge the principal and interest of such debentures as fall due and become payable during that year. The word "year" in this section means the period beginning on the first day of July in any year and ending on the thirtieth day of June in the next year."

Sinking fund.

Redemption.

and may also provide such sums as are required for the purpose of establishing a sinking fund or of retiring the securities by annual instalments, so that the total amount of the securities shall be fully paid and redeemed on or before the said first day of July, one thousand nine hundred and fifty eight."

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

Acquisition of property.

"**13.** (1) No real property shall be purchased or acquired by the Commission, except with the previous consent of the Governor in Council; and if the Commission is unable to agree with the owner of the property which it is so authorized to purchase, as to the price to be paid therefor, the Commission shall have the right to acquire the same without the consent of the owner, and the provisions of the *Expropriation Act* shall, *mutatis mutandis*, be applicable to the acquisition of such real property by the Commission.

Expropriation Act to apply. R.S., c. 64.

Plans and descriptions deposited.

(2) Any plan and description deposited under the provisions of the *Expropriation Act* may be signed by the Chairman of the Commission or by the Secretary thereof, on behalf of the Commission, and the land shown upon and described in such plan and description so deposited shall thereupon be and become vested in the Commission, unless the plan and description indicates that the land taken is required for a limited time only, or that a limited estate or interest therein is taken; and by the deposit in such latter case the right of possession for such limited time or such limited estate or interest shall be and become vested in the Commission.

If a limited estate only is required.

Compensation.

(3) The compensation payable in respect of the taking of any lands so vested in the Commission, or of any interest therein or of lands injuriously affected by the construction of the undertaking or works shall be ascertained in accordance with the provisions of the *Expropriation Act*, and for that purpose the Attorney General of Canada may file an information in the Exchequer Court on behalf of the Commission to all intents and purposes as if such land had been expropriated by and vested in His Majesty under the provisions of the said Act. The amount of any judgment upon such proceedings shall be payable out of the funds of the Commission."

3. Section 13 of the Act is as follows:—

"**13.** No real property shall be purchased or acquired by the Commission, except with the previous consent of the Governor in Council; and if the Commission is unable to agree with the owner of the property, which it is so authorized to purchase, as to the price to be paid therefor, the Commission shall have the right to acquire the same without the consent of the owner, and the provisions of *The Railway Act, 1919*, relating to the taking of lands by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such real property by the Commission."

The purpose of the amendment is to substitute the procedure provided by the Expropriation Act for that set out in the Railway Act.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 220.

An Act to amend the Railway Act.

First reading, April 24, 1928.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60547 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 220.

An Act to amend the Railway Act.

R.S., c. 170.

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

The *Railway Act*, being chapter one hundred and seventy of The Revised Statutes of Canada, 1927, is amended as follows:—

1. Section two hundred and sixty-two of the said Act is repealed and the following is substituted therefor:—

Railway Grade Crossing Fund.

"**262.** (1) The sums heretofore or hereafter appropriated and set apart to aid actual construction work for the protection, safety and convenience of the public in respect of highway crossings of railways at rail level shall be placed to the credit of a special account to be known as "The Railway Grade Crossing Fund," and shall (insofar as not already applied) be applied by the Board, subject to the limitations hereinafter set out, solely towards the cost, not including that of maintenance and operation, of actual construction work for the protection, safety and convenience of the public in respect of crossings (railway crossings of highways or highway crossings of railways) at rail level in existence on the first day of April, one thousand nine hundred and nine, and in respect of existing crossings (railway crossings of highways or highway crossings of railways) at rail level, constructed after the first day of April, one thousand nine hundred and nine, provided, however, that the Board shall not apply any moneys out of The Railway Grade Crossing Fund towards the cost of the actual construction work, for the protection, safety and convenience of the public in respect of any existing crossing (railway crossing of a highway or highway crossing of a railway), at rail level, constructed after the first day of April, one thousand nine hundred and nine, unless and except an agreement, approved of by the Board, has been

EXPLANATORY NOTES.

1. Subsection one to be repealed reads:—

"**262.** (1) The sums appropriated and set apart to aid actual construction work for the protection, safety and convenience of the public in respect of highway crossings of railways at rail level in existence on the first day of April, one thousand nine hundred and nine, shall be placed to the credit of a special account to be known as "The Railway Grade Crossing Fund", and shall be applied by the Board, subject to the limitations hereinafter set out, solely towards the cost, not including that of maintenance and operation, of actual construction work for the purpose aforesaid."

Subsection one to be re-enacted, provides for the application of The Railway Grade Crossing Fund towards the cost of construction work for the protection, safety and convenience of the public in respect of crossings in existence on the first day of April, one thousand nine hundred and nine, as at present applicable, and provides for the extension of the application of the Fund to existing crossings, constructed after the first day of April, 1909, in any case where an agreement, approved of by the Board of Railway Commissioners, has been entered into between a railway company and a municipal or other corporation or person by which agreement the municipal or other corporation or person has agreed with the company to bear a portion of the cost of the construction work for the protection, safety and convenience of the public.

entered into between the company and a municipal or other corporation or person by which agreement the municipal or other corporation or person has agreed with the company to bear a portion of the cost of the actual construction work for the protection, safety and convenience of the public in respect of such crossing (railway crossing of a highway or highway crossing of a railway), at rail level, constructed after the first day of April, one thousand nine hundred and nine.

Apportionment of money by Board.

(2) The total amount of money, to be applied by the Board out of The Railway Grade Crossing Fund, under the provisions of this section, in the case of any one crossing, where the cost of the actual construction work in providing the protection, safety and convenience for the public does not exceed one hundred thousand dollars, shall not exceed forty per cent of such cost, and the total amount of money, to be applied by the Board out of The Railway Grade Crossing Fund, under the provisions of this section, in the case of any one crossing, where the cost of the actual construction work in providing the protection, safety and convenience of the public exceeds one hundred thousand dollars, shall not exceed forty per cent of such cost, and shall not in any case exceed one hundred thousand dollars.

Provincial contribution to Fund.

(3) In case any province contributes towards The Railway Grade Crossing Fund, the Board may apportion, direct and order payment out of the amount so contributed by such province for the purpose of the said fund, subject to any conditions and restrictions made and imposed by such province in respect of its contribution.

"Crossing" defined.

(4) In this section "crossing," means any railway crossing of a highway, or any highway crossing of a railway, at rail level, and every manner of construction of the railway or of the highway by the elevation or the depression of the one above or below the other, or by the diversion of the one or the other and any other work ordered by the Board to be provided as one work of protection, safety and convenience for the public in respect of one or more railways of as many tracks crossing or so crossed as in the discretion of the Board determined.

Grant for railway level crossings.

(5) The grants or the unexpended portions or moneys thereof made under the provisions of the Acts, chapter thirty-two of the Statutes of 1909, chapter fifty of the Statutes of 1914, and chapter thirty of the Statutes of 1919, of two hundred thousand dollars each year for twenty consecutive years from the first day of April, one thousand nine hundred and nine, may, from and after the passing of this Act, notwithstanding any provision of any of the said Acts, be expended to aid actual construction work for the protection, safety and convenience of the public in respect of crossings (railway crossings of highways or highway crossings of railways) at rail level in existence on the first

(2) Subsection two to be repealed reads:—

"2. The total amount of money to be apportioned, and directed and ordered by the Board to be payable from any such annual appropriation shall not, in the case of any one crossing, exceed forty per cent of the cost of the actual construction work in providing such protection, safety and convenience, and shall not, in any such case, exceed the sum of twenty-five thousand dollars, and no such money shall in any one year be applied to more than six crossings on any one railway in any one municipality or more than once in any one year to any one crossing."

Subsection two to be re-enacted substitutes for the present limitations (respecting the maximum amount payable out of The Railway Grade Crossing Fund towards the cost of construction work for the protection, safety and convenience of the public in respect of any *one* crossing) the following limitations, namely:—

(a) Where the cost of such work does not exceed $100,000.00, 40 per cent of such cost, and

(b) Where the cost of such work exceeds $100,000.00, 40 per cent of such cost, not exceeding $100,000.00;

and removes the limitation as to the maximum number of crossings on any one railway in any one municipality to which such money may be applied in any one year.

(3) Subsection three to be repealed reads:—

"3. In case any province contributes towards the said fund, the Board may apportion, direct and order payment out of the amount so contributed by such province, subject to any conditions and restrictions made and imposed by such province in respect of its contribution."

Subsection three to be re-enacted is of the same effect as the section to be repealed.

(4) Subsection four to be repealed reads:—

"4. In this section

"*(a)* "crossing" means any steam railway crossing of a highway, or highway crossing of a steam railway, at rail level, and every manner of construction of the railway or of the highway by the elevation or the depression of the one above or below the other, or by the diversion of the one or the other and any other work ordered by the Board to be provided as one work of protection, safety and convenience for the public in respect of one or more railways not exceeding four tracks in all crossing or so crossed;

"*(b)* "municipality," means an incorporated city, town, village, county, township, parish, or rural municipality."

Subsection 4 to be re-enacted removes the limitation of the maximum number of the tracks within any *one crossing* for the purposes of the section and leaves the number for the determination of the Board.

(5) Subsection five to be repealed reads:—

"5. The grant of two hundred thousand dollars each year for ten consecutive years from the first day of April, one thousand nine hundred and nineteen, made under the provisions of an Act passed in the said year, chapter thirty, shall be expended for the purposes mentioned in the said Act, subject to the terms and conditions in this section contained."

Subsection five to be re-enacted provides that the unexpended portions of the grants made under the provisions of the Statutes, 1909, chapter 32, 1914, chapter 50, and 1919, chapter 30, may be expended towards the cost of construction work for providing protection, safety and convenience of the public in respect of crossings in existence on April 1st, 1909, and in respect of existing crossings, constructed after that date, where an agreement, approved of by the Board of Railway Commissioners, has been entered into between the railway company and a municipal or other corporation or person by which agreement the municipal or other corporation or person agrees to bear a portion of the cost of construction work providing protection, safety and convenience of the public.

day of April, one thousand nine hundred and nine, and in respect of existing crossings (railway crossings of highways or highway crossings of railways) at rail level, constructed after the first day of April, one thousand nine hundred and nine, subject to the terms and conditions in this section contained."

2. Subsection one of section two hundred and ninety-five of the said Act is repealed and the following is substituted therefor:—

Printed copy to be posted up.

"**295.** (1) A printed copy of so much of any by-law, rule or regulation, as affects any person, other than the shareholders, or the officers or employees of the company, shall be openly affixed, and kept affixed, to a conspicuous part of every station belonging to the company, so as to give public notice thereof to the persons interested therein or affected thereby.

Publication of by-law for regulation of highway traffic.

Nothing in this subsection contained shall apply to any by-law for the regulation of highway traffic upon or over a railway bridge, public notice of which by-law shall be sufficiently given, to persons interested therein or affected thereby, by the publication thereof in one issue of the *Canada Gazette*."

2. Subsection one to be repealed reads:—

"**295.** A printed copy of so much of any by-law, rule or regulation, as affects any person, other than the shareholders, or the officers or employees of the company, shall be openly affixed, and kept affixed, to a conspicuous part of every station belonging to the company, so as to give public notice thereof to the persons interested therein or affected thereby."

Under subsection one to be repealed by-laws of a railway company affecting any person, other than shareholders, or officers or employees of the company, shall be posted for publication in every station belonging to the company.

It is considered that posting, in railway stations, for publication of a by-law affecting the regulation of highway traffic upon a railway bridge, if intended under the above referred to provisions to be so posted, is impracticable, and the purpose of the proposed enactment is to provide for publication in the *Canada Gazette* instead of posting in stations.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 288.

An Act to amend the Soldier Settlement Act.

First reading, May 7, 1928.

The MINISTER OF IMMIGRATION AND COLONIZATION.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62669 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 288.

An Act to amend the Soldier Settlement Act.

R.S., c. 188.

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

1. Section twenty-six of the *Soldier Settlement Act*, chapter one hundred and eighty-eight of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:—

No patent to issue until amount owing to Board is repaid.

"**26.** When a settler obtains Dominion lands, whether by soldier grant or otherwise, and thereafter secures the approval of the Board to any advance to him pursuant to this Act, while there is owing by him to the Board any sum or sums of money as the result of any sale made to him by the Board or otherwise by reason of the exercise by the Board of any of its powers under this Act subsequently to such approval, such sum so owing shall constitute a first charge on the lands so obtained and no patent shall be issued to such settler therefor until such sum or sums with accrued interest have been fully paid or repaid."

Revaluation of land.

2. Section sixty-eight of the said Act is amended

(a) by inserting immediately after the word "who" where it first appears in the second line thereof, the following:—

"is indebted to the Board in respect of an amount loaned to him by the Board under the former Act for and expended in the purchase of agricultural land or"

Computing depreciation.

(b) by inserting immediately after the word "settler" in line five of subsection *(c)* of the said section the following:—

"or the price under the former Act paid by the settler with the approval of the Board for the land and improvements."

Explanatory Notes.

In the consideration of questions under this heading it was recognized that sufficient time had not yet elapsed to permit a judgment to be arrived at as to the extent to which the amendments of last session had been successful in solving the vexed question of deflation as it affected lands held by soldier settlers under the Act, the majority of applications for relief being still in the process of readjustment. The Special Committee found, however, that an oversight had occurred in the omission to place within the provisions of the amendment of last year those settlers who had purchased land under the provision of the Act of 1917. Very little is involved, as very few cases fall into this class, but it is felt that the slight change should be made in order to avoid discrimination and to carry into effect the intention of Parliament.

It is also the opinion of the Committee that the present policy of withholding title to homesteads and soldier grants in respect of lands other than those upon which loans are granted should be discontinued.

It is also the Committee's opinion that no deficiency which may remain on the resale of the lands or other property of a former settler whose agreement with the Board has been terminated should be charged to or collectible from the said former settler, except in such cases where fraud or intent to defraud is shown.

1. The original section 26 charged all Dominion lands with all advances made by the Board to the settler and provided for withholding patent until all indebtedness had been liquidated. The present section is designed to limit the land against which charge will lie to parcels obtained by the settler prior to the approval by the Board of a specific advance.

2. Section sixty-eight refers to the revaluation of land sold to settlers. The first lines of the section as amended will read,—

"**68.** Notwithstanding anything in this Act, a settler who is indebted to the Board in respect of an amount loaned to him by the Board under the former Act for and expended in the purchase of agricultural land or has agreed to purchase any land from the Board * * * * * * may make application for the revaluation of the said land, subject to the following conditions", etc., while the wording of subsection *(c)* as amended will provide a criterion for revaluation of land purchased under the former Act so far as the purchase price has met with the approval of the Board.

Second Session, Sixteenth Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 289.

An Act to amend the Pension Act.

First Reading, May 8, 1928.

The MINISTER OF HEALTH.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
5-012 1928

2nd Session, 16th Parliament, 18 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 289.

An Act to amend the Pension Act.

R.S., c, 157.

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

PENSION.

Pensions and National Health in place of Soldiers' Civil Re-Establishment.

1. The *Pension Act*, chapter one hundred and fifty-seven of the Revised Statutes of Canada, 1927, is amended by striking out the words "Soldiers' Civil Re-Establishment," wherever they occur therein, and substituting the words "*Pensions and National Health.*"

2. Paragraphs *(a)*, *(m)* and *(o)* of section two of the said Act, are repealed and the following are substituted therefor:—

"Appearance of the injury or disease."

"*(a)* 'appearance of the injury or disease' includes the recurrence of an injury or disease which has been so improved as to have removed the resultant disability or reduced sufficiently to permit the member of the forces subsequently to serve in a theatre of actual war."

"Pension."

"*(m)* 'pension' means pension on account of the death or disability of a member of the forces and includes addition to pension, temporary pension, additional payment, final payment or any other payment awarded by the Commission to or in respect of any member of the forces."

"*(o)* 'theatre of actual war' means—

"Theatre of actual war."

(i) in the case of the military or air forces, the zone of the allied armies on the continents of Europe, of Asia or of Africa or any other place at which the member of the forces has sustained injury or contracted disease directly by a hostile act of the enemy;

(ii) in the case of the naval forces, the high seas or wherever contact has been made with hostile forces of

EXPLANATORY NOTES.

1. This provision is made necessary by the consolidation and renaming of departments.

2. *(a)* This definition has been amended by the addition of the words underlined. The original definition in the 1919 Act read as follows:—

"Appearance of the disability" includes the reappearance of a disability which has been reduced sufficiently to permit the member of the forces to serve in a theatre of actual war."

This was repealed in 1920 and the following substituted therefor:—

"Appearance of the injury or disease" includes the recurrence of an injury or disease which has been so improved as to have removed the resultant disability."

(m) The only change is the substitution of the word "awarded", for the word "made" to conform with present procedure.

(o) The only change is the substitution of the words "any other place at which" for the word "wherever," and the addition of the words "or contracted disease." The amendment makes it clear that disease contracted as a direct result of hostile acts is to be pensionable irrespective of the place where it was contracted.

the enemy, or any other place at which the member of the forces has sustained injury or contracted disease directly by a hostile act of the enemy."

Definitions.

3. Section two of the said Act is further amended by inserting therein the following paragraphs:—

"Board."

"*(bb)* 'Board' means the Federal Appeal Board."

"Department."

"*(dd)* 'Department' means the Department of Pensions and National Health, and includes in respect of matters antecedent to this Act, the Military Hospitals Commission and the Department of Soldiers' Civil Re-Establishment."

4. Subsection eight, paragraph *(b)* of section three of the said Act is repealed and the following is substituted therefor:—

Information to be placed on file.

"*(b)* The medical classification of the injury or disease causing the disability or death in respect of which the application has been made;

(ii) The medical classification of such injuries or diseases as have been dealt with by the Commission in connection with the application;

(iii) Whether the injury or disease resulting in disability or death was or was not attributable to or incurred during military service or whether it pre-existed enlistment and was or was not aggravated during military service."

3. *(bb)* The inclusion of definitions "Board" and "Department" are for the purpose of eliminating unnecessary repetition. The latter part of paragraph *(dd)* is required in view of the change in name of the Department.

4. The repealed paragraph provides that the Commission shall place on the file of the ex-soldiers

"*(b)* The grounds on which pension is awarded or refused."

The proposed amendment has been recommended by the special committee to require an amplification of this information.

5. Sections four to eight inclusive of the said Act are repealed and the following are substituted therefor:—

Commission attached to Department.

"**4.** The Commission shall be attached to the Department and the expenses required to be incurred for the discharge of its duties, including the salaries of its officers, clerks, and other employees shall be met out of the moneys provided by Parliament for the purposes of the Department.

Expenses.

Reports.

2. The Commission shall from time to time make such reports to the Minister as he may direct, and such of the said reports as the Minister may determine shall be included in the Annual Report of the Department."

Jurisdiction of Commission.

"**5.** Subject to the provisions of this Act and of any regulations made thereunder, the Commission shall be charged with the duty of considering and adjudicating upon all questions relating to the award, increase, decrease, suspension or cancellation of any pension under this Act and effect shall be given by the Department to the adjudication of the Commission."

Additional duties.

"**6.** The Governor in Council may impose upon the Commission like duties in respect of any grants in the nature of pensions, allowances or gratuities authorized to be made under any statute other than this Act and effect shall be given to any adjudication by the Commission under any such Act either by the Department or such other Department of Government as the Governor in Council may direct."

5. The repealed sections 4-8 are as follows:—

"**4.** The Commission shall be provided with suitable offices at the City of Ottawa for the Commissioners and for the officers and employees of the Commission, such branch offices elsewhere as may be required and all necessary furnishings, stationery and equipment for the conduct, maintenance, and performance of the duties of the Commission.

5. The Commission shall have all the powers and duties of a deputy head of a department for the purpose of the Civil Service Act.

2. The salaries or other remuneration of the officers, clerks and employees of the Commission, and all the expenses of the Commission incidental to the carrying out of this Act, shall be paid out of moneys to be provided by Parliament.

6. The Commission shall be attached to the Department of Soldiers' Civil Re-establishment or such other department as the Governor in Council may from time to time determine.

2. The Commission shall furnish the Minister with such reports, statements and information as he may at any time require.

3. The Commission shall, immediately after the conclusion of the fiscal year make an annual report in such form and with such details as the Minister may direct.

4. Such report shall be laid before Parliament within ten days after the making thereof, or, if Parliament is not then in session, within ten days after the commencement of the next session of Parliament.

7. Subject to the Provisions of this Act, and of any regulations made under the provisions of this Act, the Commission shall have full power and authority to deal with all matters pertaining to pensions, consider all applications for pension, and to award, refuse, cancel, pay and administer pensions.

2. There shall be an appeal from any decision of the Commission to the federal Appeal Board as hereinafter provided, pursuant to the rules and regulations established by the Governor in Council under the authority of this Act.

3. The Commission shall also have power to pay pensions, allowances and gratuities or other grants awarded in virtue of the Militia Pension Act, or awarded to or in respect of members of those forces who served in connection with the Fenian Raids or the Northwest Rebellion.

8. The Governor in Council may transfer to the Commission full power and authority and exclusive jurisdiction to consider, award, pay, administer and deal with any pensions, allowances, gratuities or other grants authorized by any other statute or law of Canada.

The changes made are for the purpose of conforming to present procedure.

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

Regulations.

"**10.** With the approval of the Minister, the Commission shall have power to make regulations not inconsistent with this Act in respect of the procedure to be followed in matters coming before it for adjudication.

7. Paragraph *(a)* of section eleven of the said Act is repealed and the following is substituted therefor:—

Disabilities in respect of which pensions claimed.

"*(a)* Pensions shall be awarded to or in respect of members of the forces who have suffered disability in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died in accordance with the rates set out in Schedule B of this Act, when the injury or disease resulting in disability or death or the aggravation of such injury or disease resulting in disability or substantially contributing to death in respect of which the application for pension is made was attributable to or was incurred during such military service."

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

Time within which application must be made.

"**13.** A pension shall not be awarded in respect of the death of a member of the forces, unless an application therefor has been made *(a)* within three years after the date of the death in respect of which pension is claimed; or *(b)* within three years after the date upon which the applicant has fallen into a dependent condition."

6. The repealed section 10 is as follows:—

"**10.** The Commission shall have power, with the approval of the Minister, to make such regulations as it deems necessary for carrying out the provisions of this Act

This amendment reflects the present procedure.

7. The repealed paragraph reads as follows:—

"*(a)* pensions shall be awarded to or in respect of members of the forces who have suffered disability in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died in accordance with the rates set out in Schedule B of this Act, when the injury or disease or aggravation thereof resulting in disability or death in respect of which the application for pension is made was attributable to or was incurred during such military service."

The amendment broadens the provisions of the Act in cases of aggravation.

8. The repealed section reads as follows:—

"**13.** A pension shall not be awarded unless an application therefor has been made Time within which application must be made.

(a) within three years after the date of the death in respect of which pension is claimed; or

(b) within three years after the date upon which the applicant has fallen into a dependent condition; or

(c) within nine years after the date upon which the applicant was retired or discharged from the forces; or

(d) within three years after the date of the completion of his treatment by the Department of Soldiers' Civil Re-establishment when he was retired or discharged direct to such treatment or undertook such treatment within six months of his retirement or discharge; or

(e) within three years after the declaration of peace: Proviso.

Provided

(i) that where there is an entry in the service or medical documents of the member of the forces by or in respect of whom pension is being claimed showing the existence of an injury or disease which has contributed to the disability in respect of which pension is claimed, such entry shall be considered an application as of the date thereof for pension in respect of such disability;

(ii) that the provision of paragraph *(e)* of this section shall not apply to an applicant claiming dependent's pension who was not resident in Canada at the date of the death of the member of the forces and has not continuously resided therein."

The amendment removes all time limits except in applications for pensions in case of death.

9. Section sixteen of the said Act is repealed and the following is substituted therefor:—

Order to pay pension to another if pensioner incapable, or for non-support.

"**16.** When a pensioner appears to be incapable of expending or is not expending the pension in a proper manner or is not maintaining the members of his family to whom he owes the duty of maintenance, the Commission may direct that the pension be administered for the benefit of the pensioner and/or the members of his family by the Department or by some person selected by the Commission."

10. Subsection one of section seventeen is repealed and the following is substituted therefor:—

Pension suspended on imprisonment or paid to dependent.

"**17.** When a pensioner has been sentenced to imprisonment for a period of six months or more the payment of his pension shall be discontinued and no pension shall be paid to him for or in respect of the period of his imprisonment; provided however that the Commission shall have discretion to direct the payment of the pension or part of it to any person who was being or was entitled to be supported by the pensioner at the time of his arrest, or if in the opinion of the Commission it would be of exceptional benefit or advantage to the pensioner, the Commission may in its discretion direct the payment of the pension or a part thereof to or for the pensioner himself."

11. Subsections four, five and six of section twenty of the said Act are repealed and the following are substituted therefor:—

Disposal of unpaid pension or balance of pension.

"4. Any pension or balance of pension due to a deceased pensioner at the time of his death, whether unpaid or held in trust by the Department, shall not form part of the estate of such deceased pensioner.

"5. The Commission may, in its discretion direct the payment of such pension or balance of pension either to the pensioner's widow and/or his child or children or to any person who has maintained him or been maintained by him or may direct that it be paid in whole or in part towards the expenses of the pensioner's last sickness and burial.

"6. If no order for the payment of such pension or balance of pension is made by the Commission such pension or balance of pension shall be paid into the Consolidated Revenue Fund of Canada."

9. The repealed section is in the following terms:—

"**16.** When the Commission is of opinion that the pensioner is incapable of expending or is not expending the pension in a proper manner, or that he is not maintaining the members of his family to whom he owes the duty of maintenance, the Commission may order that the pension be paid to such person as it may appoint, in order that the money may be expended by him for the benefit of the pensioner and the members of his family.

2. The expenses connected with such payment, if any, shall be paid by the Commission."

In many cases pension is administered by the Department. The amendment is intended to make clear the present practice.

10. The only change is the substitution in two places of the words "direct the payment of" for the word "pay" to conform with the present practice.

11. The repealed subsections are as follows:—

"4. The unpaid balance of pension due to a deceased pensioner shall not be deemed to form part of the assets of his estate.

5. The Commission may, in its discretion, pay such balance to his widow or children or to any other person who has been maintained by him, or may apply it, or a portion of it, in payment of the expenses of his last sickness and burial.

6. If no order for the payment of such balance is made by the Commission such balance shall be paid into the Consolidated Revenue Fund of Canada."

The amendment extends the class of persons to whom payment of the balance of pension may be made to include any person who has maintained the pensioner.

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

Compassionate pension or allowance in specially meritorious cases.

"**21.** Notwithstanding any of the provisions of this Act, any case respecting a member of the forces or any of his dependents which is claimed to be specially meritorious may be made the subject of an investigation and adjudication by way of compassionate pension or allowance as hereinafter provided.

"2. Every claim made under this section shall be referred for consideration to the Commission which shall have power, if it is of the opinion that the claim is specially meritorious, to recommend that a compassionate pension or allowance be paid to the claimant, and upon the refusal of the Commission to recommend such payment an appeal therefrom shall lie to the Board, which shall have a similar power of recommendation.

"3. The payment of such compassionate pension or allowance as may be recommended under this section by the Commission or the Board shall be subject to the approval of the Governor in Council.

"4. The pension awarded under the authority of this section shall not exceed in amount that which could have been granted in the like case under other provisions of this Act if the death, injury, or disease on account of which the pension is claimed, was attributable to military service."

13. Subsection one of section twenty-two of the said Act is repealed and the following is substituted therefor:—

No pension to children over age limit.

"**22.** No pension shall be paid to or in respect of a child who, if a boy, is over the age of sixteen years or, if a girl, is over the age of seventeen years, except when such child and those responsible for its maintenance are without adequate resources, and

Exceptions.

"*(a)* such child is unable owing to physical or mental infirmity to provide for its own maintenance, in which case the pension may be paid while such child is incapacitated by physical or mental infirmity from earning a livelihood: Provided that no pension shall be awarded unless such infirmity occurred before the child attained the age of twenty-one years; and that if such child is an orphan the Commission shall have discretion to increase such child's pension up to an amount not exceeding orphan's rates; or

Physical or mental infirmity.

Orphan.

Child taking course of instruction.

"*(b)* such child is following and is making satisfactory progress in a course of instruction approved by the Commission, in which case the pension may be paid until such child has attained the age of twenty-one years."

12. The present section reads as follows:—

"**21.** Any member of the forces or any dependent of a member of the forces or any dependent of a deceased member of the forces whose case in the opinion of a majority of the members of the Commission, and a majority of the members of the Federal Appeal Board, appears to be specially meritorious may be made the subject of an investigation and adjudication by way of compassionate pension or allowance with the assent of the Governor in Council.

2. The pension awarded under the authority of this section shall not exceed in amount that which could have been granted in the like case under other provisions of this Act if the death, injury, or disease on account of which the pension is claimed, was attributable to military service."

The amendment provides that instead of an application requiring the approval of a majority of both the Board of Pension Commissioners and the Federal Appeal Board as a condition precedent to an award under this section, as is required by the present Act, in future the Commission may recommend an award without the concurrence of the Federal Appeal Board. It also provides that on a refusal by the Commission the applicant may appeal to the Board and the latter may by itself recommend an award.

13. The only changes are the addition of the words underlined.

14. Subsection five of section twenty-two of the said Act is repealed and the following is substituted therefor:—

Child's pension paid to parents, etc.

"5. The Commission may direct that the pension for a child may be paid to its mother or father or to its guardian or to any person approved by the Commission or may direct that such pension be administered by the Department."

15. Subsection seven of section twenty-two of the said Act is repealed and the following is substituted therefor:—

Children of deceased pensioner.

"7. The children of a pensioner who has died and who at the time of his death was in receipt of a pension in any of classes one to five mentioned in Schedule A of this Act, or who, except for the provisions of subsection one of section twenty-nine of this Act, would have been in receipt of a pension in one of the said classes, shall be entitled to a pension as if he had died on service whether his death was attributable to his service or not."

16. Subsection nine of section twenty-two of the said Act is repealed and the following is substituted therefor:—

Pension continued for minor children on death of wife.

"9. On the death of the wife of a pensioner pensioned on account of disability, the additional pension for a married member of the forces may, in the discretion of the Commission, be continued to him for so long as there is a minor child or are minor children of pensionable age, provided there exists a daughter or other person competent to assume and who does assume the household duties and care of the child or children."

17. Section twenty-two of the said Act is further amended by adding thereto the following subsection:—

Pension continued for minor children on death of widow.

"10. On the death of a widow of a member of the forces who has been in receipt of a pension, the pension for the widow may, in the discretion of the Commission, be continued for so long as there is a minor child or there are minor children of pensionable age, to a daughter competent to assume and who does assume the household duties and care of the other child or children, provided that in such case the pension payable for children shall continue but the rate payable for orphan children shall not apply."

14. The repealed subsection reads as follows:—

"(5) The pension for a child shall be paid to its mother or father or to its guardian or to a person appointed by the Commission."

The amendment makes clear the present practice.

15. The repealed subsection reads as follows:—

"(7) The children of a pensioner who was pensioned in any of Classes 1 to 5 mentioned in Schedule A and who has died shall be entitled to a pension as if he had died on service whether his death was attributable to his service or not, provided that the death occurs within ten years after the date of retirement or discharge or the date of the commencement of pension."

By recommendation of the Special Committee the proviso is not re-enacted.

16. The amendment consists only in the insertion of the underlined words to avoid an obvious injustice which would arise from a narrow construction of the section as it stands.

17. New subsection.

Wear and tear from use of appliances, etc.

18. Subsection four of section twenty-six of the said Act is repealed and the following is substituted therefor:—

"4. A member of the forces in receipt of pension for any other disability for the relief of which any appliance must be worn or treatment applied which causes wear and tear of clothing may, in the discretion of the Commission, be granted an allowance in respect of such wear and tear not exceeding fifty-four dollars per annum."

Time from which payment of pension for disability shall commence.

19. Paragraph *(b)* of section twenty-seven of the said Act is repealed and the following is substituted therefor:—

"*(b)* in the case in which a pension is awarded to an applicant the appearance of whose disability was subsequent to his retirement or discharge from the forces, in which case a pension may be paid from a date six months prior to the day upon which application for pension has been received or from the date of the appearance of the disability whichever is the later date, or from the day upon which application was made to the Department for treatment in respect of the disability for which pension is awarded provided that if treatment was commenced under the jurisdiction of the Department in respect of such disability a pension may be paid from the day following that upon which the treatment of the applicant by the Department was completed."

Refusing to undergo medical or surgical treatment.

20. Subsection one of section twenty-eight of the said Act is repealed and the following is substituted therefor:—

"28. If an applicant or pensioner should in the opinion of the Commission undergo medical or surgical treatment, and the applicant or pensioner in the opinion of the Commission unreasonably refuses to undergo such treatment, the pension to which the extent of his disability would otherwise have entitled him may be reduced, in the dis-

18. Section 26 (3) provides as follows:—

"3. A member of the forces in receipt of pension on account of an amputation of the leg above a Symes' amputation shall be entitled to an allowance on account of wear and tear of clothing of fifty-four dollars per annum; and a member of the forces in receipt of pension on account of an amputation at or above the wrist shall be entitled to an allowance on account of wear and tear of clothing of twenty-two dollars per annum."

The next following subsection which it is now proposed to repeal is in the following terms:—

"4. A member of the forces in receipt of pension on account of any disability, other than the amputation of an arm or leg, which necessitates the use of a prosthetic appliance, may, at the discretion of the Commission, be granted an allowance, not exceeding fifty-four dollars per annum, on account of wear and tear of clothing, if in the opinion of the Commission, the use of such appliances results in such wear and tear."

The proposed amendment extends the discretion of the Commission to make grants in any case in which there may be special wear and tear of clothing by reason of treatment.

19. The Act at present reads as follows:—

"**27.** Pensions awarded for disabilities shall be paid from the day following that upon which the applicant was retired or discharged from the forces except

(b) in the case in which a pension is awarded to an applicant the appearance of whose disability was subsequent to his retirement or discharge from the forces, in which case a pension may be paid from a date six months prior to the day upon which application for pension has been received or from the date of the appearance of the disability whichever is the later date;"

The words underlined are added to make clear that an application for treatment shall be regarded as an application for pension.

20. No change except the addition of the words underlined which are self-explanatory.

cretion of the Commission, by not more than one-half, provided that this subsection shall not apply to a refusal to undergo a major surgical operation."

21. Section twenty-nine of the said Act is repealed and the following is substituted therefor:—

Payment of pension suspended during treatment.

"**29.** During such time as, under the departmental regulations in that behalf, a pensioner is in receipt of pay and allowances from the Department while under treatment, payment of his pension shall be suspended and the pay and allowances shall stand in lieu thereof; pending a fresh award, payment of the pension shall recommence forthwith after the termination of such suspension.

"2. During such time as, under the departmental regulations in that behalf, a pensioner is an in-patient under treatment in respect of a disability other than his pensionable disability, his pension, if in excess of the amount he would have been entitled to receive by way of pay and allowances, if the disability for which he is under treatment had been pensionable, shall be reduced to such amount; pending a fresh award, the payment of pension in full shall recommence forthwith upon the pensioner's ceasing to be an in-patient as aforesaid."

22. Subsection three of section thirty of the said Act is repealed and the following is substituted therefor:—

Allowance for maintenance of parents.

"3. When a pensioner previous to his enlistment or during his service was maintaining or was substantially assisting in maintaining one or both of his parents or a person in the place of a parent an amount not exceeding the amount set forth in Schedule A of this Act as the additional pension for one child may, in the discretion of the Commission, be paid direct to each of such parents or person in the place of a parent or to him so long as he continues such maintenance; provided that the benefits of this subsection shall be limited to a parent or parents or a person in the place of a parent who is, are or would be, if the pensioner did not contribute, in a dependent condition, and that if the Commission is of opinion that the pensioner is unable by reason of circumstances beyond his control to continue his contribution towards the maintenance of his parent or parents or a person in the place of a parent the Commission may continue the said benefits."

21. The repealed provision is as follows:—

"**29.** When a pensioner commences treatment under the jurisdiction of the Department of Soldiers' Civil Re-establishment, and his pension, including the pension, if any, for his dependents, is greater than the pay and allowances issued by that Department, there shall be deducted from such pension towards the cost of maintenance in hospital an amount equal to the difference between such pension and such pay and allowances."

Under the proposed change, payment of pension will be suspended while a pensioner is undergoing treatment with pay and allowances. This will make no difference to the pensioner but will result in an administrative saving. The amendment is intended to define exactly the necessary procedure also in cases of treatment only without pay and allowances.

22. The amendments consist of the introduction into the section of the underlined words; they are necessary to make this section of the Act consistent with others dealing with the rights and privileges of parents.

23. Section thirty of the said Act is further amended by adding thereto the following subsection:—

"4. When a parent or person in the place of a parent who was not wholly or to a substantial extent maintained by the pensioner previous to his enlistment or during his service by reason of the fact that such parent or person was not then in a dependent condition, subsequently falls into a dependent condition, is incapacitated by mental or physical infirmity from earning a livelihood and is wholly or to a substantial extent maintained by the pensioner, an amount not exceeding the amount set forth in Schedule A of this Act as the additional pension for one child may, in the discretion of the Commission, be paid direct to each of such parents or person in the place of a parent or to the pensioner for so long as he continues such maintenance."

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

Sickness and burial expense.

"**31.** When a pensioner pensioned on account of a disability has died and his estate is not sufficient to pay the expenses of his last sickness and burial, the Commission may pay such expenses, or a portion thereof, but the payment in any such case shall not exceed one hundred and fifty dollars."

25. Subsection one of section thirty-two of the said Act is repealed and the following is substituted therefor:—

No pension to widow unless married before disability, or living with or maintained by pensioner. Exceptions.

"**32.** *(a)* No pension shall be paid to the widow of a pensioner unless she was living with him or was maintained by him or was in the opinion of the Commission entitled to be maintained by him at the time of his death and for a reasonable time previously thereto.

"*(b)* No pension shall be paid to the widow of a member of the forces unless she was married to him before the appearance of the injury or disease which resulted in his death. Provided

(i) that a pension shall be paid when a member of the forces on and after the coming into force of this Act secures from the Commission a certificate showing that any pensionable injury or disease from which he was suffering at the time of the marriage would not in the opinion of the Commission result in death.

(ii) that a pension shall be paid in the case of a member of the forces who has married before the coming into force of this Act, and who has obtained from the Commission a certificate showing that any

23. This subsection is new. At present a parent not dependent during service on a member of the forces who is killed may in the discretion of the Commission be awarded a pension on later falling into a dependent condition. This subsection proposes to grant assistance in cases of prospective dependency when the member of the forces has returned and is pensioned.

24. This amendment adds $50.00 to the present grant.

25. The present subsection reads as follows:—

"**32.** No pension shall be paid to the widow of a member of the forces unless she was married to him before the appearance of the injury or disease which resulted in his death, and in the case of the widow of a pensioner, unless she was living with him or was maintained by him or was, in the opinion of the Commission, entitled to be maintained by him at the time of his death and for a reasonable time previously thereto."

The amendments proposed by the Special Committee have been underlined.

pensionable injury or disease from which he was suffering at the time of the marriage, would not in the opinion of the Commission result in death.

(iii) that a pension shall be paid in the case of a member of the forces who has married and who has died of a pensionable disability prior to the coming into force of this Act, if, at the time of the marriage, the condition of such member of the forces was such that the prospective wife after making reasonable enquiries would not anticipate that the injury or disease would be a substantial factor in causing death, provided, however, that it shall be conclusively presumed that such injury or disease was not a substantial factor in causing death, if at the time of the marriage there existed no resultant pensionable disability from such injury or disease.

(iv) that a pension shall be paid in the case of a member of the forces who has married prior to the coming into force of this Act and who fails to apply to the Commission for a certificate showing that any pensionable injury or disease from which he was suffering at the time of the marriage would not in the opinion of the Commission result in death and who subsequently dies of a pensionable disability if at the time of the marriage the condition of such member of the forces was such that the prospective wife after making reasonable enquiries would not anticipate that the injury or disease would be a substantial factor in causing death; provided, however, that it shall be conclusively presumed that such injury or disease was not a substantial factor in causing death, if at the time of the marriage, there existed no resultant pensionable disability from such injury or disease."

26. Subsection two of section thirty-two of the said Act is repealed and the following is substituted therefor:—

Widow of pensioner. Classes 1 to 5.

"2. Subject to subsection one of this section, the widow of a pensioner who has died and who at the date of his death was in receipt of a pension in any of classes one to five mentioned in Schedule A of this Act, or who, except for the provisions of subsection one of section twenty-nine of this Act, would have been in receipt of a pension in one of the said classes, shall be entitled to a pension as if he had

26. The purpose of the change is to remedy the obvious injustice of taking away rights which would have arisen apart from the case being one requiring institutional treatment.

died on service whether his death was attributable to his service or not, provided that the death occurs within ten years after the date of retirement or discharge or the date of commencement of pension."

27. Subsection three of section thirty-two of the said Act is repealed and the following is substituted therefor:—

Pension to unmarried wife at discretion of Commission.

"3. A woman who, although not married to the member of the forces, was living with him in Canada at the time he became a member of the forces and for a reasonable time previously thereto, and who, at such time, was publicly represented by him as his wife may, in the case of his death and in the discretion of the Commission, be awarded a pension equivalent to the pension she would have received had she been his legal widow, and the Commission may also award a pension if, in its opinion, an injustice would be done by not recognizing a woman as the wife of a member of the forces although there is no evidence that she had been publicly represented by him as his wife. Provided that such woman shall not be refused a pension for which she would have been eligible under the provisions hereof if she had remained unmarried, by reason only of her having married the member of the forces with whom she had been living as aforesaid."

28. Subsection *(a)* of section thirty-seven of the said Act is repealed and the following is substituted therefor:—

Where parents not wholly or substantially dependent, date to be fixed.

"*(a)* in the case in which a pension is awarded to a parent or person in place of a parent who was not wholly or to a substantial extent maintained by the member of the forces at the time of his death, in which case the pension shall be paid from a day to be fixed in each case by the Commission."

29. Subsection four of section fifty of the said Act is repealed and the following is substituted therefor:—

Term of office.

"4. Of the members first appointed to the Board, other than the Chairman, one-half shall be appointed for a term of two years and the other for a term of three years, and they shall be eligible for reappointment for such further terms of two or three years as the Governor in Council may deem advisable."

30. Section fifty of the said Act is further amended by adding thereto the following subsections:—

Federal Appeal Board.

"10. Such officers, clerks and other employees as may be required for the proper discharge of the work of the Board shall be furnished by the Department and the salaries of all such officers, clerks and other employees,

Officers, clerks, and employees.

27. Pension in discretion of Commission in certain cases.

28. The words underlined are added to bring the section into line with other sections of the Act.

29. The words underlined are substituted for the words "not to exceed five years" in the present Act.

30. Subsections 10 and 11 are added to comply with present procedure.

together with all other expenses incidental to the carrying out of the work with which the Board is charged shall be paid by the Department and shall be charged against the salary or other appropriations of the Department.

Reports.

11. The Board shall furnish the Minister with such reports, statements and information as he may at any time require and such reports as the Minister may determine shall be embodied in the Annual Report of the Department."

31. Subsection one of section fifty-one of the said Act is repealed and the following is substituted therefor:—

Conditions governing appeals.

"**51.** Upon the evidence and record upon which the Commission gave its decision an appeal shall lie to the Board in respect of any refusal of pension by the Commission; Provided—

(a) that the Board shall have no jurisdiction to assess the extent of any disability in respect of which an appeal is made or to determine the amount of pension which should be awarded;

(b) that there shall be no appeal in cases where by the terms of this Act it is expressly provided that the Commission shall have discretion in respect of an application made to it and the refusal of pension is made in the exercise of such discretion;

(c) that if the medical classification of the injury or disease resulting in disability or death in respect of which an application has been refused by the Commission is considered by the Board to be in error, the Board shall, before issuing judgment, communicate in writing to the Commission its reasons for considering such medical classification to be in error, whereupon the dispute as to the medical classification shall be referred by the Commission to a board consisting of three medical experts, one to be named by the Commission, another to be named by the Board, and the third to be agreed upon by the two as named, and in the event of their failure to agree, to be named by the Minister, which board of experts shall be requested to determine the medical classification to be acted upon by the Commission in rendering its decision. If, upon the medical classification so determined, pension is refused by the Commission, the Board shall give the

31. The repealed subsection reads as follows:—

"**51.** Upon the evidence and record upon which the Commission gave its decision an appeal shall lie in respect of any refusal of pension by the Commission on the ground that the injury or disease or aggravation thereof resulting in disability or death was not attributable to or was not incurred during military service."

By the new subsection the powers of the Federal Appeal Board are enlarged to allow appeals against any refusal of pension by the Board of Pension Commissioners with a proviso that the Federal Appeal Board cannot assess the extent of the disability nor hear appeals in cases where the Commission's decision is based on discretionary powers expressly vested in it by the Act. Provision is also made for reference to a committee of experts if there is disagreement in respect of diagnosis.

appeal such further consideration as it may deem necessary, and issue its judgment on the medical classification determined as hereinbefore provided."

32. Subsections four to eight of section fifty-one of the said Act are repealed and the following are substituted therefor:—

Time allowed for appeals.

"4. Any person desiring to appeal from a decision of the Commission may do so by notice thereof in writing delivered to the Department or to the Board on or before the thirty-first day of December, A.D. 1928, or within two years from the date of the decision complained of.

Finality of appeals and reconsideration and appeal upon newly discovered evidence.

5. The decision of the Board on such appeal shall be final and shall be binding upon the applicant and upon the Commission, provided that if before the 31st day of December A.D. 1928, or within one year from the date of the decision of the Board upholding a refusal of pension by the Commission the applicant submits newly discovered evidence which, in the opinion of the Commission, raises a reasonable doubt of the correctness of the decision, the Commission shall reconsider the case and if pension is again refused the applicant shall have the right of a second appeal to the Board whose decision on such second appeal shall be final and shall be binding upon the applicant and upon the Commission.

Expenses of appellant. Right of attendance.

6. In accordance with such regulations as may be made by the Governor in Council in that behalf an applicant may be allowed the expenses incurred by him in attending at the hearing of his appeal and both the applicant and the Commission shall be entitled to appear at such hearing by

Counsel.

counsel or other representative, but no allowance shall be made for the payment of any fee or remuneration to any counsel or representative so appearing other than the Official Soldiers' Adviser appointed by the Department.

Signatures to judgments of Federal Appeal Board, and information to be contained therein.

7. Every judgment rendered by the Board shall be signed by the Chairman or presiding member of the Board and the Secretary and shall contain the following information:—

(i) the name or names of the member or members of the Board who heard the appeal;

(ii) the medical classification of the injury or disease causing the disability or death in respect of which the appeal was made;

(iii) the medical classification of the injury or disease causing the disability or death in respect of which the appeal is allowed or disallowed as the case may be;

32. The repealed subsections read as follows:—

"4. The right of appeal shall be open for two years after the appointment of the Federal Appeal Board by the Governor in Council, or for one year after the decision complained of, whichever may be the later.

5. An applicant shall be entitled to only one appeal upon the grounds or any of them set forth in subsection one of this section.

6. The decision of the Federal Appeal Board thereon shall be final and shall be binding upon the applicant and upon the Commission:

Provided that if within one year after a decision by the Federal Appeal Board upholding a refusal of pension by the Commission or within one year after the fourteenth day of April, one thousand nine hundred and twenty-seven, whichever is the later, the applicant submits newly discovered evidence which, in the opinion of a majority of the Commission, establishes a reasonable doubt as to the correctness of the previous decision, the Commission shall reconsider such case, and if refusal of pension be confirmed, the applicant shall have the right of a second appeal to the Federal Appeal Board and its decision thereon shall be final and shall be binding upon the applicant and upon the Commission.

7. Every applicant and the Board of Pension Commissioners for Canada or its representative shall have the right to attend in person, at any and all sittings for the purpose of hearing an appeal held by the Board or by a member thereof, under such conditions as to the payment of an applicant's expenses thereby incurred as may be fixed by regulation of the Governor in Council, and the applicant may if he so desires, but at his own expense, be assisted thereat, by counsel or representative other than the official Soldier Adviser appointed under the Department of Soldiers' Civil Re-establishment Act.

8. Any judgment rendered by the Federal Appeal Board shall be signed by the Chairman or presiding member of the Board and the Secretary and shall contain the following information:—

(i) The name or names of the member or members of the Board who heard the appeal;

(ii) The medical classification of the injury or disease causing the disability in respect of which the appeal has been made;

(iii) The medical classification of the injury or disease causing the disability in respect of which the appeal is allowed or disallowed as the case may be;

(iv) If the appeal is allowed, whether the injury or disease resulting in disability or death was attributable to or incurred during military service or whether it pre-existed enlistment and was or was not aggravated during military service.

Exchequer Court.

8. Any dispute as to the jurisdiction of the Board to entertain and determine appeals from refusal of pension by the Commission shall be referred by the Department to the Exchequer Court for determination."

—

Schedule A.

33. The following addition is made to Schedule A to the said Act:—

Class 21.

"Class 21—Disabilities below 5%—All ranks—A final payment not exceeding $100."

34. The following section is added to the said Act as section fifty-four thereof:—

Office consolidations.

"**54.** The Department shall from time to time prepare an office consolidation of this Act for distribution but no such office consolidation shall operate so as to vary or affect the operation of the provisions of the Act as passed and amended by Parliament."

(iv) If the appeal is allowed, whether the injury or disease resulting in disability was attributable to or was incurred during military service or pre-existed enlistment and was aggravated during service."

4. The time limit for the lodgment of appeal is extended on all cases to the 31st December, 1928, or two years after the decision complained of.

5. By this subsection the time limit for submission of new evidence is extended from the 14th April, 1928, to the 31st December, 1928 in cases barred by the one year limit. The other changes are indicated by the words underlined and merely clarify the phraseology.

6. This subsection makes no change but is more clearly expressed than in the repealed subsection.

7. In this subsection the changes are indicated by the words underlined. The words "or death" should have been included when the repealed subsection was first drawn.

8. This subsection is new and is self-explanatory.

33. A provision to the same effect as that proposed was included in the Schedule as originally passed in 1919, but was inadvertently omitted when the Schedule was re-enacted in 1925.

34. This provision is advisable owing to the number of untrained persons who must consult the Act and to whom it is of little advantage to be furnished with prints of the Act as originally passed or consolidated and of the amending Acts adopted from time to time.

Second Session, Sixteenth Parliament, 18-19 George V, 1928

THE HOUSE OF COMMONS OF CANADA

BILL 290.

An Act to amend the Returned Soldiers' Insurance Act.

First reading, May 8, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62668 1928

2nd Session, 16th Parliament, 18-19 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 290.

An Act to amend the Returned Soldiers' Insurance Act.

1920, c. 54, 1921, c. 52, 1922, c. 42, 1923, c. 67.

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

Payments in case of disability not due to war.

1. Subsection five of section three of the *Returned Soldiers' Insurance Act*, chapter fifty-four of the statutes of 1920 is amended by inserting after the word "Act" in the sixth line thereof the words "or the pension law of the United Kingdom, or of any of His Majesty's dominions (other than the Dominion of Canada), or of His Majesty's government, or of any of His Majesty's Allies or Associated Powers in the Great War, or so as to entitle him to pay and allowances on account of war disability."

Time extended for applications.

2. Section twenty of the said Act, as amended by section three of chapter forty-two of the statutes of 1922, is repealed and the following is substituted therefor:—

"**20.** Applications for insurance may be received under this Act on and after the first day of July, nineteen hundred and twenty-eight, up to and including the thirtieth day of June, nineteen hundred and thirty-three, but shall not be received thereafter."

Applications with no reasonable expectation of life.

3. The schedule to chapter forty-two of the statutes of 1922 is amended by striking out paragraphs *(a)*, *(b)*, *(c)* and *(d)* from Class III and substituting therefor the words "Applications are to be refused."

1. This subsection reads as follows:—

"(5) The contract may also provide that if the insured becomes totally and permanently disabled and rendered incapable of pursuing continuously any substantially gainful occupation, and if such disability is not deemed to be attributable to his service so as to bring him under the provisions of The Pension Act, the premiums thereafter falling due under the contract shall be waived and the insured shall be entitled to receive as a disability benefit an annual payment not exceeding one-twentieth of the sum insured, the said benefit to continue during the life-time of the insured but not to exceed twenty such payments in all; and that if the insured dies before the twentieth such payment has been made the balance of the sum assured shall be payable as a death benefit, in accordance with the provisions of this section."

2. It was strongly represented to the Special Committee by returned soldiers' organizations that their members, and returned soldiers generally, should again be afforded the opportunity of applying for and receiving insurance under the provisions of The Returned Soldiers' Insurance Act under which no applications have been receivable since September 1st, 1923.

The evidence adduced before the Committee clearly shows that this insurance has proved of great benefit to returned soldiers and their dependents, especially those provisions covering what are known as sub-standard risks.

3. These paragraphs read as follows:—

"*Class III*—APPLICATIONS FROM PERSONS IN SO SERIOUS A CONDITION OF HEALTH THAT THEY HAVE NO REASONABLE EXPECTATION OF LIFE.

(a) An applicant with dependents so seriously ill with a pensionable disability that he has no expectancy of life.

Applications are to be accepted and insurance paid, provided death does not occur before approval of the application for issue of the policy.

(b) An applicant without dependents so seriously ill from a pensionable disability that he has no expectancy of life.

Applications are to be refused.

(c) An applicant with dependents, so seriously ill from a disability that is not pensionable that he has no expectancy of life.

Applications are to be refused.

(d) An applicant without dependents, so seriously ill from a disability that is not pensionable that he has no expectancy of life.

Applications are to be refused."

Second Session, Sixteenth Parliament, 18-19 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 291.

An Act to amend the Department of National Revenue Act.

First reading, May 8, 1928.

The MINISTER OF NATIONAL REVENUE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58450 1928

2nd Session, 16th Parliament, 18-19 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 291.

An Act to amend the Department of National Revenue Act.

R.S., c. 137.

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

1. Section three of the *Department of National Revenue Act*, chapter one hundred and thirty-seven of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsections,—

Minister may nominate certain officers.

"(4) The Minister may, after such examination as he may prescribe, select and nominate suitable persons for appointment by the Civil Service Commission, to positions appertaining to any of the following classes of officers,—

(a) Customs appraisers of all classes whether serving at the various ports and places of entry or as Dominion appraisers;

(b) All officers in the Customs-Excise preventive service;

(c) All officers assigned to duty as investigators of values and claims for drawback.

Appointment of officers.

If such appointment is not made by the Commission within fifteen days from the date of notice to it of such selection and nomination, the Governor in Council may, on the recommendation of the Minister appoint during pleasure any such officer.

Payment of salaries.

The officers so appointed by the Commission or by the Governor in Council, as the case may be, shall be paid such salaries or remuneration in accordance with civil service regulations as may be determined by the Commission or the Governor in Council respectively, and the Minister may appoint the times and manner in which the same shall be paid.

EXPLANATORY NOTE.

These amendments are recommended by the Royal Commission on Customs and Excise.

Exception as to officers and employees on Preventive Service vessels.

Provided, however, that the Minister may, after such examination as he may prescribe, select and appoint during pleasure and may remove or suspend all masters, officers and seamen, and every other person engaged or employed on cruisers or other vessels used in the Preventive Service, and all officers and persons so appointed shall be paid such salaries or remuneration at such time and in such manner as the Minister may determine.

Gratuity in lieu of leave on retirement.

"(5) Whenever any officer in the service of the Department may be granted a period of leave of absence with pay on his retirement from the service, he shall, in lieu of such leave of absence with pay, be paid out of the Consolidated Revenue Fund, a gratuity equal to the amount of pay which he would have received if he had been granted such leave of absence, and the position occupied by him shall become vacant as from the date of such payment.

Transfer of officers.

"(6) The Civil Service Commission may on the recommendation of the Minister at any time when deemed by the Minister desirable for the betterment of the service, transfer any Collector or Surveyor of Customs and Excise or any Appraiser of Customs from one position to another.

If such transfer is not authorized or approved by the Commission within fifteen days from the date of the Minister's recommendation, the Governor in Council may on the recommendation of the Minister authorize such transfer.

Effect notwithstanding other law.

"(7) The provisions of subsections four and six of this section shall have effect notwithstanding the provisions of the *Civil Service Act* or any other law."

Second Session, Sixteenth Parliament, 18–19 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 321.

An Act to amend the Income War Tax Act.

First reading, May 18th, 1928.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
63683 1928

2nd Session, 16th Parliament, 18-19 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 321.

An Act to amend the Income War Tax Act.

1927, R.S., c. 97.

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

1. The *Income War Tax Act*, chapter ninety-seven of the Revised Statutes of Canada, 1927, is amended by adding to section eighty thereof the following subsection:—

Information or complaint within three years.

"(2) Any information or complaint with respect to any offence against the provisions of this section, whenever the prosecution, suit or proceeding is instituted under the provisions of the *Criminal Code* relating to summary convictions, may be laid or made within three years from the time when the matter of the information or complaint arose."

Date of coming into force.

2. This Act shall be deemed to have come into force on the first day of January, one thousand nine hundred and twenty-six, so that, notwithstanding any other provision relating to the prosecution of offences, any offence against the provisions of section eighty of the *Income War Tax Act* committed after the first day of January, one thousand nine hundred and twenty-six, shall be punishable within three years from the time when the matter of the information or complaint arose.

Explanatory Notes.

Section 80 of the Income War Tax Act, R.S., 1927, is as follows:—

"**80.** Any person making a false statement in any return or in any information required by the Minister, shall be liable on summary conviction to a penalty not exceeding ten thousand dollars or to six months' imprisonment, or to both fine and imprisonment."

Section 1142 of the Criminal Code is in part as follows:—

"**1142.** In the case of any offence punishable on summary conviction, if no time is specially limited for making any complaint or laying any information in the act or law relating to the particular case, a complaint shall be made, or the information shall be laid, within six months from the time when the matter of the complaint or information arose," etc.

The object of this Bill is to extend the six months' limitation to three years.

The volume of files and information to be examined precludes in a large measure the discovery of fraud until after six months from the time when the offence was committed, i.e. the filing of the false return. The discovery of the false return is not part of the offence. The offence is complete when the return is filed, hence the necessity of the amendment.

Second Session, Sixteenth Parliament, 18-19 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 359.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1929.

AS PASSED BY THE HOUSE OF COMMONS, 11th JUNE, 1928.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56929 1928

2nd Session, 16th Parliament, 18-19 George V, 1928

THE HOUSE OF COMMONS OF CANADA.

BILL 359.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1929.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency the Right Honourable Viscount Willingdon, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-nine, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 3*, 1928.

$185,852,183.55 granted for 1928-29.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one hundred and eighty-five million, eight hundred and fifty-two thousand, one hundred and eighty-three dollars and fifty-five cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-eight to the thirty-first day of March, one thousand nine hundred and twenty-nine, not otherwise provided for, and being five-sixths of the amount of each of the several items, less deductions, set forth in Schedule A to this Act.

$47,156,644.50 granted for 1928-29.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole forty-seven million, one hundred and fifty-six thousand, six hundred and forty-four dollars and fifty cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-eight, to the thirty-first day of March, one thousand nine hundred and twenty-nine, not otherwise provided for and set forth in Schedule B to this Act.

$11,468,811.91 granted for 1928-29.

4. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eleven million, four hundred and sixty-eight thousand, eight hundred and eleven dollars and ninety-one cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-eight, to the thirty-first day of March, one thousand nine hundred and twenty-nine, not otherwise provided for, and set forth in Schedules C and D to this Act.

Declaratory as to certain loans authorized but not raised.

5. And whereas there remained on the thirty-first day of March, one thousand nine hundred and twenty-eight, unborrowed and negotiable of the loans authorized by Parliament for the construction of public works and for general purposes, the following sum:—

For public works and general purposes $177,670,542.57.

And whereas it is necessary to make provision for retiring maturing loans raised for war or demobilization purposes and other maturing loans and obligations of Canada;

Such sums may be raised under R.S., c. 24.

Therefore it is declared and enacted, that the Governor in Council may authorize the raising of the sum above mentioned as required for the purpose of retiring maturing loans raised for war or demobilization purposes and other maturing loans and obligations of Canada, and for public works and general purposes aforesaid, respectively, under the provisions of the Consolidated Revenue and Audit Act, and the sum so raised shall form part of the Consolidated Revenue Fund, out of which like sums shall be applicable to the several purposes aforesaid, under the Acts and provisions thereunto relating respectively.

Account to be rendered in detail.

6. 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.

SCHEDULE A.

Based on the Main Estimates, 1928-29. The amount hereby granted is $185,852,183.55, being five-sixths of the amount of each item in the Estimates as contained in this Schedule, less deduction of $20,000 in the tenth item of Resolution No. 127, Ottawa Post Office; of $12,000 in the thirty-fifth item of Resolution No. 138, Port Stanley; of $4,000 in the thirteenth item of Resolution No. 141, Gillies Bay; of $100,000 in the twenty-second item of Resolution No. 137, Ellis Bay; and of $1,950 in the third item of Resolution No. 36, Contingencies.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1929, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	CHARGES OF MANAGEMENT	$ cts.	$ cts.
1	Offices of the Assistant Receivers General—		
	Salaries	124,600 00	
	Contingencies	10,000 00	
	Printing, signing, sealing and macerating Dominion notes	500,000 00	
	Printing, advertising, inspection, express, etc	110,000 00	
	Commission for payment of interest on Public Debt, purchase of Sinking Funds, auditing	105,000 00	
	English Bill Stamps, postage, etc	2,500 00	
	To provide for temporary clerical work in connection with the transfer and registration of bonds, etc., and the flotation of loans, and authority for these purposes to employ a temporary staff, fix their rates of remuneration and otherwise wholly regulate their services, without reference to and notwithstanding anything contained in the Civil Service Act; and also to pay additional remuneration to any employee engaged in connection with the flotation and redemption of loans for work done outside of prescribed hours, at such rates as the Treasury Board may approve	56,020 00	
	To provide for the salary at $3,670 per annum, of a special investigating officer under the direction of the Department of Finance, with the power to administer oaths in the performance of his duties, and also to provide for contingent expenses of this service a further sum of $2,500.00	6,170 00	
			914,290 00
	CIVIL GOVERNMENT		
2	Office of the Secretary to the Governor General—		
	Salaries	35,225 00	
	Contingencies, including house allowance of $1,500 per annum to Secretary to the Governor General	72,500 00	
3	Agriculture—		
	Salaries	829,525 00	
	Contingencies	140,000 00	
4	Auditor General's Office—		
	Salaries, including the Auditor General at $10,000 additional to 7-8 Edward VII, Chap. 6	363,715 00	
	Contingencies	65,000 00	
5	Civil Service Commission—		
	Salaries	210,715 00	
	Contingencies	45,000 00	
6	External Affairs—		
	Salaries	111,310 00	
	Contingencies	33,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
	CIVIL GOVERNMENT—*Continued*	$ cts.	$ cts.
7	Finance—		
	Salaries	416,000 00	
	Contingencies	40,000 00	
	Inspector General of Banks, Salaries and Contingencies	30,000 00	
8	Health—		
	Salaries	190,727 50	
	Contingencies	60,000 00	
9	High Commissioner's Office—		
	Salaries, including High Commissioner, additional to salary authorized by chap. 92, R.S.C., $2,000	39,600 00	
	Contingencies	70,000 00	
10	Immigration and Colonization—		
	Salaries	305,570 00	
	Contingencies	45,000 00	
11	Indian Affairs—		
	Salaries	171,992 50	
	Contingencies	20,000 00	
12	Insurance—		
	Salaries	93,880 00	
	Contingencies	59,000 00	
13	Interior—		
	Salaries	1,489,985 00	
	Contingencies, including $3,110.50 to provide for salary, bonus and flat increase of Roy C. Finnie from the 1st April, 1924 to the 31st March, 1926	93,110 50	
14	Justice—		
	Salaries	265,190 00	
	Contingencies, including the Solicitor General's Office	37,500 00	
15	Labour—		
	Salaries	251,345 00	
	Contingencies	20,000 00	
16	Marine and Fisheries—		
	Salaries	529,615 00	
	Contingencies	85,000 00	
17	Mines—		
	Salaries	612,160 00	
	Contingencies	6,700 00	
18	National Defence—		
	Salaries	729,755 00	
	Contingencies	60,000 00	
19	National Revenue—		
	Salaries, including appointment of Miss Ellen Kerr at $1,860, notwithstanding anything contrary in the Civil Service Act	698,870 00	
	Contingencies	40,000 00	
20	Post Office—		
	Salaries, including amount required to pay allowance to Office Appliance Operators, Grade 2, operating Hollerith Card Punching Machines in accordance with provisions of Order in Council P.C. 156/2521, dated 24th December, 1923	1,345,379 00	
	Contingencies	195,000 00	
21	Privy Council—		
	Salaries	54,200 00	
	Contingencies	7,000 00	
22	Public Archives—		
	Salaries	74,980 00	
	Contingencies	18,000 00	
23	Public Printing and Stationery—		
	Salaries, including $500 to Fred Cook as Secretary to the Government Printing and Stationery Committee, notwithstanding anything to the contrary in the Civil Service Act	80,190 00	
	Contingencies	15,000 00	
24	Public Works—		
	Salaries	688,535 00	
	Contingencies	75,000 00	
25	Railways and Canals—		
	Salaries	272,285 00	
	Contingencies	38,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CIVIL GOVERNMENT—*Concluded*		
26	Royal Canadian Mounted Police—		
	Salaries	47,320 00	
	Contingencies	8,400 00	
27	Secretary of State—		
	Salaries	319,110 00	
	Contingencies	59,500 00	
28	Soldiers' Civil Re-establishment—		
	Salaries	14,920 00	
29	Trade and Commerce—		
	Salaries	540,085 00	
	Contingencies	30,000 00	
			12,249,894 50
	ADMINISTRATION OF JUSTICE		
30	Miscellaneous expenditure	10,000 00	
	Living allowance for judge of Atlin District, B.C.	1,200 00	
	Supreme Court of Canada		
31	Contingencies and disbursements, including books, magazines, etc., for judges, not exceeding $300	7,500 00	
	Law books and books of reference for Library, and binding of same	10,000 00	
	Printing, binding and distributing Supreme Court Reports	7,000 00	
	Exchequer Court of Canada		
32	Contingencies—Judges and Court officials' travelling expenses, remuneration to sheriffs, etc., printing, stationery, etc., and $150 for judges' books	8,000 00	
	Printing, binding and distributing Court Reports	2,000 00	
	Yukon Territory		
33	Miscellaneous expenditure, including living allowance of judge, salaries and allowances of court officers, etc.	12,000 00	
			57,700 00
	PENITENTIARIES		
34	Kingston	453,472 00	
	St. Vincent de Paul	424,660 00	
	Dorchester	261,580 00	
	Manitoba	230,180 00	
	British Columbia	170,080 00	
	Alberta	3,120 00	
	Saskatchewan	266,580 00	
	General	1,400 00	
			1,811,072 00
	LEGISLATION		
	SENATE		
35	Salaries and contingent expenses	169,715 00	
	HOUSE OF COMMONS		
36	Salaries including the organization and reclassification as approved by the House on the 11th May, 1928	242,800 00	
	Expenses of Committees, clerical assistance, etc.	101,950 00	
	Contingencies	*48,725 00	
	Publishing debates	60,000 00	
	Estimates of Sergeant-at-Arms including the organization and reclassification as approved by the House on the 11th May, 1928	187,711 10	
	LIBRARY OF PARLIAMENT		
37	Salaries	47,710 00	
	Books for the General Library, including binding	18,000 00	
	Books for the Library of American History	1,000 00	
	Contingencies	12,000 00	
	To provide for the cost of printing reports	1,000 00	

*Deduction, $1,950.00, being the amount estimated to provide for the purchase of 650 copies of the Canadian Parliamentary Guide.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LEGISLATION—*Concluded*		
	GENERAL		
38	Printing, printing paper and binding	75,000 00	
			965,611 10
	AGRICULTURE		
39	Dairying, including grant of $5,000 to the National Dairy Council	265,000 00	
40	Cold Storage Warehouses	30,000 00	
41	Fruit, including grant of $8,000 to the Canadian Horticultural Council	290,000 00	
42	Seed, Feed and Fertilizer Control, including grants to Seed Fairs, etc	375,000 00	
43	For experiments in dehydration of fruits and vegetables	10,000 00	
44	Live Stock, including grants to exhibitions, feeder shows, etc	1,480,000 00	
45	Experimental Farms, including necessary new buildings	1,900,000 00	
46	Health of Animals, administration of the *Animal Contagious Diseases Act* and *Meat and Canned Foods Act*, and necessary buildings	2,270,000 00	
47	Entomology	25,000 00	
48	Administration of *Destructive Insect and Pest Act*, and necessary buildings	500,000 00	
49	Publications	24,000 00	
50	International Institute of Agriculture	13,500 00	
51	Salary and expenses of Agricultural Produce Marketing Agent in Great Britain	15,000 00	
52	Grant to the Executive of the World's Poultry Congress to meet expenditures in connection with the World's Poultry Congress, 1927	25,000 00	
53	Grant to the Department of Agriculture, Province of Nova Scotia, to apply on the amortization of the debt against the Science Building at the Agricultural College, Truro, N.S.	20,000 00	
54	Grant to the Department of Agriculture, Province of New Brunswick, to apply on the amortization of the debt against the Short Course School at Fredericton, N.B	5,000 00	
			7,247,500 00
	IMMIGRATION AND COLONIZATION		
55	Immigration Outside Service—Salaries	895,000 00	
56	Immigration Contingencies and General Expenses, including grants to Immigration Societies, Women's Hostels, Provinces, and loans for stock and equipment for Canadian boys, as may be authorized by the Governor General in Council	1,300,000 00	
57	Empire Settlement Scheme, including grants to Immigration Societies, Women's Hostels, etc., as may be authorized by the Governor General in Council	1,000,000 00	
58	Chinese Immigration—Salaries and Contingencies	65,000 00	
59	Relief of Distressed Canadians outside of Canada	4,500 00	
60	Buildings at St. John, N.B	18,500 00	
			3,283,000 00
	DEPARTMENT OF HEALTH		
61	The administration of the Acts respecting Food and Drugs, Honey, Maple Products, Opium and Narcotic Drugs and Proprietary or Patent Medicines	130,000 00	
62	Pollution of Inland Waters	12,000 00	
63	Marine Hospitals, including burial expenses of destitute deceased mariners and grants to Institutions assisting sailors	210,000 00	
64	Quarantine:—Salaries and Contingencies of organized districts: Public Health in other districts; Tracadie and Bentinck Island Lazarettoes, Leprosy generally and Public Works Health Act	200,000 00	
65	Immigration Medical Inspection	270,000 00	
66	Laboratory of Hygiene	5,000 00	
67	Venereal Diseases	100,000 00	
			927,000 00

No. of Vote	Service	Amount	Total
		$ cts.	$ cts
	PENSIONS		
68	Annuity to Dr. F. G. Banting	7,500 00	
69	Annuity to Dr. Charles E. Saunders	5,000 00	
	Pensions to—		
70	The unmarried sister of the late Col. Harry Baker, M.P.	700 00	
71	J. Langlois Bell	600 00	
72	Captain J. E. Bernier	2,400 00	
73	James Elliott	672 00	
74	Mrs. Wm. McDougall	1,200 00	
75	Alice Morson Smith	600 00	
76	J. L. Weller	3,500 00	
77	Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885	970 90	
78	Families of members of the Force who lost their lives while on duty—		
	Mrs. Mary Emma Bossange	456 25	
	Mrs. Margaret Johnson Brooke	821 25	
	Mrs. Margaret Cox	500 63	
	Mrs. Elizabeth Fitzgerald	525 00	
	Mrs. Myrtle L. Richards	900 00	
	Mrs. Amy Lillian Searle	406 98	
	Mrs. Elizabeth Wilmett	54 75	
	Mrs. Caroline Elizabeth McIllree	341 25	
	Mrs. Letitia Kennedy	423 50	
79	Pensions payable to Militiamen on active service, Northwest Rebellion, 1885 and general pensions	35,000 00	
	Pensions—		
80	Civil Flying	5,000 00	
81	European War and Active Militia	39,000,000 00	
82	Salaries and contingent expenses of the Board of Pension Commissioners for Canada	91,340 00	
			39,158,912 51
	SUPERANNUATION		
83	To provide for retiring allowances to former employees of the Department of Public Printing and Stationery	.....	18,500 00
	NATIONAL DEFENCE		
	MILITIA SERVICES		
84	Administration	317,000 00	
85	Cadet Services	500,000 00	
86	Contingencies	40,000 00	
87	Engineer Services and Works	800,000 00	
88	General Stores	891,800 00	
89	Manufacturing Establishments	587,000 00	
90	Non-Permanent Active Militia	2,315,000 00	
91	Permanent Force	4,950,000 00	
92	Royal Military College	375,000 00	
93	Topographic Survey	45,000 00	
94	Transport and Freight	215,000 00	
		11,035,800 00	
	NAVAL SERVICES		
95	Naval Service—To provide for the maintenance of the ships and establishments of the Naval Service, including the Royal Canadian Navy, the Royal Canadian Naval Reserve and the Royal Canadian Naval Volunteer Reserve	2,725,000 00	
		2,725,000 00	
	AIR SERVICES		
96	Royal Canadian Air Force—All expenses in connection with the general maintenance and training of the Royal Canadian Air Force, and the Auxiliary and Reserve Air Force, including training personnel for Civil Air Operations	1,669,694 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL DEFENCE—*Concluded*		
	AIR SERVICES—*Concluded*		
97	Civil Air Operations—Flying operations for Civil Government Departments in connection with aerial photographic surveys forestry patrols, forestry and grain pests, transportation, etc.; control of civil aviation, establishing air routes, aerodromes and airship bases, aeronautical engineering, etc.....	3,195,037 00	
		4,864,731 00	
	GENERAL		
98	*Civil Pensions*—		
	Life Pension to Robert Allen.....	269 52	
	Life Pension to Walter Pettipas.....	515 90	
	Life Pension to Florence Walker and children.....	630 00	
	Miscellaneous—		
99	Construction of Magazines, etc., Halifax.....	100,000 00	
		101,415 42	
			18,726,946 42
	RAILWAYS AND CANALS		
	(Chargeable to Capital)		
	RAILWAYS		
100	Hudson Bay Railway and Terminal: Construction and Betterments, including E. B. Jost at $2,500.....	6,500,000 00	
		6,500,000 00	
	CANALS		
101	Trent Canal—		
	Construction and Betterments.....	13,500 00	
102	Welland Ship Canal—Construction.....	13,750,000 00	
		13,763,500 00	
			20,263,500 00
	RAILWAYS AND CANALS—*Concluded*		
	(Chargeable to Income)		
	CANALS		
103	Ontario-St. Lawrence Canals—Improvements.....	17,500 00	
104	Port Colborne Elevator—Improvements.....	24,400 00	
	Quebec Canals—		
105	Bakers Dam—Improvements.....	27,000 00	
106	Carillon-Grenville—Improvements.....	3,500 00	
107	Chambly—Improvements.....	45,000 00	
108	Lachine—Improvements.....	54,600 00	
109	St. Annes Lock—Improvements.....	7,500 00	
110	St. Ours Lock—Improvements.....	50,000 00	
111	Soulanges—Improvements.....	3,200 00	
112	Trent Canal—Improvements.....	269,600 00	
113	Welland Canal—Improvements.....	35,500 00	
		537,800 00	
	MISCELLANEOUS		
114	Arbitrations and Awards.....	2,000 00	
115	Board of Railway Commissioners for Canada, maintenance and operation.....	287,100 00	
116	Governor General's Cars.....	2,500 00	
117	Miscellaneous Services, including salaries and expenses of experts employed temporarily.....	38,000 00	
118	Miscellaneous works not provided for.....	1,000 00	
119	Printing and Stationery.....	7,000 00	
120	Surveys and Inspections—Canals, including salaries and expenses of experts employed temporarily.....	10,000 00	
		347,600 00	
			885,400 00

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS		
	(Chargeable to Capital)		
	PUBLIC BUILDINGS		
121	Ottawa—New Departmental Building	500,000 00	
	Ottawa—Parliament Building	130,000 00	
	Ottawa—National Research Council laboratories	750,000 00	
		1,380,000 00	
	HARBOURS AND RIVERS		
122	Esquimalt, B.C.—Dry Dock	55,000 00	
	Port Arthur and Fort William—Harbour improvements	250,000 00	
	Quebec Harbour—Champlain Dock—To complete	120,000 00	
	Sorel—Harbour improvements	410,000 00	
	Toronto—Harbour improvements	15,000 00	
	Lower Lakes Terminal	1,500,000 00	
		2,350,000 00	
			3,730,000 00
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)		
	PUBLIC BUILDINGS		
	Nova Scotia		
123	Halifax—Immigration Building—Payment to Department of Railways and Canals for accommodation	25,000 00	
	Halifax—Repairs to buildings and wharfs at R.C.N. Barracks and H.M.C. Dockyard	45,000 00	
	Halifax—Rockhead Hospital—Repairs and improvements	5,700 00	
	North Sydney Public Building—Addition	7,500 00	
	Truro—Tractor for postal purposes	1,300 00	
		84,500 00	
	New Brunswick		
124	St. John Quarantine Station—Partridge Island—Repairs and improvements	13,600 00	
	Maritime Provinces Generally		
125	Dominion Public Buildings—Improvements, repairs, etc	43,000 00	
	Quebec		
126	Baie St. Paul—Public building	9,000 00	
	Chicoutimi Public Building—Addition	3,500 00	
	Dominion Public Buildings—Improvements, repairs, etc	102,000 00	
	Drummondville Public Building—Addition	5,000 00	
	Kenogami—Public building	2,500 00	
	Limoilou—Public building	4,500 00	
	Maisonneuve—Public building	125,000 00	
	Mont Laurier—Public building	3,000 00	
	Montreal—New Examining Warehouse—Alterations and improvements	10,000 00	
	Montreal—Postal terminal building	650,000 00	
	Montreal—Craig St. Drill Hall—Government's share of cost of local improvements	1,742 00	
	Montreal—Postal Station in Outremont Division	53,000 00	
	Montreal—St. Henri Postal Station—Fittings, etc	1,500 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Continued*		
	Quebec—Concluded		
	Montreal—Towards purchase of Lavut Building for Postal Station "G"	14,005 00	
	Montreal—Old Examining Warehouse—Reconstruction	50,000 00	
	Quebec Citadel—Governor General's Quarters—Additions, alterations and improvements	150,000 00	
	Quebec—Savard Park Hospital—Repairs, alterations and addition	75,000 00	
	St. Jacques L'Achigan—Public building	9,000 00	
	Ste. Therese Public Building—Repairs and improvements	900 00	
	Waterloo—Public building	22,000 00	
	Westmount—Armoury	13,000 00	
		1,304,647 00	
	Ontario		
	Dominion Public Buidlings—Improvement, repairs, etc	115,000 00	
	Durham—Public Building	4,000 00	
	Hamilton Public Building—Alterations and repairs	10,000 00	
	London—Tractor for Postal purposes	1,350 00	
	Niagara Falls—Public Building	100,000 00	
	Ottawa Departmental Buildings—Fittings, etc	60,000 00	
	Ottawa—Greenhouse	27,000 00	
	Ottawa—Improvement of square west of Post Office	30,000 00	
	Ottawa—Laboratory for Department of Mines—Booth Street	50,000 00	
	Ottawa Post Office—Addition	*30,000 00	
127	Ottawa—Rideau Hall—Alterations, improvements and furnishings	50,000 00	
	Ottawa—Towards purchase of building for Government workshops	12,750 00	
	Ottawa—Towards purchase of Daly Building	118,000 00	
	Rockland—Public Building	5,000 00	
	Toronto—Customs House	500,000 00	
	Toronto Postal Station "A"—Mechanical Equipment	85,000 00	
	Trenton Public Building—Government's share of cost of local improvements	1,340 00	
	Woodstock Public Building—Improvements to lighting	1,500 00	
		1,200,940 00	
	Manitoba		
	Dominion Public Buildings—Improvements, repairs, etc	35,000 00	
	Winnipeg,—Fort Osborne Barracks—New boilers	45,000 00	
128	Winnipeg Post Office—Installation of Pickup tables	7,000 00	
	Winnipeg—Minto Street Armoury—Fittings	16,000 00	
	Winnipeg Immigration Building No. 2—Repairs and improvements	2,700 00	
		105,700 00	
	Saskatchewan		
	Dominion Public Buildings—Improvements, repairs, etc	17,000 00	
	Prince Albert—Immigration Building	45,000 00	
	Prince Albert Public Building—Addition	50,000 00	
129	Regina—Tractor for Postal purposes	1,350 00	
	Regina—Armoury	33,500 00	
	Rosthern—Public Building	28,000 00	
	Saskatoon—Public Building	150,000 00	
	Tisdale—Public Building	28,000 00	
		352,850 00	

*Deduction, $20,000.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—Continued		
	Alberta		
	Dominion Public Buildings—Improvements, repairs, etc.	17,000 00	
130	Edmonton Post Office—Installation of Pickup table	3,500 00	
	Edmonton—Tractor for postal purposes	1,350 00	
	Wainwright—Public Building	35,000 00	
		56,850 00	
	British Columbia		
	Dominion Public Buildings—Improvements, repairs, etc.	40,000 00	
	Esquimalt—General repairs and improvements at R.C.N. Barracks and H.M.C. Dockyard	20,000 00	
	Vancouver Public Building—Improvements	45,000 00	
	Vancouver—Public Building—Amount required to meet one year's interest at 5% on mortgage of $400,000	20,000 00	
131	Vancouver Post Office—Installation of Pickup tables	7,000 00	
	Vancouver—Public Building—Addition to site	150,000 00	
	William Head Quarantine Station—Office Building for Customs and Quarantine purposes	4,000 00	
	Douglas—Site and building for Immigration and Customs Excise purposes	25,000 00	
		311,000 00	
	Generally		
	Experimental Farms—Replacements, repairs, improvements, etc.	100,000 00	
	Flags for Dominion Public Buildings	5,000 00	
132	Installation of Fuel Saving Devices	10,000 00	
	Military Buildings—Repairs, fittings, alterations and additions.	50,000 00	
	Military Hospitals—Repairs and improvements	79,000 00	
	Public Buildings—Generally	45,000 00	
		289,000 00	
	Rents, Repairs, Furniture, Heating, Etc.		
	Ottawa Public Buildings and Grounds—		
	Dominion Observatory and Geodetic Survey Building—Repairs, improvements, maintenance of grounds, etc.	4,000 00	
	Water	45,000 00	
	Elevator attendants	97,000 00	
	Lighting, including roads and bridges	94,500 00	
	Heating, including salaries of Engineers, Firemen and Watchmen	400,000 00	
	Departments Generally—Char Service including $100.00 to E. Snowden for firing the noon gun	385,000 00	
	Repairs, improvements, additions and maintenance	650,000 00	
	Rideau Hall, including grounds—Improvements, furniture, maintenance, etc.	60,000 00	
	Rideau Hall—Allowance for fuel and light	19,000 00	
	Telephone Service	100,000 00	
133	*Dominion Public Buildings*—		
	Dominion Immigration Buildings—Repairs, improvements, additions, furniture, etc.	25,000 00	
	Dominion Quarantine Stations—Maintenance and repairs	15,000 00	
	Fittings, General Supplies and Furniture	135,000 00	
	Heating	405,000 00	
	Lighting	218,000 00	
	Power for running elevators, stamp cancelling machines, etc.	80,000 00	
	Rents	1,565,000 00	
	Salaries of caretakers, engineers, firemen, etc.	1,080,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(*Chargeable to Income*)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Nova Scotia—Concluded		
	West Arichat—Breakwater repairs	2,100 00	
	Westport—Wharf repairs	3,500 00	
	Yarmouth Bar—Breakwater repairs and improvements	4,000 00	
		492,100 00	
	Prince Edward Island		
	Bonshaw—Freight shed	2,900 00	
	Chapel Point (St. Georges)—Wharf repairs	3,500 00	
	Charlottetown—Reconstruction of railway wharf	140,000 00	
	Egmont Bay—Wharf	8,400 00	
	French River—Wharf repairs	3,100 00	
	Graham's Pond—Breakwater repairs	3,000 00	
	Harbours and Rivers Generally—Repairs and improvements	10,000 00	
135	McPherson's Cove—Wharf repairs	3,600 00	
	Miminigash Harbour—Breakwater reconstruction	9,500 00	
	Mink River—Wharf repairs	2,100 00	
	Port Selkirk—Wharf repairs	8,400 00	
	Rustico Harbour—Breakwater repairs	23,700 00	
	Steven's Pier (Montague)—Repairs	1,500 00	
	Victoria—Wharf repairs and shed	6,100 00	
	West Point—Wharf repairs	4,000 00	
		229,800 00	
	New Brunswick		
	Blue Cove—Breakwater	21,600 00	
	Burnt Church—Wharf repairs	7,000 00	
	Campbellton—Wharf repairs	5,000 00	
	Cape Bald—Breakwater repairs	5,000 00	
	Escuminac—Breakwater extensions	52,000 00	
	Green Point—Breakwater	44,000 00	
	Hampstead—Wharf repairs	1,700 00	
	Harbours and Rivers Generally—Repairs and improvements	45,000 00	
136	Leonardville—Wharf repairs	7,000 00	
	Martin's Head—Breakwater repairs	4,000 00	
	Point de Chene—Repairs to breakwaters	2,500 00	
	Point Sapin—Breakwater extension	11,000 00	
	St. Simon—Wharf	26,000 00	
	Tracadie Harbour—Breastworks and breakwaters	20,000 00	
	Young's Cove—Wharf repairs	2,000 00	
		253,800 00	
	Quebec		
	Bagotville—Wharf repairs and improvements	32,000 00	
	Baie St. Paul—Wharf repairs	1,200 00	
	Beaupre—Dredging—Ste. Anne Paper Company to contribute one-third of cost	122,000 00	
	Berthier—(en bas)—Wharf repairs	2,500 00	
	Betsiamites (Bersimis)—Wharf repairs	1,100 00	
	Bic—Wharf repairs and improvements	5,000 00	
	Buckingham—Rebuilding float	1,200 00	
	Cabano—Wharf repairs	1,600 00	
	Cacouna—Wharf repairs	1,500 00	
137	Cap Chat—Wharf extension and repairs	30,000 00	
	Cap a L'Aigle—Wharf repairs	2,000 00	
	Cap de la Madeleine—Wharf extension and repairs	58,500 00	
	Cap Rouge—Wharf and dredging—The St. Regis Paper Company of Canada to contribute one-third of cost	30,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Quebec—Continued		
	Cap St. Ignace—Wharf repairs	2,800 00	
	Caughnawaga—Wharf improvements	5,500 00	
	Chandler—Wharf improvements	9,000 00	
	Colonie des Greves—Wharf repairs	1,200 00	
	Crabtree Mills—Reconstruction of ice-breaker	2,500 00	
	Deschambault—Wharf repairs	10,000 00	
	Doucet's Landing (Ste. Angele de Laval)—Wharf reconstruction	93,000 00	
	Dundee—Improvement of drains	10,000 00	
	Ellis Bay—Harbour improvements conditional upon the public being permitted to use the wharf for landing purposes	*300,000 00	
	Etang du Nord—Breakwater—wharf	20,000 00	
	Etang du Nord—Contribution towards the construction of roadway approach to the breakwater wharf, the Provincial Government to contribute the balance of cost and undertake the future maintenance of same	2,000 00	
	Fabre—Wharf repairs	950 00	
	Gascons—Wharf reconstruction—To complete	1,500 00	
	Grand Mere—Landing	6,000 00	
	Grande Riviere (Gaspe)—Wharf reconstruction	19,000 00	
	Grindstone—Wharf repairs and improvements	4,300 00	
	Grosse Isle—Wharf repairs	10,000 00	
	Harbours and Rivers Generally—Repairs and improvements	75,000 00	
	Hopetown—Miller and Mann Road—Breakwater	5,000 00	
	Hudson—Wharf reconstruction	6,000 00	
	Isle aux Coudres—Wharf	10,000 00	
	Isles aux Grues—Wharf replacement	9,000 00	
	Isle Verte—Wharf repairs	1,650 00	
	Isle Verte (Riviere Verte)—Wharf replacement	2,600 00	
	Kamouraska—Wharf repairs	2,500 00	
	Knowlton—Wharf repairs	1,000 00	
	Lachine—Wharf repairs	5,000 00	
	Lac Megantic—Shore protection	1,000 00	
137	Lac Megantic—Wharf repairs	1,500 00	
	Lake St. Louis—Dredging	56,000 00	
	L'Islet—Wharf repairs	4,000 00	
	Lower Miguasha—Wharf	2,000 00	
	Magog—Wharf repairs	1,000 00	
	Mal Bay—Wharf repairs	7,900 00	
	Manicouagan River—Wharf and dredging—one-third of cost to be contributed jointly by the Ontario Paper Co., Ltd., and the Anglo Canadian Paper Company	100,000 00	
	Mechins—Wharf reconstruction and extension	26,000 00	
	Montmagny—Wharf repairs	9,400 00	
	Natashquan—Wharf repairs	1,500 00	
	New Carlisle—Wharf reconstruction, to complete	4,000 00	
	Nicolet—Wharf reconstruction	5,600 00	
	Norway Bay—Wharf reconstruction	5,000 00	
	Notre Dame de Pierreville—Wharf	16,100 00	
	Notre Dame du Portage—Wharf repairs	1,000 00	
	Nouvelle River—Training pier—To complete	1,500 00	
	Peel Head Bay—Wharf repairs	1,500 00	
	Petite Riviere St. Francois—Breakwater wharf	16,000 00	
	Petite Vallee—Wharf extension and repairs	13,000 00	
	Pointe au Pic (Murray Bay)—Wharf repairs	4,700 00	
	Pointe Basse—Wharf repairs and improvements	7,500 00	
	Point Shea—Wharf improvements	4,000 00	
	Richelieu River—Improvements	100,000 00	
	Rimouski—Dredging—To complete payments	12,000 00	
	Rimouski—Wharf repairs and improvements	14,200 00	
	Riviere du Lievre—Lock and Dam—To complete reconstruction of Lockmaster's house at Poupore	2,200 00	
	Rivière du Loup (en bas)—Wharf repairs and reconstruction	10,000 00	
	Rivière du Loup (en haut)—Dredging	35,000 00	
	Rivière Laguere—Dredging—The Provincial Government to contribute a like amount	25,000 00	

*Deduction, $100,000.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Quebec—Concluded		
	Roberval—Wharf repairs	1,800 00	
	Ruisseau Leblanc—Breakwater	10,000 00	
	Rivière Ouelle—Wharf repairs	9,300 00	
	Ste. Anne de Bellevue—Wharf reconstruction	2,000 00	
	St. Andre de Kamouraska—Wharf repairs and improvements	6,700 00	
	St. Charles—Wharf reconstruction	4,300 00	
	St. Eloi (Pointe a la Loup)—Wharf repairs	2,000 00	
	St. Felicien—Wharf repairs	1,300 00	
	St. Gregoire de Montmorency—Reconstruction of revetment wall	5,000 00	
	St. Jean Port Joli—Wharf repairs	2,400 00	
	St. Joachim—Wharf	7,600 00	
	St. Lambert—Reconstruction and repairs to dyke	1,600 00	
	St. Louis River—Dredging	15,000 00	
	St. Luce—Wharf repairs	1,700 00	
137	St. Nicolas—Wharf reconstruction	19,000 00	
	St. Paul Ile aux Noix—Wharf repairs and widening right-of-way	1,000 00	
	Ste. Petronille—Wharf repairs and improvements	11,000 00	
	St. Pierre les Becquets—Dredging	4,000 00	
	St. Zotique—Wharf repairs	1,500 00	
	Sabrevois—Wharf reconstruction	2,000 00	
	Sorel—Harbour improvements	31,000 00	
	Squatteck—Wharf repairs	1,650 00	
	Tadoussac (Anse Tadoussac)—Wharf repairs	3,800 00	
	Trois Rivières—Wharf reconstruction and repairs	198,000 00	
	Trois Pistoles—Repairs to wharfs	5,000 00	
	Valleyfield—Dredging	40,000 00	
	Varennes—Dredging	20,000 00	
	Ville Marie—Wharf repairs	1,000 00	
		1,802,350 00	
	Ontario		
	Baysville—Wharf reconstruction	3,000 00	
	Beaverton—Reconstruction of pier	6,500 00	
	Blind River—Dredging	12,000 00	
	Bracebridge—Breakwater reconstruction	1,200 00	
	Bronte—Repairs to pier	3,300 00	
	Burlington Channel—Reconstruction of South Pier	31,000 00	
	Cobourg—Harbour improvements	75,000 00	
	Cockburn Island—Freight shed	2,100 00	
	Collingwood—Dredging	64,000 00	
	Fitzroy Harbour—Wharf repairs	1,100 00	
	Goderich—Harbour improvements	75,000 00	
	Grand Bend—Repairs to pier	2,400 00	
	Hamilton—Harbour improvements	35,000 00	
	Harbours and Rivers Generally—Repairs and improvements	50,000 00	
138	Kenora—Wharf repairs	2,200 00	
	Kincardine—Harbour repairs and improvements	43,000 00	
	Kingston—Dredging	14,200 00	
	Kingsville—Repairs to pier	4,500 00	
	Leamington—Wharf repairs	2,500 00	
	Lions Head—Dredging	17,800 00	
	Meaford—Towards reconstruction of revetment wall	10,000 00	
	Michipicoten River—Wharf repairs	1,000 00	
	Midland—Harbour improvements	48,000 00	
	Morpeth—Wharf repairs	4,000 00	
	Oakville—Reconstruction of pier	21,500 00	
	Owen Sound—Harbour improvements	60,000 00	
	Pelee Island—Repairs to piers	5,400 00	
	Port Arthur—Harbour improvements—Thunder Bay Paper Company to contribute one third of cost	50,000 00	
	Port Bruce—Repairs to piers	3,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Ontario—Concluded		
	Port Burwell—Harbour repairs and improvements	200,000 00	
	Port Colborne—Repairs to harbour works	100,000 00	
	Port Dover—Repairs to piers and harbour improvement—Revote $12,000	50,000 00	
	Port Hope—Harbour repairs and improvements	31,000 00	
	Port Maitland—Repairs to pier	1,900 00	
	Port Stanley—Harbour repairs and improvements	*16,000 00	
	Rondeau—Harbour repairs and improvements	41,700 00	
138	Sarnia—Dredging	45,000 00	
	Saugeen River—Repairs to harbour works	16,500 00	
	Sault Ste. Marie—Harbour repairs and improvements	47,200 00	
	Severn Bridge—Wharf repairs	1,500 00	
	Southampton—Repairs to breakwater	6,600 00	
	Toronto—Dredging and repairs to entrance piers	32,000 00	
	Wheatley—Repairs to pier	2,500 00	
	Windsor—Wharf repairs	2,700 00	
		1,243,300 00	
	Manitoba		
	Gimli—Reconstruction of protection work	7,000 00	
	Harbours and Rivers Generally—Repairs and improvements	10,000 00	
	Hnausa—Wharf repairs	10,000 00	
	Ninette (Pelican Lake)—Wharf reconstruction	5,000 00	
139	Red River (Mouth)—Repairs to and extension of jetties	8,500 00	
	Roseau River—Improvements	65,000 00	
	Victoria Beach—Repairs to wharf and approach	4,400 00	
	Winnipeg—Wharf	17,000 00	
		126,900 00	
	Saskatchewan and Alberta		
	Athabasca River—Improvements	40,000 00	
	Cowan Dam—Repairs and maintenance	3,300 00	
	Faust—Wharf	12,000 00	
140	Fort McMurray—Wharf	21,000 00	
	Harbours and Rivers Generally—Repairs and improvements	10,000 00	
	Prince Albert—Reconstruction of protection work	10,000 00	
		96,300 00	
	British Columbia		
	Arrowhead—Improvements	1,100 00	
	Brighton Beach—Repairs to float	1,100 00	
	Brownsville—Wharf reconstruction and extension	4,000 00	
	Cadboro Bay—Dolphins	1,200 00	
	Campbell River—Repairs to wharf and float	1,800 00	
	Canoe—Wharf repairs	1,000 00	
	Comox—Wharf repairs	2,600 00	
	Crooked, Pack and Parsnip Rivers—Improvements	3,500 00	
	Fauquiers—Wharf repairs	2,800 00	
141	Fraser River—In full and final settlement of claim of N. E. Broley, in connection with contract for dam at Woodward's Slough	11,639 74	
	Fraser River—Improvements	150,000 00	
	Fraser River—Lower—Operation of snagboat	30,000 00	
	Gillies Bay—Wharf repairs	†4,000 00	
	Harbours and Rivers Generally—Repairs and improvements	65,000 00	
	Marpole—Wharf repairs	1,600 00	
	Mayne Island—Wharf repairs	1,500 00	
	New Westminster—Wharf repairs	2,000 00	
	North Gabriola Island—Wharf repairs	2,000 00	

*Deduction, $12,000.

†Deduction, $4,000.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Concluded*		
	British Columbia—Concluded		
	Okanagan River—Reconstruction of dam	29,000 00	
	Old Massett—Wharf repairs	3,800 00	
	Port Alberni—Assembly wharf	132,000 00	
	Port Moody—Wharf repairs	2,000 00	
	Powell River—Breakwater, the Powell River Co., Ltd., to contribute one half of cost	27,000 00	
	Quatsino—Wharf repairs	1,100 00	
	Quathiaski Cove—Wharf repairs	1,000 00	
	Royston—Wharf repairs	2,200 00	
141	Seton Lake—Wharf	1,400 00	
	Savary Island—Wharf repairs	2,000 00	
	Sidney—Maintenance of ferry slip	1,200 00	
	Shoal Bay—Wharf repairs	2,700 00	
	Squamish—Wharf repairs	10,500 00	
	Stewart—Contribution to Provincial Government towards surfacing Stewart-Hyder road	11,100 00	
	Steveston—Wharf reconstruction	4,500 00	
	Sturdies Bay—Wharf reconstruction and extension	3,300 00	
	Tatchi River—Improvements	2,000 00	
	Trepanier—Wharf replacement	5,000 00	
	Vancouver—Stanley Park—Foreshore protection	8,000 00	
	Willow Point—Wharf repairs	1,000 00	
		537,639 74	
	Yukon		
142	Stewart and Yukon Rivers—Improvements	5,000 00	
	Generally		
143	Harbours and Rivers Generally	30,000 00	
	DREDGING		
	Dredging—Maritime Provinces	540,000 00	
144	Dredging—Ontario and Quebec	600,000 00	
	Dredging—Manitoba, Saskatchewan and Alberta	90,000 00	
	Dredging—British Columbia	485,000 00	
		1,715,000 00	
	ROADS AND BRIDGES		
	Dominion Roads and Bridges Generally	7,100 00	
145	International Bridge over St. Croix River between St. Croix, N.B., and Vanceboro, Maine, the State of Maine to contribute the sum of $2,000	4,000 00	
	Matapedia Interprovincial Bridge—Renewal of flooring	5,000 00	
	Ottawa—Maintenance and repairs to bridges and approaches	14,600 00	
	St. Leonard—Repairs to International Bridge	2,200 00	
		32,900 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	(Chargeable to Income)—Concluded		
	TELEGRAPH AND TELEPHONE LINES		
	Nova Scotia		
	Cape Breton Telegraph and Telephone Lines—General repairs and improvements	10,000 00	
146	Boularderie—Cape Breton Telegraph Line—General repairs, repoling, etc	5,000 00	
	Quebec		
	Reconstruction of the North Shore St. Lawrence Telegraph System from Murray Bay to Bersimis	25,000 00	
147	Magdalen Islands Telephone Service—General repairs and improvements	2,500 00	
	North Shore, River St. Lawrence, east of Bersimis—Improvements to telegraph circuit on Manicouagan Peninsula	1,200 00	
	Alberta—Saskatchewan		
148	Alberta and Saskatchewan Telegraph and Telephone Lines—General repairs and improvements	15,000 00	
	British Columbia		
	British Columbia Northern District—General repairs and improvements	25,000 00	
	British Columbia Vancouver Island District—General repairs and improvements	8,500 00	
149	Mainland Telegraph and Telephone Lines—General repairs and improvements	28,000 00	
	Telephone line from Rolla to Rolla Landing	2,500 00	
	Yukon Telegraph System—General repairs and improvements	22,900 00	
		145,600 00	
	MISCELLANEOUS		
	Accounts Branch—Salaries of agents, clerks, travelling and contingent expenses of outside service	24,500 00	
	Architectural Branch—Salaries of architects, clerks of works, inspectors, draftsmen, clerks and messengers of outside service	80,000 00	
	Engineering Branch—Salaries of engineers, inspectors, superintendents, draftsmen, clerks, and messengers of outside service	483,000 00	
	For operation and maintenance of inspection boats	19,000 00	
150	Maintenance and operation of water storage dams on Ottawa River and tributaries, surveys in connection therewith, and settlement of land damages	100,000 00	
	National Gallery of Canada	135,000 00	
	National Monument on Connaught Place	35,000 00	
	River gauging and metering	30,000 00	
	Surveys and inspections	120,000 00	
	To cover balance of expenditure for works already authorized for which the appropriations may be insufficient, provided the amount for any one work does not exceed $200	5,000 00	
	For erection of Memorial Tablet to late Dr. Alpheus Todd, former Librarian of Parliament	1,000 00	
		1,032,500 00	
			17,041,776 74

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
	ATLANTIC OCEAN		
151	Canada and South Africa, steam service between	100,000 00	
	PACIFIC OCEAN		
152	Canada and New Zealand on the Pacific Ocean, service between	100,000 00	
153	Prince Rupert, B.C., and the Queen Charlotte Islands, steam service between	21,000 00	
154	Victoria, Vancouver, way ports and Skagway, steam service between	25,000 00	
155	Vancouver and West Coast Vancouver Island, steam service between	15,000 00	
156	Vancouver and Northern ports of British Columbia, steam service between	24,800 00	
157	Vancouver and ports on Howe Sound, service between	5,000 00	
158	Vancouver and the British West Indies, service between	36,000 00	
	LOCAL SERVICES		
159	Baddeck and Iona, steam service between	10,500 00	
160	Charlottetown and Pictou, steam service between	35,000 00	
161	Charlottetown, Victoria and Holliday's wharf, steam service between	5,000 00	
162	Dalhousie, N.B., and Carleton, Que., steam service between	3,000 00	
163	Grand Manan and the mainland	20,000 00	
164	Halifax, Canso and Guysboro, steam service between	9,000 00	
165	Halifax, LaHave and LaHave River ports, steam service between	6,000 00	
166	Halifax, Spry Bay and Cape Breton ports, steam service between	6,000 00	
167	Halifax and Bay St. Lawrence, service between	2,400 00	
168	Halifax, South Cape Breton and Bras d'Or Lake ports, steam service between	5,000 00	
169	Halifax and West Coast Cape Breton, service between	6,000 00	
170	Mainland, Miscou and Shippegan, service between	2,000 00	
171	Mulgrave, Arichat and Petit de Grat, steam service between	13,000 00	
172	Mulgrave and Canso, service between	28,125 00	
173	Mulgrave and Guysboro, calling at intermediate ports, steam service between	14,000 00	
174	Newcastle, Neguac and Escuminac, calling at intermediate points on the Miramichi River and Bay, steam service between	4,500 00	
175	Parrsboro', Kingsport and Wolfville, service between	5,000 00	
176	Pelee Island and the mainland, steam service between	11,000 00	
177	Pictou, Mulgrave and Cheticamp, steam service between	11,000 00	
178	Port Mulgrave, St. Peter's, Irish Cove and Marble Mountain, and other ports on the Bras d'Or Lakes, steam service between	10,350 00	
179	Pictou, Souris and the Magdalen Islands, steam service between	50,000 00	
180	Quebec, Natashquan and Harrington, and other ports on the north shore of the Gulf of St. Lawrence, steam service between	85,000 00	
181	Quebec, or Montreal, and Gaspe, and other ports on the south shore of the Gulf of St. Lawrence, steam service between	60,000 00	
182	Rimouski and Pointe aux Outardes, service between	7,500 00	
183	Riviere du Loup and Tadoussac and other North Shore ports	15,000 00	
184	St. Catherine's Bay and Tadoussac, service between	4,000 00	
185	St. John and Bear River and other way ports, steam service between	2,000 00	
186	St. John and Bridgetown, steam service between	1,000 00	
187	St. John and Digby, service between	15,000 00	
188	St. John, Digby, Annapolis and Granville, steam service between	2,000 00	
189	St. John, Margaretville, and other ports on the Bay of Fundy, steam service between	3,500 00	
190	St. John and St. Andrews, calling at intermediate points, service between	4,000 00	
191	St. John, Westport and Yarmouth, and other way ports, steam service between	15,000 00	
192	St. John and Minas Basin ports, steam service between	5,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS—*Concluded*		
	LOCAL SERVICES—*Concluded*		
193	Summerville, Burlington and Windsor, N.S., steam service between	500 00	
194	Sydney and Bras d'Or Lake ports and ports on the West Coast of Cape Breton, steam service between	18,000 00	
195	St. John and Weymouth, steam service between	1,500 00	
196	Sydney and Bay St. Lawrence, calling at way ports, steam service between	18,000 00	
197	Sydney and Whycocomagh, steam service between	13,000 00	
198	Trois Pistoles and Les Escoumains, service between	1,000 00	
199	Grant to the Province of British Columbia for the improvement of the mail service on inland waters in that Province	3,000 00	
200	Inspection of Subsidized Steamship Services	5,000 00	
			862,675 00
	OCEAN AND RIVER SERVICE		
201	Maintenance and repairs to Dominion Steamers and Icebreakers	1,650,000 00	
202	Examination of Masters and Mates	20,000 00	
203	Investigation into Wrecks	6,000 00	
204	Navigation Schools	9,000 00	
205	To provide for the temporary relief of distressed seamen	5,000 00	
206	Registration of Shipping	3,000 00	
207	Removal of obstructions in navigable waters	5,000 00	
208	Inspection of live stock shipping	4,500 00	
209	To continue subsidies for wrecking plants—Quebec and British Columbia	45,000 00	
210	Miscellaneous and unforeseen expenses	5,000 00	
211	Life Saving Service, including rewards for saving life	80,000 00	
212	Hydrographic and Tidal and Current Surveys, and to provide for the maintenance and repair of Hydrographic Steamers	530,000 00	
213	To provide for the establishment of a patrol service to investigate the conditions of Navigation in Hudson Strait and Hudson Bay	500,000 00	
214	Radiotelegraph Service and to provide for the construction and maintenance of Radiotelegraph ship to shore stations and the general administration of the provisions of the Radio Act and Regulations throughout the Dominion	560,865 00	
215	Radio Service—To provide for the general improvement of reception conditions to licensed broadcast listeners	190,000 00	
			3,613,365 00
	PUBLIC WORKS		
	(*Chargeable to Capital*)		
	MARINE DEPARTMENT		
216	River St. Lawrence Ship Canal—Maintenance and operating dredging fleet	1,895,000 00	
217	River St. Lawrence Ship Channel—For construction of one Hopper Barge	315,000 00	
218	To provide for maintenance and operation of Sorel Shipyard	154,000 00	
219	Sorel Shipyard—To provide for reconditioning of Wharf No. 4 and for other work of a similar nature at the Shipyard	33,500 00	
220	To provide for the construction of regulating and retaining dams in the St. Lawrence river	1,000,000 00	
			3,397,500 00

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LIGHTHOUSE AND COAST SERVICE		
221	Agencies, rents and contingencies	236,000 00	
222	Salaries and allowances to lightkeepers	750,000 00	
223	Amount required to pay compassionate allowance to John Davidson, formerly lightkeeper at Cape Mudge, B.C.	500 00	
224	Maintenance and Repairs to lighthouses	900,000 00	
225	Construction of lights and aids to navigation, including regulation of traffic at such places as may be found necessary	725,000 00	
226	Marine Signal Service	110,000 00	
227	Administration of Pilotage	250,000 00	
228	Maintenance and repairs to wharves	10,000 00	
229	To provide for breaking ice in Thunder Bay, Lake Superior and other points deemed advisable in the interests of navigation	30,000 00	
230	Amount required to pay pensions to pilots—Joseph Lapointe, Barthelemi Lachance, Alphonse Asselin, Elzear Desrosiers, Edmond LaRochelle, L. E. Morin, Joseph Plante, Victor Vezina, Raymond Baquet, Alfred LaRochelle, Theophile Corriveau, Alphonse Pouliot, Treffle Delisle, Adjutor Baillargeon, F. X. Demaules, Joseph Pouliot, Jules Asselin, Frederic Bouffard, Arthur Baillargeon, John I. Irvine, Joseph Eugene Lachance, Elzear Normand, Phileas Lachance, Narcisse Lavoie, L. H. Lapierre, J. T. St. Laurent, J. V. Gourdeau, Samuel Rioux, Joseph LaRochelle, Arthur Koenig, J. Alphonse Lachance, Raoul Lachance, J. O. Lachance, J. H. Talbot, J. B. Bernier	10,500 00	
231	Allowance to Harbour Master at Amherstburg, for supervision of lights and buoys on the St. Clair river, the Detroit river and Lake Erie, and other services in connection with the lighthouse service for the season of navigation, 1928	600 00	
			3,022,600 00
	SCIENTIFIC INSTITUTIONS		
	DEPARTMENT OF THE INTERIOR		
	Scientific Institutions		
232	Expenses connected with the Dominion Observatory at Ottawa	75,405 00	
	Expenses connected with the Dominion Astrophysical Observatory at Victoria, B.C., including $300 for purchase of land	21,940 00	
	Topographical Surveys		
233	Topographical and aerial surveys and maps for the development of hydro-electric, forested and mineralized areas and for aerial fire patrol; expenses of Geographic Board of Canada; classification of lands for settlement and forest reserves; traverse of northern rivers and lakes for administration of Northwest Territories; surveys for administration of Dominion Parks and Game Reserves; miscellaneous legal surveys of Dominion lands; testing of standard measures and instrument repairs; plotting and printing of plans, etc.	415,000 00	
	Geodetic Survey of Canada		
234	Investigations, triangulations, precise levelling, geodetic astronomy, etc.	265,300 00	
	To recoup the Temiskaming and Northern Ontario Railway Commission in connection with their claim for injury to John Hedin	240 00	
	International Boundaries		
235	Expenses connected with the survey and demarcation of International Boundaries	39,110 00	
		816,995 00	
	DEPARTMENT OF MARINE		
236	*Meteorological Service*, including Magnetic Observatory, grants of $500 each to Kingston and Montreal Observatories, and allowance of $400 to L. F. Gorman, Observer at Ottawa	300,000 00	
			1,116,995 00

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	STEAMBOAT INSPECTION		
237	Steamboat Inspection		142,980 00
	FISHERIES		
238	Salaries and Disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Service	950,000 00	
239	Building Fishways and Clearing Rivers	20,000 00	
240	Legal and Incidental Expenses	2,000 00	
241	To assist in the Conservation and development of Deep-Sea Fisheries and the demand for fish	130,000 00	
242	To provide for the maintenance of a Fisheries Intelligence Bureau	1,000 00	
243	To provide for the inspection of pickled fish	30,000 00	
244	Fish Culture	442,000 00	
245	To provide for an investigation into the life history of the Pacific halibut by the International Fisheries Commission appointed under the Pacific Halibut Treaty of March 2nd, 1923	28,500 00	
246	Marine Biological Board of Canada—		
	(*a*) Purely scientific work $45,000		
	(*b*) Practical and experimental work 73,000		
	(*c*) Fish culture investigations 20,000		
		138,000 00	
			1,741,500 00
	MINES AND GEOLOGICAL SURVEY		
	Department		
247	For organization and equipment of the Explosives Division, under the Explosives Act, Chap. 31, 4-5 George V	12,000 00	
	Mines Branch		
	For investigation of mineral resources and deposits of the mining and metallurgical industries, and of mineral technology; wages, expenses of testing and research laboratories, investigations by Dominion Fuel Board, including salaries and all other expenses	200,000 00	
	For operation of Peat Bog at Alfred, Ont	50,000 00	
	For publications, English and French, purchase of books, laboratory supplies, instruments, miscellaneous assistance and contingencies	45,000 00	
248	For transportation charges from outlying provinces on ore shipments which may be sent to the Ore Dressing plant of the Mines Branch at Ottawa for testing purposes, under regulations approved by the Minister of Mines	1,000 00	
	To compensate J. H. Fortune for quarters, fuel, light and water supplied him as resident caretaker of the Mines Branch Building, Sussex St., vacated because of the necessity of utilizing the caretaker's quarters for storage and laboratory space	400 00	
		296,400 00	
	Dominion of Canada Assay Office		
249	For maintenance of Assay Office, Vancouver, B.C.	27,140 00	
	Geological Survey		
	For explorations, surveys and investigations, wages of explorers, topographers and others including re-classification of positions MI-G-30 and 83	205,000 00	
	For publication of English and French editions of reports, maps, illustrations, etc	50,000 00	
250	For maintenance of offices and museum, expenses of special exhibitions pertaining to natural resources, purchase of instruments, chemicals, books of reference, miscellaneous assistance including reclassification of position MI-A-33 and contingencies	58,000 00	
	For museum equipment	15,000 00	
	For purchase of specimens	3,000 00	
		331,000 00	
			666,540 00

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LABOUR		
251	Annuities Act	50,000 00	
252	Combines Investigation Act	30,000 00	
253	Conciliation and Labour Act	50,000 00	
254	Administration, Employment Offices' Co-ordination Act	17,000 00	
255	Fair Wages and Inspection	7,000 00	
256	Industrial Disputes Investigation Act	20,000 00	
257	International Labour Conference	15,000 00	
258	Joint Industrial Councils	3,000 00	
259	Technical Education Act	4,000 00	
260	Administration, Old Age Pensions Act	5,000 00	
			201,000 00
	PUBLIC PRINTING AND STATIONERY		
261	Printing, Binding, etc., the Annual Statutes	10,000 00	
262	Canada Gazette	35,000 00	
263	Plant—Repairs and Renewals	30,000 00	
264	Plant—New	18,650 00	
265	Distribution of Parliamentary Documents	50,000 00	
266	Printing and Binding Government Publications for sale and distribution to Departments and the Public	40,000 00	
			183,650 00
	INDIANS		
267	Nova Scotia	82,960 00	
268	New Brunswick	67,824 00	
269	Prince Edward Island	6,255 00	
270	Ontario and Quebec	317,107 00	
271	Manitoba, Saskatchewan, Alberta and N.W.T.	918,257 00	
272	British Columbia	468,180 00	
273	Yukon	19,000 00	
274	General	231,500 00	
275	Indian Education, including the construction of School Buildings	2,160,310 00	
			4,271,393 00
	ROYAL CANADIAN MOUNTED POLICE		
	Pay of Force (including salaries of two Constables, Ellesmere Island District, at $2.25 per diem, to insure Department against loss through death)	1,076,008 75	
	Maintenance (including Billeting, Travelling Expenses, Forage, Fuel and Light, Clothing, Repairs and Renewals, Horses, Ammunition, Stationery, etc., Medical, Hospital, etc., Transportation and Freight, Building Repairs, Contingencies and Criminal Investigations and establishment of New Detachments and Renewals	1,255,866 63	
276	To compensate members of the Royal Canadian Mounted Police for injuries received whilst in the performance of Duty	8,500 00	
	To Assist in Enforcement of Federal Statutes, (Expenditure chargeable to this Vote shall be in connection with such Federal Police duties as may be defined by the Governor-in-Council upon recommendation of the Minister of Justice)	75,000 00	
	To Provide for Special Services in connection with the Enforcement of the Opium and Narcotic Drug Act	50,000 00	
			2,465,375 38

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	GOVERNMENT OF THE NORTH WEST TERRITORIES		
	DEPARTMENT OF THE INTERIOR		
	Salaries and expenses connected with the administration of the Territories, including the erection of buildings, investigation work, schools, relief to destitutes, maintenance of prisoners, and insane patients, administration of the North West Game Act and the Wood Buffalo Park, etc.	200,000 00	
277	Explorations—Salaries and Contingencies, equipment and supplies, etc	75,480 00	
	Administration of Eskimo affairs, including salaries, relief, care, maintenance, education, medical supplies, travelling expenses, etc	50,000 00	
		325,480 00	
	DEPARTMENT OF NATIONAL DEFENCE		
278	*Mackenzie Basin System—* *Radio Services*—For the maintenance and operation of the Mackenzie Division Radio System with stations at Dawson, Mayo, Edmonton, Fort Smith, Fort Simpson, Fort Resolution, Aklavik and Herschel Island	139,000 00	
			464,480 00
	GOVERNMENT OF THE YUKON TERRITORY		
	Salaries and expenses connected with the administration of the Territory, including surveys	66,080 00	
279	Grant to Local Council	45,000 00	
	Grant for maintenance and construction of roads	70,000 00	
			181,080 00
	DOMINION LANDS AND PARKS		
	Salaries of the Dominion Lands Outside Service	630,000 00	
	Dominion Lands Contingencies, etc	170,000 00	
	Amount required to pay the fees of the Board of Examiners for D.L.S., of the Secretary and of the Sub-examiners and for travelling expenses, stationery, printing, rent of room and furniture, etc. (The fees of Messrs. F. H. Peters, W. M. Tobey and Harry B. Parry, members of the Board, and J. A. Cote, Secretary, are to be paid out of this sum)	2,000 00	
	To assist in publishing the transactions of the Association of Dominion Land Surveyors	125 00	
	Protection of timber, tree culture, inspection and management of forest reserves, surveys of forest resources and research in forestry and forest products, etc	1,466,050 00	
	Grant to Canadian Forestry Association	4,000 00	
	For investigations of water and power resources, including the Dominion Hydrometric survey and for the administration of the Dominion Water Power, Irrigation and Reclamation Acts	500,000 00	
	To cover professional assistance engaged by the Governor-in-Council to assist the departmental officers who are advising		
280	*re* International and Boundary Waterway questions	15,000 00	
	Amount required to meet expenses of Lake of the Woods Control Board	10,000 00	
	To provide for the expenses connected with Canadian National Parks, historic sites, care of indigents in the Parks, etc., and to reimburse the Provincial Government for the salaries of Police Magistrates at Banff and at Jasper	1,315,000 00	
	Administration of the Migratory Birds Convention Act	58,825 00	
	Engraving, lithographing, printing and preparation of maps, plans, reports, and kindred publications of the Dominion, including salaries and necessary materials for same, etc	239,540 00	
	Costs of litigation and legal expenses	10,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts
	DOMINION LANDS AND PARKS—*Concluded*		
	Ordnance, Admiralty and Railway Lands:—Salaries and expenses	28,270 00	
	Grant to Alpine Club of Canada	1,000 00	
	To pay Mrs. E. S. Forbes a compassionate allowance equal to one-half of the salary of her husband, payable monthly	1,050 00	
	Amount required to pay salaries and expenses connected with Seed Grain and Relief Collections, etc.	47,460 00	
	Amount required to transfer buffalo from Buffalo Park, Wainwright, Alta., to the Wood Buffalo Park near Fort Smith, N.W.T.	15,000 00	
			4,513,320 00
	SOLDIER LAND SETTLEMENT		
	Amount required for Soldier Land Settlement advances and cost of administration of Soldier Settlement	1,558,000 00	
281	Amount required for General Land Settlement advances and cost of administration of General Land Settlement	1,557,000 00	
			3,115,000 00
	SOLDIERS' CIVIL RE-ESTABLISHMENT		
282	Care of Patients and Medical Examination of Pensioners	2,200,000 00	
283	Salaries—		
	Administration	1,100,000 00	
	Insurance	50,000 00	
	Hospitals and Clinics	1,575,000 00	
284	Pay and Allowances—		
	Treatment	1,200,000 00	
	Training	20,000 00	
285	Vocational Loans	2,000 00	
286	Interest on War Service Gratuity and Administration Fund	21,000 00	
287	Unemployment Relief	250,000 00	
288	Operating Expense and Working Capital	250,000 00	
289	Employers' Liability Compensation	100,000 00	
290	Sheltered Employment; Transportation of the Blind	175,000 00	
291	Federal Appeal Board	130,000 00	
			7,073,000 00
	MISCELLANEOUS		
292	To provide for representation at Paris, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments	75,000 00	
293	Salaries and expenses, Passport Office	23,000 00	
294	To provide for Canada's contribution to the expenses of the League of Nations for 1928—including Secretariat, International Labour Organization and Permanent Court of International Justice	155,968 21	
295	Amount required for expenses of Canadian Delegates to the Assembly Council and Commissions of the League of Nations	21,000 00	
296	To provide for representation at Washington, including salaries and allowances for Minister Plenipotentiary, Secretaries and Staff, notwithstanding anything to the contrary in the Civil Service Act or any of its Amendments	100,000 00	
297	To provide for representation at Geneva	17,000 00	
298	To provide publications of League of Nations for distribution to Members of Parliament and a grant to League of Nations Society of Canada	3,000 00	
299	Grant in aid of the Canadian General Council of the Boy Scouts Association	15,000 00	
300	Canadian National Safety League	10,000 00	
301	Subscription to publications of the Empire Parliamentary Association to be distributed to members of the House of Commons	2,000 00	
302	Grant to the Dominion Council of the Girl Guides	3,000 00	
303	Grant to the Interparliamentary Union for Peace	400 00	
304	Expenses in connection with the Negotiation of Treaties	20,000 00	
305	Contribution to aid in carrying on the work of the Royal Astronomical Society	2,000 00	

No. of Vote	Service	Amount	Total
	MISCELLANEOUS—*Concluded*	$ cts.	$ cts.
306	Royal Canadian Academy of Arts	2,500 00	
307	Grant to the Royal Society of Canada	6,000 00	
308	Grant to assist the Canadian Branch of the St. John Ambulance Association	5,000 00	
309	To provide for salaries and expenses of the Advisors engaged in Tariff Enquiry. Payments may be made notwithstanding anything in the Civil Service Act or regulations thereunder.	100,000 00	
310	Unforeseen expenses, expenditure thereof to be under Order-in-Council, on recommendation of the Treasury Board, and a detailed statement to be laid before Parliament within fifteen days of next session	80,000 00	
311	Grant to the Victorian Order of Nurses	10,000 00	
312	Grant to the Canadian National Institute for the Blind	10,000 00	
313	Amount required to provide for grants to be made to the Provinces of—		
	Nova Scotia	875,000 00	
	New Brunswick	600,000 00	
	Prince Edward Island	125,000 00	
	pending consideration of Provincial Subsidies.		
314	Grant to the Montreal Association for the Blind	5,000 00	
315	To provide for the expenses of work in the interest of fire protection to be carried on by the Department of Insurance	10,000 00	
316	Chief Electoral Officer—Salaries and Contingencies of office	16,060 00	
317	Government Contracts Supervision Committee, salaries, including L. R. LaFleche, Secretary, $6,000, and that of L. H. Beer, Salvage Officer, $5,000, telephones, telegrams, travelling expenses, stationery, etc	21,500 00	
318	Grant to the Canadian Council on Child Welfare	5,000 00	
319	Grant to the Canadian Dental Hygiene Council	5,000 00	
320	Grant to the Canadian Social Hygiene Council	10,000 00	
321	Grant to the Canadian Tuberculosis Association	25,000 00	
322	Grant to the Canadian National Committee for Mental Hygiene	10,000 00	
323	To provide for the administration of the Bankruptcy Act	3,000 00	
324	Expenses of Litigated Matters—		
	Department of Justice	20,000 00	
325	Annual contribution to the Canadian Law Library, London, England	500 00	
326	To complete the revision of the Dominion Statutes; payments may be made notwithstanding anything in the Civil Service Act or regulations thereunder	15,000 00	
327	To provide for the salary of Hon. J. C. Patterson, Commissioner to investigate titles of Great Britain to lands in the Arctic Seas	2,400 00	
328	Patent Record	35,000 00	
329	International Office for the protection of Industrial Property and the International Copyright Union Office	2,000 00	
330	Grant to the Canadian Institute of Mining and Metallurgy	3,000 00	
331	Grant to the Imperial Institute	12,849 00	
332	Battlefields Memorials	180,000 00	
333	To provide for Canada's proportionate share of the expenditure made by the Imperial War Graves Commission, including contribution to Endowment Fund for the permanent maintenance of cemeteries, graves and memorials	573,780 00	
334	Public Archives	95,000 00	
335	To provide for the payment of salaries and expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations, including D. W. McLachlan at $1,500 and G. W. Yates at $1,200, as Secretary	50,000 00	
336	Grant to the Chief Constables' Association of Canada	500 00	
337	To assist in the suppression of the White Slave Traffic	1,500 00	
338	Expenses under the Canada Temperance Act	5,000 00	
339	Expenses under the Naturalization Acts, 1914 and 1920	10,000 00	
340	Amount required toward defraying expenses of the Empire Parliamentary Association visit to Canada	75,000 00	
341	Grant to assist in erecting at St. Hyacinthe an arch to commemorate the hundredth anniversary of the birth of Senator Dessaulles	500 00	
342	To provide for representation at Tokio, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments	50,000 00	
			3,503,457 21

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL REVENUE		
	Salaries and contingent expenses of the several Ports in the Dominion, including pay for overtime of Officers, notwithstanding anything in the Civil Service Act,—and temporary buildings and rentals	7,538,460 00	
	Salaries and travelling expenses of Inspectors of Ports and of other officers on inspection, and in connection with the Board of Customs; the latter including $500 for the Secretary and amount required to create positions, make appointments and pay salaries and expenses of Dominion Appraisers, notwithstanding anything contained in the Civil Service Act, and the said positions and staff so appointed to be wholly excluded from said Act	1,137,725 00	
	Miscellaneous—Printing and stationery, subscriptions to commercial papers, flags, dating stamps, locks, instruments, etc., for various ports of entry, express charges on samples, stationery and legal forms, legal expenses, premiums on guarantee bonds, and uniforms for Customs Officers	600,000 00	
343	To provide for expenses of maintenance of revenue cruisers and for preventive service, including $6,000 salary F. W. Cowan and an amount required to create positions and make appointments, by the Minister of National Revenue, of officers for the prevention of smuggling, and to investigate reported frauds against the revenue, notwithstanding anything contained in the Civil Service Act and the said positions and staff so appointed to be wholly excluded from said Act; also to provide for expenses of such Officers and for the purchase or charter of vessels and for the purchase or hire of automobiles to be used in the prevention of smuggling or other offences against the revenue laws	1,896,821 00	
	Amounts to be paid to Department of Justice to be disbursed by and accounted for to it, for secret preventive service.—Amount required to create positions and make appointments of officers for the prevention of smuggling and to investigate reported frauds against the Revenue, notwithstanding anything contained in the Civil Service Act, and the said positions and staff so appointed to be wholly excluded from said Act	100,000 00	
	To provide for the administration of the Business Profits War Tax Act, 1916, and the Income War Tax Act, 1917, and amendments thereof, and authority for this purpose to create positions and make appointments, notwithstanding anything contained in the Civil Service Act, and the said positions and the staff so appointed are hereby wholly excluded from the operation of the said Act; and salary of of $7,000 for the Commissioner of Income Tax	2,200,000 00	
	To pay Mrs. Turner Ingalls, widow of the late Turner Ingalls, a Customs Excise Enforcement Officer who was accidentally killed while on duty	500 00	
			13,473,506 00
	RAILWAYS AND CANALS		
	(*Chargeable to Collection of Revenue*)		
	Canals		
343a	Staff and repairs		2,666,540 00
	PUBLIC WORKS		
	(*Chargeable to Collection of Revenue*)		
344	Collection of Public Works Revenue	4,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded.*		
	(*Chargeable to Collection of Revenue*)—Concluded.		
	GRAVING DOCKS		
345	Champlain Graving Dock	89,200 00	
	Lorne Graving Dock	43,500 00	
	Esquimalt Graving Docks	71,500 00	
		204,200 00	
	HARBOUR AND RIVER WORKS		
346	Burlington Channel Bridge	7,500 00	
	French River Dams	3,800 00	
	Kingston—Wharfs and bridges	12,000 00	
	Montreal River—Dam at Latchford	3,800 00	
	Rivière du Lièvre—Lock and dam	3,660 00	
	St. Andrew's Rapids—Lock and dam	21,500 00	
	Selkirk—Repair slip	3,400 00	
		55,660 00	
	TELEGRAPH AND TELEPHONE LINES		
347	Prince Edward Island and Mainland	7,000 00	
	Land and cable Telegraph Lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels required for cable service	218,000 00	
	Alberta and Saskatchewan	114,000 00	
	British Columbia Mainland	92,000 00	
	British Columbia, Vancouver Island District	129,200 00	
	British Columbia Northern District	88,000 00	
	Yukon System—Main line	139,000 00	
	Telegraph and telephone service—Generally	10,000 00	
		797,200 00	
			1,061,060 00
	POST OFFICE—OUTSIDE SERVICE		
348	Salaries and Allowances, including amount required to provide for salaries, reclassification, revision, promotions and increases which may be authorized by the Civil Service Commission	16,955,934 40	
	Mail Service, including mail service by air	15,080,000 00	
	Miscellaneous, including Lucien Pacaud, Secretary of the High Commissioner's Office, as the representative of the Canadian Government on the Pacific Cable Board, at $1,500; and $5,000 for the payment of compassionate allowances to employees injured while in the performance of their duties, or to dependents of employees killed while on duty, such payments to be made only on the specific authority of the Governor in Council	1,126,175 00	
	Yukon Territory	150,000 00	
			33,312,109 40

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	TRADE AND COMMERCE		
349	The Copper Bounties Act, 1923, Administration of	250 00	
350	The Hemp Bounties Act, 1923, Administration of	1,000 00	
351	British and Foreign News Service	32,000 00	
352	The Canada Grain Act, Administration of	1,860,555 00	
353	Management, Operation and Maintenance of Elevators	577,500 00	
354	Equipment of Elevators	32,000 00	
355	Commercial Intelligence Service, including miscellaneous expenditure in connection with the development and extension of Canada's trade	500,000 00	
356	Dominion Bureau of Statistics	150,000 00	
357	Electricity and Gas, including International Electro-technical Commission	203,960 00	
358	Electricity and Fluid Exportation Act (Export of Electric Energy)	1,000 00	
359	Gold and Silver Marking Act, Administration of	6,000 00	
360	National Research Council	300,000 00	
361	International Customs Tariffs Bureau	666 00	
362	Motion Picture Bureau	50,000 00	
363	Printing of Parliamentary and Departmental Publications, including the "Canada Year Book"	118,000 00	
364	Weights and Measures Inspection, including the International Bureau of Weights and Measures	333,000 00	
365	Publicity and Advertising in Canada, and to hereby appoint Herbert E. M. Chisholm as Director of Publicity at $4,000.00 per annum, and to hereby appoint the necessary staff to carry on this service	50,000 00	
366	Publicity and Advertising in the British Emipre	100,000 00	
367	Exhibitions—Salaries and Contingencies, including the sum of $100,000 required by the Department of Immigration and Colonization for the collection and preparation of grains, grasses, vegetables, etc., and the usual exhibits at fairs in the United States and Great Britain	300,000 00	
368	Exhibition Building, London, England	75,000 00	
			4,690,931 00
	ADJUSTMENT OF WAR CLAIMS		
369	National Defence—		
	Militia Services	150,000 00	
	Naval Services	5,000 00	
370	Secretary of State	12,000 00	
			167,000 00
	Total		*223,188,160 26

*Net total, $185,852,183.55.

SCHEDULE B.

Based on Estimates, 1928-29. The amount hereby granted is $47,156,644.50.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1929, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LOANS TO CANADIAN NATIONAL RAILWAY COMPANY AND CANADIAN GOVERNMENT MERCHANT MARINE, LIMITED.		
	LOANS TO CANADIAN NATIONAL RAILWAY COMPANY		
408	Amount not exceeding $39,000,000.00 to meet expenditures made or indebtedness incurred (where amounts available from net operating income or investments may be insufficient) by or on behalf of the Canadian National Railway Company, herein called "THE COMPANY," or any Company specified or referred to in Chapter 172 of the Revised Statutes of Canada, 1927, and Chapter 13 of the Statutes of 1920 or now or hereafter comprised in the Canadian National Railways or by the Company in respect of any railways, properties and works entrusted to it from time to time under the provisions of Section 19 of Chapter 172 of the Revised Statutes of Canada, 1927, or any one or more of such Companies, on any or all of the following accounts, such expenditures or indebtedness being herein called authorized expenditures:— *(a)* Interest on securities, notes and other obligations; rentals for lease of lines; *(b)* Equipment Principal Payments; Sinking Funds; Miscellaneous Maturing or Matured Notes and other obligations secured or unsecured; *(c)* Operating Income Deficit, whenever incurred or ascertained; *(d)* Construction and Betterments, including co-ordinations; acquisition of real or personal property. The amount herein authorized may be applied from time to time to meet authorized expenditures, in the discretion of the Governor in Council:— *(a)* In respect of railways, properties and works entrusted to the Company as aforesaid; *(b)* In respect of railways, properties and works not so entrusted by way of loans in cash, or by way of guarantee, or partly one way and partly the other, subject, however, as follows:—		
408	If by way of loans from His Majesty, the amount or amounts advanced to any one or more of the said Companies shall be repayable on demand, with interest payable half-yearly at the rate fixed from time to time by the Governor in Council, secured if and when directed by the Governor in Council by mortgage or mortgages upon such properties, in such form and containing such terms and conditions, not inconsistent herewith, as the Governor in Council may approve. If by way of loans from persons other than His Majesty (without the guarantee of His Majesty) the amounts, terms and conditions of such loans shall be such as the Governor in Council may from time to time approve. If by way of guarantee, any such guarantee may be either a general guarantee covering the total amount of the issue, or by a separate guarantee endorsed on each obligation, and may be of the principal, interest and sinking funds (if any) of the notes, obligations or securities of one or more of the said Companies specified by the Governor in Council, which notes, obligations or securities the Companies so specified are hereby authorized to make and issue, and such guarantee may be signed by the Minister of Finance, or such other		

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LOANS TO CANADIAN NATIONAL RAILWAY COMPANY AND CANADIAN GOVERNMENT MERCHANT MARINE, LIMITED—*Concluded*		
	LOANS TO CANADIAN NATIONAL RAILWAY COMPANY—*Concluded*		
	person as the Governor in Council may authorize, on behalf of His Majesty, in such form and on such terms and conditions as the Governor in Council may determine to be appropriate and applicable thereto. Any guarantee so signed shall be conclusive evidence for all purposes that the provisions of this enactment have been complied with.		
	Should temporary loans be made or negotiated before the lapse of this appropriation either from His Majesty or other persons, guaranteed notes, obligations or securities may subsequently be issued under the provisions of the preceding paragraph of this enactment to renew, refund or adjust such loans, or any part thereof.		
	Each Company herein mentioned or referred to is hereby authorized to aid and assist, in any manner any other or others of the said Companies, and, without limiting the generality of the foregoing, may for its own requirements and also for the requirements of any or all such other Companies from time to time:—		
	(a) Issue notes, obligations or other securities, joint or several, at discretion, for the purpose of any guarantee made or to be made under the provisions of this enactment;		
	(b) Apply the proceeds of any such guaranteed issue, or the amount of loans received by virtue of this enactment, in meeting authorized expenditures on its own account or on account of any or all of such other Companies;		
	(c) Make advances for the purpose of meeting authorized expenditures to any or all of such other Companies, upon or without any security, at discretion.		
	No purchaser of such guaranteed notes, securities or obligations shall be under any obligation to inquire into the application of the proceeds of any guaranteed issue....	39,000,000 00	
	LOAN TO THE CANADIAN GOVERNMENT MERCHANT MARINE, LTD.		
409	Loan to the Canadian Government Merchant Marine, Limited, repayable on demand with interest at a rate to be fixed by the Governor in Council, upon such terms and conditions as the Governor in Council may determine, and to be applied in payment of: Deficits in operation of the Company and of the vessels under the Company's control during the year ending December 31st, 1928, and Capital requirements.....	758,000 00	
			39,758,000 00

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	RAILWAYS		
	MARITIME FREIGHT RATES ACT		
410	Amount required to provide for payment from time to time during the fiscal year 1928–29 of the difference, estimated by the Board of Railway Commissioners and certified by the said Board to the Minister of Railways and Canals, as and when required by him, occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (referred to in Section 9 of the said Act) on all traffic moved during 1928, under the tariffs approved, by the following companies: Atlantic Quebec & Western Railway. Canada & Gulf Terminal Railway Canadian Pacific Railway, including Fredericton & Grand Lake Coal and Railway Co. New Brunswick Coal and Railway Company. Cumberland Railway & Coal Co. Dominion Atlantic Railway. Maritime Coal Railway & Power Co. Quebec Oriental Railway Co. Sydney & Louisburg Railway. Temiscouata Railway	1,050,000 00	
411	Amount required to provide for the payment from time to time to the Canadian National Railway Company of any deficit in receipts and revenues of the Eastern lines, as defined in the Maritime Freight Rates Act, occurring during 1928 on account of the application of the said Act	1,930,000 00	
412	Amount required to provide for the payment from time to time to the Canadian National Railway Company of any deficit in receipts and revenues of the Eastern lines, as defined in the Maritime Freight Rates Act, occurring during 1928, less the portion of such deficit occurring on account of the application of the said Act	4,418,644 50	
		7,398,644 50	
	Total		47,156,644 50

SCHEDULE C.

Based on Supplementary Estimates, 1928-29. The amount hereby granted is $10,468,611.91.

Sums granted to His Majesty by this Act for the financial year ending 31st March, 1929, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CIVIL GOVERNMENT	$ cts.	
413	*External Affairs*—		
	Contingencies—Further amount required	7,000 00	
413a	*Health*—		
	Salaries—		
	To provide for the salary of an Assistant to Chief, Narcotic Division	2,400 00	
414	*Marine and Fisheries*—		
	Fisheries Branch		
	Salaries—		
	To provide for a Director of Publicity, Fisheries Branch	3,420 00	
	To provide for one Head, Western Division, Fisheries	3,120 00	
	To provide for one Head, Eastern Division, Fisheries	3,120 00	
415	*National Revenue*—		
	Contingencies—		
	To provide for the installation of Calculating Machines in the Statistical Branch	10,000 00	
416	*Post Office*—		
	Salaries—		
	To provide for payment of flat increase of $120 from April 1, 1928, to the Private Secretary to the Postmaster General	120 00	
417	*Secretary of State*—		
	Contingencies—		
	Clerical assistance—Further amount required	6,500 00	
	Sundries—Further amount required	3,000 00	
418	*Patent and Copyright Office*—		
	Salaries—		
	To provide for a Commissioner of Patents	6,000 00	
419	To provide for salaries, including promotions and reclassifications made and approved prior to April 1, 1928	70,000 00	114,680 00
	ADMINISTRATION OF JUSTICE		
420	Travelling and living expenses of Judges of Manitoulin and Algoma Districts while acting in Sudbury District	3,500 00	
	Remuneration for Herbert D. Smith while acting as Deputy Judge of the County Court of Kent County since the death of Judge Stanworth	3,000 00	
	Miscellaneous expenditure—Further amount required to cover cost of Eskimo trials in N.W.T	6,000 00	12,500 00

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LEGISLATION		
	THE SENATE		
421	To provide for the payment of the full sessional indemnity for the session of 1928 to members of the Senate for days lost through absence caused by illness, or on account of death. Payment to be made as the Treasury Board may direct...	9,755 00	
	HOUSE OF COMMONS		
422	To provide for the full sessional indemnity to members of the House of Commons—days lost through absence caused by illness, official public business, or on account of death during the present session—Notwithstanding anything to the contrary in Chapter 147 of the Revised Statutes, 1927, an Act respecting the Senate and House of Commons, or any amendments thereto. Payment to be made as the Treasury Board may direct.....	15,000 00	24,755 00
	AGRICULTURE		
	Compensation for animals tested under the Animal Contagious Diseases Act, and dying before it was possible to slaughter them, under the provisions of the Act, as follows:—		
	Baker, O. H., Danville, P.Q.....	74 00	
	Breault, Georges, Compton, P.Q.....	53 33	
	Breault, Georges, Compton, P.Q.....	8 00	
	Beauregard, Georges, Frost Village, P.Q.....	21 33	
	Bernard, Omer, St. Dominique, P.Q.....	8 00	
	Edwards, S. W., Waterford, Ont.....	30 00	
	Francis, J. G., Winchester, Ont.....	37 00	
	Girard, Wilfrid, Lacolle, P.Q.....	30 00	
	Holden, Albert, Glengarry, N.S.....	30 00	
	Inglis, W. M., Woodstock, Ont.....	32 00	
	Jenkins, Charles R., Rock Island, P.Q.....	50 00	
	Nault, Azarias, Wotton, P.Q.....	6 00	
	Nault, Azarias, Wotton, P.Q.....	6 00	
	Piedalue, Jos., Napierville, P.Q.....	30 00	
	Thompson, John, St. Regis, P.Q.....	8 00	
	Van Walleghem, J., Winnipeg, Man.....	32 00	
	Wallace, Mrs. Edith, Shubenacadie, N.B.....	26 00	
	Pierce, Fulton J., Plymouth, N.S.....	32 00	
	Taylor, John Geo., Antigonish, N.S.....	32 00	
423	Lague, Rodolphe, Dunham, P.Q.....	38 00	
	Guertin, E., Abercorn, P.Q.....	34 00	
	Frost, Frank L., Abercorn, P.Q.....	34 00	
	Gagne, Louis, Foster, P.Q.....	30 00	
	Walkerside, Ltd., Walkerville, Ont.....	14 00	
	Pugsley, E. H., East River Hebert, N.S.....	10 00	
	Dow, Steward, Athol, N.S.....	24 00	
	Ayer, F. A., Frelighsburg, P.Q.....	32 00	
	Lagace, S., Frelighsburg, P.Q.....	10 00	
	Piette, Adelard, Dunham, P.Q.....	50 00	
	Perron, H., Bedford, P.Q.....	36 00	
	Guay, Auguste, St. Clothilde, P.Q.....	30 00	
	Eby, Edwin S., Kitchener, Ont.....	85 00	
	Mercer, R. J., Chilliwack, B.C.....	32 00	
	Radmore, W. Y., Aylmer, P.Q.....	33 33	
	Peers, E. C., Pugwash, N.S.....	80 00	
	Pearce, Fred., So. Ohio, N.S.....	34 00	
	McKinnon, C. R., Hillsburg, Ont.....	85 00	
	Charron, Raymond, Laprairie, P.Q.....	35 00	
	Duchesneau, Ernest, St. Armand, P.Q.....	34 00	
	Piette, Mde. Leon, Frelighsburg, P.Q.....	36 00	
	Clough, D., Stanbridge East, P.Q.....	37 00	
	Lussier, Adelard, St. Damase, P.Q.....	36 00	
	Drayton, A. H., Abercorn, P.Q.....	30 00	
	Goyette, Fred E., Sutton, P.Q.....	34 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	AGRICULTURE—*Concluded*		
423	Racicot, Mrs. Horace, Boucherville, P.Q.	6 00	
	McCurdy, Roy B., Middle Musquodoboit, N.S.	34 00	
	Baker, Mrs. M. and Chas. Laflamme, Dunham, P.Q.	34 00	
	Withrow, Albert, Elmsdale, N.S.	36 00	
	Baker, J., Hampton, Ont.	40 00	
	Bourgeois, Willie, St. Johns, P.Q.	30 00	
	McKinnon, C. R., Hillsburg, Ont.	80 00	
	Curry, Jacob, St. Regis Indian Reserve, P.Q.	32 00	
424	Destructive Insect and Pest Act—Further amount required	30,000 00	
425	To assist in providing pre-cooling warehouse facilities for fruit in British Columbia	15,000 00	
			46,770 99
	IMMIGRATION AND COLONIZATION		
426	To provide for the replacement of Trust Funds held by the Department, misappropriated by Immigration Officers at Halifax, N.S., and Coutts, Alberta		1,632 08
	NATIONAL DEFENCE		
427	*Militia Services*— Engineer Services and Works—Further amount required for rifle range at North Vancouver	30,000 00	
428	*Air Services*— Royal Canadian Air Force—Further amount required to replace stores, equipment and building destroyed by fire in Ground Instructional School, Camp Borden, April 18, 1928	28,000 00	
	Civil Air Operations—Further amount required for the construction and operation of St. Hubert Aerodrome and Airship Base	150,000 00	
429	*General Services*— Miscellaneous— Compassionate grant to the widow of the late Alex. MacCannell	900 00	
	Compassionate grant to Paul Andrews	500 00	
	Compassionate grant to Joseph Henry Welch	100 00	
			209,500 00
	RAILWAYS AND CANALS		
	(Chargeable to Capital)		
	RAILWAYS		
430	Canadian Government Railways— To provide for additional Car Ferry between the Mainland and Prince Edward Island	1,000,000 00	
	CANALS		
431	Welland Ship Canal: To provide for payment to P. Lyall & Sons Construction Co., Ltd., on account of washing rock from section 4—not anticipated at time tenders were called for	56,658 00	
			1,056,658 00

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	RAILWAYS AND CANALS		
	(Chargeable to Income)		
	RAILWAYS		
432	To supplement pension allowances payable under the provisions of the Intercolonial and Prince Edward Island Railway Employees' Provident Fund Act so as to make the minimum payment, during the period from January 1, 1928 to March 31, 1929, the sum of $30 per month instead of $20 as fixed by the said Act....—	50,000 00	
	CANALS		
433	Lachine Canal Improvements—Further amount required (revote)	34,000 00	
	Soulanges Canal Improvements—Further amount required (revote)	5,000 00	
	Trent Canal Improvements—Further amount required (revote)	7,500 00	
	MISCELLANEOUS		
434	Compassionate allowance to the widow of the late Charles Hilden who was accidentally drowned at Halifax, September 8, 1927	3,000 00	
			99,500 00
	PUBLIC WORKS		
	(Chargeable to Capital)		
	HARBOURS AND RIVERS		
435	St. John Harbour—In full and final settlement of the claim of the St. John Dry Dock and Shipbuilding Co., Ltd., for extra work in connection with their contract for harbour improvements	8,859 79	
	Port Arthur and Fort William—Harbour improvements—Further amount required	77,000 00	
	Esquimalt, B.C.—Dry Dock—Further amount required	65,000 00	
			150,859 79
	PUBLIC WORKS		
	(Chargeable to Income)		
	PUBLIC BUILDINGS		
	Nova Scotia		
436	Truro Public Publding—Addition	22,000 00	
	New Brunswick		
437	Buctouche—Public building	17,000 00	
	Forest City—Building for Immigration and Customs-Excise purposes	4,000 00	
	Lancaster Hospital—Government's share of cost of local improvements	14,050 00	
	Newcastle Public Building—Improvements, etc	2,500 00	
	St. Croix—Building for Customs-Excise and Immigration purposes at International Bridge	10,000 00	
	St. Stephen Public Building—Improvements and alterations	3,000 00	
	West St. John Immigration Building—Improvements, alterations and repairs	10,000 00	

No. of Vote	Service	Amount	Total
	PUBLIC WORKS—*Continued*	$ cts.	$ cts.
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Continued*		
	Quebec		
	Granby Public Building—Improvements, alterations and repairs	6,500 00	
	Hull Public Building—Improvements and alterations	4,500 00	
	Levis Public Building—Improvements and repairs	4,000 00	
	Magog Public Building—Improvements and repairs	3,000 00	
	Maniwaki Public Building—Drain	2,000 00	
	Montreal General Post Office—Reorganization	3,500 00	
	Montreal—Government's share of cost of local improvements	28,000 00	
	Montreal—New Examining Warehouse—Alterations and improvements—Further amount required	6,000 00	
438	Montreal Old Examining Warehouse—Reconstruction—Further amount required	50,000 00	
	Montreal Postal Station "B"—Improvements and alterations	9,000 00	
	Montreal Postal Station "H"—Improvements to heating	4,500 00	
	Quebec Customs Examining Warehouse—Improvements, alterations and repairs	15,000 00	
	Quebec—Postal improvements and installations at C.P.R. Station	6,500 00	
	Quebec Public Building—Improvements and repairs	8,500 00	
	Rock Island—Customs-Excise Building	27,000 00	
	St. Jean Customs House—Improvements and repairs	3,000 00	
	Thetford Mines Armoury—Improvements and repairs	2,500 00	
	Trois Rivieres—Government's share of cost of local improvements	2,250 00	
	Ontario		
	Chatham Public Building—Addition	23,000 00	
	Collingwood Public Building—Improvements and repairs	4,500 00	
	Hamilton "Duffield Building"—Improvements and repairs	14,250 00	
	Hamilton Public Building—Alterations and repairs—Further amount required	11,000 00	
	Hespeler—Public building	20,000 00	
	Listowel Public Building—Improvements and repairs	3,900 00	
	London Public Building—Improvements, alterations and repairs	7,500 00	
	North Bay Public Building—Improvements and alterations	6,500 00	
	Oshawa Customs Examining Warehouse—Addition	27,000 00	
	Oshawa Public Building—Installation of elevator and improvements, etc	8,000 00	
439	Ottawa—Forest Products Laboratory—Improvements, alterations and fittings	3,000 00	
	Ottawa—Laboratory for Department of Mines, Booth St., and alterations—Further amount required	35,000 00	
	Ottawa—Purchase of property on Sussex Street	525,000 00	
	Ottawa—West Block—Elevator	8,000 00	
	Sarnia Public Building—Improvements and repairs	3,000 00	
	Sault Ste. Marie Public Building—Improvements and repairs	3,000 00	
	Simcoe Public Building—Improvements and repairs	4,000 00	
	Strathroy Public Building—Improvements, alterations and repairs	5,500 00	
	Sturgeon Falls—Public building	27,500 00	
	Sudbury Public Building—Addition and alterations	10,500 00	
	Timmins—Public building	30,000 00	
	Toronto—Postal Station "A"—Mechanical equipment—Further amount required	34,000 00	
	Toronto Taxation Office—Improvements and repairs	7,000 00	
	Trenton Public Building—Improvements and repairs	2,500 00	
	Walkerton Public Building—Improvements	3,500 00	
	Whitby Public Building—Improvements	3,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Concluded*		
	Manitoba		
	Dauphin Public Building—Addition	7,500 00	
	Emerson—Building for Customs and Immigration purposes	32,500 00	
	Transcona—Public building	20,000 00	
440	Winnipeg—Hospital for Department of Soldiers' Civil Re-establishment	250,000 00	
	Winnipeg—Immigration Building No. 1—Improvements and repairs	6,500 00	
	Winnipeg Public Building—Improvements and alterations	16,000 00	
	Saskatchewan		
	Battleford Public Building—Improvements and repairs	2,500 00	
441	Canora—Purchase of building for postal purposes	12,000 00	
	Melville—Public building	5,000 00	
	Swift Current—Public building	25,000 00	
	Alberta		
442	Calgary—Grain Inspection Building	2,500 00	
	Generally		
443	Purchase of Stamp Cancelling Machines—Revote	62,500 00	
	Rents, Repairs, Furniture, Heating, etc.		
	Ottawa Public Buildings and Grounds—		
	Repairs, improvements, additions and maintenance—Further amount required	225,000 00	
444	*Dominion Public Buildings*—		
	Power for running elevators, stamp cancelling machines, etc.—Further amount required	5,000 00	
	Rents—Further amount required	86,500 00	
	HARBOURS AND RIVERS		
	Nova Scotia		
	Auld's Cove—Wharf	1,600 00	
	Barrington Passage—Ice piers	17,000 00	
	Barrios Beach—Breakwater extension	3,800 00	
	Bear Cove—Breakwater repairs	3,500 00	
	Comeauville—Breakwater extension	5,500 00	
	Digby Pier—Improvement	36,000 00	
	East End (Cripple Creek)—Harbour improvements	9,500 00	
	East River—In full and final settlement of claim of Halifax Dredging Co., Ltd., in connection with contract for dredging at East River, N.S.	6,033 50	
445	Finlay Point—Harbour improvements	3,900 00	
	Glace Bay—Wharf reconstruction	16,000 00	
	Grass Cove—Breakwater-Wharf—Further amount required	5,000 00	
	Grosses Coques—Sluice gates	3,000 00	
	Guysborough—Dredging—Further amount required	6,000 00	
	Harbourville—Breakwater	11,000 00	
	Harbourville—Repairs to west breakwater	1,300 00	
	Iona—Wharf repairs	7,000 00	
	Ketch Harbour—Wharf	4,800 00	
	Kraut Point—Wharf repairs	1,500 00	
	La Have River—Dredging—Further amount required	6,500 00	
	Little Anse—Breakwater repairs	13,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Nova Scotia—Concluded		
	Little Harbour—Breakwater extension and improvements	3,300 00	
	Lower L'Ardoise—Breakwater repairs	7,600 00	
	Lower Wedgeport—Wharf repairs and extension	3,700 00	
	Lower Woods Harbour—Purchase of wharf	2,300 00	
	Malignant Cove—Wharf extension	4,400 00	
	Melbourne—Wharf extension	2,500 00	
	Meteghan River—Breakwater repairs	1,500 00	
	Meteghan—Wharf repairs	2,500 00	
	Murphy's Pond—Port Hood—Harbour improvements—Further amount required	2,000 00	
445	Peas Brook—Wharf	16,500 00	
	Pembroke—Wharf extension	5,600 00	
	Pictou Landing—Breakwater	6,000 00	
	Port Clyde—Purchase and reconstruction of wharf	3,000 00	
	Port Lorne—Breakwater repairs	6,000 00	
	Salmon River—Breakwater repairs	3,000 00	
	Scott's Bay—Rebuilding part of south breakwater	7,100 00	
	Seal Harbour—Breakwater extensions	1,300 00	
	Shag Harbour—Breakwater-wharf	8,600 00	
	Shelburne—Wharf improvements	4,400 00	
	St. Francis Harbour—Breakwater extension, dredging and groyne	35,000 00	
	St. Joseph du Moine—Breakwater extension and improvements	2,800 00	
	Surettes Island—Wharf	2,800 00	
	Sydney—Wharf—Further amount required	37,000 00	
	Terrance Bay—Wharf repairs	4,700 00	
	Washabuck Centre—Wharf repairs	1,200 00	
	West Advocate—Extension to breakwater-wharf	10,000 00	
	West Baccaro—Extension and repairs to beach protection and breakwater	5,500 00	
	Prince Edward Island		
	Cape Traverse—Wharf repairs and improvements	3,500 00	
	Souris Harbour—Breakwater repairs	30,000 00	
446	Tracadie—Breakwater repairs	2,000 00	
	West River Bridge—Wharf reconstruction and extension	7,200 00	
	New Brunswick		
	Barker's—Wharf repairs	6,000 00	
	Campbellton—Dredging	30,000 00	
	Cumberland Bay—Wharf repairs	1,500 00	
	Eel River Bridge—Wharf	5,500 00	
	Ford's Mills—Wharf	1,000 00	
	Fort Dufferin—Repairs to breastworks	25,000 00	
447	Hebert's Point, Hardwicke—Dredging	13,500 00	
	Kent Boom—Wharf	3,200 00	
	Lameque—Wharf extension	20,000 00	
	L'Etang—Wharf repairs	6,300 00	
	Lorneville—Dredging	11,300 00	
	North Head—Breakwater repairs	10,500 00	
	Point Sapin—Breakwater extension—Further amount required	1,500 00	
	Public Landing—Wharf repairs	3,500 00	
	Richardson—Reconstruction of wharf and floating slip	5,500 00	
	St. Nicholas River—Wharf repairs	1,000 00	
	Seeley's Beach—Pier	3,000 00	
	Shippigan Harbour—Dredging	14,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Quebec		
	Angliers—Wharf—To complete	3,500 00	
	Anse a Beaufils—Reconstruction of and repairs to jetties	3,600 00	
	Anse a la Louise—Breastwork training pier	2,250 00	
	Anse St. Jean—Wharf repairs and extension	20,000 00	
	Barachois de Malbaie—Repairs to training jetty	8,900 00	
	Belœil Station—Repairs to guard piers and boom	3,500 00	
	Berthierville—Dredging	35,200 00	
	Bonaventure West—Breakwater extension	2,000 00	
	Cap Chat—Dredging, The Canadian Paper Board Co. to contribute one third of cost	25,000 00	
	Charlemagne—Dredging	15,000 00	
	Choisy—Wharf reconstruction—Revote	2,500 00	
	Contrecœur—Dredging	20,000 00	
	Cross Point—Wharf repairs	5,900 00	
	Doucet's Landing (Ste. Angele de Laval)—Wharf reconstruction—Further amount required	13,000 00	
	Doucet's Landing (Ste. Angele de Laval)—Dredging	46,000 00	
	Father Point—Wharf repairs and improvements	7,500 00	
	Fassett—Wharf repairs	1,500 00	
	Fort Coulonge—Wharf repairs	1,000 00	
	Grindstone—Wharf repairs	5,000 00	
	Ile Perrot Nord—Wharf repairs	2,600 00	
	Lanoraie—To complete ice breakers	1,200 00	
	Laprairie—Repairs to dyke	6,000 00	
	Les Escoumains—Wharf reconstruction	30,000 00	
448	Little Montreal River—Dredging—The Provincial Government to contribute a like amount	15,000 00	
	Louiseville—Wharf reconstruction	11,500 00	
	Matane—In full and final settlement of the claim of Messrs. J. R. and J. E. Boulanger in connection with their contract for an extension to the Eastern Breakwater	9,827 00	
	Matane—Harbour improvements	30,000 00	
	Mille Vaches—Wharf repairs	1,800 00	
	Moisie—Protection work	5,000 00	
	Montmagny—Improvements to protection walls	30,000 00	
	Natashquan—Wharf extension	38,000 00	
	Norton Creek—Dredging—The Provincial Government to contribute a like amount	28,000 00	
	Palmarolle—Wharf	2,800 00	
	Paspebiac—Wharf extension	7,000 00	
	Perce—Wharf	20,000 00	
	Petit Capucins—Wharf extension	5,000 00	
	Petite Rivière Est—Breakwater	10,000 00	
	Petit Saguenay—Wharf extension	6,400 00	
	Rimouski—Dredging—Further amount required	14,100 00	
	Riviere du Loup (en haut)—In full and final settlement of the claim of Les Chantiers Manseau for dredging performed in 1926	54,507 29	
	Riviere du Loup (en bas)—Wharf repairs	3,800 00	
	Rivière St. Francois—Dredging	7,500 00	
	Roberval—Breakwater reconstruction and extension	29,000 00	
	Ruisseau Gagnon—Dredging	1,800 00	
	Ste. Anne de Beaupre—To complete wharf reconstruction	3,500 00	
	St. Anicet—Wharf reconstruction	4,000 00	
	Ste. Anne de la Pocatiere—Wharf enlargement and repairs	7,800 00	
	St. Antoine de Tilly—Dredging	30,000 00	
	St. Blaise—Repairs to roadway approach	1,200 00	
	St. Eloi (Riviere Pointe a la Loupe)—Dredging	1,000 00	
	St. Etienne de Malbaie—Wharf extension	20,000 00	
	Ste. Flavie—Wharf	15,000 00	
	St. Godfroy—Wharf extension	7,000 00	
	St. Henri de Taillon—Wharf replacement	3,000 00	
	St. Jean des Piles—Wharf	7,500 00	

No. of Vote	Service	Amount	Total
	PUBLIC WORKS—*Continued*	$ cts.	$ cts.
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Quebec—Concluded		
	St. Juste du Lac—Wharf repairs	1,100 00	
	St. Michel des Saints—Improvements on River Cypress	5,000 00	
	St. Ours—Wharf extension	5,000 00	
	St. Pierre Les Becquets—Dredging—Further amount required	14,000 00	
	St. Placide—Wharf reconstruction	10,000 00	
	St. Simeon—Wharf repairs	1,850 00	
	St. Zotique—Wharf repairs—Further amount required	1,900 00	
448	Taschereau River—Dredging	8,000 00	
	Thurso—Wharf repairs	5,900 00	
	Trinity Bay—Dredging	44,000 00	
	Varennes—Ice breakers and protection works	12,000 00	
	Vaudreuil—Dredging	17,000 00	
	Vercheres—Reconstruction of ice breaker	1,700 00	
	Vercheres—Breakwater, landing and shed	8,600 00	
	Yamachiche River—Dredging	21,000 00	
	Yamaska River—Dredging	17,500 00	
	Ontario		
	Beaverton—In full and final settlement of the claim of D. Conroy in connection with his contract for harbour improvements in 1912-13-14	1,846 11	
	Bracebridge—Revetment wall	3,000 00	
	Bruce Mines—Dredging	24,000 00	
	Burlington Channel—Improvements	75,000 00	
	Byng Inlet—Dredging	20,000 00	
	Chatham—Repairs to revetment walls	9,000 00	
	Collingwood—Dredging—Further amount required	50,000 00	
	Goderich—Harbour improvements—Further amount required	100,000 00	
	Gravenhurst—Harbour improvements	2,400 00	
	Hamilton—Harbour improvements—Further amount required	100,000 00	
	Kilworthy (Sparrow Lake)—Wharf	1,800 00	
	Kincardine—Harbour repairs and improvements—Further amount required	10,000 00	
	La Passe—Wharf repairs	1,000 00	
449	Little Current—Dredging	75,000 00	
	Midland—In full and final settlement of claim of the Macdonald Engineering Co., Ltd., in connection with their contract for wharf and dredging	19,243 01	
	Port Elgin—Dredging	3,000 00	
	Port Hope—Harbour repairs and improvements—Further amount required	2,200 00	
	Port Maitland—Breakwater repairs	25,000 00	
	River Beaudette—Contribution to the Municipality of the Township of Charlottenburg towards dredging River Beaudette, the Provincial Government and the Municipality to share in the cost	20,000 00	
	Sarnia—Dredging—Further amount required	105,000 00	
	Sydenham River—Dredging	22,500 00	
	Tobermory—Wharf	10,000 00	
	Toronto Island—Repairs to Groynes	15,000 00	
	Treadwell—Wharf repairs	1,800 00	
	Wendover—Repairs to wharf and ice piers	3,200 00	
	Whitby—Reconstruction of entrance pier	17,000 00	
	Manitoba		
	Assiniboine River—Repairs to dykes	7,000 00	
	Gimli—Repairs to pier	3,300 00	
	Georges Island—Breakwater	3,000 00	
	Harbours and Rivers Generally—Repairs and improvements—Further amount required	4,000 00	
450	Lac du Bonnet—Wharf reconstruction	5,500 00	
	Roseau River—Improvements—Further amount required	8,000 00	
	Selkirk—Reconstruction of dam	1,700 00	
	Improvements of water route between Athapapuskow and Cold Lakes	2,000 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Saskatchewan and Alberta		
	Alberta Beach, Lac Ste. Anne—Wharf	3,500 00	
	Highwood River—Contribution towards protection work at the Town of High River, the Dominion Government to contribute 40%, the Province of Alberta 50% and the Town of High River 10%	3,600 00	
451	Lumsden—Contribution towards dyking on the Qu'Appelle River at Lumsden, the town of Lumsden to contribute 25% of the cost or approximately $1,200	3,500 00	
	British Columbia		
	Boswell—Wharf repairs	3,500 00	
	Courtenay River—Renewal of protection work	3,200 00	
	Cracroft—Reconstruction of float	1,100 00	
	Fort St. James—Wharf	6,000 00	
	Fraser River—Contribution towards construction of a wing dam on the Fraser River near Agassiz, B.C., the Province of British Columbia and the Corporation of the District of Kent, B.C., each to contribute a like amount	1,700 00	
	Fraser River—Improvements—Further amount required	50,000 00	
	Fraser's Landing—Wharf repairs	1,600 00	
	Ganges—Wharf addition	1,300 00	
	Gillies Bay—Float	1,400 00	
	Ginols—Wharf	8,500 00	
	Gorge Harbour—Float	2,300 00	
	Gray Creek—Wharf replacement	7,200 00	
	Hollyburn—Breakwater repairs	2,800 00	
	Hopkin's Landing—Wharf extension	5,500 00	
452	Horseshoe Bay—Float	3,500 00	
	Irvine's Landing, Pender Harbour—Wharf	11,200 00	
	Nicomen Island—Protection work and dyking	45,000 00	
	Port Neville—Float	3,000 00	
	Port Simpson—Renewal of wharf head	9,000 00	
	Princess Creek—Wharf repairs	2,000 00	
	Queen Charlotte City—Renewal of float	1,900 00	
	Revelstoke—Repairs to dam	6,000 00	
	Riondel—Wharf improvements	4,000 00	
	Salmon Arm—Wharf repairs	8,800 00	
	Salmon River—Improvements	1,700 00	
	Savary Island—Wharf repairs—Further amount required	3,800 00	
	Sidney—Float and wharf improvements	3,400 00	
	Stewart—Wharf	20,000 00	
	Stikine River—Improvements	5,500 00	
	Sturdies Bay—Wharf reconstruction and extension—Further amount required	3,300 00	
	Tofino—Renewal of floats	1,900 00	
	Union Bay—Wharf repairs	3,000 00	
	Westview—Wharf	8,000 00	
	Dredging		
	Dredging—Maritime Provinces—Further amount required	60,000 00	
453	Dredging—Manitoba, Saskatchewan and Alberta—Further amount required	20,000 00	
	ROADS AND BRIDGES		
	International bridge over River St. John between Clair, N.B., and Fort Kent, Me., the State of Maine to provide $130,000	50,000 00	
	Des Joachims, Que.—Repairs to bridge	5,550 00	
	Kingston—Repairs to La Salle Causeway	1,750 00	

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	(Chargeable to Income)—Concluded		
	ROADS AND BRIDGES—*Concluded*		
454	Upper Duncan River—Construction of road from Howser Lake to Haley's Landing—The Provincial Government of British Columbia to contribute a like amount	7,500 00	
	Interprovincial bridge over the Ottawa River at Hawkesbury, the Quebec and Ontario Governments to each contribute one-third of the cost	40,000 00	
	Repairs to bridge over Grand River at York, Ont	4,000 00	
	St. Majorique, Que.—Repairs to bridge approaches	2,500 00	
	TELEGRAPH AND TELEPHONE LINES		
	Prince Edward Island		
455	Telephone cable between Cape Traverse, P.E.I. and Cape Tormentine, N.B	33,000 00	
	Lower St. Lawrence and Maritime Provinces		
456	Repairs to Cable Ship *Tyrian*	10,000 00	
	Alberta-Saskatchewan		
	House River, Alta.—Telegraph building	1,500 00	
	Reconstruction of Grouard-Peace River telegraph line	14,000 00	
457	Reconstruction of telegraph line between Cochin and Midnight Lake	10,800 00	
	Telegraph line from Meadow Lake to Loon Lake—Further amount required	900 00	
	Telephone line from Pegasus to Barnes Ferry	4,000 00	
	British Columbia		
	British Columbia, Northern District—General repairs and improvements—Further amount required	1,700 00	
	British Columbia, Vancouver Island District—General repairs and improvements—Further amount required	24,000 00	
458	Reconstruction of Quathiaski-Bold Point Telephone line	1,000 00	
	Telephone line from Clinton-Gang Ranch line to Alkali Lake	6,000 00	
	Telephone line to Empire Valley	1,400 00	
	Telephone line to Knouff lake	2,715 00	
	Yukon Telegraph System—Repairs to telegraph building at Whitehorse	1,925 00	
	MISCELLANEOUS		
	To indemnify John McLennan, late caretaker of the public building, Seaforth, Ont., in lieu of three months' leave of absence with full pay previous to superannuation	345 00	
459	Compassionate allowance to Elizabeth Young Brown, widow of the late John Collison Brown, caretaker of the public building at Niagara Falls, Ont., who died from gas poisoning while on duty	2,500 00	
	Compassionate allowance to Marie-Angeline Lachance, widow of the late Jos. O. Lachance, Assistant Engineer at Rimouski, Que., who died from pleurisy, contracted while on Departmental duty at Matane, Quebec	2,500 00	
			4,593,691 91

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
460	Canada and Newfoundland, steam service between	35,000 00	
461	Canada and South Africa, steam service between—Further amount required	25,000 00	
462	Eastern Canada and Brazil, Uruguay and the Argentine Republic, steam service between	100,000 00	
463	Halifax and Sherbrooke, steam service between	1,500 00	
464	Murray Bay, Havre St. Pierre and other ports on the north shore of the River St. Lawrence, winter steam service between	40,000 00	
465	Pictou, New Glasgow and Antigonish County Ports, service between	1,000 00	
466	Rimouski and Pointe aux Outardes, service between—Further amount required	2,500 00	
467	St. Catherine's Bay and Tadoussac, service between—Further amount required	1,000 00	
468	St. John and Centreville, steam service between	1,000 00	
469	St. John and Margaretville and other ports on the Bay of Fundy, steam service between—Further amount required	1,000 00	
470	St. John, Westport, Yarmouth and other way ports, steam service between—Further amount required	3,000 00	
471	Sydney and Whycocomagh, steam service between—Further amount required	3,000 00	
			214,000 00
	OCEAN AND RIVER SERVICE		
472	Amount required to reimburse the British Board of Trade for expenditures incurred in the relief of distressed Canadian seamen not authorized by the Canada Shipping Act	600 00	
473	Miscellaneous and unforseen expenses—Further amount required	7,000 00	
474	Radiotelegraph Service and to provide for the construction and maintenance of Radiotelegraph ship to shore stations and the general administration of the provisions of the Radio Act and Regulations throughout the Dominion—Further amount required	230,000 00	
475	To provide for the expenses of a commission to enquire into the Radio Broadcasting situation throughout Canada and to advice as to the future administration, management, control and finance thereof	25,000 00	
476	To provide for compassionate allowance to Alfred Callow, formerly a member of the crew of the C.G.S. "*Aranmore*"	1,497 85	
477	To provide for compassionate allowance to J. B. Fontigny, father of Ovila Fontigny, formerly a member of the crew of the C.G.S. "*Shamrock*"	3,050 00	
478	To provide for compassionate allowance to Joseph Lemay, formerly a member of the crew of the C.G.S. *Montcalm*	777 00	
479	To provide for the construction of an Icebreaker for the Hudson Strait, preliminary amount required	500,000 00	
480	To provide for the construction of a new Icebreaker for service in the St. Lawrence River, preliminary amount required	400,000 00	
			1,167,924 85
	PUBLIC WORKS		
	(Chargeable to Capital)		
	MARINE DEPARTMENT		
481	Sorel Shipyard—To provide for the reconditioning of Wharf No. 4 and for new foundations for buildings Nos. 3 and 4	45,780 00	
482	To provide for compassionate allowance to Madame Melanie Champagne, mother of the late Ovila Lamothe, formerly employed at the Government Shipyard, Sorel	3,050 00	
483	Amount required to pay medical and hospital fees incurred in connection with the accidental injury and death of Ovila Lamothe, formerly employed at the Government Shipyard, Sorel	525 45	
484	To provide for compassionate allowance to Dame Rose-Anna Cournoyer, widow of the late Pierre Peloquin, formerly employed at the Government Shipyard, Sorel	3,050 00	
			52,405 45

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LIGHTHOUSE AND COAST SERVICE		
485	Further amount required to pay pension to Pilot Alphonse Paquet	300 00	
486	To provide for compassionate allowance to Louis Madore, formerly a member of the crew of Lightship No. 5	250 00	
			550 00
	FISHERIES		
487	Legal and incidental expenses—Further amount required	4,000 00	
488	Marine Biological Board of Canada—Further amount required—		
	(a) Purely scientific work	50,500 00	
	(b) Fish Culture Investigations	11,600 00	
489	Oyster culture	10,000 00	
490	To provide for the payment of a bounty for the destruction of hair seals in tidal waters	25,000 00	
491	To provide for an investigation into the life history of the Pacific Halibut by the International Fisheries Commission—Further amount required	3,000 00	
			104,100 00
	SCIENTIFIC INSTITUTIONS		
492	Expenses connected with the survey and demarcation of International Boundaries—Further amount required		2,500 00
	MINES		
	Mines Branch—		
493	Amount required for expenses in connection with movement of coal from Alberta to Ontario and from Nova Scotia and New Brunswick to Quebec and Ontario, under the provisions of Orders-in-Council P.C. 439 and P.C. 539		150,000 00
	LABOUR		
494	International Labour Conference—Further amount required		5,000 00
	PUBLIC PRINTING AND STATIONERY		
495	Printing, binding and distributing the Revised Statutes of Canada, 1927		25,000 00
	INDIANS		
	Ontario and Quebec—		
496	Repairs to Roads and Bridges and Drainage—Further amount required	20,000 00	
	To provide for expenses in connection with the prosecution of a claim of the Cayuga Indians against the United States of America before the American and British Claims Arbitration Tribunal	28,078 20	
	Manitoba, Saskatchewan, Alberta and Northwest Territories—		
497	Hospitals, Medical Attendance and Medicines—Further amount required	10,000 00	
498	*Indian Education*—Further amount required	56,850 00	
			114,928 20
	ROYAL CANADIAN MOUNTED POLICE		
499	Pay of Force—Further amount required	186,130 00	
	Maintenance (including billeting, travelling expenses, forage, fuel and light, clothing repairs and renewals, horses, ammunition, stationery, etc., medical, hospital, etc., transportation and freight, building repairs, contingencies and criminal investigations, and establishment of new detachments and renewals)—Further amount required	334,692 00	
			520,822 00

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	GOVERNMENT OF THE YUKON TERRITORY		
500	Grant for maintenance and construction of roads—Further amount required		3,000 00
	DOMINION LANDS AND PARKS		
501	Additional amount required for Protection of Timber, etc., to pay for machinery for the Forest Products Laboratories, Ottawa, ordered but not delivered in fiscal year 1927-28; to cover expenses of the Forest Service delegation to the British Empire Forestry Conference in Australia and New Zealand	18,520 00	
	To provide for the expenses incurred under the Lake of the Woods Control Board Act, 1921, and under the agreement between the Dominion, Ontario and Manitoba, confirmed by the Lac Seul Conservation Act, 1928, for the construction of a dam at the outlet of Lac Seul and its operation by the Lake of the Woods Control Board and for the remuneration at the rate of $1,000 each per annum, of Messrs. J. T. Johnston and K. M. Cameron, Dominion Members of such Board, the moneys expended to be reimbursed to the Dominion by the licensees of developed power sites on the Winnipeg River in Manitoba	500,000 00	
	Compassionate allowance to S. Knutson in connection with the death of his son at Jasper Park	500 00	
	To provide for the expenses connected with Canadian National Parks, Historic Sites, care of indigents in the Parks, including purchase of land at Fort Louisburg, etc.—Further amount required	32,000 00	
	To satisfy the claim of C. B. Jameson for refund of amounts paid by him on purchase price of coal mining rights and for taxes	3,239 91	
	To cover the Dominion Government's share of freight charges in connection with the removal of settlers from the drought stricken areas to other districts	1,500 00	
	To provide for the construction of the Golden-Revelstoke highway	150,000 00	
	To provide for expenses connected with the Supervisory Mining Engineer's Office due chiefly to the recent mining activities in Northern Manitoba and Northern Saskatchewan	10,000 00	
	To pay damages and costs pursuant to the judgment of the Honourable Mr. Justice MacLean, President of the Exchequer Court, in the action brought by the estate of the late E. H. Maunsell, Henry F. Maunsell and Maunsell Brothers against the Crown	40,000 00	
			755,759 91
	MISCELLANEOUS		
502	To provide for the repayment to the insurance adjustors of the proceeds from a sale of cargo which was washed ashore from the steamer "Brockton" and regularly disposed of to the credit of the Receiver General	2,473 73	
503	Litigated Matters— Further amount required to complete payment of the expenses of the Labrador-Newfoundland Case	60,000 00	
504	Amount required to supplement the provisions of the Home Bank Creditors' Relief Act, 1925, and subject to the provisions of the said Act, and notwithstanding section 6 *(b)* thereof, to provide for payments— *(a)* To certain creditors having approved claims of over $500 whose applications for relief were made after the expiration of twelve months from the date of the passing of the said Act, and *(b)* To creditors having approved claims of not more than $500 as and when applied for	460,000 00	
505	To provide for payment of salaries and expenses in connection with the operation of the Canadian Farm Loan Act; any payment under this item to be by way of advance repayable to the Consolidated Revenue Fund from the revenues of the Canadian Farm Loan Board as and when they accrue	50,000 00	

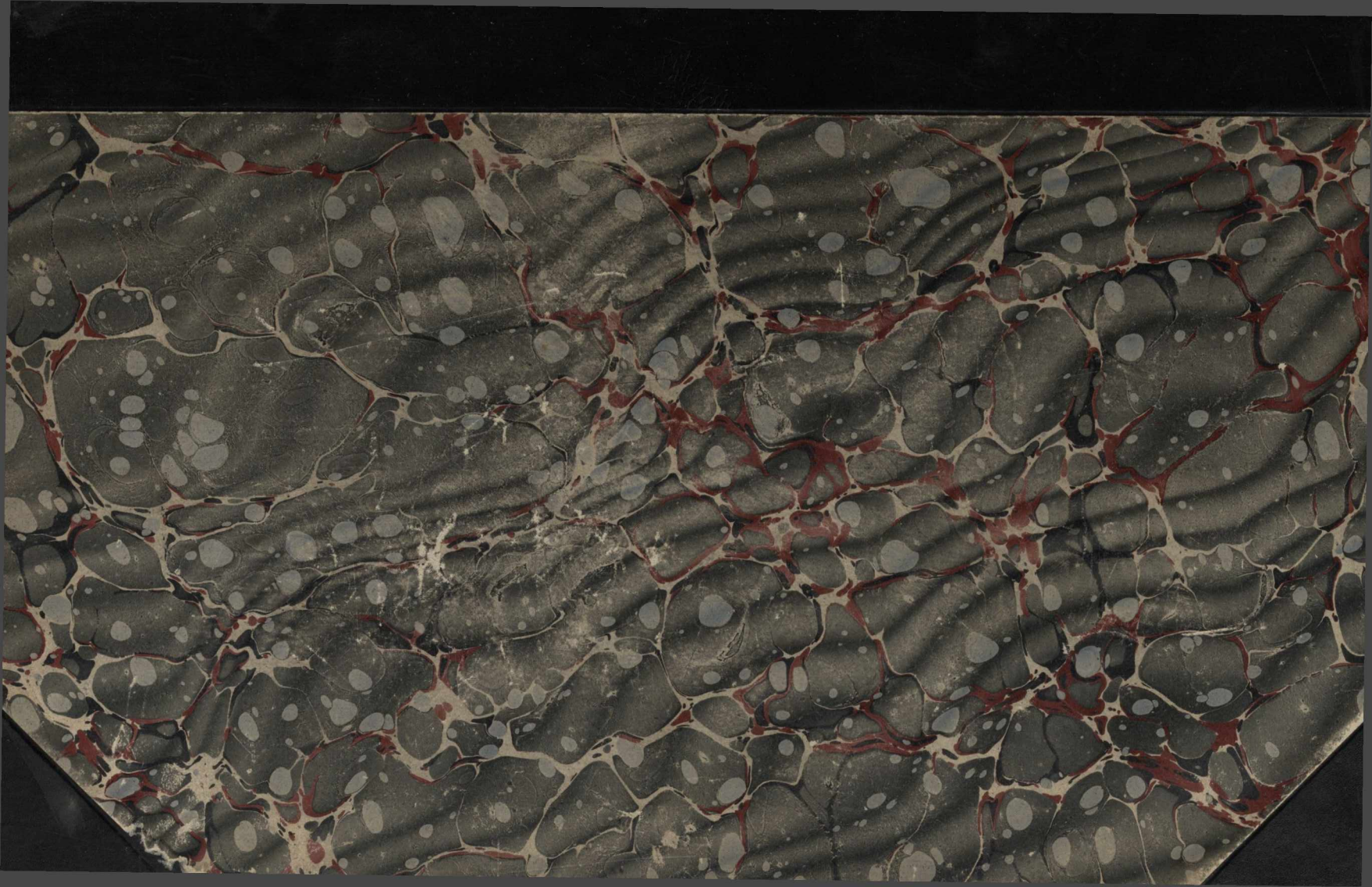
No. of Vote	Service	Amount	Total
	MISCELLANEOUS—*Concluded*	$ cts.	$ cts.
506	Expenses of reference to Supreme Court of Canada *re* water powers	30,000 00	
507	Grant to the Dominion Council of the Girl Guides—Further amount required	3,000 00	
508	Grant to the Canadian Social Hygiene Council—Further amount required	10,000 00	
509	Grant to the Canadian National Institute for the Blind—Further amount required	5,000 00	
510	Grant to the Canadian National Committee for Mental Hygiene—Further amount required	10,000 00	
511	Grant to the Canadian Council on Child Welfare—Further amount required	5,000 00	
512	Grant to l'Institut Nazareth de Montréal to assist in work with the Blind	5,000 00	
513	To provide for a compassionate allowance to the widow of the late Thos. B. Flint, Clerk of the House of Commons	500 00	
514	To provide for salaries and expenses of the Advisors engaged in Tariff Enquiry. Payments may be made notwithstanding anything in the Civil Service Act or regulations thereunder—Further amount required	20,000 00	
515	Grant to the Royal Society of Canada—Further amount required	2,000 00	
			662,973 73
	NATIONAL REVENUE		
	To provide for remission of Excise Tax paid on automobiles remaining in the hands of dealers and unsold at the time when such tax was repealed by Order in Council, Dec. 18, 1920, P.C. 1/3163	165,000 00	
	To provide for payments to Messrs. Clarkson, Gordon, Dilworth, Guilfoyle and Nash for services in connection with the investigation and prosecution of breweries	15,000 00	
516	To provide for payment to Mrs. C. E. McDonald, widow of C. E. McDonald, Sub-Collector of Customs and Excise at Port Borden, P.E.I., who was killed, a compassionate allowance of	500 00	
	To provide for payment to Mrs. Margaret M. Hughes, widow of Wm. G. Hughes, an employee of this Department at Prince Rupert, B.C., who was accidentally killed while on duty, a compassionate allowance of	500 00	
			181,000 00
	PUBLIC WORKS		
	(Chargeable to Collection of Revenue)		
	GRAVING DOCKS		
517	Esquimalt Graving Docks—Further amount required	6,000 00	
	HARBOUR AND RIVER WORKS		
518	Montreal River—Dam at Latchford—Further amount required	2,100 00	
			8,100 00

SCHEDULE C—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	POST OFFICE—OUTSIDE SERVICE		
519	Purchase of rural mail boxes—Further amount required	40,000 00	
	Mail Service by air and land conveyance, including rural mail delivery—Further amount required	150,000 00	
			190,000 00
	Total		10,468,611 91

SCHEDULE D.

Based on Further Supplementary Estimates, 1928-29. The amount hereby granted is $1,000,200.00.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1929, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LEGISLATION		
520	To provide and authorize refund of the deposit of Charles Henry Gauvreau, candidate in Athabaska at the General Election of 1925		200 00
	SOLDIERS' CIVIL RE-ESTABLISHMENT		
521	Grant to the Dominion Executive Council of the Canadian Legion, British Empire Service League—expenditure of this grant to be subject to such supervision and audit as the Governor in Council may deem necessary, the amount not to exceed $10,000 per annum and to be contributed on the basis of one dollar for every dollar expended by the Legion directly for the purposes of the Bureau	10,000 00	
522	Operating expense and working capital—Further amount required	40,000 00	
523	Pay and allowances—Further amount required	700,000 00	
524	Care of patients and medical examination of pensioners—Further amount required	250,000 00	
			1,000,000 00
	Total		1,000,200 00